

A woman with long dark hair, wearing a black and white patterned cardigan over a dark skirt, is sitting on a stool in a dimly lit room. The room has a checkered floor and several framed pictures on the wall. The lighting is dramatic, with strong shadows.

“STILL?”

THIS IS THE WORD THAT HURTS THE MOST

ASSESSING THE NEEDS OF FAMILY MEMBERS OF MISSING
PERSONS IN CONTEXTS OF VIOLENCE AND OTHER
CIRCUMSTANCES IN THE STATE OF SÃO PAULO

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ICRC

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M. Cruppe/ICRC

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LIST OF ABBREVIATIONS AND ACRONYMS

FNA	Family Members of Missing Persons Needs Assessment	MHDI	Municipal human development Index
BO	Police Report	IP	Police Investigation (in Portuguese, <i>Inquérito Policial</i>)
CADÊ	Federal Police Biometric Registration of Missing Persons	PP	Public Prosecutor's Office
CAPES	Coordination for the Improvement of Higher Education Personnel	NGO	Non-Governmental Organization
CNMP	National Council of the Public Prosecutor's Office (in Portuguese, <i>Conselho Nacional do Ministério Público</i>)	PID	Disappearance Investigation Procedure (in Portuguese, <i>Procedimento de Investigação de Desaparecimento</i>)
CEMDP	Special Commission on Political Dead and Missing Persons (in Portuguese, <i>Comissão Especial de Mortos e Desaparecidos Políticos</i>)	PF	Federal Police (in Portuguese, <i>Polícia Federal</i>)
CETREM	Screening and Referral Center	PLID	Program for the Location and Identification of Missing Persons (in Portuguese, <i>Programa de Localização e Identificação de Desaparecidos</i>)
CNCD	National Registry of Missing Children and Biometric Registration of Missing Persons (in Portuguese, <i>Cadastro Nacional de Crianças Desaparecidas e Cadastro Biométrico de Pessoas Desaparecidas</i>)	PLID-SP	Program for the Location and Identification of Missing Persons of the State of São Paulo
ICRC	International Committee of the Red Cross	UNDP	United Nations Development Program
CPF	Individual Taxpayer Identification Number (in Portuguese, <i>Cadastro de Pessoas Físicas</i>)	RG	Brazilian Identification Number (state-level identity) (in Portuguese, <i>Registro Geral</i>)
DGP	Commissioner of Civil Police (in Portuguese, <i>Delegado-Geral de Polícia</i>)	SESDH	State Secretariat for Social Development and Human Rights
5th DHPP	5th Police Office of the Civil Police Department on Homicides and Protection – in charge of disappearance of persons in the city of São Paulo (in Portuguese, <i>5ª Delegacia do Departamento de Homicídios e Proteção à Pessoa – especializada em desaparecimento de pessoas na cidade de São Paulo</i>)	SES	State Health Secretariat
IHRL	International Human Rights Law	SDH	Human Rights Secretariat of the Presidency of the Republic
IHL	International Humanitarian Law	SINALID	National System of Location and Identification of Missing Persons
DPE	State Public Defender's Office (in Portuguese, <i>Defensoria Pública do Estado</i>)	SISA	Information and Customer Service System
ECA	Child and Adolescent Statute (in Portuguese, <i>Estatuto da Criança e do Adolescente</i>)	SMADS	Municipal Secretariat of Social Assistance (in Portuguese, <i>Secretaria Municipal de Assistência Social</i>)
FBSP	Brazilian Forum on Public Security (in Portuguese, <i>Fórum Brasileiro de Segurança Pública</i>)	SMDH	Municipal Secretariat for Human Rights (in Portuguese, <i>Secretaria Municipal de Direitos Humanos</i>)
IECV	Violent Crime Exposure Index (in Portuguese, <i>Índice de Exposição a Crimes Violentos</i>)	SNLPD	National System of Locating Missing Persons (in Portuguese, <i>Sistema Nacional de Localização de Pessoas Desaparecidas</i>)
IML	Institute of Legal Medicine (in Portuguese, <i>Instituto Médico Legal</i>)	SPTC-SP	Superintendency of the Technical and Scientific Police of the State of São Paulo (in Portuguese, <i>Superintendência da Polícia Técnico-Científica de São Paulo</i>)
		SSP	State Secretariat of Public Security (in Portuguese, <i>Secretaria Estadual de Segurança Pública</i>)
		SUAS	Unified Social Assistance System (in Portuguese, <i>Sistema Único de Assistência Social</i>)

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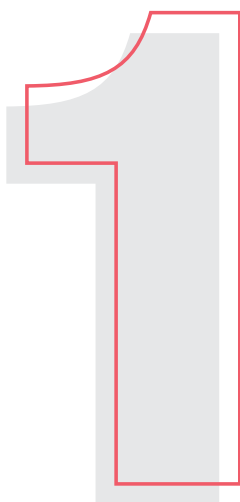
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EXECUTIVE SUMMARY

Coping with absence is a painful reality for the family members of thousands of people in Brazil who have disappeared.

The ICRC defines disappearance as a situation in which a person's whereabouts is unknown to its family members or when a person has been reported as missing, on the basis of reliable sources, due to armed conflict, internal violence, natural disaster, or other humanitarian crises.

In Brazil, the ICRC has observed the disappearance of individuals as a present reality. This reality has been going on for decades and is linked to different circumstances, including violence.

In many situations, disappearances are linked to various circumstances, which overlap or appear as blended. In others, the circumstances of the disappearance remain unapparent, and the lack of clarification on the cases makes difficult a more complete and reliable understanding of the phenomenon.

Regardless of circumstances, when the attention is focused on the families that search for a loved one, the effects – concretes and devastating of the disappearance – are unquestionable: the lower the response from the community and public services, the more grievous become the needs of families of missing persons.

These family members have lived for years and even decades with the uncertainty surrounding the fate and whereabouts of their loved ones. They have tirelessly devoted themselves to searching for answers and have encountered

very little support. Along the way, they have endured traumatic experiences filled with risks, helplessness, and misunderstanding.

Throughout this process, they develop a tremendous resilience to deal with unexpected and unique situations related to their plight, but their lives are impacted in almost every aspect.

While the consequences of the disappearance are serious for the families of missing persons, they are still not well known in Brazil. Therefore, the International Committee of the Red Cross (ICRC) conducted a needs assessment in the second half of 2018 to understand these families' difficulties better. And this report is the outcome of interviews with family members of people who have disappeared in the state of São Paulo and with professionals who work in this area.

The reality encountered by the ICRC is disturbing. Family members who are dedicated to search efforts struggle to obtain reliable information and face significant risks. They tend to exhaust their financial and emotional resources, affecting their physical and mental health. They also end up isolated, resenting the misunderstanding and lack of solidarity. Consequently, they end up unavailable for work, relationships, and other daily life activities and have difficulty gaining access to their rights. In addition to the need

“Circumstances of a disappearance” means the entire set of objective and/or subjective factors related to the moment of disappearance, and/or the reasons why the family members of the missing person are unaware of their fate and whereabouts.



V. Moriyama/ICRC

to know what happened and the missing person's whereabouts, the families begin to have specific needs regarding their mental and physical health, legal and economic aspects, and recognition of their own suffering.

The ICRC conducted the FNA to understand these needs better and guide its work in response to the Brazilian reality.

Based on the assessment results, the ICRC embarked on actions focused on mitigating the humanitarian impact of a disappearance. Some of these actions have been performed directly with focus groups involving relatives of missing persons, while everything that has been learned during these activities is transformed into recommendations and technical support for the relevant authorities and civil society organizations. Despite the restrictions imposed by the Covid-19 pandemic, the ICRC continued to support these family members while adopting social

distancing measures and focusing on additional needs that surfaced in 2020.

With the publication of this report, the ICRC also intends to share its observations on the disappearance's impact and the families of the missing persons' needs. By making recommendations based on its humanitarian, external and impartial vision, the ICRC also aims to contribute to the reflection on the issue and so that, together with the families of missing persons, the necessary responses to create mechanisms for searching for missing persons and alleviate the suffering caused by the disappearance. The observations and recommendations contained in this report are addressed to authorities in São Paulo and throughout Brazil, as well as to Brazilian civil society, including academics, non-governmental organizations, and professionals who certainly have relevant contributions to improve the situation of the families of missing persons in the country.

2

THE WORK PERFORMED BY THE ICRC

The International Committee of the Red Cross (ICRC), founded in 1863, is an independent and neutral organization whose sole humanitarian mission is to provide assistance and protect the life and dignity of people affected by armed conflict and other situations of violence. The ICRC also endeavors to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles.





K. Walgrave/ICRC

The ICRC is currently present in more than 90 countries and performs activities that are adapted to each reality. Dialogs are conducted with all parties involved in local conflicts or situations of violence.

The disappearance of people is one of the consequences of these contexts affecting hundreds of thousands of people worldwide.

The ICRC develops specific programs to help Governments and communities collaborate to clarify the fate and whereabouts of missing persons, identify and dignify the deceased, and

address the multiple needs of the relatives of missing persons.

The ICRC believes that the reality of these family members is the central factor in providing guidance on actions related to their disappearance. The family members are the ones who know the essential facts for the search. They are the ones who suffer the consequences of the absence and, as such, are the ones who can best articulate their needs. Therefore, the ICRC emphasizes the importance of family members participating in the entire process of looking for solutions and improvements in the system to address the issue of disappearances.



IN BRAZIL

The ICRC promotes International Humanitarian Law (IHL) in conjunction with Brazilian authorities and carries out activities in different states throughout the country in an effort to mitigate the humanitarian consequences of armed violence in urban contexts. It also reestablishes contact between family members of migrants and supports responses to the suffering of families of missing persons.

Through the Program on Missing Persons and Their Families, the ICRC engages in dialogues with authorities, family associations, and other pertinent institutions.

Meeting with family members of missing persons from different states – 2018



Through the Program on Missing Persons and Their Families, the ICRC engages in dialogues with authorities, family associations, and other pertinent institutions. It also promotes technical advisory activities for public institutions and supports groups of family members of missing persons based on its experience in over 80 countries and input from a global team of specialists in the subjects of disappearances and forensic sciences, mental health, law, and other relevant fields.

The ICRC's work on disappearances in Brazil began at the behest of federal authorities in 2013 regarding the context of disappearances during the military regime. In 2016, the ICRC assessed the needs of missing persons' family members connected to the case analyzed by the Perus Working Group, which was confined to a well-defined context.¹ Recommendations based on this assessment were presented to the authorities.

The ICRC also conducted a study in 2016 on the number of reported disappearances in Brazil, focusing on other

circumstances surrounding disappearances. The results were published by the Brazilian Public Security Forum (FBSP), illustrating the alarming reality of this problem: between 2007 and 2016, the number of registered cases reached more than 690,000.

Based on this information, the ICRC realized the importance of intensifying its work on the phenomenon of disappearances linked to violence and other contemporary circumstances.

As a result, it has taken steps to help in understanding the reality of the disappearances in Brazil and working alongside authorities in building mechanisms that are capable of addressing the issue and strengthening local capacities. The ICRC has also entered into discussions with social and academic entities who are involved in the subject and has centered its attention on direct work with focus groups for family members of missing persons – using these groups to get a more in-depth understanding of the reality and to devise methodologies adapted to the Brazilian context.



Round table discussions with family members of missing persons – São Paulo – 2018

1. For more information, see the report titled "He's being missed from that table" – a needs assessment on Family Members of Missing Persons during the military regime in Brazil: "Caso Vala de Perus" (The Persus' Grave Case).

3 THE DISAPPEARANCE OF PEOPLE AND UNCERTAINTY FOR FAMILIES

In a general sense, the disappearance of someone is acknowledged when there is a lack of information on their destination and whereabouts, or rather when the person is not found in their usual habitat, and no one knows what happened to them or where they are.

A missing person may have been killed or passed away without their family members being notified or knowing where they are buried. On the other hand, the person could be alive and subjected to conditions that prevent them from returning to their home and communicating with their family members.

There may be a number of reasons for the disappearance, and they are often never clarified.

People often disappear due to violence or other serious violations of law.

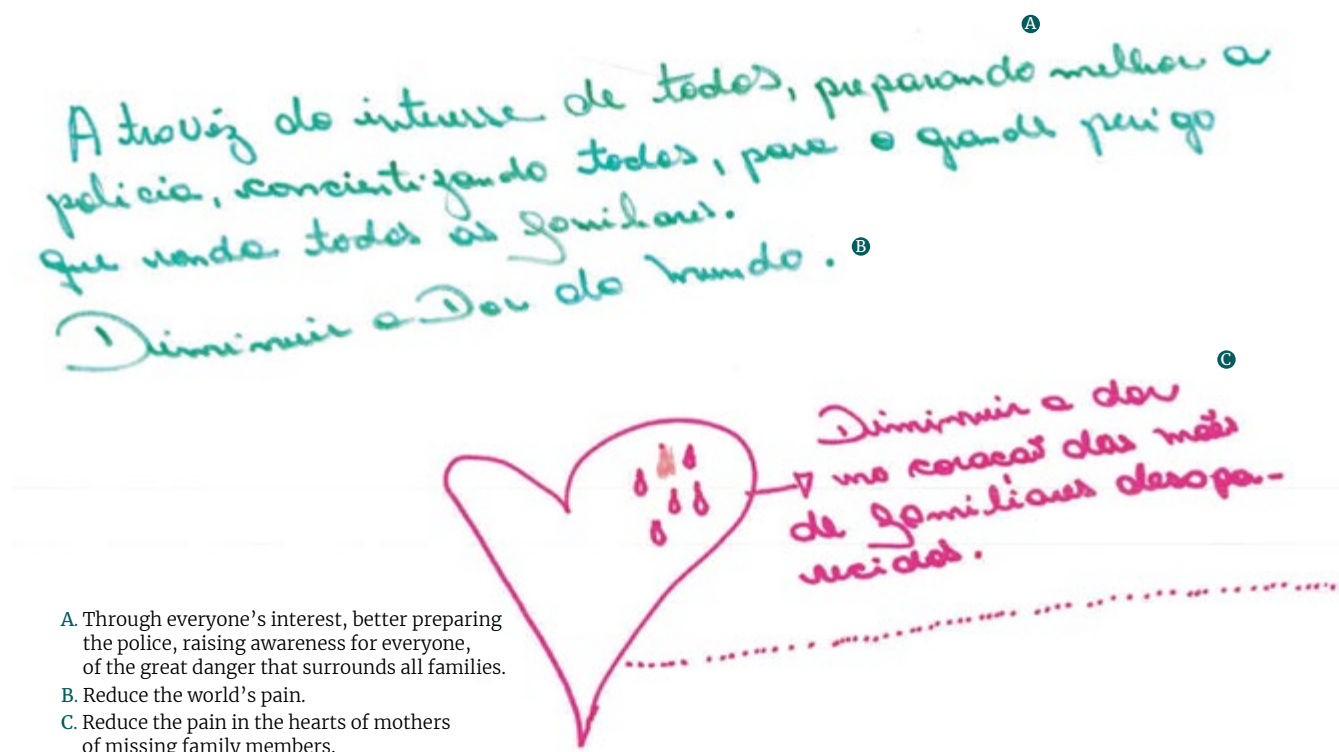
In some contexts, this occurs more intensely and is concentrated in time and space. For example, when disappearances take place during armed conflicts, while people are being forced

to relocate, in dictatorial regimes or natural disasters, and so forth. In these situations, until each case is resolved, families need to cope with the uncertainty over what happened to their loved ones. Nevertheless, the authorities and families are faced with a certain number of hypotheses concerning the fate and whereabouts of the missing persons.

In other contexts, however, the set of hypotheses that can account for the disappearances of people is more extensive. When a number of different circumstances surrounding a disappearance occur simultaneously within a given territory, the same disappearance case can hold many more explanations. Because the searching universe is vast, the work of the authorities becomes more complex. For the families, dealing with the myriad of possibilities over what may have happened to their loved one means having to cope with an extraordinary level of uncertainty daily, making their everyday lives even more burdensome.

This is the situation found in Brazil, as will be explained further in this document.

The ICRC defines disappearance as a situation in which a person's whereabouts are unknown to their relatives and/or who, based on reliable information, has been reported missing due to armed conflict, a situation of internal violence, natural disaster, or other humanitarian crises.



Illustrations created by the families during the needs assessment – 2018

The ICRC chooses to promote a more comprehensive concept than the definition of an enforced disappearance because, regardless of the circumstances under which a person disappears, their family members suffer and endure the effects of uncertainty, absence and the search they are conducting. Thus, it is important to recognize that they all need support and information on the whereabouts of their loved ones.

With the disappearance, the lives of family members are put on hold while they dedicate their time, energy, and resources to the search for their loved ones. This process puts family members at risk and under stress and causes

severe consequences to their physical and mental health, including financial and legal difficulties and problems with their families and communities.

International Humanitarian Law (IHL) and International Human Rights Law (IHRL) substantiate the duty of States to clarify the whereabouts of missing persons and respond to their family members' needs. This duty has been reinforced in the laws of numerous countries².

The creation and refinement of national laws have been instrumental in developing systems that can address the issue of disappearances and respond to the needs of families of missing persons.

