THE FAMILIES OF PEOPLE MISSING IN CONNECTION WITH THE ARMED CONFLICTS THAT HAVE OCCURRED IN LEBANON SINCE 1975

AN ASSESSMENT OF THEIR NEEDS

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Front cover: Eliane Chahwane /ICRC

MISSION

The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance. It directs and coordinates the Movement in situations of conflict. It also endeavours to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles. Established in 1863, the ICRC is at the origin of the International Red Cross and Red Crescent Movement.


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“The relationship with my mother changed a lot. I don´t know if it became worse, but I remember that whenever she cooked for us, we ate her tears with the food, because she never stopped crying.”

(Brother of a missing person)

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1. INTRODUCTION

" Missing person is a person whose whereabouts are unknown to his/her relatives and/or who, on the basis of reliable information, has been reported missing […] in connection with an international or non-international armed conflict, a situation of internal violence or disturbances […].[1] "

Uncertainty about the fate of a loved one is a harsh reality for countless families caught up in armed conflict or other situations of violence.
Parents, siblings, spouses and children around the world are desperately searching for missing relatives, not knowing whether they are alive or dead. For a great many of them, it is impossible to move on with their own lives until they find out. The scars run deep, and families, communities and entire societies suffer from the various, long-lasting consequences of disappearance.

The anguish inflicted on the families by this uncertainty can have a deep impact on individuals, resulting in physical illness or problems within the family or the community. In addition, the families are often confronted with legal, administrative and economic hurdles. They have definite expectations of the authorities in this regard. To help the Lebanese authorities to meet those needs, the ICRC has carried out a comprehensive assessment that should serve as a sturdy basis for action. If needed and appropriate, the authorities concerned can count on support from the ICRC and other interested parties.

Present in Lebanon since 1967, the ICRC has always striven – through its tracing work, its visits to people deprived of their liberty and its aid for displaced people – to prevent disappearance. However, since the conflicts in Lebanon began in 1975, thousands of people have gone – and today remain – missing.

Commitments have been made by the most senior authorities in Lebanon to address the issue of missing people and to provide families with answers and support.[2] Three separate commissions have been set up to tackle the issue.[3]
Unfortunately, however, no tangible progress has yet been made to clarify the fate and whereabouts of the missing or to meet the needs of their families.

One of the obstacles encountered by the ICRC itself when planning its assessment was the lack of any official and comprehensive list of people missing in Lebanon. Oft-cited public figures involve a 1991 police report that was said to have recorded over 17,000 cases of disappearance, though this figure has been disputed.
As outlined in the next section, the ICRC has compiled its own list on the basis of the information available.

The present report reflects the needs of the families of missing people in Lebanon, as assessed by the ICRC between August 2011 and June 2012. It presents the main findings in order to give insight into the families' needs.
It also sets out recommendations on how to meet those needs.

The findings of the assessment were already shared with the Lebanese authorities, followed by a series of recommendations specifically addressed to them.
The objective of the present report is to share the outcome of the assessment with a wider range of stakeholders interested in the issue of missing people and their families. This report includes a summary of the main recommendations that were addressed earlier to the Lebanese authorities, and a new set of recommendations addressed to all other stakeholders, in particular the families themselves, the family associations, NGOs, as well as embassies, UN agencies, charities and private companies interested in financing projects that address the needs of the families of missing people.

Since a coordinated and coherent response is essential for achieving results, the ICRC hopes that this report will contribute to generate an integrated effort to meet the needs of the families of missing people.
The present report is structured as follows. Section 1 is introductory. Section 2 briefly explains the methods used in the assessment. Section 3 is a brief outline of the profile of missing people and their families, based on the sample taken for the assessment. Section 4 outlines the assessment's findings. Section 5 presents recommendations on how to meet the family's needs.

[1] Guiding principles / Model law on the Missing, ICRC 2009, Article 2 "Definitions"
www.icrc.org/eng/resources/documents/misc/model-law-missing-300908.htm
[2] In his inaugural address in May 2008, President Suleiman stressed the importance of "ascertaining the fate of missing people". Likewise, in July 2011, Prime Minister Mikati confirmed the government's determination to do everything needed to resolve the issue of missing Lebanese nationals and detainees in Syria and to put an end to their families' suffering.
[3] The first commission – set up in January 2000 – was the Commission to investigate the fate of abducted and disappeared persons. The second was established by Ministerial Decree No. 01/2001. Its mandate was extended twice and ended in February 2002. The third commission (a joint Lebanese-Syrian commission) was set up in August 2005 and is still in place today, though reportedly no meeting has been held since July 2010.

