

DEAD AND MISSING AT SEA INFORMATION GUIDE FOR FAMILIES AND THEIR SUPPORTERS

**ITALY
AND
CENTRAL
MEDITERRANEAN**



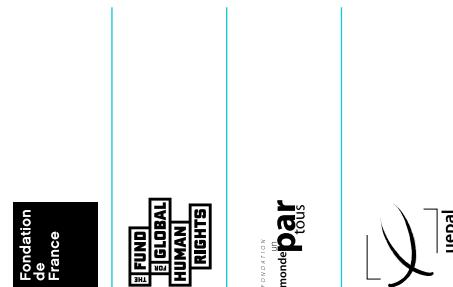
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Boats 4 People (B4P) is an international coalition established in 2011 to advocate for the rights of migrants at sea. B4P's flagship initiative was a boat expedition between Italy and Tunisia organized in 2012 to raise awareness about deaths in the Mediterranean, to highlight search and rescue requirements under the law of the sea, and to strengthen Euro-African solidarity.

Member associations of the B4P steering committee include
Arci (Associazione ricreativa culturale italiana)
AME (Association malienne des expulsés)
Aracem (Association des refoulés d'Afrique centrale au Mali)
Fasti (Fédération des associations de solidarité avec tou-te-s les immigré-e-s, France)
FIDH (Fédération internationale des droits de l'homme)
FTDES (Forum tunisien pour les droits économiques et sociaux)
Gadem (Groupe antiraciste d'accompagnement et de défense des étrangers et migrants, Morocco)

Gisti (Groupe d'information et de soutien aux immigré-e-s, France)
La Cimade (France)
LTDH (Ligue tunisienne des droits de l'homme)
Migreurop (Euro african network)

INTRODUCTION

Purpose of the document, and cautionary note

- This document is for families who believe a loved one may have perished crossing the Mediterranean to Italy, and for the individuals or associations assisting them in their search.
- The steps involved in searching for a missing loved one are difficult. Each step is important, including that of searching among the deceased.

"The families of missing persons live in constant anguish and despair (...). No matter how much time has passed, they find it difficult to accept, until reliable proof is provided, that their relative may no longer be alive. The uncertainty in which they have to live is the source of much suffering. (...) Not knowing what happened to a parent, spouse or child and not being able to give them a dignified burial, or to mourn their passing at a gravesite, places an intolerable burden on these families."

Pascal Hundt

Excerpt from
"Accompanying the Families of Missing Persons. A Practical Handbook", International Committee of the Red Cross (ICRC), April 2015

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- The approaches described herein concern Italy only. They can be followed in cases where a vessel has sunk in Italian waters, or was rescued or intercepted by vessels under the coordination of Italian rescue operations.
- This document has been designed as a guide to the implementation of feasible approaches in the absence of clear, systematic and relevant procedures. It does not claim to resolve situations. Unfortunately, many of the actions taken by families are ultimately unsuccessful.
- Support, including psychosocial support, should be available to families throughout the ordeal. Regrettably, there is no specific support structure at present.

The information in this guide was taken from two missions carried out in Italy in 2015 and 2016. This document would not have been possible without the observations and practices of a number of associations, activists, researchers and practitioners. B4P is also based on the studies of the *Mediterranean Missing* project.¹

1. mediterraneamissing.eu

A multitude of different situations

The circumstances in which a person may perish or disappear while attempting to cross the Mediterranean are very different. As such, the steps involved in finding or identifying a body can be complex, depending on the situation. Families' search for loved ones is too often fraught with obstacles.

One difficulty is that the majority of those who perished in the Mediterranean are never found: 71% of the bodies in 2016 were never recovered, according to the United Nations High Commissioner for Refugees (UNHCR), i.e. of 5,022 migrants who perished, the bodies of 3,546 have not been found.

Another difficulty is the absence of a specific, systematic and standardized procedure to identify the deceased and collect information on missing persons. In Italy, protocols were established only for the shipwrecks of October 3 and 11, 2013 and April 18, 2015.