2. Some examples in Latin America include Colombia, Mexico, Peru and, more recently, Brazil.

DUTY OF THE STATE

According to IHL and the ILHR, States have an obligation to clarify the fate and whereabouts of missing persons – which implies respect for the right of relatives to know what happened to their missing loved ones; their whereabouts or the circumstances and cause of death (Additional Protocol, 1, Article 32): Convention related to the Enforced Disappearance, Art. 24). To handle this, States need to take the appropriate measures to investigate disappearance cases and to brief families on any progress in the procedures. (Publication “Missing Persons and their Families – Fact sheet”, ICRC, 2016).

As seen in section 5.6, Brazil recently took an important step in this direction by issuing Federal Law 13.812/2019³.

The new Federal Law states that: “The federal government deems the search and location of missing persons to be an urgent priority, and it should ideally be conducted by expert investigative agencies with mandatory operational cooperation through a national registry, including public security agencies and other entities that may intervene in these cases.” (Art. 3). It implies, among other things, that: “Investigations on the disappearance will be continued until the person is finally located.” (Art. 9)

The State’s recognition of its obligation to clarify cases of disappearance is vital to ameliorating the suffering caused by this harsh reality and also to establish the right for family members to receive information about what happened to their loved one.



V. Moriyama/ICRC

3. Federal Law 13.812/2019 incorporated and broadened the content of provisions that had been previously established in state regulations, such as State Laws No. 10.299/1999, 10.464/1999 and 15.292/2014 in São Paulo.

4 METHODOLOGY FOR ASSESSING THE NEEDS OF FAMILY MEMBERS OF MISSING PERSONS

“Interweaving stories” – opening of the needs assessment – 2018



When conducting a Family Needs Assessment (FNA) in any given context, the ICRC intends to become aware of the reality of family members of missing persons and the elements that can help identify which actions should be taken to alleviate the suffering caused by the disappearance.

The FNA conducted in 2018 was based

on an approach involving a non-probabilistic sampling of the stakeholders involved (among family members and those providing services) through a methodology that allows the challenges encountered by interviewees to be identified based on illustrative and concrete examples, along with their coping strategies and the available resources.



4.1 GEOGRAPHICAL DEMARCATIION: STATE OF SÃO PAULO

Given the territorial dimensions of Brazil, the FNA was conducted focusing on cases involving family members of people who disappeared within a single state.

São Paulo was chosen because it is the state with the highest number of reported cases of disappearance in recent years. Furthermore, it has government initiatives dedicated to the issue. Moreover, the ICRC has already been engaged with local institutions and associations there, helping family members of missing persons to gain access to professionals with experience in the matter.

4.2 SYSTEMIZING AVAILABLE INFORMATION

During the preparation and the entire period dedicated to the FNA, the ICRC obtained access to information that was available on the reality of disappearances in Brazil by tracking and analyzing relevant news, academic productions, deliberations, and legislative decisions, and the creation or development of public structures dedicated to this topic.

Meeting for participants in the needs assessment – 2018



4.3 PARTICIPANTS

A) FAMILIES OF MISSING PERSONS

With support from associations and public services that handle disappearances, the ICRC was afforded preliminary access to 94 family members of missing persons with vastly different profiles, mostly mothers looking for their sons and daughters. The period of the disappearance varied from six months to 30 years, and their circumstances were diverse.

30 families were selected, prioritizing the diversity of cases and weighing the interviewees' security and well-being factors. Three family members were unable to participate due to constraints during the activities, so the final group of FNA participants was comprised of 27 people.

Only cases in which family members had already sought out at least one authority were included.

B) PUBLIC SERVANTS, PROFESSIONALS, AND SOCIAL LEADERS WITH EXPERIENCE IN DEALING WITH DISAPPEARANCE CASES

The ICRC also invited service providers with experience in dealing with cases of disappearances. As a result, 18 public servants (linked to five public agencies), and six other persons, amongst leaders and volunteers from two associations of family members of missing persons, from a non-governmental organization, from a university extension project participated.



Meeting held during the needs assessment – 2018

4.4 ACTIVITIES CONDUCTED

A) COLLECTIVE MEETING WITH FAMILY MEMBERS

During a two-day meeting with the invited family members, an ICRC multi-disciplinary team conducted group sessions on the following topics: priorities for family members of missing persons, the search process conducted by authorities, search activities carried out by family members; resources for family and community support; legal and administrative needs; and expectations related to justice and recognition.



Sharing of experiences for family members participating in the needs assessment – 2018

B) INDIVIDUAL INTERVIEWS WITH FAMILY MEMBERS

In the weeks following the collective meeting, family members were interviewed individually. The semi-structured questionnaire was administered by pairs or trios of interviewers and covered the following subjects: the family structure of the interviewee; data on the missing person; circumstances surrounding the disappearance; the family's economic situation; legal and administrative factors; psychological, psychosocial, and physical health aspects of the interviewee and their immediate family circle.



C) INTERVIEWS WITH CIVIL SERVANTS AND SOCIAL LEADERS

Representatives from the Civil Police of the State of São Paulo, from the State Public Prosecutor's Office (MP, in Portuguese) and from the Municipal Secretariat of Human Rights (SMDH, in Portuguese) of São Paulo, the leaders of two family associations and the president of a non-governmental organization were all interviewed.

The interviews were based on a theme-oriented script on the following subjects: known disappearance situations, characteristics of the participants' work and the resources available, best practices developed, key challenges and perceptions on the priority needs of family members of missing persons and on their profile.

D) ROUND-TABLE DISCUSSIONS WITH PUBLIC SERVANTS AND PROFESSIONALS WHO HAVE EXPERIENCE IN DISAPPEARANCE CASES

Round-table discussions were held with groups of state public defenders, child protective services in the city of São

4.5 ICRC TEAM

Paulo, and mental health professionals with experience in assisting family members of missing persons. The discussions followed the same methodology as the individual interviews with civil servants and social leaders.

E) SESSIONS PROVIDING FEEDBACK ON CONCLUSIONS FOR PARTICIPANTS

After analyzing the information collected, family members of missing persons and other FNA participants were invited to two meetings to discuss ICRC's conclusions. These sessions clarified some doubts and confirmed the conclusions drawn from the FNA exercises.

The initial recommendations drawn from the exercise were presented and discussed with the authorities during the meeting they attended, and early steps towards a response plan at the municipal level were developed.

The ICRC multidisciplinary team that conducted the FNA was composed by a lawyer, a forensic anthropologist, a psychologist, two persons with degree in international relations, and a person with background in social work. Four out of the six members were Brazilian. All of them shared responsibility for conducting the meetings with family members, and they worked in pairs or trios on other activities.

4.6 PRINCIPLES AND PROTOCOLS

The FNA was based on the principles of freedom of participation, informed consent, anonymity, and protection of personal data. Participants were also ensured that they could request confidentiality concerning any part of their report and to amend any information provided during the activities.

Return of findings from the needs assessment – 2019



5

BRAZILIAN CONTEXT OF THE DISAPPEARANCE OF PERSONS: ASPECTS OBSERVED BY THE ICRC



Throughout its work, the ICRC has recognized that the Brazilian context of disappearance of persons is relevant and somewhat complex. In this session, the most relevant points for discussing the needs of family members are highlighted.

Group construction of a panel for the International Day of the Disappeared –
Fortaleza – 2019



5.1 QUANTITATIVE INFORMATION

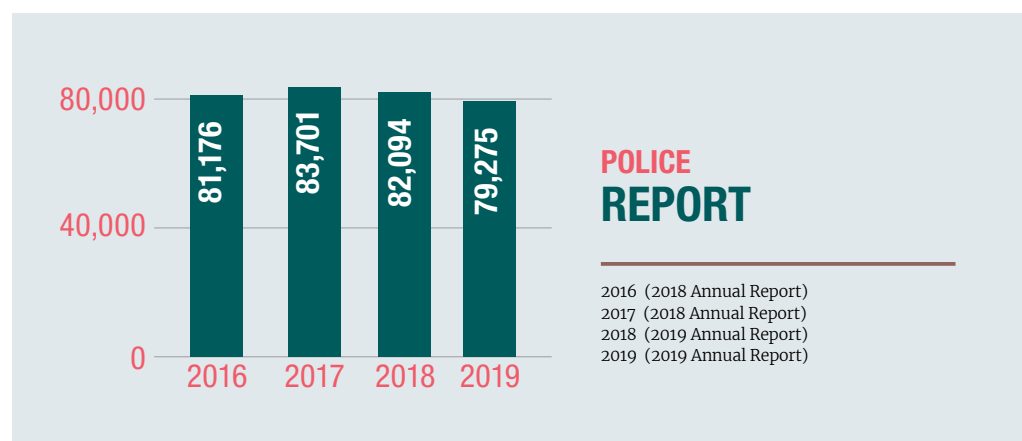
A few local and national initiatives are underway to create systems that centralize and update data on the number of missing persons, their profiles, and the circumstances of their disappearance. However, a unified and systematic registry that included this information was not available in Brazil at the time of the FNA.

Knowledge on the dimension and characteristics of the phenomenon in Brazil is therefore based on the number of disappearance cases reported annually

and on the qualitative analysis of examples.

According to data published by the FBSP, more than 70,000 reports on disappearance have been recorded per year in Brazil over the past decade.

The 11th Brazilian Yearbook on Public Safety⁴ showed that 694,007 Police Reports (BOs) were filed between 2007 and 2016. Between 2018 and 2020⁵, other data has been published:



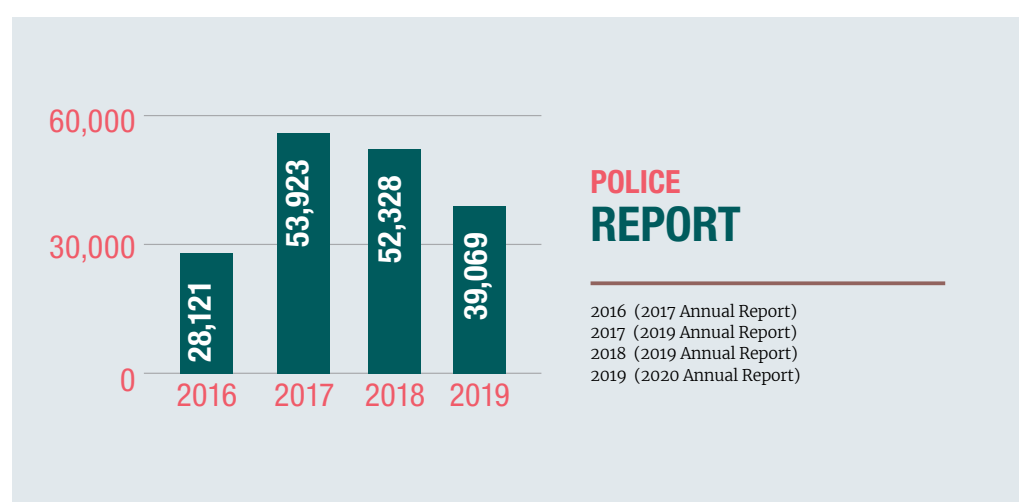
2016		2017		2018		2019	
São Paulo	24,333	São Paulo	25,200	São Paulo	24,368	São Paulo	21,122
Minas Gerais	8,808	Rio Grande do Sul	8,998	Rio Grande do Sul	9,090	Rio Grande do Sul	8,782
Santa Catarina	7,199	Minas Gerais	8,900	Minas Gerais	8,594	Minas Gerais	8,775
Paraná	6,659	Paraná	7,015	Paraná	6,952	Paraná	6,749
Rio de Janeiro	5,657	Rio de Janeiro	4,439	Rio de Janeiro	4,619	Rio de Janeiro	4,619

* States with the highest numbers of disappearances reported in the last 4 years, according to the FBSP.

4. See the 11th Brazilian Yearbook on Public Safety of 2017.

5. See 12th, 13th and 14th Yearbooks on Public Safety.

The Annual Reports on Public Safety also published information as to the reported number of people found:



	2016		2017		2018		2019
Rio Grande do Sul	7,134	São Paulo	23,726	São Paulo	19,772	São Paulo	9,780
Santa Catarina	5,166	Rio Grande do Sul	8,043	Rio Grande do Sul	10,398	Rio Grande do Sul	8,716
Minas Gerais	4,795	Santa Catarina	6,290	Minas Gerais	5,735	Minas Gerais	5,852
Paraná	4,308	Minas Gerais	5,350	Paraná	4,691	Paraná	4,464
Distrito Federal	2,607	Paraná	4,765	Santa Catarina	4,513	Rio de Janeiro	3,906

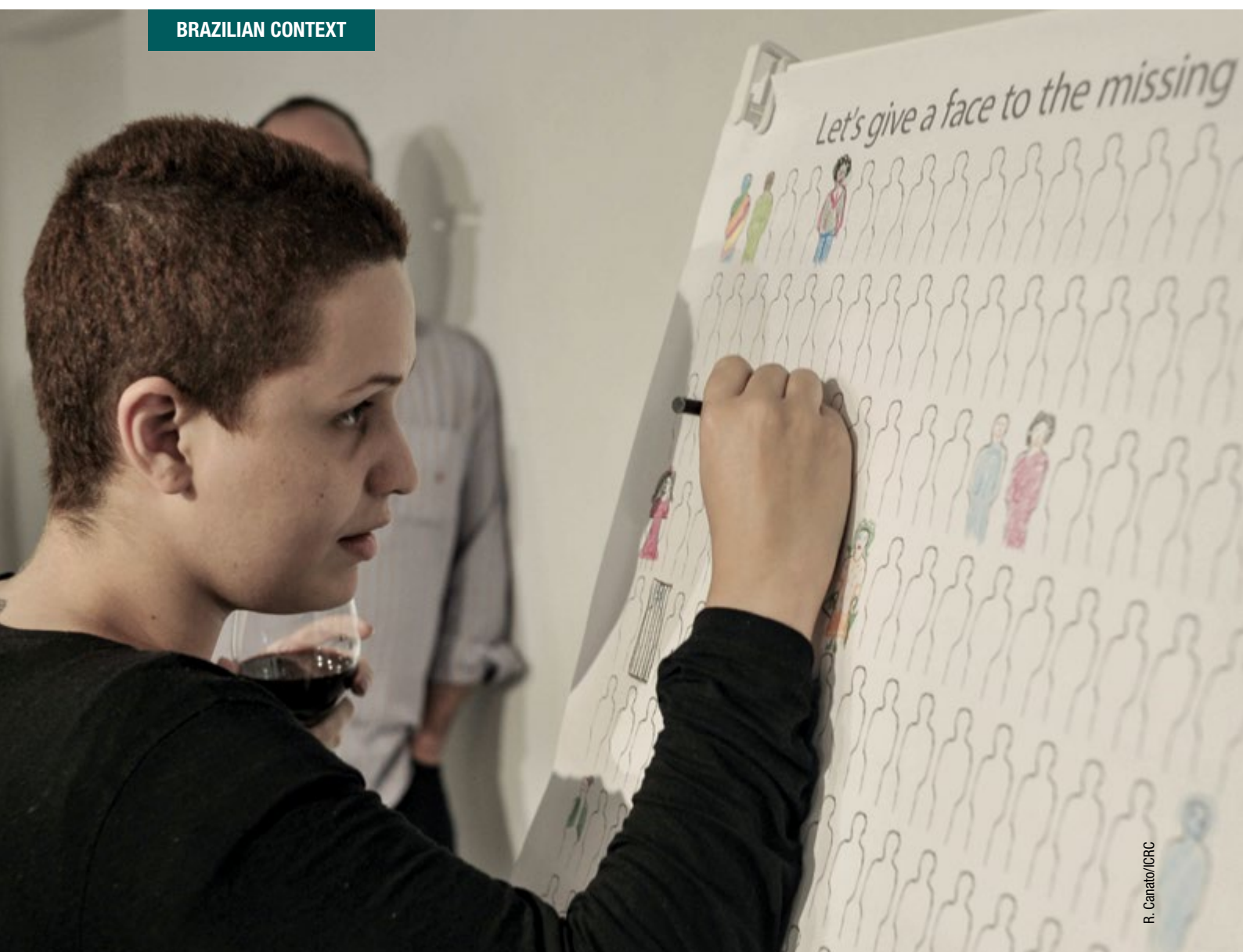
* * States with the highest numbers of people found in the last 4 years, according to the FBSP.

A technical note from the FBSP clarifies that the data provided by the authorities do not allow a determination to be made on whether the persons found had been reported as missing, nor whether the disappearance of the persons found had been reported within the same year.

Another survey by the FBSP conducted jointly with Instituto Datafolha in 2017

indicated that 17% of Brazilians (or 23.8 million) reported having a friend, relative, or acquaintance missing.

Authorities and other parties consulted by the ICRC warned that some cases were underreported, noting that they have frequent contact with family members of missing persons who have not reported the disappearance of their loved ones due to fear or misinformation.



Activity open to the public – “A falta que você faz” (The void left behind) Show – ICRC – 2018

5.2 DIVERSITY OF CIRCUMSTANCES SURROUNDING A DISAPPEARANCE

The context of disappearance is rather heterogeneous in Brazil. Examples based on the reality show that a high number of current circumstances surrounding a disappearance coexist and overlap.

The available data do not yet offer precise information on the contributing factors, but links can be seen between

The reasons behind the disappearance are often not apparent. This leads to a high degree of uncertainty and a variety of assumptions to be confirmed on the fate and whereabouts of the missing person.

disappearance and armed violence, acts involving the exploitation of people, and other violations of law.

