








Do you have a
**LOVED ONE
MISSING
ON THE
MIGRATION
JOURNEY?**

GUIDE TO SEARCH
MIGRANTS MISSING
AT THE BORDER



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Guide made by Colectivo Ca-minando Fronteras
Illustrations by Jacob Sánchez-Vallejo
Design and layout by Crash
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WHAT CAN WE DO TO SEARCH FOR A PERSON WHO HAS DISAPPEARED ON THE MIGRATION JOURNEY?

GATHER AS MUCH INFORMATION AS YOU CAN AS SOON AS POSSIBLE

PERSONAL DETAILS:

Full name

Identity document,

Place and date of birth

Estimated age (in case you don't know the exact date of birth)

Nationality

DETAILS OF LAST CONTACT:

Where was he/she?

How did he/she contact you?

Who was she/he with? Who was with him/her?

Any other details that seem important to you

RECENT PHOTOGRAPHS

It is useful to have one or more recent photos of the person.

OTHER IDENTIFICATION DETAILS

All descriptive information can be helpful if you know it.

- Physical description: height, weight, eye colour, hair colour, any defining traits (tattoos, scars, etc.), known diseases...
- Clothing and personal belongings at the time of disappearance (clothes, anything he/she was wearing such as rings or bracelets...).

WHERE TO GO TO SEARCH? PUBLIC AUTHORITIES

States are obliged to protect the rights of missing persons, including migrants.

The State of origin of the missing person is **OBLIGED** to contact **the country in which that person was last seen** or in which it is thought that person may be.

You can also **DEMAND** the States that share a border with the place where your loved one disappeared to initiate the search and coordinate with each other.

WHY REPORT A MISSING PERSON?

Disappearances **should ALWAYS be reported** so that a record is made of the person's disappearance. It is vital for States to initiate the search.

The report also serves to assert your rights as a family member or close person. It is important to have as much information as possible and to provide any new information you find about the person.

You have the right to update the authorities at any time.

WHERE CAN I REPORT A MISSING PERSON?

At any police station or at a **court** (in those States where the law allows) in any of the countries –of origin, transit, destination–.

You can report the disappearance in the country where you are (**you do not need to go to the place where you think the disappearance happened**). The police have the obligation to process the report and inform the police of the place where the person disappeared.

You also have the right to report the disappearance in the **consulates** of the countries where you think your loved one has disappeared.

WHO CAN REPORT A MISSING PERSON?

ANY PERSON, whether a blood relative or not.

You only need your identity document and to provide the information. They may ask you for a document that proves your link to the missing person but this **IS NOT OBLIGATORY**¹ or relevant when reporting a missing person.



CONSULATES



COURT



POLICE STATION

¹Guide of the National Centre of Missing Persons

WHERE TO GO TO SEARCH? SOCIAL ORGANISATIONS AND COMMUNITIES

Unfortunately States are not complying with their obligation to search for missing persons when they are migrants. It is possible that you will encounter administrative problems in adding to the distress of the disappearance.

We recommend that you continue your search together with social organisations and communities.

They have long experience in searching for missing persons. Thanks to their expertise, some of them have information that can help you and the States in your search.

Reasons why a **GOOD** accompaniment is necessary:

To report a missing person. Reporting a missing person is difficult and painful. If you do not speak the local language or know the administration, it is better to have company. This will make communications and the bureaucratic process easier. It will also allow you to better understand the context and obstacles that you may encounter during the search.

Grief. Being accompanied can help you to respond to some questions and to alleviate the pain of going through this delicate situation.

If unfortunately a corpse is found, you will need support in beginning the identification process and for the subsequent burial or in the case of repatriation to the country of origin. Being accompanied is important in order to solve the bureaucratic procedure and to cover the needs that may arise.

To avoid being deceived. Sadly there are some people and even organisations that give false information to families: this can be for financially profiting from the suffering of families, due to a lack of knowledge or because they are incapable of giving bad news to the relatives. It is crucial to be accompanied by reliable organisations with knowledge and experience of these complicated circumstances.



WHAT TO DO IF A BODY IS FOUND

IDENTIFICATION, BURIAL AND REPATRIATION

When a body is found, in most cases the police and courts are involved. The body is taken to the hospital morgues. There the autopsy is carried out and all the information relating to the body is recorded, including DNA samples to facilitate the identification of the body.

Organisations and groups providing support and accompaniment can facilitate pre- identification, accompany family members and assist in the burial and repatriation processes.

IDENTIFICATION

In order to facilitate the identification of a body, we recommend gathering as much data as possible on the missing person. This way, this data can be cross-referenced with the data on the deceased person gathered by the forensics and the police.

Depending on the condition of the body, it is possible to perform a pre-identification with the data provided when the person was still alive.

When the pre-identification is not possible, the procedure will depend on the **DNA test**.

In **Spain**, photos and other information referring to the person when they were alive can facilitate pre-identification but in most protocols the definitive identification occurs once DNA samples have been taken.

In **Morocco, Algeria, Mauritania** and **Senegal**, photos and other information referring to the person when they were alive provided by friends and family members can lead to an identification if the condition of the body allows it.

You have the right to keep all the legal documents relating to the identification process, such as the autopsy and death certificate.



BURIAL

Once the person has been identified, the family have to follow a series of police and judicial procedures that will depend on the laws of each country. Being accompanied by people who know the administrative procedures can alleviate the burden on the family.