2. METHODS USED IN THE FAMILY NEEDS ASSESSMENT

The ICRC supplemented its own information on missing people with information from other organizations working on the issue and with names received from the authorities. This combined list ultimately contained over 3,500 names and formed the basis for the selection of a representative sample of families interviewed by the ICRC for the family-needs assessment. As far as possible, the sample reflects geographical proportionality. It contains only cases of missing people for which the contact details of a family member were available.

The information from the families was collected on questionnaires that had been adapted to the Lebanese context and translated into Arabic. The questionnaire included multiple-choice and open questions on the disappearance, the difficulties faced by the family as a result (including psychological, social, economic, administrative and legal problems), the search already carried out, and any action taken by the authorities in response to the family's situation.

Interviews with 324 families were conducted between September 2011 and January 2012 by specially trained ICRC staff. In addition, three group discussions were held, focusing on the families' needs in their social environment and on what they expected from the authorities.

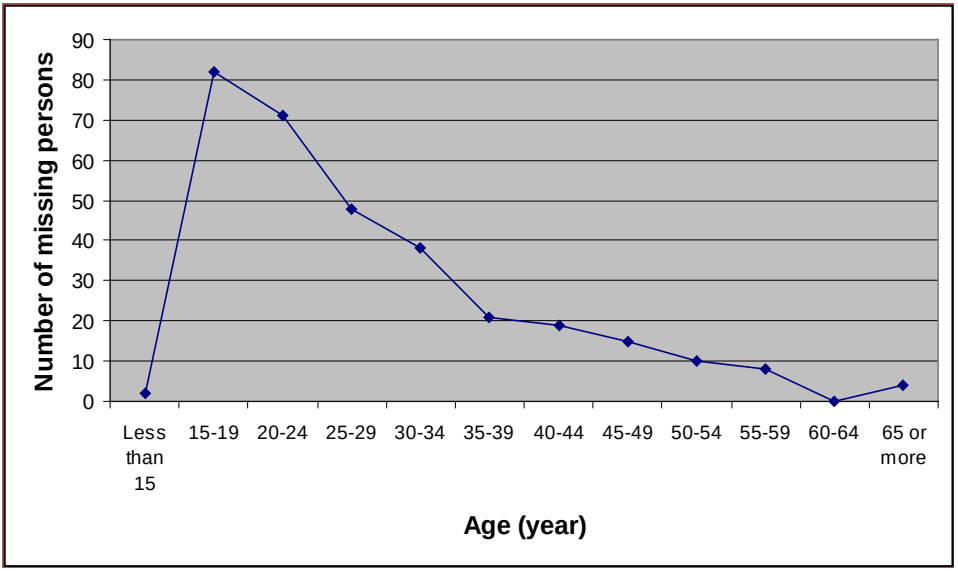
Before conducting the interview, the families were informed about the general purpose of the information collection and the ways the information would be used. Stress was laid on the confidentiality of the individual data. Each participant received a leaflet explaining these points and written individual consent was requested from all interviewees. Participation was voluntary.

3. MISSING PEOPLE AND THEIR FAMILIES

This section sketches a profile of the missing people and their families based on the 324 family sample. As explained in the previous section, the original list of missing people compiled by the ICRC is not entirely comprehensive and the sample chosen, though selected in keeping with sound statistical practices, might therefore not entirely reflect the numbers involved for all the factors considered. An official, centralized and comprehensive list of people missing in Lebanon would allow the authorities to draw a fully accurate profile of the missing people and their families. Nevertheless, the following conclusions seem to confirm at least some assumptions made about that profile.

According to the information received from the interviewees, virtually all missing people were men and a majority were young when they disappeared. The average age was 28, but there was a statistical "peak" at 18 years: one quarter of those missing were 18 years old at the time of their disappearance.[4]

Figure 1: Age at time of disappearance



Slightly less than half the missing people were married at the time and therefore left behind a wife and, often, children.[5]

At the time of their disappearance, 72% had work – regular employment, their own business, or work as day labourers. Only 10% of the missing people were unemployed. Sixteen per cent were students.

According to their families, most of them were civilians (82%), while only 16% were combatants.