Other circumstances are related to demands for protecting and identifying people in vulnerable situations or for managing data on deceased people, and their human remains.

The reasons behind the disappearance are often not apparent. This leads to a high degree of uncertainty and a variety of assumptions to be confirmed on the fate and whereabouts of the missing person.

5.3 TERRITORIAL AND TEMPORAL SCOPE

In Brazil, reports are filed on missing persons throughout all regions of the country. Cases involving situations of violence and other circumstances are currently a reality, but they have also been reported for years or decades – suggesting that this is a long-standing problem.

5.4 DIVERSITY OF THE PROFILES OF PEOPLE AFFECTED

The ICRC has observed cases involving missing persons from all age groups, genders, locations, and social groups. The same applies for family members affected by the disappearance.

In the absence of data, a predominant profile among missing persons or family members in Brazil can still not be established.

The available information allows some studies to be conducted on the profile of the persons reported as missing.

At the ICRC request, the Program for Locating and Identification of Missing Persons (PLID) of the São Paulo Public Prosecutor's Office was analyzed, in partnership with the FBSP, Police Reports (BOs) on missing persons filed in the state of São Paulo in 2017.

Of the 23,726 reports reviewed, 14,423 disappearances were of male and 9,505 female. In terms of age group, the group with the highest number of cases pertained to 14 to 19 years old (5,394 records), followed by 20 to 29 years old (4,252 cases) and 30 to 39 years old (4,389 cases). The investigation identified 448 cases of children between 0 and 9 years old, 3,466 cases of children and adolescents from 10 to 14 years old, and 1,411 records of people over 60 years old.

5.5 PUBLIC SERVICES DEDICATED TO THE ISSUE OF DISAPPEARANCES

There are municipal, state and federal programs, services and structures that handle issues related to the disappearance of people, and the subject has become more recognized within Brazil. Many of the initiatives are related to investigations by law enforcement, the identification of people, or the creation of databases or information management systems. Some states, including São Paulo, have created police precincts that are specialized in the subject.

At the time the FNA was conducted, there was no public service focused on addressing the specific needs of family members of missing persons. Recently, there have been discussions by some authorities on creating facilities for support. A center was set up in the state of Rio de Janeiro, and the city of São Paulo has adapted actions by the Secretariat of Human Rights for this population. A number of interinstitutional structures have been created in different states and at the national level over the last few years, including committees, working groups, and specific departments within the Executive Branch. The public officials involved in these initiatives report the need to invest in these structures and to increase the coordination between them and the various services with relevant responsibilities for clarifying the fate and whereabouts of missing persons.

5.6 LEGAL FRAMEWORK

The legal framework about disappearances is going through a refinement process. There are already explicit laws that address various elements of the phenomenon. Some relevant aspects still require regulation though.

Local regulations in some Brazilian states generally cover local policies, disclosure of disappearances, and commemorative dates on the subject.

At the federal level, the laws deal with the legal consequences of the disappearance and the authorities' obligations with individual cases. The actual implementation of much of the existing legislation depends on regulations by the Executive Branch (at the national and state level).

Several legal and administrative issues that family members of missing persons encounter have yet to be resolved in national law. There is no definition of legal status for the missing person or family members' rights until the fate and whereabouts of the missing person are clarified.

The ICRC's Global Advisory Service has drafted a model law on missing persons as a tool to help states and their respective national authorities adopt laws that are framed to prevent, address and resolve situations that lead to disappearances.

The ICRC also carries out studies on compatibility with national laws to help adapting its recommendations to the local context, as it has done in Brazil.



M. Cruppe/ICRC

**THE PRIMARY BRAZILIAN FEDERAL LAWS
RELATED TO DISAPPEARANCES,
IN CHRONOLOGICAL ORDER, ARE AS FOLLOWS:**

- Law 9.140, 1995: recognizes people as deceased who have disappeared following an arrest by public agents after participating in political activities or being accused of doing so.
- Civil Code of 2002: allows the missing person to be declared absent or presumed dead, thereby facilitating the management and distribution of their assets by family members (in most cases, it corresponds to a number of years).
- Child and Adolescent Statute of 1990 and amended in 2005: stipulates that an investigation on children or adolescents' disappearance must be carried out immediately after reported to the relevant authorities.
- Law 12.127, 2009: establishes the National Registry of Missing Children and Adolescents and mandates its implementation.
- Law 13.812 of 2019: establishes the National Registry and the National Policy for Missing Persons, recognizes the State's duty to search for and locate people, provides guidelines for interinstitutional cooperation and for the operation of the national system for locating missing persons (SNLPD) and requires the State to provide psychosocial assistance to family members of missing persons.

STANDARDS AND PRACTICES RELATED TO THE SEARCH FOR MISSING PERSONS

Law 13.812/2019 establishes the “definition of guidelines for the investigation of missing persons” by a national central authority (Art. 2, II). The future regulation of this norm may standardize the registration and processing of cases, which now takes place differently depending on the state in the country. According to what public agents and professionals pointed out during the FNA, a number of states have structures and even specific local regulations on the issue. However, there is a mix of some national practices.

For example, there is a procedure for filing and investigating individual cases: although the national practice generally is to report the disappearance of a person to the Civil Police via Police Report, the nature of the instrument for subsequent investigation and the authority responsible for conducting the procedure may vary by state.

In São Paulo, where the FNA was focused, the Civil Police is responsible for registering a disappearance cases. In 1995, the DGP 18 Ordinance was enacted, which establishes basic rules on the investigation geared towards searching for missing persons. Since then, new rules have been adopted (laws, decrees, and ordinances⁶) on the procedures to clarify the fate and whereabouts of missing persons in the state. According to existing regulations:

- Civil Police employees must always register Police Reports upon a report that a person has disappeared, regardless of any condition of time, fact, or background of the people involved;
- family members of missing persons or third parties can personally file a report on missing persons at any Police station or through the SSP-SP website (via the online police station);

6. Key state regulations of São Paulo concerning the search for missing persons:

- State law 10.299/1999 – regarding interinstitutional communication with the police precinct that is specialized in the search for missing persons and other measures to facilitate investigations;
- State Law 10.464/1999 – concerning the immediate search for people under 16 years of age or who have physical, mental or sensory disabilities;
- State Law 12.527/2007 – regarding the creation of an Information Center on Missing Persons;
- State law 15.292/2014 – regarding the state policy on searching for missing persons, procedures and mandatory search until the missing person can be located, in addition to the city’s database of missing persons;
- State decrees 57.537/2011, 60.535/2014 and 64.359/2019 – regarding the state’s police precinct specialized in the search for missing persons (5th DHPP);
- DGP Ordinances 21/2014 and 18/2015 – regarding the PID and the investigation into the disappearance of people;
- SPTC Ordinance 170/2017 – concerning IML procedures for unidentified or unclaimed corpses by family members.

Other state regulations cover issues such as disclosure (State law 10.110/1998), commemorative dates (State laws 12.495/2006 and 15.682/2015) and on remembering the political dead and missing persons (State law 14.594/2011).

- all reports of disappearance must be investigated until the missing person is located by urgent actions and/or by opening a disappearance investigation procedure (PID) or police investigation (IP), depending on the case;
- responsibilities for investigating cases involving disappearance is shared by the following Civil Police units:
 - 5th Police Office of the Department of Homicides and Protection – in charge of the disappearance of persons in the city of São Paulo (5th DHPP), for incidents that occur in the city of São Paulo only;
 - Local Homicide Bureaus, for incidents in the cities around the metropolitan region of São Paulo;
 - General Investigation Divisions, for incidents in other cities of the state;
- In addition to the Civil Police, other institutions (such as the IIRGD, the SPTC, hospitals, hostels, and others) are responsible for sharing information about unidentified and/or vulnerable people in an attempt to help locating missing persons.

There are two other public services in the city of São Paulo that also handle

cases involving disappearances and that conduct searches: the Division of Locating Family and Missing Persons of the SMDH (which verifies whether there is a record of the missing person in Social Assistance facilities of the city) and the PLID of the State Prosecutor's Office (which compares the missing person's data with national information databases that SINALID has access to).

5.7 DOCUMENTATION AND REGISTRATION OF PEOPLE

Brazil has different systems for the civil registration of people, and each has different structures and uses distinct data and technology standards. Some initiatives to unify and improve these systems are underway.

Integrating these systems for documenting and registering people and expanding the use of technologies that assist in identifying people via scientific methods is considered an important step in the processes involving the search for missing persons.



Bi-weekly exhibition of photos of missing persons - Praça da Sé - São Paulo

5.8 PRO BONO SERVICES AND ORGANIZATIONS FOR FAMILY MEMBERS OF MISSING PERSONS

There are still a small number of initiatives by non-state entities that provide free services to family members of missing persons. Some of the actions in the state of São Paulo included university extension projects (which combine the interest in developing research with assistance to families) and a few social actions provided by non-governmental entities.

In some Brazilian cities, family members of people who disappeared under various circumstances get together and become organized. A portion of these groups turned into associations. These organizations play an essential role in overcoming the isolation of family members and allowing them to recognize that many other families share their suffering and hardships. Their resources are generally limited to part of the actions intended by their leaders (such as sharing information on cases in the press and material assistance to family members being cared for).



M. Cruppe/CRC

5.9 PRESS AND ACADEMIC MILIEU

There is a small but growing social and academic interest in the subject of disappearances in Brazil. The mass media often broadcasts stories about individual cases of disappearance. Generally, there are not too many discussions on the reality of the family members of the missing persons themselves.

There have been university papers and scientific investigations on historical and political aspects at the academic level and, to a lesser extent, on forensic issues related to people's disappearance. Small number of articles are devoted to the wider context of the disappearance in Brazil and the consequences for the family members of the missing within this scenario.


SUMMARY ON THE CONTEXT OF DISAPPEARANCES IN BRAZIL

In Brazil, there are a number of indications suggesting that the disappearance of people is a widespread and severe problem and that this phenomenon is connected to violence, especially in urban areas.

The disappearance issue has increasingly garnered the interest of authorities, academics, and civil society, and there is space to coordinate and develop actions.

The existing initiatives that have emerged from this process are still limited to local actions and not integrated among themselves. Few are focused on the consequences endured by the family members of missing persons.

Recent national laws have recognized a broad concept of disappearance, explicitly stipulating the State's obligation to search for all missing persons until they are located and establish psychosocial care services for family members of missing persons. Despite this, some of the ramifications that families must face due to a disappearance need to be complemented by national legislation.



The issue of disappearances in Brazil, in other words, involves numerous factors and several components based on Brazilian reality. All components are important and need to be valued and integrated.

INDIVIDUAL SITUATIONS ANALYZED IN THE NEEDS ASSESSMENT: PROFILES AND CHARACTERISTICS

6



6.1

27 FAMILY MEMBERS, 28 MISSING PERSONS

During the FNA, 27 people from different families facing the disappearance of a loved one were interviewed. In one case, two people were missing in the same family (the husband and a son). In another case, the missing person was found dead months after the FNA activities. Almost two-thirds of the family members interviewed are *mothers over 40 years old*, and more than half of the missing persons are *young adults*.

FAMILIES OF MISSING PERSONS

AGE (on the date of interview)	WOMEN	MEN	TOTAL
Under 30 years old	0	1	1
30 to 45 years old	2	1	3
49 to 59 years old	10	1	11
60 or older	10	2	12
Total	22	5	27

RELATIONSHIP OF THE INTERVIEWEES WITH THE MISSING PERSON

20	mothers of missing persons (1 also has a husband missing)
02	sisters of a missing person
02	fathers of a missing person
01	child of a missing person
01	nephew of a missing person
01	brother-in-law of a missing person

MISSING PERSONS

AGE (on the date of the disappearance)	WOMEN	MEN	TOTAL
6 to 11 years old	2	1	3
12 to 17 years old	1	5	6
18 to 29 years old	0	8	8
30 to 59 years old	2	8	10
60 years old	1	0	1
Total	6	22	28

Mirroring part of the Brazilian reality, the profiles of people analyzed in the FNA who have been impacted by disappearance cases are diverse, as seen in the table below:

NEEDS ASSESSMENT

CHARACTERISTICS	27 FAMILIES OF MISSING PERSONS	28 MISSING PERSONS
Gender	22 women 05 men	06 women 22 men
Age on the date of the disappearance	01 under 18 years old 22 adults up to 59 years old 04 elderlies	09 under 18 years old 18 adults up to 59 years old 01 elderly
Age on the date of interview	16 adults up to 59 years old 11 elderlies	26 adults up to 59 years old 02 elderlies
Birthplace	05 city of SP 11 within the state of SP 03 other states in the Southeast 08 states in the Northeast	12 city of SP 10 within the state of SP 01 other states in the Southeast 05 states in the Northeast
Place of residence	* at the time of the interview * 05 within the state of SP 01 coastline of the state of SP 01 cities in other states 05 Metropolitan region of the city of SP 02 eastern district of the city of SP 04 northern district of the city of SP 02 western district of the city of SP 07 southern district of the city of SP	* at the time of the disappearance * 04 within the state of SP 01 coastline of the state of SP 02 cities in other states 06 Metropolitan region of the city of SP 02 eastern district of the city of SP 03 northern district of the city of SP 02 western district of the city of SP 05 southern district of the city of SP 04 not reported
Education	* at the time of the interview * 14 elementary school 05 high school 03 vocational school 05 higher education	* at the time of the disappearance * 12 elementary school 06 high school 05 vocational school 04 higher education 01 no information
Paid occupation	05 formal employment 01 regular self-employed work 04 informal activity 08 retired 00 no information 09 lacking formal employment * 07 unemployed	06 formal employment 03 regular self-employed work 07 informal activity 00 retired 01 no information 11 lacking formal employment * 08 students
Responsibility for supporting the family	* at the time of the interview * 18 are the primary support 03 partially contribute 06 did not contribute	* at the time of the disappearance * 03 were the primary support 09 partially contributed 16 did not contribute * 08 due to their age
Monthly household income	06 less than 1 monthly minimum wage 10 between 1 and 2 minimum wages 08 more than 2 and up to 5 minimum wages 02 more than 5 minimum wages 01 interviewee did not know how to answer	

In addition to the families interviewed within the FNA's scope, other family members are affected by their loved ones' disappearance. Affected relatives include parents, grandparents, siblings, uncles, nephews, cousins, and other relatives and people close to the missing person.

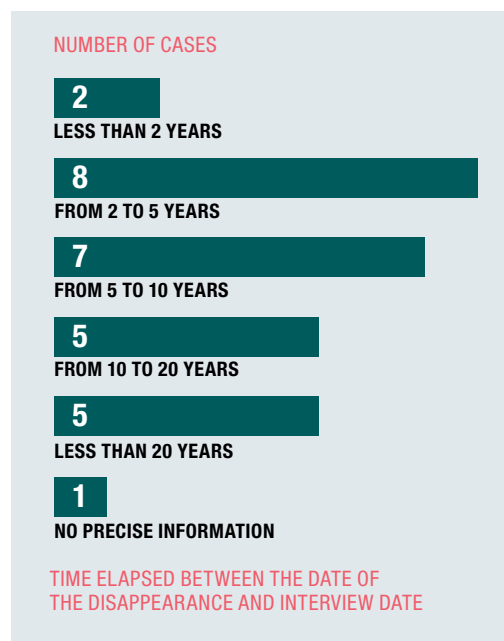
AT THE TIME OF THE DISAPPEARANCE THE MISSING PERSONS	NO. MISSING PERSONS	NOTE
lived with their mother	25	20 mothers took part in the FNA
lived with sibling(s)	24	2 siblings took part in the FNA
lived with the father or stepfather	14	2 fathers took part in the FNA
were married or in a common-law marriage	6	1/3 of the missing adults
had children (in 7 cases, the children were under 18 years old)	9	1/2 of the missing adults

6.2 CIRCUMSTANCES SURROUNDING THE DISAPPEARANCES

The 28 incidents analyzed took place in different circumstances of time and place within the state of São Paulo.

The level of details known by the interviewed family members concerning what had happened immediately before the disappearance varies significantly. Some had more information about the circumstances of the disappearance than others. Even so, they provided relevant information about these circumstances, allowing some aspects of the situations to be outlined below.