Moreover, a vessel on its way to Italy may be rescued or intercepted by the coast guards of other countries, in particular Libya. However, the political situation in the country and the almost systematic arbitrary detention of migrants makes it extremely difficult to get information.

Recovery of victims who perished at sea

During any rescue operation, taking care of survivors is the top priority. Getting the bodies of the deceased out of the water depends on the health of the other passengers, who may need to be quickly transported to land. It also depends on weather conditions. If the water is very deep, the Coast Guard does not have adequate technical resources and, in some circumstances, it is the Navy that will go in and do this later.

What to do? Where to go to start the process?

Various scenarios after a boat's departure for Italy

**International Committee of the Red Cross (ICRC)
Red Cross or Red Crescent**

Shipwreck of October 3 or 11, 2013 or April 18, 2015

Special Commissioner of the Italian government for Missing Persons (SCMP)

**ICRC
Red Cross or Red Crescent**

Vessel rescued or intercepted by Libya

Shipwreck with no survivors or outside intervention

Risk of arbitrary detention of survivors

Bodies recovered by Libya (situation not covered in this document)

Bodies not recovered

No witnesses

Witnesses

Not collected or not archived

Collected by a civil society organisation or person

Archived by the Italian authorities or the Red Cross

Collected by families

**ICRC
Red Cross or Red Crescent
Public prosecutor**

Vessel arrives in Italy but people have perished during the crossing

Rescued or intercepted by Italy

Bodies recovered by another boat or washed up on Italian coastline

Bodies recovered by Italy during (or right after) a rescue or interception

Identification by relatives on the boat

Identifying elements available (external markings, photos, biological specimens, etc.)

Items of poor quality (unusable photo, samples taken or kept in poor conditions etc.)

Usable items making identification possible

**ICRC
Red Cross or Red Crescent**

Rescued or intercepted by another country

The same situations as for Italy may occur but the process may be different – not covered in this document

STEPS TO BE TAKEN AS SOON AS POSSIBLE



In most cases, search or identification requests must come from the immediate family, i.e. father, mother, siblings, children, aunts and uncles, and the spouse.

With any action you take, provide a stable contact (address, phone number, email) where you can be reached even many months later, and keep in touch with your contacts. They must be able to contact you should they require additional information or if they find information about the person you are looking for.

If you think that your loved one was a passenger on one of the shipwrecks of October 3 and 11, 2013 or April 18, 2015, indicate this at every step in the process.

1 GATHER AS MUCH INFORMATION AS POSSIBLE, AS SOON AS POSSIBLE

Gathering available information on missing persons and their trip is the first step in any search. This must be done as quickly as possible because some information or some people are harder to find as time goes on.

Try to make contact with presumed travel companions and their families

These are the first people who may have information. If you manage to contact them, try to get:

- Information about the place where they were brought to land after the crossing: country, city, contact information of shelter/housing, name of any associations they contacted on arrival. In Italy, the name of the city of disembarkation of survivors is very important because it determines where action must be taken;
- Information on how the trip went – if they are able to communicate it to you – and on what might have happened to the person you are looking for;
- Information about where the travel companions are when you contact them, and their contact information so that you do not lose track of them.



Take note of and keep this information, even if it does not seem important.

Searches can take a very long time, and things that may seem insignificant initially may actually be very important. Some organizations or individuals that assist families make recordings and/or use forms.

Also approach the families of any travel companions

They might be in touch with their surviving relatives or might be in the same situation as you. Some families band together: acting as a group provides mutual support and sometimes the authorities will pay more attention to a group.

Some families use social networks (Facebook, Twitter, etc.) to try to find their loved one or his/her friends. However, if you are not familiar with these tools, be cautious and get advice from someone you trust.

Obstacles to contacting and keeping in touch with travel companions

- In Italy, people generally do not stay in the first place of arrival for long and cannot always contact their families immediately. Travel companions may be in a precarious situation, and you might quickly lose contact with them. Give them your phone number, call them regularly, and ask them to contact you if they change their location or phone number.
- It may be difficult for the travel companions of someone who perished to inform the family of what happened.

They may be in shock or refuse to talk about it. However, even if they do not share everything, any information they may provide will be helpful in your search.