A great majority (97.5%) of the interviewees were close relatives of the missing person concerned, meaning brothers or sisters, parents, spouses, sons or daughters. Half of them were women and half were men. On average they were 57 years old, and three out of four were married.

Most families (283) interviewed had one relative who was missing. However, 41 had more than one missing relative. Therefore, the assessment represents 324 families of 385 missing people.

Number of relatives from the household who went missing

Number of missing people per family	Number of families	
1	283	
2	27	102 missing people
3	9	
4	4	
5	1	
Total	324	

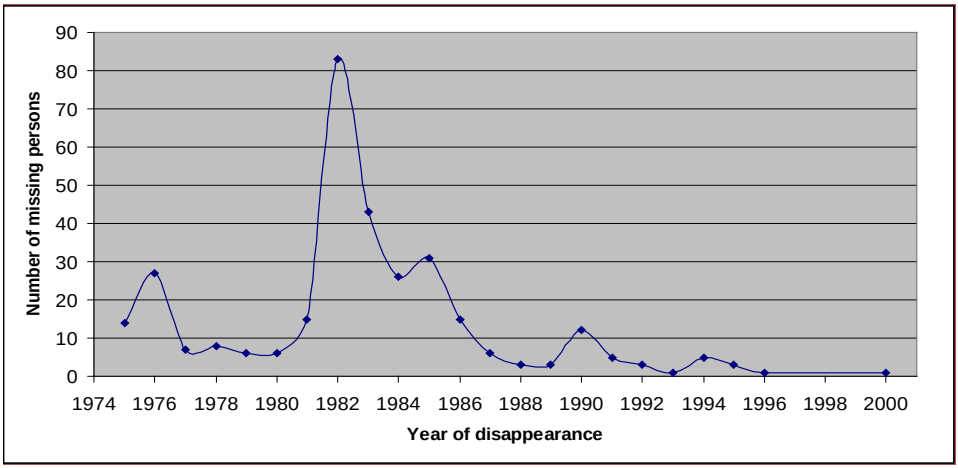
Of the 18 officially recognized religious communities in Lebanon, 12 were represented among the families interviewed, the most prominent being Sunni, Shia and Maronite. The majority of people interviewed were Lebanese nationals (78%), while 21% were Palestinian.

[4] The families of only four missing women were interviewed (2% of the sample size).
In the list of missing persons compiled by the ICRC, 8% of the missing persons were women.
[5] Eighty-nine per cent of the people interviewed were married and had, on average, 3.6 children.

The circumstances of the disappearance varied and each family had its own story. Nevertheless, 75% of the interviewees knew the details surrounding the disappearance, including the place it occurred and some idea of the potential perpetrators. Most said that their relative had been seized by armed men. Some had information on his[6] whereabouts for some time after his seizure but had later lost trace.

Most of the disappearances occurred between 1975 and 1976, or in the years from 1981 to 1986.

Figure 2: Year of disappearance



The disappearances covered involved all six governorates.

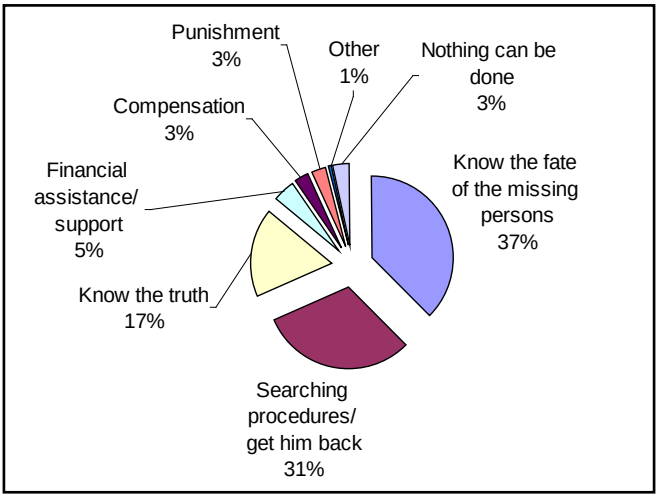
[6] Throughout this text, pronouns in the masculine gender apply equally to men and women, unless otherwise specified.

Despite the diversity of the people interviewed in terms of social background, geographical location, age, gender, etc., and given that the disappearances occurred over a long period of time (1975-2000) in markedly varying circumstances, the interviewees' replies regarding their needs were extraordinarily consistent.