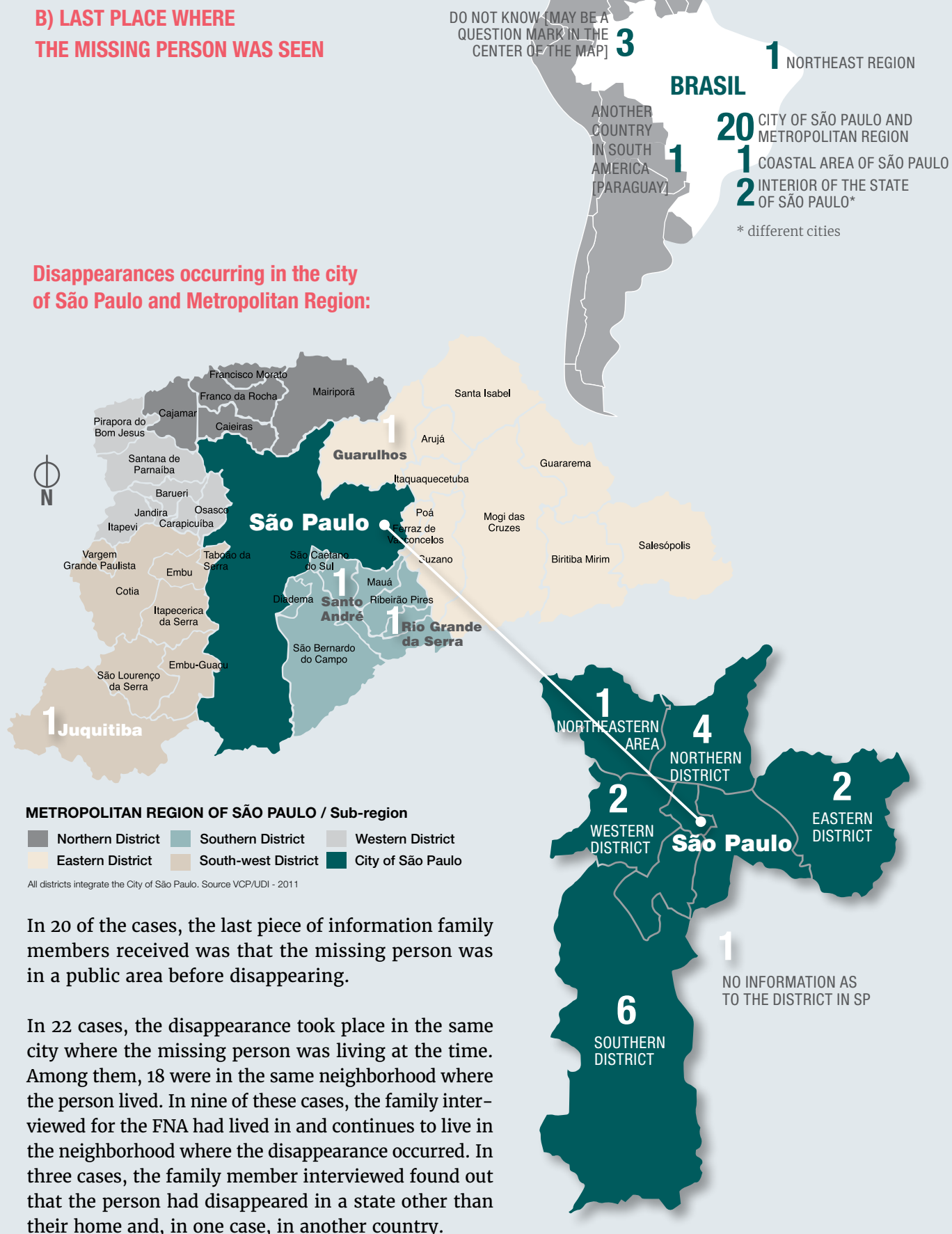
A) TIME OF DISAPPEARANCE



* A few months after the interviews, one of the family members was informed that the missing person had been found dead.

YEAR	1988	1990	1994	1995	1998	2000	2001	2002	?	2007	2008	2009	2011	2013	2014	2015	2016	2017
NO. CASES	1	1	1	1	1	1	1	1	1	1	2	1	2	4	2	3	2	2

B) LAST PLACE WHERE THE MISSING PERSON WAS SEEN



C) INDICATORS ON THE LOCATIONS OF DISAPPEARANCES

Information on the profile of the locations where disappearances have occurred can be illustrated through the municipal human development (MHDI) and exposure to violent crime (IECV) indexes⁷.

In most cases (23), the city where the disappearance occurred has an intermediate IECV, combined with a high or very high MHDI. There is a case with a high IECV and another with a low MHDI (this one outside Brazil).

Concerning the city of São Paulo, other available indicators also serve as an overview of the profiles for the districts where the disappearances occurred:

Number of homicides in 2018:

DISTRICTS	NO. HOMICIDES
7	1 to 6 homicides
1	7 to 12 homicides
5	19 to 24 homicides
2	25 to 31 homicides
1	neighborhood unknown

(Source: Sou da Paz Analisa - 2018 Crime Statistics for the State of São Paulo)

7. Lacking a single index for the periods in which the disappearances being examined took place, the most recent available data was used: The 2010 Human Development Index (HDI), published by the Atlas of Human Development in Brazil; Index of Exposure to Violence by city in the state of São Paulo and Number of Murders by neighborhood in the city of São Paulo, both published in the report by the Instituto Sou da Paz in partnership with SSP-SP in 2018.

LOCAL DO DESAPARECIMENTO	MHDI	IECV
1 Campo Limpo Paulista	0,769 High	19,2 Intermediate
1 Guarulhos – SP	0,763 High	17,9 Intermediate
1 Itanhaém	0,745 High	48,8 High
1 Itibiriçá da Serra	0,749 High	No information
1 Itupeva	0,762 High	15,4 Intermediate
1 Juitituba	0,709 High	No information
1 Marília – SP	0,798 High	12,1 Intermediate
1 Paraguai	0,640 Low	No information
1 Recife	0,734 High	No information
1 Rio Grande da Serra – SP	0,749 High	15 Intermediate
1 Santo André - SP	0,815 Very high	19,3 Intermediate
16 São Paulo - SP	0,805 Very high	18,7 Intermediate
1 Suzano	0,765 High	23,5 Intermediate

MHDI: 20 best and 20 worst MHDI indices by district of São Paulo:

This data suggests that part of the cases occurred in areas where the human development index is below the average rate in São Paulo and/or has elevated violence indicators.

1	Guaianazes	0.768	12 th worst in SP
1	Brasilândia	0.769	13 th worst in SP
1	Capão Redondo	0.782	18 th worst in SP
1	Santana	0.925	19 th best in SP
1	Jaraguá	0.791	20 th worst
1	Jardim Ângela	0.750	4 th worst
1	Grajaú	0.745	7 th worst
1	Santo Amaro	0.943	9 th best
7	No data available for the districts indicated ¹		
1	No data available about the district of the occurrence		

(Source: UNDP / O Estado de São Paulo selection)

D) CIRCUMSTANCES SURROUNDING THE DISAPPEARANCES

In addition to the time and place of the disappearance, other relevant information was provided by family members on the circumstances surrounding the incident.

MISSING PERSON'S CONTACT WITH SITUATIONS OR PEOPLE LINKED TO ACTS OF VIOLENCE IN URBAN ENVIRONMENTS:

Observed in ten cases (including six related to missing adults and four to adolescents). Some statements from the interviews include the following:

“He had ordered a pizza with his girlfriend and got a call. He never came back. It looks like he and his friends were lured into an ambush. They also disappeared. Some guys said it might have been a gang hit” (M., 45-year-old mother of a young man who disappeared five years before the interview).

“He went out to a party. Then he called me saying that he was on his way home, and he never showed up. The same week he disappeared, a friend of his turned up dead” (mother of a teenager who disappeared five years before the interview).

“He went out to show a bike to someone who wanted to buy it and didn't come back. Someone said that they saw him with two police officers at midnight that day at a gas station. It looked like he was in handcuffs” (mother of a young man missing for nine years before the interview).

MENTAL HEALTH STATUS OF THE MISSING PERSON:

In eight of the cases involving missing adults, there was a mention of a mental or degenerative illness that the person had been receiving medical treatment for. One family member interviewed stated:

“He said he was going out that day, that there were people under the bed trying to get him. He had schizophrenia. That day, I had to go out, and he stayed with my sister. When I came back, he wasn't there anymore” (mother of a young man missing for 18 years before the interview).

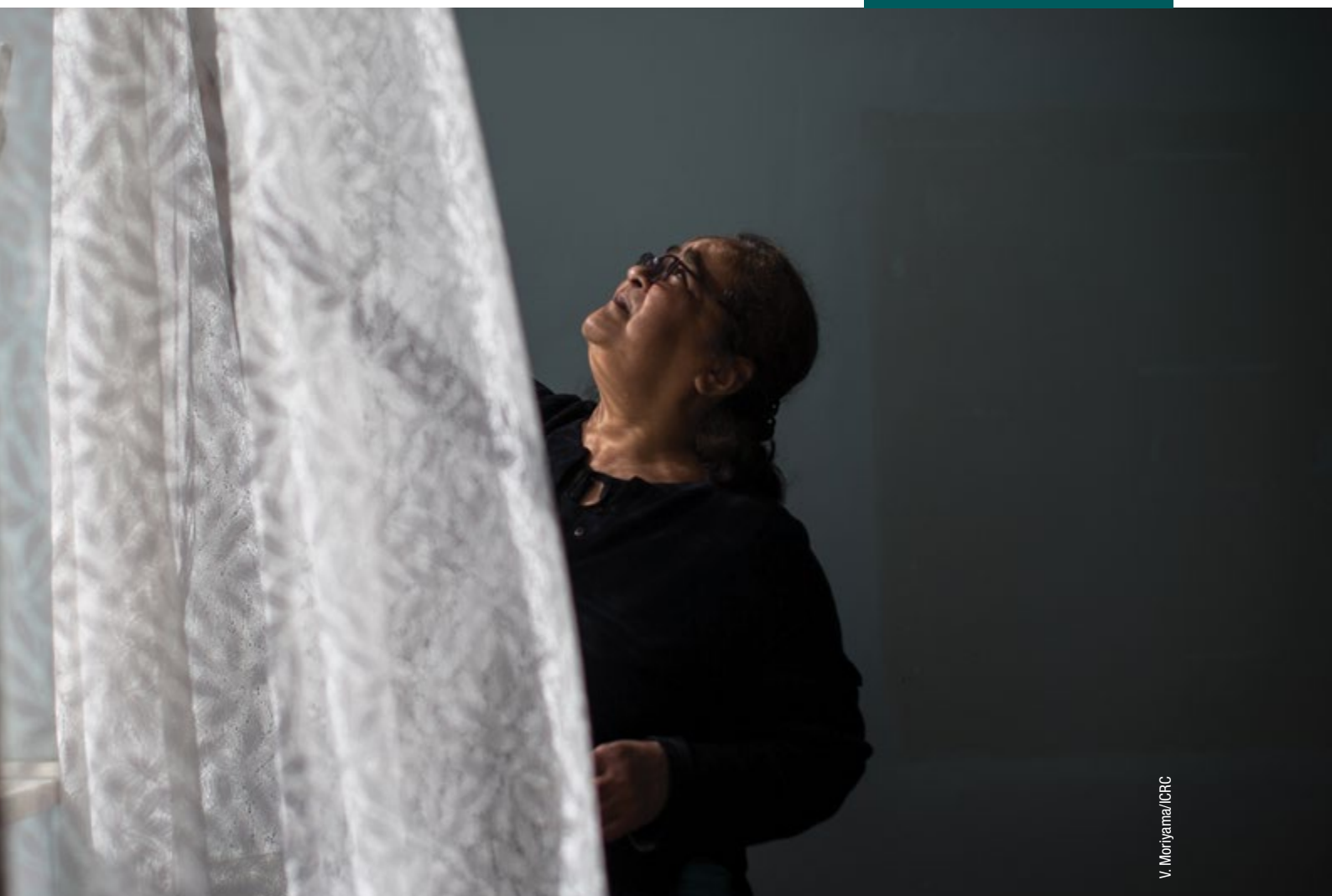
Among these cases, two people disappeared when they were admitted to a health care facility, and one of them was found dead with physical evidence of violence.

PROTECTION OF CHILDREN AND ADOLESCENTS:

Another five cases analyzed in the FNA relate to the disappearance of four children and one adolescent who were left without adult supervision at the time of the incidents. The mother of one child said that her son

“always played ball in front of the building with the other children and went up at around 6 pm. When-ever it was 6 pm, my sister-in-law called him to come inside. That day, the other children went up, and he remained at the gate. She called for him five minutes later, but he was gone” (F., 52-year-old mother of a child who disappeared ten years ago).

In another case, a missing child's mother also reported that her daughter



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“had been playing in the backyard” and that “some witnesses said they saw her in a car along with a woman in the back seat”, (mother of a child who went missing 16 years before the interview).

LOSS OF CONTACT BETWEEN FAMILY MEMBERS DURING A PERIOD WHEN THEY ARE AWAY FROM HOME:

In two situations examined in the FNA, adult men disappeared under these conditions. The wife of one of them, who disappeared 28 years ago, described that her husband

“traveled to the countryside of Pernambuco to help build his sister’s house. When he finished, he headed

to Recife to return to São Paulo. He was never seen again. No one in the family could find any trace of him” (wife of a man who went missing over 30 years).

DOMESTIC VIOLENCE:

Of the cases involving missing women, one was accompanied by a report of long-term physical, psychological and moral abuse committed by her husband.

“Her husband had always beaten and abused her. Before she disappeared, she had decided to get a separation. That night, she went to church and never came back,” the missing person’s mother stated (mother of a disappeared woman five years before the interview).

NEEDS ASSESSMENT

- A. Helicopters News.
- B. Computer, social media, websites of missing persons / mobile (phone) / pamphlets / VOICE: acquaintances or witnesses.
- C. Telephone.
- D. Samuel Gustavo Missing person - Poster of Samuel.
- E. TV / Social Media / NF (back) National Media.



6.3 BEHAVIOR OF FAMILY MEMBERS IN RELATION TO THE DISAPPEARANCE

During the FNA, the family members interviewed took an active approach

to clarify the whereabouts of their loved ones during the entire period of disappearance.

When the interviews were conducted, all but one of them was still pursuing activities focused on locating the missing person. The exception had withdrawn from the search efforts due to threats made during the investigations.

ACTIONS BY FAMILIES SEEKING INFORMATION ABOUT THE DISAPPEARED PERSON	AT THE TIME OF THE INTERVIEW	IN THE PERIOD BEFORE
Actions to publicize the case of a disappearance	28.26%	34.25%
Inquiries in places that receive the bodies of deceased people	17.39%	10.96%
Visits to the police agency in charge of the investigation	15.22%	20.55%
Meetings with strangers who revealed they knew information about the missing person	15.22%	2.74%
Visits to religious/ spiritual leaders	14.13%	10.96%
Consultations with other public agencies	6.52%	15.07%
Hiring a private investigator	5.43%	2.74%
Hiring a lawyer	3.26%	2.74%

* Mentions of actions taken by the interviewees in the spontaneous questions on the form given during the meeting with family members.

A) SEARCH FOR PUBLIC SERVICES

All family members interviewed reported to have filed a Police Report (BO) concerning their loved ones' disappearance. In eight cases, families filed more than one report on the disappearance.

FAMILY MEMBERS	POLICE STATION
13	They went to the police station closest to their home.
10	They went to the police station closest to the location of the disappearance.
17	They went to the DHPP-SP
03	They filed a BO through the internet (SSP-SP online police station)

In addition to contacting the civil police, 17 family members also sought for help from other public agencies, including PLID-SP (14 family members) and the Missing Persons Division of SMDH-SP (12 family members). Other institutions mentioned were Child Protective Services, the State Public Defender's Office, the Public Prosecutor's Office, the City Council, and the "Forum." Some family members mentioned that they did not seek support from these agencies due to lack of information.

Two interviewees said they hesitated before going to the police authorities. The mother of a missing young man said:

"When I went looking for him, I asked: do you know how he got caught? And he said: 'it's better if you keep quiet (...), don't investigate. It's better if you step away because it could cause you problems.' We got even more scared, you know? (...) because there's also the rest of our family, right?"

In another case, the family only filed a Police Report months later because they had received several threats right at the beginning.

Episodes similar to these were also described by professionals and leaders of associations consulted during the FNA. They warned of cases where family members of missing persons hold back from filing a BO out of fear of reprisals by people linked to the disappearance. They also reported cases where family members did not file a BO because they were unaware of the procedures or mistakenly believed that the BO would lead to a criminal record against them or the missing person.

B) INDEPENDENT ACTIONS TAKEN TO LOCATE MISSING PERSONS

Besides seeking support from public services, all family members interviewed also reported that they had conducted various independent searches.

During a group session, the family members participating in the FNA listed some of the measures they had taken on their own to find information on the disappearance of their loved one:

- visits to public areas where they believed the missing person might be or where third parties had reported they were (including *favelas*, *cracklands**, riversides, and dams);
- requests for permission from leaders of armed groups to enter certain areas;
- distributing photos of the missing person in public places and on social networks;
- giving out their personal phone number to gather information on the missing person;

* It is called crackland (or "cracolândia", in Portuguese) a street or square occupied by people on the streets, as an area for the use of narcotics, in many cases of crack.



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- requests to family associations, journalists, and artists to help publicize the case;
- taking part in television programs;
- public demonstrations to exhibit photos of the missing person;
- wearing a T-shirt with a photo of the missing person during everyday activities;
- oral presentations of the disappearance cases to people known and unknown;
- trips to other cities, states, or countries to check information on the whereabouts of the missing person;
- meetings with unknown people who claimed to have information about the missing person;
- searches for information about the missing person in the internet;
- inquiries and visits to hospitals, hostels, psychiatric clinics, prisons, soup kitchens, charity houses, and other places that take in vulnerable people; inquiries and visits to IMLs (Institute of Legal Medicine – in Portuguese, Instituto Médico Legal) and cemeteries;
- manual excavation in potential clandestine burial sites;

- search for images recorded by security cameras;
- attempts to access information on documents and bank accounts belonging to the missing person;
- hiring private services, like detectives and panoramic flights through the area of the disappearance;
- offering a reward to anyone who can provide information on the whereabouts of the missing person.