- Although they are the main witnesses, the Italian authorities do not systematically collect and archive information from survivors. Information collection, when it does occur, is usually done to estimate the number of victims and identify smugglers.

The different entities involved in rescues

- At sea, all ships are required to rescue the passengers of a vessel in trouble. There are currently various entities working in the Mediterranean, all coordinated by the Maritime Rescue Coordination Centre (MRCC) in Rome:
- NGOs and private rescue vessels: Sea-Watch, the Bourbon Argos and the Dignity I (Doctors Without Borders/MSF), the Aquarius (Mediterranean SOS/MSF), the Phoenix and the Responder (MOAS), the Luventa (Jugend Rettet), the Golfo Azzurro (Boat Refugee Foundation), the Astral (Proactiva Open Arms), the Vos Hestia (Save the Children) or the Sea-eyes.
 - Italian Coast Guard or the Coast Guards of other countries.
 - European agency Frontex, whose main objective is interception at sea.
 - EUNAVFOR Med military operation (also called Sophia) which aims to identify, seize and
- destroy vessels used for illegal crossings.

Gather information about the trip

- Planned or presumed maritime route, and the presumed place of arrival of the person you are looking for;
- Date (probable or certain) and place where vessel was boarded;
- Dates, times and content of messages you may have received from the person you are looking for, and the phone number that person used to contact you;
- Date, time and place of a shipwreck, and if there was interception or rescue at sea, by whom;
- Contact information of travel companions (name, phone number, current location);
- Contact details for relatives in the destination country.

Gather information and data about your missing relative

Initially, it is useful to gather the following information:

- Civil status (full name, date and place of birth, nationality, languages spoken, etc.);
- Physical description (including distinguishing features such as scars, tattoos, etc.);
- Clothing, jewelry, objects that the person might have been carrying;
- Photographs (smiling, if possible, as this makes visual identification easier).

Next, it may be useful to obtain:

- Medical records (surgical procedures, X-rays, dental records, etc.);
- Identity documents with fingerprints (ID card or biometric passport);
- Objects that may contain the person's DNA (hairbrush or toothbrush, razors).

2 CONTACT THE RED CROSS, RED CRESCENT OR INTERNATIONAL COMMITTEE OF THE RED CROSS

The International Committee of the Red Cross (ICRC) and National Red Cross and Red Crescent Societies have established the *Restoring Family Links* network to help in the search for missing persons as a result of conflicts, natural disasters, and migration.

Search request requirements:

- Must be made in the country of residence of the family conducting the search;
- Must be initiated by the immediate family;
- A form will be completed with all the available information (indicated above).

The ICRC and National Red Cross and Red Crescent Societies also have a website –Trace the Face² – for migrants in Europe where you can post your own photo to indicate that you are looking for a relative or see if your loved ones are looking for you.

On January 2017, the Special Commissioner for Missing Persons (SCMP), the Italian Red Cross and the ICRC signed a tripartite agreement[◆] to enhance their collaboration in the collection and transmission of personal data from family members. Tracing requests and the data will be channeled to the SCMP via the Italian Red Cross.



The Red Cross, the Red Crescent and the ICRC never give personal information to the authorities nor publish it, unless you have expressly authorized them to do so.

2. tracetheface.org

Searches conducted by the Red Cross or Red Crescent

The Red Cross and Red Crescent Movement has branches all over the world that communicate with one another and they can go to the last known address; contact relatives, friends, colleagues, or neighbours of the missing person; check with institutions or organizations that may have information; visit camps or shelters; and check hospital records, morgues and cemeteries.

3 REACH OUT TO THE VARIOUS AUTHORITIES IN ITALY

Get the public prosecutor involved

Complaints can only be submitted in writing in Italian and must be mailed to the public prosecutor (Procura della Repubblica) of the city of disembarkation of any survivors, the wrecked vessel or victims' bodies. It must include:

- All information you may have about the person's disappearance;
- Photographs of the missing person;
- The phone number(s) of the missing person and the list of known calls made and received;
- The names of any travel companions you may know of.