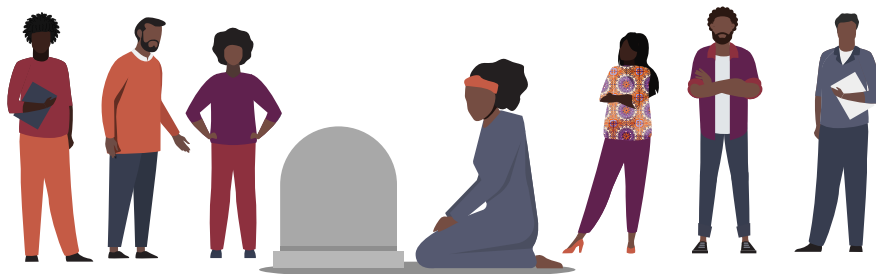
Once the legal procedures are complete, the family has the right to obtain a **death certificate**, which legally certifies the death.

Families can choose to bury their loved one in the place where the body was found. In the countries², that we have investigated it is also possible to request a burial free of charge if the family does not have sufficient resources.

The deceased person has the right to be **buried with dignity** and in accordance with their religious beliefs.

REPATRIATION

The deceased person and their family members have the right to take the body to the country of origin and for it to be buried there. The biggest problem with repatriation is that the costs are too high to afford.



² Morocco, Algeria, Senegal, Spain

FREQUENT OBSTACLES AND STRATEGIES TO OVERCOME THEM

BEING A MIGRANT

PROBLEM: The states of origin, transit and destination of migrants do not want to recognise victims of the borders. States are participants in this through their own border control policies and for this reason they do not give visibility to the deaths and deny families access to the truth, justice and reparations.

STRATEGY: All border victims and their families have rights. Seek support from organisations and families that are going through the same experience.

THE CRIMINALISATION OF MIGRATION

PROBLEM: Public administrations make it difficult for families to file complaints. Unfortunately the authorities do not treat the disappearances of migrants in the same way as those of other people.

STRATEGY: Remind the authorities that missing and dead migrants and their families have rights. It is important to work together with organisations and communities that defend migrants' rights.

STATES' LACK OF WILLINGNESS

PROBLEM: States do not give visibility to the disappearances of migrants. They do not have the political will to carry out searches.

STRATEGY: Report, give visibility and organise. Remember that families have rights and it is important to demand that states protect them.

FAMILIES ARE BLAMED

PROBLEM: Families are also affected by the criminalisation of migration. Sometimes loved ones have to face unfounded accusations by the authorities.

STRATEGY: As a family member of a disappeared person, you are never to blame. Families are also victims and as such you have rights. If you think you will have to face an uncomfortable situation, seek the accompaniment of organisations.



FACING EXTORSION AND FALSE INFORMATION

PROBLEM: In our work with families we have detected groups, organisations and persons who give false information, either out of ignorance or to extort money from families.

STRATEGY: Try to verify information by checking other sources, like those provided in this guide and, above all, do not give money to anyone.

Do not believe that they have found your loved one if there is no proof to confirm that this is the case. Beware of rumours and the information on the internet: **YOU DO NOT KNOW WHO IS BEHIND THESE PUBLICATIONS.** If someone is extorting money from you, report it.

SADLY MANY VESSELS AND THE PEOPLE ON BOARD DISAPPEAR WITHOUT TRACE

PROBLEM: Entire ships disappear at sea with all the people on board, without a trace. Often, most shipwreck victims are never found, and their bodies remain at sea.

STRATEGY: Contact social organisations, witnesses, migrant communities or other persons who can help you to piece together information on the disappearance.

With clear information about what has happened, many families have been able to start the mourning process without having the body of the deceased.

ALONG THEIR JOURNEY MIGRANTS MAY HIDE THEIR TRUE IDENTITY

PROBLEM: People may hide their true identity for various reasons (fear of the authorities, criminalisation of migration, fear of being deported, etc.).

STRATEGY: It is vital to gather as much information as possible (photographs, physical details, clothes, companions) to facilitate a reliable identification.

IDENTIFICATION PROCEDURES ARE NOT RIGOROUS

PROBLEM: Sometimes, data for the identification of migrants are not treated with the necessary rigour. This can happen at any point in the processing of the information.

STRATEGY: The body of the deceased should be treated with dignity and as much information as possible should be collected for identification purposes. Deceased persons have rights and we must demand that the public authorities respect them.

MISSING PERSONS, DECEASED PERSONS AND THEIR FAMILIES HAVE RIGHTS



TO THE TRUTH: to know what really happened to their family member to be able to piece together the details of their disappearance.

TO REPARATIONS: The impact of the disappearance or death of a family member affects not just the family but also the community. A psycho-social perspective is necessary to respond to the needs of families.

TO HAVE ACCESS TO JUSTICE: Victims of the borders and their family members have the right to justice and for investigations to be opened in order to identify those responsible for the death or disappearance.

TO BE CONSIDERED VICTIMS OF THE BORDERS: A person's disappearance affects their family and their community. Therefore, independently of criminal investigations, families and communities have a right to answers under law; and to be acknowledged as being affected by the death or disappearance of their loved one.

Missing persons have the right to:

- Not lose their identity
- To be the subject of coordinated and effective searches by international bodies responsible for searching for missing persons.
- Not to be forgotten

Deceased persons have the right:

- To be identified
- To be buried with dignity according to their religious and/or spiritual beliefs
- For their remains to rest in the place decided by the family members

Families have the right:

- To report the disappearance and to receive information throughout the search process.
- To have an effective and coordinated search be conducted for the missing person.



CA-MINANDO FRONTERAS

Ca-minando Fronteras is a collective that works as volunteers in the defense of the rights of people on the move on the Western Euro-African Border.

Ca-minando fronteras works for the right to life, supporting families and loved ones of those who are victims of the border and working to turn their pain into justice.

More information

caminandofronteras.org

Get in touch with us

caminandofronteras.org/contacto

WhatsApp and phone number

+212 694-869982