When the interviews were given, these activities were done with very little support, unlike what had occurred immediately after the disappearance. During the first few days and weeks of the search, most family members received help from relatives, friends, neighbors, and even strangers to:

- visit places where the missing person could be found;
- search for information from a variety of sources;
- create and distribute posters with the photo of the missing person and the family's phone number;
- publicize the case through the media;
- defray expenses, etc.

Family members often relied on sympathy from their employers, who allowed them to take vacation or leave absence in the immediate period after the disappearance. However, in most cases, there is no longer any external help after some time without a resolution for the disappearance.

At the time of the interviews, less than half of the family members still relied on relatives' help to conduct search activities. With the one exception of the family member who had halted their search due to threats, all the others continued to carry out independent actions at varying levels of intensity.





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Publicity activities

Out of these activities, one of the most talked-about actions as being valuable to family members of missing persons was publicizing the disappearance.

One of the family members interviewed wrote: “1st) my priority is to share photos of our missing relatives on radio and TV; 2nd) meetings with NGOs at Sé on Sundays; 3rd) promote it among friends, people on the street, residents. Searching in hostels, homes, institutions.”

Holding high expectations that their loved one is alive, the vast majority of family members work as hard as they can to hand out their phone numbers and photos of the missing person to as many people as possible. They believe this increases the chances that the person could be recognized by someone who will notify the family of seeing them.

Family associations also spread the word about individual cases through their own methods and partnerships with media agencies and companies willing to conduct campaigns to publicize individual cases.

In-person consultations

Another activity deemed important and frequently carried out by relatives of missing persons is conducting face-to-face meetings with public agencies and other establishments.

The places they mentioned most during the FNA as frequently visited/contacted were: public plazas or areas, friends’ houses, hospitals, and other health facilities, IML, shelters or hostels, psychiatric clinics, cracklands, detention facilities, funeral services, cemeteries, child protective services, and even other cities, states and, occasionally, countries.

Hiring services or professionals

The ability to hire services or professionals to gather information on the missing person’s whereabouts is one of the tools that family members mentioned as something they would like to use more often were it not for their limited financial resources.

About a quarter of respondents said they had hired private investigators, and about one-fifth had hired lawyers.



V. Moriyama/CRC

SUMMARY

SUMMARY ON INDIVIDUAL CASES ANALYZED IN THE FNA

The disappearance cases presented by the family members who participated in the FNA contain distinct aspects regarding the circumstances of the incident, the profile of the people involved, and the initiatives taken by family members. Although the interviewed group is not a representative sample of the reality, the diversity found reflects the heterogeneity of the Brazilian context.

Some similarities were noted among the cases, such as the fact that the majority of the people leading search efforts are mothers over 45 years old looking for their sons/daughters (mostly adult men). In other cases, there was a link to vulnerable situations, such as violent conditions.

The intensity in which family members are dedicated to search efforts is undoubtedly the most common point among all cases.

7

LIVING BETWEEN ABSENCE AND UNCERTAINTY



For those conducting searches, the disappearance of a person means prolonging a doubt over the reasons for the absence of a loved one. In the words of one of the mothers interviewed during the FNA, this feeling corresponds to a “never-ending mourning.” Fearing that their loved ones have died, the family members of the missing persons remain hopeful that their kin is still alive. This hope is fostered by every new piece of information they receive about their case and each time they know a missing person was found.

One psychologist who spoke during the FNA said that he saw a mother who, while searching for her son, *“always carried some clothes in her purse”* so that he could wear proper clothes when she found him. However, this same mother was often on her way to the IML to check if her son had been found dead.

The more ambiguous or obscure the signs are about what happened to a missing person, the more intense the uncertainty and anguish are until there is an answer.

Throughout all FNA activities, the family members interviewed made it clear that they live with many hypotheses about what happened to their loved one and where this person may be.

From statements they made, at least 30 different possibilities could be extracted as to what they believe might have happened to their loved ones. Additionally, the FNA identified that:

- 67 references made in 44 cases to criminal acts that the missing person could have been a victim of (such as homicide, threats, kidnapping, child abduction, rape and sexual exploitation, and others);
- 12 hypotheses were made to acts that could have been carried out by the missing person (such as suicide attempts and fleeing from home, for various reasons);
- 10 references made to incidents of force majeure (such as memory loss, hospitalization, or mental health problems).

When asked on what they based their conclusions on what could have happened to their loved ones, none of the family members interviewed identified specific sources. 26 mentioned that they had come to their conclusions. One family member did not even know how to answer the question. Ten stated that they based their deductions on information provided by third parties. Only one mentioned information was given to them by authorities with whom they had been in contact.



When asked what they think might have happened the day of the disappearance, only two family members claimed that they accepted a single explanation. They believe that the missing person could still be alive but admitting that they are already looking in cemeteries and morgues.

Except for one interviewee (who stated he didn't believe in one specific hypothesis), everyone else said that they held several suppositions that could explain the reason for their loved ones' disappearance. In many cases, these assumptions are contradictory.

“At first, I thought that his father could have taken him because he seemed very calm. Now I think someone else may have snatched him. I don't think about any other possibility. If he had run away, he would have come back by now. But I'm also afraid that the truth is that an inmate accused of killing children had done something to him” (mother of a boy who disappeared ten years before the interview).

“Sometimes I think he's living on the streets, but since he was really 'neat,' studied a lot and religious, he wouldn't be able to stand living as a homeless person. My sister and I sometimes say that he could be preaching on the streets. But sometimes I feel that he might have been killed by someone doing something evil to him” (mother of a man who went missing four years before the interview).

There was only one case analyzed during the FNA in which a family member did not perform searches in places for deceased people because they believe that their loved one is still alive. Even so, his uncertainty over what may have happened is evident in the following statement of a mother of a teenager who disappeared 29 years before the interview:

“I don't know what could have happened. Truthfully, a lot of things go through my head. I don't think she's in São Paulo. She was really pretty. She has to be in another state. I keep wondering, but I don't know how she is doing. I hope that she's well. God only knows how she is. She must be living under a different identity, or else they would have found her by now”.

At group sessions held during the FNA, family members also brought up the fact that information reported by the media on other disappearance cases influenced the assumptions they have and possible explanations for their own individual cases. This is what happened to a mother of a missing young man, who began to believe that her son could have been a victim of organ trafficking after hearing some news about cases involving this crime.

All of this reflects the extraordinarily level of uncertainty that family members of missing persons are subjected to within the Brazilian context. In light of this, interviewed family members have expressed that they feel overwhelmed by the anguish of uncertainty, describing it as “torture.”

As a result, they look for information on any hypothesis about the possible whereabouts of the missing person, no matter how much time has passed since they disappeared.

The high degree of uncertainty and limited access to official information has led to an increased level of anguish for family members of missing persons. It has caused them to take numerous independent actions geared towards confirming or

eliminating some of the countless hypotheses concerning the fate and whereabouts of their loved ones.

Even in old cases over 10 or 20 years ago, family members continue their search activities and fully dedicate themselves to this pursuit.

As a result, the more hypotheses possible, the more serious the consequences for the families of the missing persons, who start to live with hope, but also anxiety, guilt, anguish, fear, and a constant state of alert. In addition to these effects (which affect their psychological well-being), uncertainty has other consequences, affecting numerous other areas of the families’ lives. These consequences turn to specific needs: the need to know, the needs in terms of health, the recognition needs, and legal and economic needs.

One sign of the profound hope that family members of people who have disappeared under a wide range of circumstances have of finding their loved one alive is that none of the interviewees had listed recovering human remains as one of their priorities.

“No mother wants to find her child dead, and they don’t even want to talk about it,” remarked the leader of an association for family members of missing persons in São Paulo during the FNA.

Similarly, a psychologist who had been interviewed mentioned that she had witnessed cases in which mothers of missing persons had wept while biological samples were being collected to compare with genetic material drawn from deceased people’s bodies. In her opinion, *“for the mother, the mere fact that DNA is being collected implies an acceptance of the possibility of a death, and this creates a lot of guilt.”*

This reality differs from other contexts (such as those of post-armed conflicts or post-military regimes), when disappearance factors are more specific and when family members have more reasons to believe their loved one has passed away⁸.

8. In this regard, see the report titled “He’s being missed from that table”: Assessing the Needs of Family Members of Missing Persons during the Military Regime in Brazil: “Perus Grave case”



8 THE NEEDS OF FAMILY MEMBERS OF MISSING PERSONS

During an FNA, family members are invited to talk about their feelings and concrete experiences and express how the disappearance of a loved one has impacted their lives. This information was structured in a methodological way to help identifying the primary consequences of the disappearance for the family members of missing persons and, ultimately, their specific needs.

According to the people who were interviewed during the FNA conducted in São Paulo, these needs are arranged in the following order of priority:

- The need to know
- Physical and mental health needs
- The need for recognition, dignified and equal treatment, and justice
- Legal and administrative needs
- Economic needs

The **need to know** is manifested through the desire of family members to find their loved ones again, and through the expectation of being informed about the fate and whereabouts of the missing person (regardless of the reunion), as well as through the belief that all possible measures are being taken while awaiting an answer.

The **needs within the framework of health** include the impact of the uncertainty generated by the disappearance on the physical and psychological health of family members of missing persons and the quality of their affective and social relationships (psychosocial aspects).

The third group of priority needs is **recognition, dignified and equal treatment, and justice**, which relates to

awareness and how institutions and people react to the phenomenon of the disappearance and to the family members of missing persons themselves and their demands.

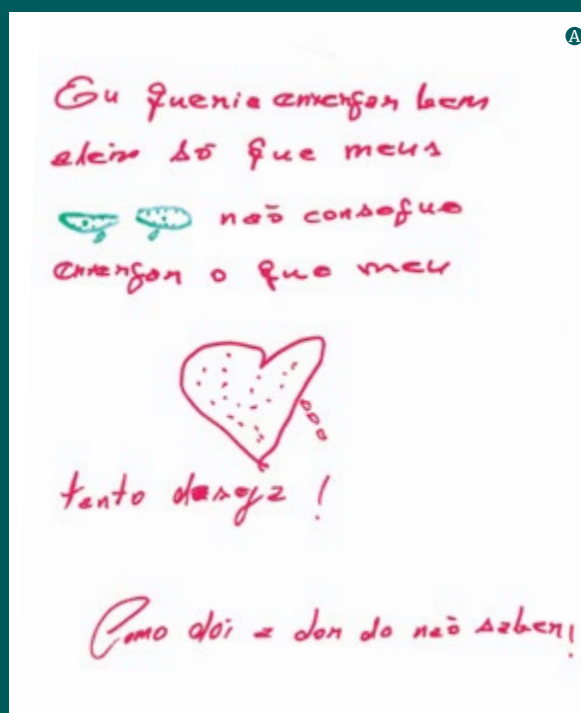
The **legal and administrative needs** are related to the complications in managing individual and property rights linked to the missing person. They also involve obstacles in terms of gaining access to information pertinent to the search and obtaining specific information or legal aid services that are suited to the reality of family members of missing persons.

Lastly, the **economic needs** refer to the impact that the disappearance has had on family members of missing persons' ability to sustain themselves economically and the use of available funds for search activities.

“Many victims can only survive through assistance”.

During the interviews and focus groups conducted with professionals and leaders of associations, the needs listed above were also mentioned as priorities in providing care to family members of missing persons. Everyone who has had experience assisting this population recognizes the **need to know** the most crucial aspect for family members. However, they point to the other consequences of disappearances as multifaceted and interconnected needs that demand a more comprehensive response from institutions and the community.

A significant number of them agreed that, to address these needs, “*more humanized treatment*” must be promoted and “*public policies to support these families*” have to be developed in view of the proper assistance and the “*survival of the victims*” of disappearance, as the relatives of missing persons should be seen.



A. I wanted to see beyond, but my eyes (drawing) “cannot” see what my heart (drawing) desires so much! How the pain of not knowing hurts!

8.1 THE NEED TO KNOW

The need to know is the fundamental priority of family members of missing persons. This need is expressed in three interconnected dimensions:

- **THE EXPECTATION FOR LOCATING THE MISSING PERSON:** The top priority is reuniting with the missing person, according to all people who were heard during the FNA. Family members frequently use the words “find” or “reunite” to define their deepest wish. Two of them wrote to the ICRC:

**“Every day, I hope he comes home”.
“I’d just like to find him to get some peace”.**

- A. 3- Every day I hope he gets home.
- B. 2- Find my son, I have faith.
- C. 2- Find my son regardless of how.
- D. 1- Find my son, preferably with good health.
- E. 1- But the important today, however, is to find my daughter, that is, unravel her disappearance.

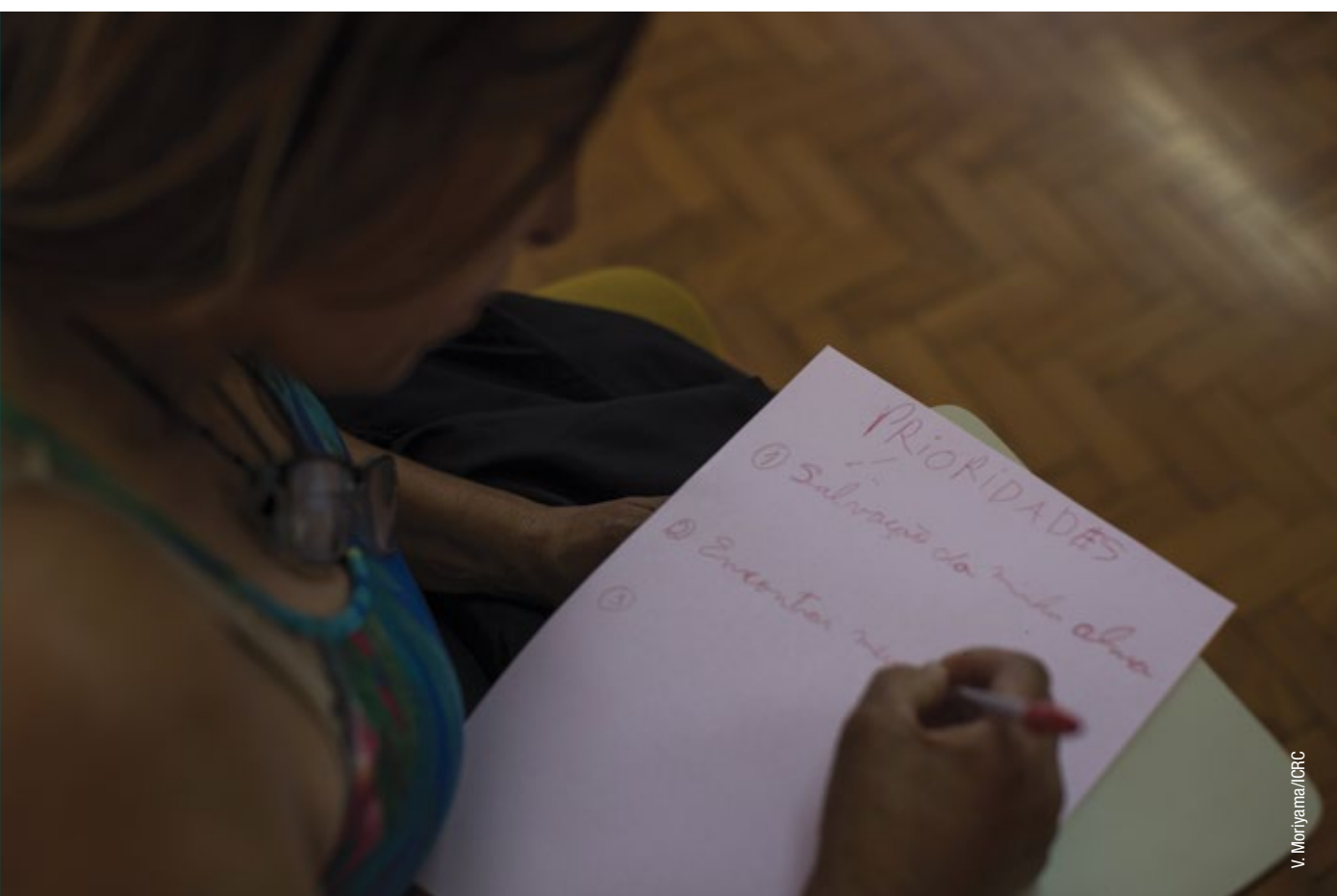
3) Todo o dia espero ele chegar em casa. A

Encontrar meu filho em
Tudo fl. B

2) Encontrar o meu filho
Independente do que for. C

1) Encontrar o meu filho
de preferencia com saude D

1) mas o importante hoje é encontrar a minha filha, ou seja desvendar o desaparecimento dela. E

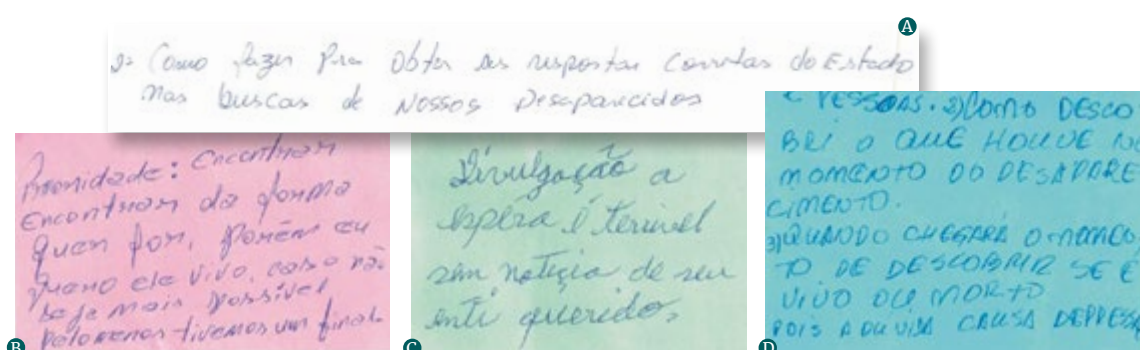


- **THE EXPECTATION THAT AN INVESTIGATION WILL CLARIFY THE FATE OF THE MISSING PERSON:** No matter if the time frame of disappearance is prolonged and/or the chances of finding the missing person decrease, family members hope that the investigation will at least be able to clarify what happened to their loved ones and why they disappeared. Although it may not be possible to find them, “figuring out what happened at the time of the disappearance” is “having an answer” that can ease the pain of uncertainty.