The main problem facing the individual family members was the emotional distress created by the absence of their loved one and the psychological difficulty of coping with uncertainty about his fate. This is particularly remarkable given the average time elapsed since the disappearance. The peaks were, as illustrated above, in the 1970s and 1980s, i.e. more than 25 to 35 years ago. Yet these families were still suffering emotionally and psychologically, and having difficulties within their social environment. This demonstrates that it is impossible for the families to find relief without answers about the fate of their loved ones.

However, all initiatives to search for the missing have so far been fruitless, and remain unpromising in the near future. Thus, "doing something to find him and get him back" and "hearing the truth" were the major needs expressed by families and were always mentioned before any other request, especially before requests for financial or material support.

Figure 3: Action preferred by the families



4.1. NEED TO KNOW

"We need to know, we can't just stay lost and uncertain. If someone told me anything, I wouldn't believe it and I will remain lost until I see the body."

(Sister of a missing person)

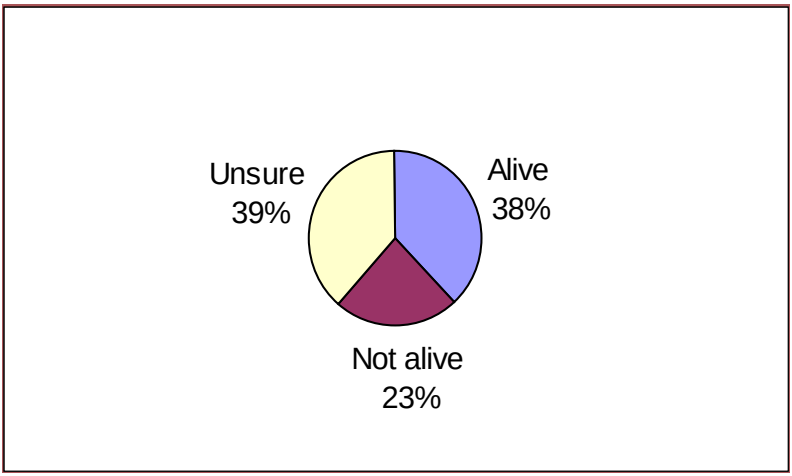
"I want to know the facts, to find the truth. What happened, happened. But they should check whether he is still alive somewhere. If he is, they should help us. If there are any prisoners left alive, bring them back to us.
We've heard from people we trust that there have been people who were released from Syria after 15 years of detention."

(Brother of a missing person)

While the families of the dead can mourn their loss and move forward by rebuilding their lives, the families of the missing often see no end to their suffering. Families without news are often reluctant to accept or even consider the possibility that their loved ones are dead. As a result, they live in a wavering state of intermittent hope and despair. Obviously this condition seriously affects their own lives.

Most interviewees believed that their missing relative was still alive, or were at least unsure about what had happened to him (77%, see pie chart below). Though they realized that the probability of him being dead was high, this second group refused to give up hope of seeing him alive again. Only 23% of the interviewees thought it probable that the missing relative was dead, this often because they had received credible but unconfirmed information from others.

Figure 4: What the families thought happened to their missing relative



Almost all the families interviewed (97%) had actively searched for their missing relative at some point – the few who said that they had not searched (only 10 of the 324 families) had not been able to do so because of the security situation or because they did not know how to go about it. Searching meant spending considerable amounts of money and time travelling from one place to another – including Syria. Unfortunately, some family members put their faith in strangers who claimed to have information on their missing relative but were, in fact, trying to make money from unconfirmed information. The families exhausted all avenues of research, approaching the police, the army and judicial authorities as well as political parties and religious figures. Some families had been searching for decades, and roughly half (45% of those interviewed) confirmed that they were still searching today. Others had given up at some point after losing hope of finding their loved one by themselves, or because they had other – mostly health-related – problems that prevented them from searching.

When appropriate, the interviewees were asked what they would require if it turned out that their missing relative was indeed dead. Sixty per cent replied that they would like to see the body. This would necessitate identification of gravesites, exhumation and identification. For three out of four families, it was important to find the gravesite or, if the relative was still alive, at least to learn where he was. Almost 70% said it was "very important" for them to receive the body of their loved one, both for religious and psychological reasons.

All these findings show that concrete and credible information on the fate and whereabouts of the missing person is of utmost importance to the families.

Until they receive satisfactory information that allows them to come to terms with the disappearance, the families' convictions regarding their missing relative should be respected.