If you are unable to identify the city where survivors or the shipwreck landed in Italy, you can try to request intervention by the public prosecutors of the major cities generally concerned.

Inform the Special Commissioner for Missing Persons

The Office of the Special Commissioner to the Italian government for Missing Persons (SCMP) is not a commission of inquiry; its mission is to assist in the coordination of services which intervene in disappearances. It will not perform searches.

A protocol established in April 2017[◆] between the SCMP and the Ministry of Foreign Affairs stipulates that Italian diplomatic representations in the countries of origin or residence of families will support the information gathering activity with the families of the victims carried out by the ICRC. The information collected by the Italian Red Cross from the Red Cross or Red Crescent in the countries will be transmitted to the SCMP.

- Mail a copy of the complaint you filed with the public prosecutor to SCMP.

◆ Cf. Legislative References p. 26

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Report the disappearance in Italy

The Law of 2012[♦] establishes a reporting procedure for missing persons. The procedure is initiated with the police in Italy and cannot be done from abroad. It is not mandatory, but is recommended if you live in Italy.



For families living in Europe in an irregular administrative situation, it is advisable that you have the assistance of an association for any dealings with the police and the prefecture, in order to avoid any risk related to an irregular stay.

Italian initiatives

In the wake of the shipwrecks of October 3 and 11, 2013 off the coast of Lampedusa, and the shipwreck of April 18, 2015, Italy is the first European country to have developed specific protocols[♦] for the identification of migrants who have perished in the Mediterranean.

The October 3, 2013 disaster was a deep shock to the public because it resulted in the death of 384 people near the coast. Almost all of the victims' bodies were recovered. The protocol establishes rules for identification procedures. Also since 2013, the Special Commissioner for Missing Persons, Prefect Vittorio Piscitelli, specifically included migrants missing at sea in his mandate.

The April 18, 2015 incident, the most fatal known shipwreck in the Mediterranean, resulted in the disappearance of nearly 800 people.

Italy quickly declared that it would recover the wreck from the bottom of the sea in order to recover the victims' remains. This initiative was carried out in July 2016, and a large-scale identification process was coordinated by Labanof (forensic anthropology and odontology laboratory) at the University of Milan, led by Cristina Cattaneo, and SCMP services. As of late 2016, the process of contacting families was ongoing.

These protocols are not binding and are not applicable outside of those specific cases.

Apart from these three cases, the standard procedure described in this document is much more complex, particularly because it does not take into consideration the particular characteristics of migrants who have perished or disappeared at sea.

VICTIM IDENTIFICATION PROCEDURES AND REPATRIATION OF REMAINS

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1 INVESTIGATION AND IDENTIFICATION OF THE DECEASED

An investigation is opened and conducted by the public prosecutor and the police (*squadra mobile*) whenever someone perishes during a sea voyage. The purpose is not to identify the victims, but rather to determine whether a crime or offence has been committed, and to find those responsible. However, if a crime is suspected, the prosecutor may order an autopsy after carrying out the necessary investigations to identify the victim.[♦]

In practice, there are considerable differences in how victims are identified depending on the circumstances of the tragedy, the needs of the investigation, the means of the city in charge, and the possibility of a swift identification (relatives on board the boat, photos, etc.), but also on the willingness of the public prosecutor and/or police officers in charge, who are more or less aware of the importance of identifying the deceased.

Visual identification

This form of identification involves recognition of the deceased by relatives. Some victims can be identified quickly if relatives were on the boat. Identification can also be facilitated if photos were taken of the bodies on the boat or upon landing. However, the public prosecutor may consider such identification not to be sufficiently conclusive.

External distinguishing features

This includes clothing, personal items or distinguishing marks such as tattoos and scars.

DNA and dental samples

If samples are incomplete or were taken under the wrong conditions, identification is not always possible. DNA identification comprises several steps:

- Establishing a presumption of identity (based on external distinguishing features, for example);
- Biological specimens from the victim's body and their preservation;

Key definitions

Identification is the process of establishing a person's identity.

Biometrics is a technique used to identify a person based on biological elements specific to each individual, such as fingerprints, morphology, DNA, etc.