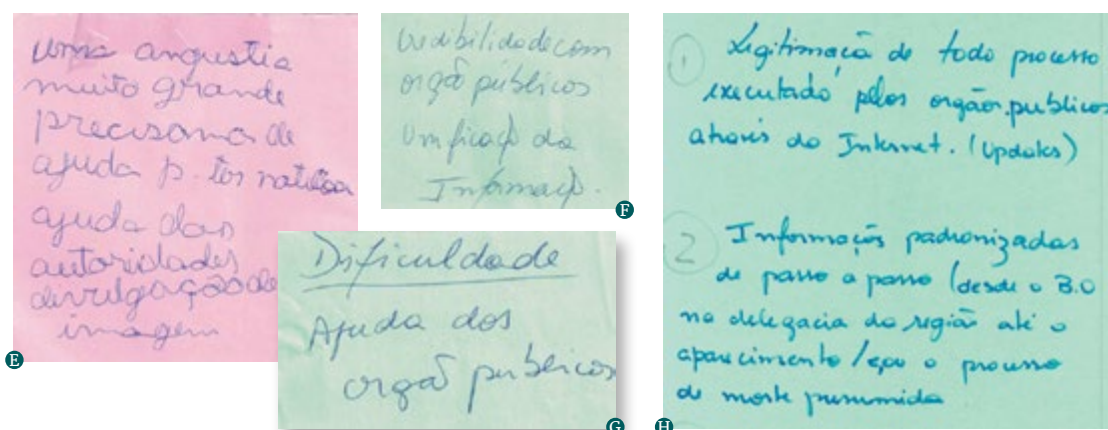
In other messages written to the ICRC, family members have noted the following:

“The wait is much worse than death”.

“(…) I want him alive. If it’s no longer possible, at least we’ve got closure”.



- **AN EFFICIENT, CONTINUOUS, AND ACCESSIBLE SEARCH PROCEDURE FOR FAMILY MEMBERS:** The need to know also involves high expectations that an efficient search process can be understood and accompanied by family members from the start and that this search will continue until the case is solved. Family members participating in the FNA wrote:



- A. How to do “to” get the correct answers from the state in the search for our missing persons.
 B. Priority: To Find | Find it anyway, but I want him alive, if it is no longer possible, at least we had an ending.
 C. Diffusion, the wait is terrible without the news of your loved one.
 D. People 2) How I found out what happened at the time of the disappearance. 3) When the time to find out if he is alive or dead will come because doubt causes despair.
 E. A strong sense of distress, I needed help to get news from the authorities and for image dissemination.
 F. Visibility with the public bodies. Unification of the information.
 G. Difficulty – help from the public bodies.
 H. 1- Legitimation of all the processes carried out by public bodies through the internet. | 2- Standardized information step by step (from the B.O. [Police Report] at the police station in the region to the appearance/ the process or the presumed death).

*“The wait is terrible without news”.
“It’s profound anguish. We need
help in getting news. Help from
authorities, sharing a photo”.*

An integral part of the need to know is the need for family members to know that search actions are ongoing and that they can understand and accompany them.

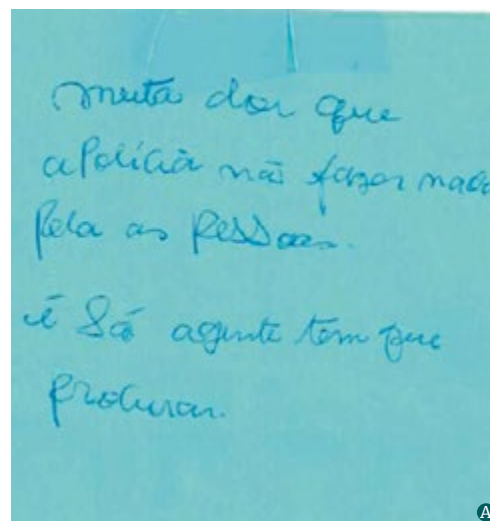
All of the above mentioned demonstrates that the need to know is not just about the return of the missing person, but also about the availability and capacity of the authorities to conduct search efforts that are in accordance with the importance of the uncertainty faced by families and that they can provide explanations on what happened to those who disappeared.

The information obtained through the FNA points to the existence of obstacles towards satisfying these dimensions of the need to know in the analyzed context.

As seen above, the national reality features a wide variety of factors that the authorities responsible for clarifying cases need to deal with: old cases and current cases; short-term disappearances and lengthy disappearances; situations linked to violence or various other circumstances; determining factors that are more or less explicit; victims with different profiles; factors corresponding to various territorial ranges.

Some of the disappearance cases are solved, but in situations like those of the interviewed family members, the families remain without any answers. Moreover, given the existing

resources and practices, they also have a low confidence level in official search procedures, which encourages them to further carry out independent search efforts in a risky, unnecessary, inefficient, or money-losing way.



A) OPINIONS OF INTERVIEWED FAMILY MEMBERS ON PUBLIC SERVICES TO ASSIST IN DISAPPEARANCE CASES

During the first FNA activity, the family members participating were invited to share their experiences with assistance services for disappearance cases in São Paulo. When describing the moment of registration of the BO and the subsequent acts of the investigation, they reported having faced very similar difficulties, despite the significant difference in time and place of disappearance.

The most frequent incidents stated during the interviews included the following:

POSITION OF THE PUBLIC SERVICES	FAMILY REPORT
Police officers' refusal to file the disappearance BO before 24 hours (or more) since the disappearance.	<i>"I went to one police station, and they told me to go to another. I got there, and they asked when he had disappeared. I said that he had to be back from school by six o'clock and he hadn't come back. Since it hadn't passed 24 hours, they told me to come back later. Then I went to another police station, and they said the same thing".</i>
Refusal to file the BO at certain police stations.	<i>"...I went to the police station (...). There, they said that the BO for the disappearance is filed at the other police station... I went to the other police station, and they told me that they would only do the BO after 24 hours. I went back there in the afternoon, and they did the BO, but they said they couldn't do anything, that there wasn't much they could do".</i> <i>"My BO was done online. We went to the police station and they asked it to be done over the internet".</i>
Condition the filing of a BO to the submittal of information that family members did not necessarily have.	<i>"My son and I were living together. That day, when I woke up at 4:30 in the morning, my son was gone, and I didn't see him leave. When I went to the police station, they asked me what clothes my son was wearing. I said, 'I don't know.' Then they said they wouldn't do the BO if I didn't mention what clothes he had on. I mean, I had to lie about the clothes, so I could do the BO".</i>
Prioritizing other cases taken to the police station and long waits to be assisted, minimizing the importance of filing the BO for the disappearance.	<i>"I went to the police station in my city, rushing to do the BO, and they kept me waiting there until six o'clock in the afternoon. Robbery cases were coming in all the time, and I'm there waiting. I got there at 10:30am and didn't leave until 6:30pm".</i>
Associate all disappearance cases with a voluntary decision by the missing person to leave or have committed some illegal offense.	<i>"Mother, go back home. Your daughter is probably with her boyfriend. Tomorrow she'll be back..."</i> <i>"The police officer told me to go home and be cool because every child who says they're just going out for a minute and doesn't come back is because they're up to no good. But I said: 'I know my son.' And he said: ma'am, go home, and you can come back tomorrow to do the Report. Every punk comes home sooner or later".</i> <i>"They asked if he was a [drug] user, if he had a girlfriend if he had a criminal record, a whole bunch of things. They asked if his motorcycle was stolen. The cop insisted that the bike was stolen and began saying that my son might not be a saint".</i> <i>"They kept asking if my son used drugs, if he had ever been arrested, if he was hanging out with a drug dealer because the only people who just disappear are the ones doing the wrong thing at the wrong time".</i>
Failure to recognize the search for missing persons as a police concern.	<i>"They always told me that a disappearance is not a crime; it's a social problem".</i> <i>"The investigator told me that police are looking for criminals and not missing persons".</i> <i>"At the police precinct, I was told that they're there to solve crimes, not to look for people".</i>
Failure to provide guidance to family members on what to do after the BO has been filed.	<i>"They just told me 'If we find anything, we'll call you.' And that never happened".</i> <i>"Right now, we have no experience. I went to the police station in my region and nobody let me know that I would have to go to the DHPP afterwards".</i>

POSITION OF THE PUBLIC SERVICES	FAMILY REPORT
Passive investigative efforts after the BO is filed.	<p><i>"I had to get the videotapes from the cameras on the street where he walked before disappearing, because the police didn't go looking for it".</i></p> <p><i>"My son disappeared on a motorcycle. His bike had been found and had been at the police station for three months. I ended up seeing it and finding out (...)"</i></p> <p><i>"I got a call saying my son had been in São Judas. I went to the police station to talk about it(...) and the investigator said: (...) Ma'am, are you sure it's him? Because if you're not sure, we won't go there".</i></p> <p><i>"I went to the police station and filed the BO and they blocked the ID number. But they said there's nothing they could do (...). They don't provide any guidance at the police station. The family always had to figure it out on their own".</i></p> <p><i>"People are also unwilling to go to the police station to give a statement. One time, a Municipal Guard called, saying that he saw someone who looked like my sister. He called the police station and was verbally attacked by the investigator: 'how can you say you saw her without being sure?'"</i></p>
Assigning responsibility for gathering information about the missing person to family members.	<p><i>"They said there'd be no way to do the investigation... that a disappearance isn't a crime and that the family has to handle the searches".</i></p> <p><i>"Since the police say that a disappearance is a family matter, they say that it's up to them".</i></p> <p><i>"They said that we'd have to bring them evidence".</i></p> <p><i>"I was told this at the police station: relatives are the ones who look for a missing person. The police are only for crimes".</i></p>
Police officers' haste in asserting the location of the missing person, without expert confirmation.	<p><i>"One day, they found a skull. They showed me a photo, saying it was my daughter. It was a black and white photo that they put on the computer and matched it to my daughter's photo to say it was her head. But the deputy from the police station near the place where the skull was found had other photos and showed them... they confirmed that it wasn't my daughter".</i></p>
High turn-over of the investigators in charge of assisting the family members throughout the investigation.	<p><i>"It's hard to get someone to talk to at the police station. Every time I call or go there, they say that the person in charge has changed. Then this person has to learn everything about the case all over again".</i></p>
Dealing with family members and missing persons like suspected criminals.	<p><i>"I know they've gotta ask about everything, but the way they spoke to me made it feel like the only explanation was that my son had done something wrong or that I was to blame for it".</i></p>
Insufficient explanation on the need to check on the protection status of vulnerable people before facilitating the return home or to respect the free will of competent people, if they do not want to come back.	<p><i>"I could already see they weren't going to do anything when they said that an adult can come and go as they please and that no one can force anyone to go back home".</i></p>

Some family members also reported having experienced other, less frequent situations, such as arrest threats and requests for bribes.

Some family members also mentioned during the FNA that they appreciated the quality of dedicated and competent public servants who have assisted them since the disappearance. But they also noted that the extent of the measures taken by these professionals is still limited and would need to be expanded as a standard procedure.

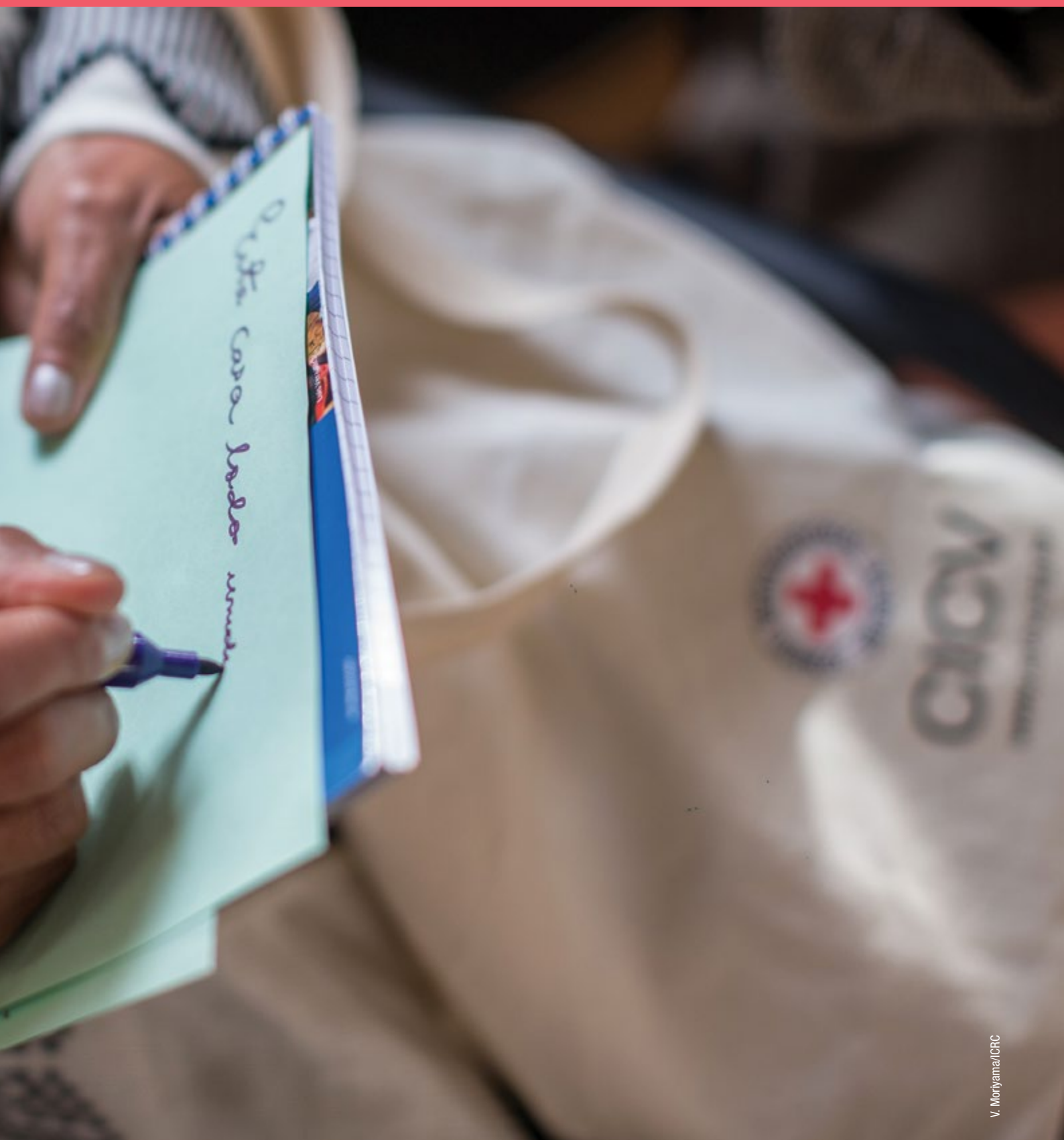
Similar comments came from family members who had contacted other services assisting disappearances in São Paulo (including the PLID-SP, the SMDH-SP Disappearance Sector, and others).

They described feeling respected and more confident about the search procedure when:

- they were heard in a way that best fits their own reality;
- they were provided with guidance on the steps of the procedures and how to keep track of them;
- they were given explanations on how different public institutions could share information that could be relevant to the search.

All family members took a keen interest in talking about the initial moments after the disappearance of their loved ones. Many of them even displayed a degree of uneasiness and anxiety before describing the assistance provided by the search services. Even in cases where a number of years had passed since the disappearance, family members showed richly detailed accounts of when they came looking for help from the authorities. This trait illustrates the importance of early assistance in the lives of family members of missing persons and how it will impact how they interact with public officials in the future.







On the other hand, when asked how the search procedure and relationships with the authorities could improve, family members from the FNA gave the following suggestions:

- public employees tasked with assisting family members of missing persons should be prepared to provide friendly, empathetic, and straight-forward treatment in accordance to what is practiced by public officials that some family members said they had been in contact with;
- a methodology should be set in place for assistance that will ensure that family members receive and understand instructions on the investigation procedures, as well as the way they can monitor their searches and keep the relevant authorities updated on new facts they may come across;
- creating tools that streamline and facilitate communications by family members of missing persons with the public employees responsible for the search procedure;
- having police stations specialized in the disappearance of people

established in other regions of the state, with sufficient resources;

- establishing an efficient and complete national registry of missing persons to facilitate the dissemination of cases and exchanges of information (between police stations and other institutions with pertinent information) and solving a more significant number of cases;
- promoting awareness campaigns and circulating pertinent information on the plight of missing persons to generate more solidarity with families and alert the population about risks leading to disappearances.