4.2. PSYCHOLOGICAL AND EMOTIONAL NEEDS

"I became a mother and a father at the same time."

(Wife of a missing person)

"I used to envy anyone who had a father. I always felt that I somehow wasn't complete because I didn't have a father."

(Son of a missing person)

The interviews showed that the families of missing people were deeply affected emotionally and psychologically. Their description of the difficulties they faced, their efforts to overcome them and their struggle to cope with the loss of their loved one were striking and poignant. Their suffering manifested itself in specific problems. Between 60% and 85% said they often suffered from headaches, sleep problems, nervousness, excessive worry about small things, general fatigue and general unhappiness. They attributed their suffering directly to the uncertainty about their missing loved one. In particular, brothers and sisters of missing people often said that sadness had helped cause the death of parents, who never learned what had happened to a son or daughter.

While for a majority of interviewees (around 60%), the relationship within their family and with social circles had not been negatively affected, others expressed situations of long-lasting and unaddressed relational difficulties with family members and/or with neighbours, colleagues or others.

Various burdens were involved: having to search alone, dealing with the many practical consequences of the disappearance, the alternating hope and fear, and – as time passed – the disappointment and growing despair. The interviewees described feelings of mistrust towards others, of guilt, and of regret. Whether these families were shunned by other members of the community or whether they themselves simply lost interest in community life – or both – the result was the same.

Wives of missing men faced particular difficulties shouldering responsibility for their family alone.[7] Their status was unclear: wife or widow? People often lacked understanding for their plight. They suffered social rejection, disrespect and sometimes even harassment from those around them. Many found their lives gradually reduced to the search for their missing husband and the struggle to meet their children's needs.

Slightly more than half of the interviewees mentioned religion and religious rituals as their greatest comfort. Most interviewees (67%) said they were able to share their personal difficulties not only with their families but also with the broader social circle. However, 80% said that issues relating to their missing relative were discussed only within the family circle.

[7] Interviews were carried out with 51 wives.

The interviewees were reluctant to bring such a sensitive and potentially stigmatizing issue outside of the close-knit domestic realm. While many found that discussing their feelings within the family was enough to adequately deal with the emotional implications, others needed additional support.

Even when they did not express an explicit desire for psychological or psychosocial[8] support, the results showed a need for this in some cases.

4.3. FINANCIAL DISTRESS

"Just when my father went missing, my mother suffered a stroke and went into a coma for 20 days. Her continuing ill-health meant that my sister had to work to support our family. Both my sister and brother left school because we weren't financially able to pay for further education. There was no-one to support us – we had lost the family's only breadwinner. My father's employer gave us his monthly pay for a whole year afterward, but then it stopped."

(Daughter of a missing person)

"My husband owns land, but in order to be able to sell it or put it to use we need to pay the taxes and provide a death certificate. The house we are living in now is also my husband's property and we have the burden of paying taxes on it. If we don't, the government may decide to seize it, and then we will be without a roof. So far, we haven't been able to settle the inheritance issue because the procedures involved are expensive and include issuing of a death certificate, which I refuse to have done."

(Wife of a missing person)

Although the economic consequences so many years after the disappearance were difficult to establish in the limited framework of this study, 78% of the families interviewed said they had financial problems due to the disappearance.
The interviewees said the disappearance had had definite, major financial consequences mainly on two levels.

[8] "Psychosocial" refers to the individual's relationship with his social circle, i.e. family and wider social environment, and in this case how his status as the relative of a missing person might affect those relationships. Psychosocial support gives the individual an opportunity to reflect on these relationships and provides healthy coping mechanisms.

First, the family had often lost its breadwinner. As noted in section 3, half of the missing people whose families are included in this assessment were married at the time of their disappearance and left behind a wife and three to four children.

Second, 72% of the missing people concerned by this assessment were employed, had their own business, or earned their money as day labourers. Only 10% of the missing people were unemployed, and 16% were students.

Of the 254 families who stated they had had financial problems, two thirds said those problems were due to the loss of the breadwinner, an absence that sometimes, for example, prevented the remaining parent from offering her children the best possible education. Some children would have to stop school and contribute to the family income instead. In the longer run, this generally meant a lower income for those children than what they would have had if they had received more education.
Furthermore, the disappearance of a potential breadwinner, especially a son who could help his parents when they grew old, negatively affects parents economically today.