DNA is present in human cells and contains each human being's specific genetic information. It can be collected from biological specimens such as blood stains or hair, but is best preserved in the bones and teeth.

Ante mortem data are data collected from a living person, such as photos or DNA substrates (e.g. hair).

Post-mortem data is data collected after a person's death, such as biological specimens. To identify the body of a deceased person, the *post-mortem* data must be compared with the *ante-mortem* data provided by the family.

- Collection of the victim's DNA from media provided by the family (e.g. hair) or DNA samples from members of the immediate family (comparison with the DNA of parents and children is the most reliable);
- Comparison of DNA profiles and determination of the degree of similarity.

Autopsies and DNA samples are not performed systematically in Italy. In the process after a death, an autopsy is used to determine cause of death. In the case of deaths at sea, the cause can often be determined by an external examination. The high cost of sample collection also contributes to their rarity. Moreover, beyond the protocol established for the October 3, 2013 shipwreck, there are no standardized techniques for the collection and storage of samples, which require specific skills and conditions.

Storage of data on migrants who are deceased or missing at sea

No common and specific database currently exists, yet this is the only way that some families can find perished relatives – even many years later – or get information about their disappearance.

○ Specific databases were created for the identification of victims of the October 3 and 11, 2013 and April 18, 2015 shipwrecks.

There are other databases, but their usefulness is very limited at present:

- The register of unidentified bodies (*Registro nazionale dei cadaveri non identificati*), which is not specific to migrants. It contains information such as: physical description, nationality or origin (established or presumed), age (actual or estimated), and the date, place and circumstances of death. Although regularly updated, at the end of 2016, it only contained information up to June 2014. It is available online.

- RiSc (*Ricerca scomparsi*, search for missing persons) is a database of the Italian police connected to the general database of the judicial police (the SDI, *sistema d'indagini*, investigation system). It is not available to the public.

2 THE FAMILY'S ROLE IN THE IDENTIFICATION PROCESS

Families can provide the *ante mortem* data needed to identify their loved one and may be asked to provide DNA samples.

This data can be transmitted via the Red Cross or Red Crescent in the countries of origin.

Identification procedures or legal proceedings may require somewhat lengthy stays in Italy. However, the Italian government does not facilitate obtaining a visa and a temporary residence permit. The law[◆] provides for a temporary residence permit for "judicial proceedings", but these permits are limited to cases where the public prosecutor's office believes the presence of relatives to be necessary. It is valid for three months and can be renewed only once.

Death certificates

If the victim's body has not been recovered, it is very difficult to get a death certificate, even if the family was present and witnessed the death during the crossing. It must be obtained via judicial proceedings that can take months or years. In some cases, the family is certain of the death and it is important that they receive this document from a both psychological (mourning) and administrative (inheritance, remarriage, etc.) viewpoint.

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3 IN CASE OF CONFIRMED DEATH: KNOWING WHERE A RELATIVE HAS BEEN LAID TO REST

Burials are a municipal responsibility. Due to space issues, the bodies of migrants who perish at sea are often sent to various cemeteries across the region.

Once the investigation is completed, the public prosecutor produces the burial authorization (*nulla osta al seppellimento*), which allows a death certificate to be issued. There may be situations where one of these documents is not issued. In this case, locating graves can be difficult because only the municipality responsible for the burial has information on where the person was buried.

Burials normally meet the conditions required by Italian law.[◆] There are no mass graves; people are interred in individual coffins. However, several coffins may be interred in one grave. If the name of the person is unknown, an identification number of the deceased and date of death are listed on the grave.



Repatriation of the victim's body is sometimes impossible if that person was a refugee or if members of the person's family are threatened in their country because of the role in the repatriation procedure of the authorities in the country of origin.

3. States which are Party to the Berlin Arrangement of February 10, 1937:
Austria, Belgium, Congo, Egypt, France,
Germany, Italy, Mexico, Portugal, Czech
Republic, Romania, Slovakia, Slovenia,
Switzerland, and Turkey.

4 REPATRIATION OF VICTIMS' BODIES

If repatriation was not possible soon after death, municipal legislation generally imposes a period of several months or even years before a body can be exhumed.