B) THE VIEW OF CIVIL SERVANTS, PROFESSIONALS AND COMMUNITY LEADERS INTERVIEWED ON PUBLIC SERVICES FOR PROVIDING ASSISTANCE IN SITUATIONS INVOLVING A DISAPPEARANCE

The findings reported by the relatives of missing persons on the assistance provided by the authorities in charge of the investigation were largely confirmed by the other participants in the FNA.

Demand and resources

The parties who were directly responsible for search activities noted that the volume of disappearance cases handled exceeds the teams' capacity and existing resources in terms of both the number of employees and their working conditions and tools. One person interviewed mentioned that, in particular search efforts, even police officers might face risks. This is why an action should sometimes not be taken.

The interviewees also mentioned that the work demands placed on the services entrusted with searching for missing persons are quite complex. There is a significant range of factors they need to deal with: old cases and current cases, short-term disappearances and

lengthy disappearances, situations linked to violence by armed groups or other circumstances, more or less obvious determining factors, victims with different backgrounds, situations corresponding to various territorial extensions, etc.

Interinstitutional coordination

The diversity of disappearance situations requires the authority in charge of the investigation to maintain close contact with many public and private institutions with duties or data that could potentially be relevant in providing clarification on the cases. However, the request for search actions or for sharing information needs to be made on a case by case basis, often through the submittal of official forms.

Some public institutions have forged bilateral agreements and shared some databases. Even so, inquiries end up being made manually on a case-by-case basis. The authority tasked with clarifying the disappearances does not often receive the relevant information, or it is only included later on in the investigation.

Given the lack of protocols for a continuous, standardized, and automated exchange of information, cross-checking vital data for the search takes place slowly. It leaves all the institutions that play a relevant role in identifying information on the whereabouts of missing persons out.

The interviewees also indicated that, although other services (like the PLID-SP and SMDH-SP) communicate with the Civil Police on individual cases, systematic interaction between these agencies depends on individual interventions by officials from both institutions. The same is true for several other services that handle information that is pertinent to locating missing persons (including health or social assistance centers, shelters, IML units, and mortuary services).

They stated that some procedural improvements had been made in recent years. For example, regular communications have been established between the police station specialized in missing persons in São Paulo and the Municipal Secretariat for Human Rights, which has information about people sheltered in municipal hostels.



Workshop with municipal employees regarding attention given to family members of missing persons – São Paulo – 2019

Interaction with the family members

The professionals and leaders of associations who were heard during the FNA also spoke about the authorities' interaction with the family members of missing persons. All of them believed that this point was relevant and rather delicate. They recognized that creating the proper conditions for family members to trust the public officials responsible for the search is critical.

Some of those interviewed said that, in many cases, it has been challenging to create this bond and that it is common for family members of missing persons to not return to the police station after the BO has been filed or to no longer update their contact details (which makes it difficult to follow up on the case). Another interviewee commented that *“the mothers don't even believe in response to the case if the information is given inappropriately.”*

According to the civil servants, professionals, and social leaders participating in the FNA, a high level of trust is beneficial to the investigation because it creates the conditions needed for family members to provide all relevant information about the events and lends credibility to the results obtained through official steps.

In addition to what has already been mentioned, the interviewees reported that the following aspects also do not help to promote relationships of trust between family members of missing persons and public servants:

- the excessive burden and working conditions for services tasked with investigating cases of disappearance allows situations to be generalized based on the most common aspects and situations⁹;
- the nature and complexity of disappearance and its impact on families' lives and on professionals themselves who are in regular contact with this reality;
- the lack of psychosocial support programs and ongoing training for those professionals;
- the dearth of professionals who possess the proper training or skills to appropriately handle the people affected (whether it's the missing persons when found alive or their families).

On the other hand, during the FNA, some interviewees brought up examples of successful initiatives in which the quality of the interaction between the services involved in investigating disappearance cases and the relatives of missing persons improved significantly as a result of integrating professionals from the fields of mental health and/or social service into the initial phase of assistance.

These strategies were also noted as important during sensitive or unusual situations, like when genetic material is collected from family members to identify deceased people and when human remains are handed over after a missing person is found dead.

“A disappearance is social; police are only prepared for criminal matters”, stated one of the interviewees.

9. It is worth noting that interviewees responded differently when asked about the most prevalent disappearance cases in São Paulo. Respondents connected to police activities perceived voluntary disappearances or those linked to family disputes or criminal conduct as being the most common cases in São Paulo. This could be one of the factors explaining why public officials tend to approach family members who report new cases with questions or guidelines that correspond to those types of situations.

C) SEARCH ACTIONS UNDERTAKEN DIRECTLY BY FAMILY MEMBERS OF MISSING PERSONS

As discussed in section 6.3, family members interviewed for the FNA reported that they have engaged in countless activities within their own search efforts since the disappearance occurred in an attempt to locate their loved ones or, at the very minimum, gather information about their fate and whereabouts.

In a context like Brazil, family members are faced with thousands of possibilities, searching for a nearly endless pursuit.

“Anyone who says they’ve looked everywhere hasn’t done that. Because there’re so many places to search”, one of the interviewees claimed.

Motivation

In a group session discussing why family members of missing persons shoulder a burden of this size, one mother replied:

“It’s this pain that drives us, it’s the sadness, and it’s the anxiety and the lack of support”.

“It’s the doubt that fuels us”, the mother of another missing person stated, adding uncertainty as one of the factors that motivate family members to focus their efforts on independent search actions.

“It’s not because we like it, it’s not because we want to. We’re searching all the time because of the pain we feel”, added another family member.

In discussing the anxiety and sense of urgency that takes hold as a result of disappearance, the nephew of a missing man insisted:

“We want a quick response”.

Furthermore, on reasons why family members engage in their own search actions, FNA participants referred to their frustration with the authorities’ efforts and a lack of belief in their efficiency:

- *“There’s a lot of people living on the street, and the state is really huge, so the police are not gonna look everywhere”.*
- *“Nobody else is doing anything for us. We are the ones [family members] doing the work because it’s important to us. The police aren’t doing their job”.*
- *“The police have a lot of people to look for. We’re just looking for one person, so we can look for more clues on what we know”.*

Additionally, the hope of locating the missing person through independent activities is driven by stories of being reunited because family members have promoted it through the press or other means. Said one participant of the FNA:

“I was once invited to be on a television program that occasionally finds missing persons. I was waiting in the dressing room, thinking... did they find my son? But in the end, it was actually just for me to share his photo. But they had found the son of another mother... It was beautiful to see that...”

Indeed, hope is something that keeps a search going. The popularization of new technologies related to the identification of people is one of the reasons this occurs.

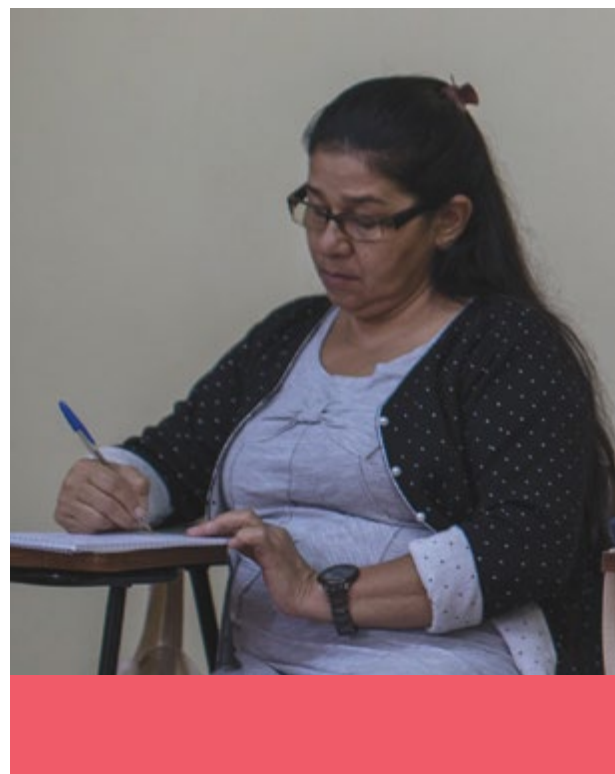
“I saw on TV that they were using facial recognition to spot people in stadiums. Couldn’t it be used to find our children too?”, – questioned an elderly man searching for his son.

Lastly, independent search efforts also end up being a way for family members of missing persons to alleviate the feelings of responsibility or guilt that many feel.

““I felt guilty at the time, and now it’s time to make something happen” said one of the participants.

“It’s worse when winter arrives. I keep thinking that he might be feeling cold. So, I go out looking for help”.

A psychologist who treats family members of missing persons and was interviewed during the FNA noted that, in many cases, activities performed to look for a missing person serve as a coping mechanism for the suffering that may not be healthy. *“Relentless searching turns into a compulsive action, and then a new disappearance occurs: the person who is searching disappears.”* *“People become so isolated within the search that they forget about their own lives,”* he added.



Results, damages, and risks

About half of the family members who took part in the FNA claimed that they had never found the information provided to clarify the fate and whereabouts of the missing person through their independent searches to be very useful.

On the other hand, 12 people said that these activities have led to relevant clues. This was the case of a missing child’s mother, who learned that a girl who was bearing the same features as her daughter was seen at a health center in another city in São Paulo. Yet, in another case, a missing man’s father received information that a person with his son’s name and description had been seen at a welfare facility in another state. The investigations, however, were unable to gather additional information.

The family members interviewed also described situations in which apparent evidence on the whereabouts of their



V. Moriyama/CRC

loved ones revealed that fraud was being committed in the missing person's name, including opening bank accounts under their name, purchasing goods, and even a case where a company was opened using a missing person's name without them being involved.

Being subject to fraud cases is only one of the myriad stressful situations that many family members of missing persons have to cope with during their search efforts. They are exposed to a great deal of risk during their search for information on the whereabouts of their loved ones.

At the FNA meeting, nearly three-quarters of the participants reported having received false information on the whereabouts of their missing family member or even hoaxed. Various family members claimed that this had happened “many times”. And the people who approached them (in person or by phone) were looking to gain an economic benefit. The mother of a missing person related:

“It has been five years or so. A woman in Praça da Sé saw me and my poster. She called me and said she knew where my son was. Then she made an appointment for me to go over there and talk to her, and that she was going to bring a picture of him, so I could see that it was him. Then she asked me to call her. Then she said that he needed money, that he was going through some really tough times, and that he’d become involved with a guy who was a drug dealer, that he owed her two minimum wages. (...) I asked her to send me a photo for me to see. And she said, ‘I can’t send his picture’.”

Some leaders from family associations who were interviewed during the FNA said that they often provide support to family members of people who have disappeared at times like these. One of them mentioned that she usually acts as an intermediary with the person who contacts the family because, given the fact that she is not emotionally involved with the desire that that contact implies for the return of a loved one, she can be more objective and prevent the family from suffering further letdowns.

However, she did say that when she was the victim of hoaxes, even after many years of experience, she firmly believed that her missing daughter would return home. But this never happened. In this case, she confirmed that the information given by the person attempting to perpetrate the scam was fake because she was able to rely on the efforts of many people linked to the civil police in two states and a civil society organization.

23 of the interviewees reported that they had made their personal phone numbers public in publicity campaigns (including internet posts). Another 18 family members mentioned that they had disclosed referral phone numbers, along with photos of the missing person, provided by family associations, NGOs, or public agencies.

More than half of those who were interviewed also said they had faced risks to their physical well-being, as had happened to a woman who was beaten by homeless people while trying to find her missing son among them.

More than a third of family members also said that they had been harassed or threatened “at some point” during their search efforts. The mother of a missing teenager said:

“One day, I went with a friend of mine into the favela. His car had dark tinted windows. There was a man at the entrance. He said, either you get out of here now, or I’ll shoot”.

In this respect, many family members said that they had visited and frequently traveled through areas with limited security or that had high rates of

violence, as exemplified in the following excerpts from their statements:

“I couldn’t even imagine the idea of finding him here in Brazil, but one night, someone called me and said: hey, I saw someone wandering on the road who looked a lot like your son. I spent two days and two nights on the road looking for a wanderer”.

“In many alleyways, I had to ask a dealer for permission to enter”.

“There was a priest providing meals to the homeless. Whenever I see those lines, I go in, grab a meal and eat my lunch with them, and the hope is that I’ll sit next to my son”.

“I spent two years on the street looking for my son. My daughters got me off the streets”.

“I once went to crackland and realized that I’d forgotten to change my sneakers. They kept looking, and I thought they were going to ask me to hand them over”.

“I’ve picked up a dead dog. The ground was stirred up. I grabbed a trowel with one of my youngest daughters. And then the ground was stirred up again. Since they said that place in the woods had bodies of people, I thought: my son’s body could be there. I went over there to dig and found a dead dog”.

It is no wonder that a third of the family members interviewed said they had put their belongings at risk due to searches, whether from extortion or blackmail or due to theft or robbery attempts, which took place in dangerous areas that they tend to travel through.



V. Moriyama/CRC

But despite all of this, they say they are not afraid to do anything in the pursuit of finding their loved ones.

“I go after whatever they tell me. If they say they saw someone who looks like him in another city, I’ll go”.

But this does not mean that family members are immune to the risks and stress factors they confront during their search activities.

Some of the words they have used to define their feelings on these search efforts include frustration, resentment, and a sense of being powerless.

A few of them also remarked on how disturbed they become while engaging

in certain activities, such as browsing through photo albums made available at the IML units to identify people who have died.

“It’s awful having to look at those pictures, especially thinking that it could be your child”.

Other effects

In addition to those mentioned above, there are other harmful effects from the intense search efforts that family members of missing persons carry out to clarify what happened to their loved ones.

Taking on independent search activities also entails the use of their own resources to pay for various expenses, including the following that was mentioned throughout the FNA:

- visiting places where they had hoped to find the missing person;
- publicity materials;
- transportation to obtain information from public agencies;
- transportation to spread the word about the disappearance of a loved one;
- hiring a private investigator;
- other expenses (like lodging costs, meals, stipends to volunteers);
- paying lawyers;
- payments for other professionals or search services (such as panoramic flights to scan areas);
- paying fees required by people who have provided information about the missing person.

Because conducting search activities requires availability and time, “many family members end up losing their jobs,” as one leader of an association noted.

“I spent two months looking. I lost my job at the time because I left everything to go look for her,” exclaimed the mother of a missing woman.

Another family member dropped out of college and quit his job to live on the streets because he believed he would have a better chance of finding his son on the streets.

The need to know what happened to the missing person makes the family member who is in pursuit, unavailable for work and to the people around them. They also become unavailable to their personal needs and stop taking care of themselves, as will be seen in the upcoming sessions.

Support

Generally, the family members interviewed indicated that they receive little support for independent search activities.

For example, they stated that they had received almost no instructions on how to take precautions to avoid risky situations. They also mentioned that they did not know about any guidance manuals for family members of missing persons in São Paulo.

However, one of the recommendations that some of them had mentioned receiving was that it is not safe to include their personal phone number in the materials used to publicize the missing person's photo. These guidelines have been provided in public services that assist in disappearance cases and, mainly, organizations for family members of missing persons. Some of these services and associations offer telephone numbers that can be shared as a means to receive news about the whereabouts of missing persons – something that many family members interviewed during the FNA much appreciated.

The leader of one of the associations pointed out that the entity's phone

number is specifically provided to spare family members from receiving hoaxes and facing risks to their safety. Based on experience with previous cases, the association members can filter out unreliable news and avert the financial and emotional losses that many family members may end up going through due to the bad faith of other people.

Some family members participating in the FNA also stated that they had received support from police officers or other public servants when receiving news or attempts at extortion. The mother of a missing young man said:

“Early on, I handed out thousands of pamphlets a month with my phone number. I spent a lot of time on the street. I often requested permission from the dealer to enter ‘crackland.’ Then I received a call: ‘this is the police chief. I’m with your child and want eight thousand (reais).’ I went to the police station and was told that it’s coming from prison based on the phone number. Apparently, they got the pamphlet and call a bunch of families and then ask for a ransom. In this case, I was really taken care of”.

Another type of support that family members highly regarded involved the activities conducted by family associations to publicize the disappearance of their loved ones. These actions included designing posters, printing materials, and integrating the cases into publicity campaigns or media programs. They also provide a list of addresses for hospitals, shelters, morgues, and other places that family members generally visit.

In many cases, associations also try to help family members gain access to public services by accompanying them to an appointment or mediation. Some interviewees suggested that communication improvements between associations and public officials could be something that may facilitate referrals for cases.

SUMMARY

SUMMARY AND OVERALL RECOMMENDATIONS ON THE NEED TO KNOW

The need to know what happened to a missing person and where they could be is the utmost priority for their family members. It is expressed by the desire to locate the missing person and, additionally, in the expectation of clarifying what happened to them. The need to know is also manifested by concerns about the demand for an efficient, continuous, and easily understood search procedure for the family members of missing persons.

The fact that there are numerous obstacles in responding to this need has frustrated expectations for resolving disappearance cases and has discouraged collaborations between authorities and family members. Some of the challenges identified during the FNA include: the complexity of the phenomenon, the dispersion of duties among various public agencies, the absence of integrated protocols, the decentralization of data and information systems, the lack of stable methods for support and communication with family members of missing persons for keeping them updated on the search process, a limited number of professionals with training and a profile that is suited to the specific needs of family members of missing persons and the availability of resources that are lower than what is demanded.