At the same time, the search for the missing person incurred considerable costs for the families, money that could have been spent to meet other important needs. Half the families confirmed that they had spent sizable sums on search-related travel as well as on informants who promised details about the fate and whereabouts of the missing person or offered to sell them supposed personal belongings of the missing person. Any money spent in this way was then unavailable for other expenses.

Another financial burden involved taxes on properties of the missing people, which continued to apply after the disappearance, before the families were able to transfer them to their name. Owing to the lengthiness of the procedures involved, people ultimately inherited huge cumulated tax bills. Some people were obliged to sell possessions or take out a loan to pay those taxes. Many were still struggling to pay overdue taxes.

As mentioned above, family members suffer psychologically from the disappearance of their loved one but they also frequently suffer physical illness. Many attributed this directly to trauma caused by the disappearance.

These health problems created an additional strain on the family budget and were the first issue mentioned when the families were asked how they manage to meet their basic needs such as housing, food and water, education and health care. Two thirds of the interviewees mentioned health care as the most pressing economic need (over half of the interviewees were receiving regular treatment). This posed difficulties even for families who had medical insurance. And the need for medical care will only increase in future as the family members grow older.

4.4. LEGAL AND ADMINISTRATIVE ISSUES

"I couldn't access my husband's bank account because I had no death certificate. Since I was not sure that he was dead, I didn't apply for a certificate – I refused to make him dead in order to access his bank account."

(Wife of a missing person)

The disappearance of a person always has legal and administrative consequences.
A missing person not being legally dead, his family is not entitled under national legislation to benefits available to surviving next of kin.
Clarifying the person's status typically helps the families by affording them access to those benefits.

Under Lebanese legislation, a death certificate is required for most administrative and legal formalities facing the families of missing people (property issues, access to bank accounts, pensions and salary of the deceased, etc.). Most families did not have property or assets to manage because the missing relative had been young when he disappeared and had not acquired property, pensions or bank accounts. Some families had been able to overcome such difficulties, but 83 said they had still not been able to access assets such as real property, bank accounts[9] , pensions and social security funds, or to resolve issues of divorce and remarriage.

The interviewees tended to be extremely reluctant to declare the missing person dead in order to solve their administrative difficulties, since they clung to hope that he was alive. They viewed such action as symbolically "killing" their missing relative. They either refused to do this and left many issues unresolved, or they went ahead but then felt traumatized by the experience.

[9] Moreover, in all cases mentioned, original savings had become of little value as time passed and the Lebanese pound depreciated.

To make matters worse, when they did request a death certificate, the families faced a lengthy, demanding and expensive process:

We needed a death certificate so that we could deal with the assets and other administrative issues. We had a sharia court declaration that he was dead. We had published this in a national newspaper, in keeping with legal requirements. Then we went to the government office to register his death. But every time they would ask us for still more papers, to complete still more procedures, which were never clear. We hired a lawyer, we paid a lot of money. But we never acquired the certificate.
The law says that six years after disappearance, if the disappearance has been published in a national newspaper and no information has emerged about the missing person, he will be considered dead. But until this day, my husband is somehow still considered to be alive. The sharia court has declared him dead, but not the government administration.
As for his back pay and severance pay, his employer removed two years of service from his entitlement with no explanation at all.

(Wife of a missing person)

4.5. JUSTICE AND ACKNOWLEDGEMENT OF SUFFERING

Justice means giving us back my husband – dead or alive.

(Wife of a missing person)

When asked what justice would mean for them, 70% of the interviewees stated that the government should give them the truth about the fate and whereabouts of their loved one.

Virtually all the interviewees felt that the authorities had not sufficiently recognized their situation. They felt left alone to search for the missing relative, with no official help.[10] First and foremost, therefore, the families expected the authorities to find their missing relative or at least to shed light on his fate. They also wanted concrete recognition of the suffering of those left behind.

[10] Of the 324 families, 292 (90%) said they thought their hardship had not been sufficiently recognized by the authorities.

While 60% of the interviewees could imagine some form of remembrance for the missing people – provided it was not a memorial – almost 40% did not want such a tribute for fear that it would appear to make superfluous the actual search for the missing people. Both the interviewees in favour and those against a memorial insisted that the best way to remember and pay tribute to the missing was for the government to search for them and provide answers on their fate and whereabouts.

In the same vein, the interviewees did not consider receiving compensation as a priority – the need for information on the fate and whereabouts of the missing people was much greater. Interviewees also expressed fear that compensation could be used as a pretext for refusing the truth, especially in the absence of any functioning search mechanism.