Steps to take :

- **Consular pass:** issued by the consulate of the country of origin in Italy, if such country recognizes the person as a citizen of the country. The consulate may be seized by a liaison in Italy acting on behalf of the family (e.g., an association or funeral home). This delegation must sometimes be certified by the municipality of the country of origin



Repatriation is a very costly procedure that is not covered by Italy, and rarely by the country of origin.

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Mobilization of the families of people who have perished or disappeared during a sea migration

Many families are mobilizing and claiming a "right to know".

In Algeria
The Annaba collective of *harraga* families was created by a group of parents after their children disappeared at sea between 2007 and 2008. Some families report having had contact with them right before their boat was intercepted by the Tunisian coast guard. A lawyer, Kouceila Zerguine, has filed complaints in Algeria and Tunisia on behalf of the group, and has also appealed to the United

Nation Working Group on Enforced or Involuntary Disappearances, which now includes migration within its scope of work.

In Tunisia
Many families have mobilized since 2011. Some have formed associations such as *La terre pour tous* or *Mères des disparus*. The *Forum tunisien pour les droits économiques et sociaux* (FTDES) was one of the first associations to provide assistance to these families. The group has taken a census of Tunisians who have gone missing at sea, and pressures the Tunisian

and Italian governments to find the truth. This mobilization has led to the creation of a commission of inquiry and monitoring of missing Tunisians.

In Morocco
The association *Caminando Fronteras* is assisting the families of migrants in Morocco who perished in the "Taraif" affair in trying to hold the *Guardia civil* responsible and pursue criminal action. The association has also produced a documentary on "transforming pain into justice".⁴

that will be receiving the body of the deceased.

- **Authorization to take the body out of the country (or mortuary passport):** the application, along with the consular pass, should be addressed to the prefect of the city where the body is buried. If the country of origin is not a party to the Berlin Arrangement,³ additional documentation may be required.
- **Document stating the terms of repatriation:** issued by the funeral company that you contact and that will take care of repatriation to the home or to the airport of the country of origin (if the family can prove that another funeral home will provide transportation from the airport to the home).

4. Caminando fronteras, Tarajal. Transformar el dolor en justicia, 2016.

CONTACTS

**Red Cross,
Red Crescent
and ICRC**

Branches across the globe

familylinks.icrc.org

Other associations
There are currently no associations that can provide legal and psychosocial assistance to families. The associations listed below can provide advice, but they cannot carry out the search process for you.

Italy

ARCI

In Italy: toll-free number: 800 905 570
International: + 39 641 609 239
arci.it

Tunisia

FTDES

+ 216 71 257 664
contact@ftdes.net
forum.tdes@gmail.com
ftdes.net

La Terre pour tous

+ 216 622 157 103

association_laterrepourtout@yahoo.com

Algeria

The Collective of harraga families (Annaba)
Kamel Belabed, spokesperson for the collective:

+ 213 558 805 673
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Kouceila Zerguine, lawyer:

+ 213 790 204 412
+ 213 385 857 78
zerguine-kouceila@hotmail.fr

Special Commissioner for Missing Persons

Commissario straordinario del Governo per e persone scomparse

Via Cavour, 6
00185 Roma (RM) – Italia
+ 39 646 529 980 / 993
ufficiocommissario.personescomparse@interno.it
interno.gov.it/it/ministero/commissario-straordinario-governo-persone-scomparse

Public Prosecutor

This list includes the major cities that may be concerned currently, but it is not exhaustive.