Along with a search process, most interviewees favoured unconditional compensation, which they considered as their right. They said they would refuse compensation if it meant there would be no search process.[11]

Slightly over 200 interviewees (62%) said that they knew an amnesty law existed, whereas only 122 interviewees (38%) had heard of any of the official commissions on missing people. Ninety-six of those families said they had registered their missing relative with one of the commissions – with no result. The lack of results, the fact that the commissions failed to share (or in some cases understand) the families real concerns, and the total lack of communication meant that the families had no confidence in those bodies. In the interviewees opinion, the amnesty law was "unfair" and therefore unacceptable. It was perceived as a means by which the government could shirk its responsibility to search for the missing.

[11] Seventy-seven per cent of the interviewees gave a negative answer to the question "Would you and your family accept compensation if there were no accompanying obligation to provide you with the truth surrounding the disappearance or, where possible, an attribution of responsibility?"

5. CONCLUSION AND RECOMMENDATIONS

The major result of the ICRC's assessment of the needs of the families of missing people in Lebanon is their demand for information on the fate and whereabouts of the missing relatives. The creation of a functioning search mechanism to give answers and therefore relieve the longstanding suffering of these families would be the best solution.

Even in the absence of such a mechanism, a number of other needs can be addressed today. The following practical recommendations are based on the needs described by the interviewees and are consistent with the basic rights of the families of missing people under international humanitarian and human rights law.

5.1. MAIN RECOMMENDATIONS[12] ADDRESSED TO THE LEBANESE AUTHORITIES

In order to put an end to the families uncertainty and in keeping with Lebanon's obligations under international humanitarian and human right law, the ICRC urges the authorities to take steps to prevent the disappearance of people in the context of armed conflict or other violence, to clarify the fate and whereabouts of those who have disappeared during armed conflict since 1975, and to attend to the needs of the families concerned and provide them with the support they require.

The ICRC encourages the authorities to consider ratifying, and incorporating into the domestic legal system the International Convention for the Protection of All Persons from Enforced Disappearance.

Establish a mechanism to clarify the fate and whereabouts of missing persons

The ICRC supports the efforts made by the Lebanese government to set up a mechanism to search for the missing people, to clarify their fate and whereabouts, and to inform their families. The ICRC recommends that any such mechanism should work in the best interest of the families of missing persons and that it should incorporate the following elements:

[12] Other recommendations related to psychosocial, psychological, health, material, administrative and legal needs have also been addressed to the Lebanese authorities.

- The mechanism should have a ***clear mandate focused on the humanitarian objective*** of giving answers to all the families regarding the fate and whereabouts of their missing loved ones.

- That mandate should be ***non-discriminatory***. The mechanism should ascertain the fate and whereabouts of all people reported missing in connection with armed conflict – international or non-international – or of other situations of violence.
To ensure that all families' need to know is met, the ICRC advocates the use of the ***broad term "missing people"***. While this term includes enforced disappearances, it also covers those "missing in action" (armed forces personnel and combatants from opposition groups whose families have no news of them), as well as anyone else who is reported to have disappeared in direct connection with armed conflict or a situation of violence.

- The mechanism should draw up a centralized and comprehensive ***list*** of all people missing as a result of armed conflict – international or non-international – or of other situations of violence. That list should be based on different sources such as government records, families and family associations, and non-governmental organizations.

- The information gathered by the mechanism should remain ***confidential*** and be used exclusively for the purpose for which it was obtained, i.e. to clarify the fate and whereabouts of missing people. Personal data collected should be handled and processed in a manner consistent with internationally agreed principles on data protection and national legislation.

- The mechanism should be granted the necessary ***resources and powers***. It should be able to coordinate, support and supervise the process of tracing missing people and informing the families accordingly.

- The mechanism should have the skills and resources needed to collect information on and search for ***burial sites***, i.e. individual or mass graves.

- The mechanism should set up a comprehensive strategy for the search, recovery and identification of human remains, according scientific best practices adapted to the context, including the relevant provisions for the return of identified remains to the families and proper burial of remains that stay unidentified or unclaimed.

- The mechanism should also engage in a ***dialogue with the authorities of the other countries concerned*** to bring about a search for people presumed to be in another country.

- The mechanism should ensure regular ***dialogue*** with the families and proactive ***communication*** about its objectives, work, procedures and results.

- Ideally, the mechanism would also have the mandate to ***support*** the families in meeting their different needs, as outlined in the following recommendations.

The ICRC is currently supporting the collection and storage of "ante-disappearance data", including a planned collection of biological reference samples. This should help preserve information that could ultimately lead to identification. For the ICRC, the handover of information to such a mechanism will be conditional upon the latter's non-discriminatory and humanitarian mandate, as per the requirements set above, thus ensuring that it must act always in the best interests of the families.

Take the measures needed to address administrative and legal concerns

- The authorities should establish a clear and recognized status for the missing people, which allows their families to address any issue arising from the absence of their loved one, i.e. access to social benefits, property rights, inheritance, marital status, health care, education, etc., without having to declare the missing person dead.[13] An "absence certificate" documenting the status of the missing person should have the same legal force as a death certificate. It should be obtainable by families who desire it by means of a simple, free-of-charge procedure. (This simplicity should apply to any judicial approval required, investigations and notices published in newspapers.)

- The families should be able to obtain from the local authorities (mukhtars) all information and support needed for the absence certificate. The authorities should ensure that the local civilian authorities are well aware of those procedures and the advantages of an absence certificate compared with a death certificate, and instruct the families accordingly.

[13] See Article 8 of the Guiding principles / Model law on the Missing (ICRC, 2009): "Recognition of absence". It explains how to create a legal personality for missing people. www.icrc.org/eng/resources/documents/misc/model-law-missing-300908.htm

- The setting up should be considered of an official, centralized information and support service for the families. It would provide administrative and legal counselling to help the families solve administrative and legal problems arising from their loved one's disappearance: managing property (inheritance), pensions, social security, marriage, etc.

- Once a functioning mechanism is in place, such an administrative and legal counselling service could be made part of it.

5.2. RECOMMENDATIONS ADDRESSED TO THE LEBANESE AUTHORITIES AND OTHER STAKEHOLDERS

The following recommendations need the understanding and the active support of the civil society and all stakeholders, in particular family associations, non-governmental and international organisations involved in programs to assist families of missing people, as well as donors who finance those programs.

Ensure psychological and psychosocial support

- The authorities and the civil society organisations should recognize the importance of facilitating access for family members to psychological and psychosocial care and ensure that the families are aware of these services, which could be provided by specialized state facilities and/or other entities.

- The authorities and all organisations involved should ensure that relatives who so wish have easy access to these services.

- The authorities, with the help of the civil society organisations, should develop a psychosocial support network to be operated by local government facilities, family associations, non-governmental or international organisations.

- The authorities, with the help of the civil society organisations, should ensure the availability of appropriate psychological support for family members in need. To be of real value, that support, which can consist of individual, family or other group therapy, should be based on a sound understanding of the families "uncertainty" about the fate of their missing relatives.[14]

[14] As opposed to psychological approaches aimed at "closure", which would not be appropriate for people who do not know the fate of their loved one.

Ensure access to health care

- The authorities, with the help of the civil society organisations, should ensure at least that all families of missing people benefit from insurance that guarantees them free heath care.

Acknowledging the families plight

- The ICRC calls upon the Lebanese authorities and the Lebanese society as a whole to recognise and acknowledge the long lasting suffering of the families of missing people and the families' right to assistance and information.

- The ICRC encourages civil society organisations to continue their efforts to support the families in public events and to keep calling for the families' rights to be respected and requests to be heard.

- The ICRC urges all stakeholders to support the implementation of the above recommendations because, in addition to their practical value for the families, they all serve to acknowledge the decades of suffering and particular needs.

The ICRC is committed to continue its support for the families of missing people and will, along with civil society organisations, maintain its efforts to alleviate their suffering.

The ICRC will continue its support for the Lebanese authorities in their efforts to meet their obligation to prevent disappearances, ascertain the fate of those missing and supporting the families. The ICRC continues to offer its technical expertise on legal issues, forensic services, information management and health care. The organization is collecting ante-disappearance data from the families on their missing relatives, i.e. all information that could one day help identify missing people. It is doing this on behalf of the authorities until a functioning mechanism exists to clarify the fate and whereabouts of missing people. The ICRC also remains committed to helping the authorities set in motion a process of collecting biological reference samples from the families.

The ICRC has the strictly humanitarian goal of prompting the authorities to recognize and respond to the specific needs of these families. It sees its role as that of acting as a voice for the families.