In Sicily

Contact list for all Sicilian prosecutors:

<http://giustizia.italia-mia.it/sicilia/procure-della-repubblica-sicilia.asp>

Agrigento (covers Lampedusa)

Procura della Repubblica di Agrigento
Via Mazzini, 179
92100 Agrigento (AG) – Italia
+ 39 922 527 111
procura.agrigento@giustizia.it
procura.agrigento.giustizia.it

Catania

Procura della Repubblica presso il Tribunale di Catania
Piazza Giovanni Verga
95100 Catania (CT) – Italia
+ 39 95 366 111
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Piazza Maurolico, SN
98122 Messina (ME) – Italia
+ 39 90 77 661
procura.messina@giustizia.it
tribunale.messina.it

Palermo

Procura della Repubblica presso
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Piazza Vittorio Emanuele Orlando
90138 Palermo (PA) – Italia
+ 39 91 742 111
procura.palermo@giustizia.it
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Ragusa (covers the city of Pozzallo)

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Siracusa

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In the Apulia (Puglia) region**Taranto**

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In Calabria**Cosenza**

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Reggio Calabria

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Crotone

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88900 Crotone (KR) – Italia
+ 39 962 920 111
procura.crotone@giustizia.it
tribunale.crotone.it

LEGISLATIVE REFERENCES

Protocols specific to the shipwrecks of October 3 and 11, 2013 and April 18, 2015, and others protocols

- Protocol of September 30, 2014 (*Protocollo di intesa, anno 2014, 30 settembre*).
- Protocol of July 23, 2015 (*Protocollo di intesa, anno 2015, 23 luglio*).
- Protocol of November 12, 2015 (*Protocollo di intesa, anno 2015, 12 novembre*).
- Protocol of January 24, 2017 (*Protocollo di intesa, anno 2017, 24 gennaio*).
- Protocol of April 17, 2017 (*Protocollo di intesa, anno 2017, 12 aprile*)

Reporting the missing in Italy

- Law No. 203 of November 14, 2012; provisions on the search for missing persons (*Legge 14 novembre 2012, n° 203, Disposizioni per la ricerca delle persone scomparse*).

Investigation and procedures for victim identification

- Decree No. 271 of July 28, 1989 on the implementing rules of the Code of Criminal Procedure (*Decreto legislativo 28 luglio 1989, n° 271. Norme di attuazione, di coordinamento e transitorie del codice di procedura penale*).

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- Bulletin No. 1665 of June 30, 1910 on forensic autopsies (*Circolare del 30/06/1910, n° 1665, Regolamento sulle autopsie giudiziarie*).
- Decree No. 285 / 1990 of September 10, 1990, Regulation on the approval of the mortuary police (*D.P.R. 10 settembre 1990, n° 285. Approvazione del regolamento di polizia mortuaria*).
- Code of Criminal Procedure, sec. 347-357.

Residence permits for families

- Decree No. 394 of August 31, 1999 as amended by Decree No. 334 of October 18, 2002 on immigration (*Decreto 31 agosto 1999, n° 394 aggiornato con le modifiche apportate dal decreto 18 ottobre 2004, n° 334, in materia di immigrazione*) (sec. 11).

Burial and repatriation of bodies

- Decree No. 285 / 1990.
- Decree No. 396 of November 3, 2000 on the revision and simplification of the law on civil status (D.P.R., 3 novembre 2000, n° 396, "Regolamento per la revisione e la semplificazione dell'ordinamento dello stato civile, a norma dell'art.2, comma 12, della legge 15 maggio 1997, n. 127").

According to the United Nations High Commissioner for Refugees, over 12,000 people have lost their lives in the Mediterranean in their attempt to migrate to Europe. That number was 5,022 in 2016 alone. Most remain “unidentified”.

These tragedies are the result of European migration policies which, in trying to prevent people from coming to Europe, are forcing the exiled to take increasingly perilous routes.

Behind every person who has gone missing at sea is a mother, father, spouse, children, cousins and friends, all waiting, in anguish and in hope.

The lack of systematic and standardized procedures prevents families from accessing information. Yet when a disaster (natural disaster, terrorist attack, etc.) affects their own citizens, European States are able to deploy sophisticated devices to try to recover and identify the victims' bodies. There are established procedures to guide States and systematize data archiving. Crisis units are set up to notify the families of the alleged victims. Yet nothing similar exists for migrants.

Italy is the first European country to have taken the initiative and developed specific protocols, even if they concern only certain emblematic shipwrecks.

This Boats 4 People document on Italian procedures related to the identification of the deceased or missing persons in the Mediterranean has been designed as a guide for the implementation of practicable efforts by families and their supporters.



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