Both the family members of missing persons and the authorities suffer the consequences of this process.

With this in mind, it is recommended to adopt measures that allow to:

- increasing the efficiency and capacity of the institutions tasked with searching for missing persons, and;
- improving the system for support and communication between the relevant public servants and the family members of missing persons.

Brazil already recognizes its duty to respond to families' need to know upon the disappearance of a loved one, which produces significant humanitarian consequences.

However, despite a few public services that handle disappearance cases, there is still a need to develop a mechanism for searching, locating, and identifying people that incorporate all relevant sectors of public authority.

To address the families' need to know within its three dimensions, such a mechanism must also be connected to a network of reference centers or services for family members of missing persons that account for the interrelation between the need to know and the other needs that are specific to this group.

Chapter 9 of this report contains specific recommendations on the mechanism for searching, locating, and identifying people and on integrating them with reference centers and services for family members of missing persons.

8.2 PHYSICAL AND MENTAL HEALTH NEEDS

The distress caused by the disappearance of a loved one is described as an ambiguous loss. It possesses rather powerful and distinct characteristics that are not very well known as of yet in Brazil.

The intensity of this suffering is tied to several factors, including the level of uncertainty that family members of missing persons end up being exposed to. In the disappearance context analyzed by the ICRC in this assessment, as mentioned earlier, this level is extraordinarily high due to the diversity of simultaneous circumstances that cause the disappearance and that generate many possible explanations for a single case. Besides, the dispersion and disintegration of services that could provide some information on searches and the consequences of the disappearance add a number of other concerns to the everyday lives of these family members, who ask themselves each day if they have made all the inquiries possible that could help resolve the case.

“Frozen grief”¹⁰

When the absence of a loved one stems from a situation that is recognized by family members, such as moving to another city or death, it is understandable his/her absence. When someone dies, the presence of their body and their funeral help the family accept that the person will no longer be there. But this does not happen to family members of missing persons.

“Sometimes, we’re sure that he’s alive. After some time goes by, you sometimes think that they’re dead. This makes us uncertain. You don’t know if they’re alive or if they’re dead”, stated one of the family members during the FNA.

“Our life becomes a question mark”, added another participant.

This is why people who are searching for a loved one straddle the line between the hope of finding them alive and the expectation of the sad but appealing news that they have found their body. Unfortunately, neither of these will come true for many families: not the good news of being reunited, nor the possibility of a dignified funeral, farewell rituals, or a place to visit.

The missing person is ever-present in the hearts and thoughts of those who remain, even though that person is physically absent. This context of ambiguous loss ravages the families and is best illustrated by a statement from the mother of a missing man, who is also coping with the death of another child:

“I can accept my other child. I go to the cemetery and talk to him; I know where he is. (...). But no, not this one. I don’t know how he’s doing, if he’s cold, needing me. I don’t know what he’s eating”.

10. For more information on “frozen grief”, as well as references in this document to the notion of “ambiguous loss”, see “Ambiguous Loss: learning to live with unresolved grief”, by Pauline Boss.

The lack of a response has left these family members of a person who has disappeared in limbo, without the ability to detach their lives from the clarification of the fate and whereabouts of the missing person.

“I hate when they tell me: push forward, move on”, one of the FNA interviewees remarked.

It is virtually impossible to disconnect from the disappearance, as professionals in mental health and social assistance who spoke during the FNA have pointed out.

For families of missing persons, and especially those searching for them, “moving forward” means looking for and receiving an answer about what happened and where their loved one is, regardless if that person is alive or not.

One social worker who was interviewed brought up situations where mothers of missing persons resisted asking for pictures of their children that were put through the age progression technique. They found it difficult to see their children in a way that was different from the time of their disappearance.

Consequences within the framework of mental health

Different spheres of the lives of family members of missing persons end up being affected individually, in their family surroundings, and in the community surrounding them – especially when they remain subject to this “frozen grief” that the disappearance imposes on them for an extended period.

Depending on the level of ambiguous loss and the coping mechanisms that relatives of missing persons manage to develop, this condition can result in psychological, psychosocial, and physical health-related consequences, which, over time, prolong and modify the expectation for resolving the disappearance.

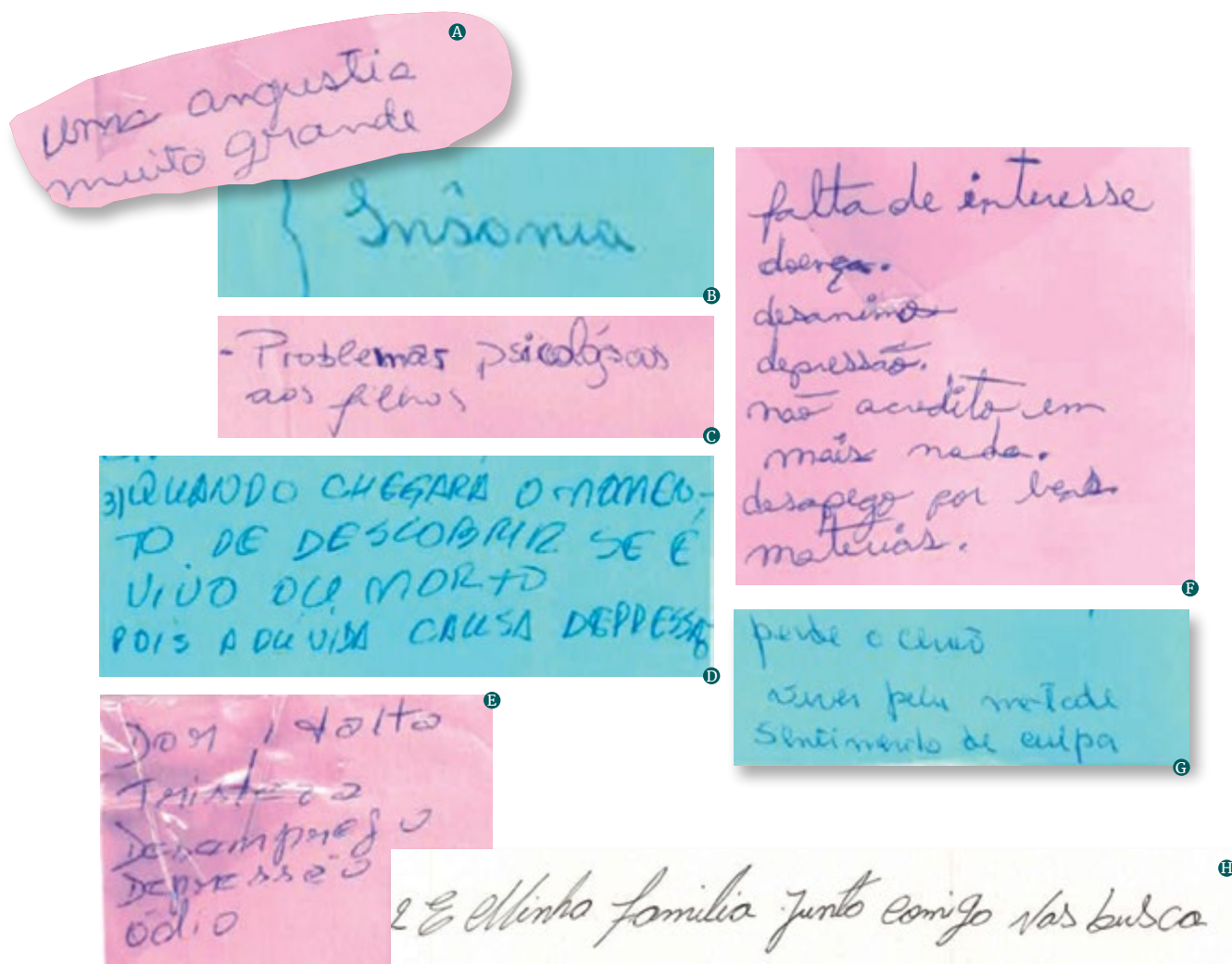
In the context analyzed through the FNA held in São Paulo, these consequences were noticeably frequent and intense. Another thing detected was that the health consequences are exacerbated by additional external sources of strain, which family members of missing persons continually face. These include the negative experiences during search activities, worsening economic conditions, and the perception that there is no social recognition of the disappearance beyond individual experiences or dramas.

A) PSYCHOLOGICAL ASPECTS

According to what could be ascertained during the FNA, coping with the uncertainty over what happened to a loved one affects the family members of missing persons' mental health in a large number of cases. All family members interviewed by the ICRC replied that they recognized some impact from the disappearance on their mental health or other family members.

Based on the interviewees' spontaneous responses, symptoms of psychological conditions and, in some cases, psychiatric consequences could be detected that presented different characteristics, levels of intensity, and duration. It was also possible to see that, in some cases, the accounts were similar.

SYMPTOMS	STATEMENTS
Anxiety	<i>"I feel really anxious. Really, really edgy. I cry a lot. I was good before; I didn't feel any of this".</i>
Bouts of crying or frequent crying	<i>"I cry all the time. I don't know where so many tears come from." "Sometimes I'd catch my father [the grandfather of a missing person] crying".</i>
Insomnia or other sleep disorders	<i>"At the beginning, I slept at some friends' house and had a lot of nightmares. I ended up getting in their way because I'd wake up in the middle of the night upset, screaming, because I had nightmares. I dreamed that he had died. Sleep went away with him. At first, I wanted to look for him all the time; I couldn't sleep".</i>
Isolation and loneliness	<i>"I feel alone and helpless, not knowing what to do".</i>
Depression	<i>"My aunt, who was like a grandmother to him, became very depressed after he disappeared".</i>
Impatience	<i>"I have no patience for anything anymore".</i>
Fear or panic	<i>"I would panic when I heard a child calling for his mother or the sound of a police siren. I'd cry everywhere. After the noise died down or people were talking to me, I was able to stop".</i>
Sorrow	<i>"I used to be a very happy person, you know? I used to joke around; I was happy and healthy".</i>
Angst	<i>"I feel a tightness in my chest most of the time, angst".</i>
Anger / aggression	<i>"The anger is back. After he disappeared, I became aggressive again".</i>
Disinterest in other activities	<i>"I liked to have fun and dance, and now that's all over. I also really liked to read... And I haven't picked up a book in many years".</i>
Nervousness	<i>"My daughter, who went everywhere with me to look for him, became more agitated and jumpy".</i>
Guilt	<i>"My other son is really shaken by what happened, and he sometimes secretly cries. He feels guilty for his brother's disappearance".</i>
Suicidal thoughts or actions	<i>"My niece became depressed. One time, she cut herself. Another time, she got hit by a car... but I kept thinking that she tried to commit suicide because the driver said she threw herself in front of the car". "My brother tried to kill himself after she disappeared".</i>
Agitation	<i>"I became really agitated. At home, they even jokingly call me 'terror' because they say that I am always terrified when I arrive".</i>
Mood swings	<i>"My mood keeps changing all the time".</i>
Alcohol or drug abuse	<i>"I think my other children have suffered a lot, but they never showed it. They started using drugs after their brother disappeared". "My father was really attached to his grandkids. After she disappeared, he suffered a lot. He started drinking a lot and ended up dying of a stroke".</i>
Despair	<i>"I think I was skeptical, I guess, with no hope that things would get better".</i>



- A. A strong sense of distress.
- B. Insomnia.
- C. Children's psychological problems.
- D. 3) When will the time to find out if it is alive or dead will come because doubt causes depression.
- E. Pain, absence, sadness, hopelessness, depression, hate.
- F. Lack of interest, illness, discouragement, depression, I do not believe in anything else, detachment from material goods.
- G. Loses the ground.
Living in half, feeling guilt.
- H. Me and my family together in the searches.

In addition to the aspects mentioned above, obsessive-compulsive type behaviors related to the relentless search were reported by some of the family members interviewed. For example, the mother of a missing man said that she “stays on the internet 24 hours a day, day after day,” looking for information that might reveal something about her son’s whereabouts.

Anxiety and depression

During the FNA, the family members interviewed were encouraged to answer HADS scale questions¹¹, which are used to measure symptoms related to anxiety and depression.

This scale revealed that, of the 27 persons interviewed, 22 exhibited symptoms of anxiety – half displaying a severe level and a quarter of them showing a moderate level.

Furthermore, 18 of the 27 family members interviewed presented symptoms of depression, with a fifth at a severe level and a third at a moderate level.

11. Hospital Anxiety and Depression Scale.

The responses by family members to the questions on the HADS scale and other objective questions help visualize the different ways in which these psychological afflictions are manifested in practice:

27 family members	feeling tense or wound up	13, most of the time
20 family members	feeling frightened	for 8, this was a very strong feeling
24 family members	feeling restless	for 8, this was a very strong feeling
24 family members	worrying thoughts going through their mind	for 17, this happened most of the time
20 family members	sudden feelings of panic	for 7, this happened most of the time
20 family members	feeling slow to think or to do things	
12 family members	feeling no pleasure in anything	
18 family members	lost interest in taking care of their appearance	
20 family members	lost ability to laugh, have fun	
15 family members	unexcited about good things that could happen	
25 family members	trouble falling asleep or staying awake	for 13, this always happened
19 family members	avoiding places that remind them of the missing person	8 always did this
16 family members	trying not to think about the disappearance and related situations	4 always did this
21 family members	thinking about disappearance when they didn't want to	for 12, this always happened

The high levels of depression and anxiety reveal the effect on these family members by being divided between loss and hope.

Impact on short-term memory

A rather salient fact identified among the family members interviewed at the FNA deals with damage to their short-term memory: based on spontaneous statements, it could be seen that 10 of the 27 family members exhibited problems with their short-term memory, and three of them saw the same difficulty among other relatives of the missing person.

Many mentioned that, since the disappearance, they were slower and forgetful.

“My mind blurs out some memories”, said one of the participants. She also related that her daughter, the sister of the missing person, *“had a head problem after he disappeared; a memory block”*.

Most family members also shared that everyday tasks (such as remembering what to buy at the supermarket or at which station they should get off the bus) have become more difficult since the disappearance. Other family members described the loss of organizational and reasoning skills that they once had command over. The father of one missing young man said that he could no longer concentrate or use a computer. The desk in his office that was once very organized was now cluttered with stacks of paper.

Based on the accounts given during the interviews and the group sessions conducted during the FNA, there were indications seen of the relationship between the impairment of long-term memory and the excess strain felt by family members related to the high number of hypotheticals about the disappearance, the vast number, and scattering of institutions that need to be visited and the immense territory that needs to be covered by the search.¹²

B) PSYCHIATRIC ASPECTS

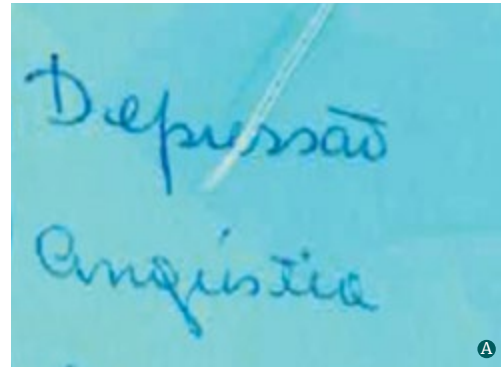
One of the family members interviewed mentioned that, after the disappearance, a close relative began to suffer from “*fits of despair*” and hallucinations of the missing person, monitored by a psychiatrist. In this case, the person had to leave work for a specific period of time.

Another participant said that after her daughter’s disappearance, she was only able to go back to sleep, control her crying spells, and keep herself balanced through the help of medication prescribed by psychiatrists. She noticed that she experienced many side effects due to the prolonged use of the drugs, including loss of reasoning ability and memory lapses. At the time of the interview with the ICRC, she demonstrated considerable difficulty in concentrating and forming her responses, associating this state with a change in the medication she had been taking.

She left her job and never returned to work after the disappearance.

“My personality changed. I’m not the same person anymore”, she said.

In addition to these two examples, three family members interviewed during the FNA declared that they received psychiatric support. Seven reported that they took sedatives when answering open-ended questions about health issues.



A. Depression | Distress.

Additionally, during the FNA, one of the mental health professionals interviewed reported that many relatives of missing persons he was assisting were under psychiatric care and depended on using controlled medications to sleep or remain calm.

C) PSYCHOSOCIAL FACTORS

Another aspect of life that the disappearance has impacted concerns family and community relations. According to what was found in the FNA held in São Paulo, the disappearance frequently weakens relationships and emotional ties, often to the point of breaking apart, pushing the family members who are most affected by the uncertainty to isolation. Without a support network (or with a limited support network), these family members become overwhelmed, exhibit more acute signs of consequences on their physical and mental health, and become more vulnerable to protection risks and economic needs, as well as other needs.

12. Impaired short-term memory has not been a frequent denominator in the ICRC’s needs assessments of family members of missing persons in other contexts, particularly in those cases where the complexity and diversity of simultaneous disappearance circumstances is lower. The heightened level of uncertainty over the fate and whereabouts of missing persons seems to be the most relevant factor in explaining this difference, to the same extent that the burden imposed by the volume of information and hypotheses concerning the disappearance is significantly greater in the context analyzed by the FNA conducted with family members from São Paulo.



Family isolation

A number of those interviewed by the ICRC said that people in their family group distanced themselves after the disappearance and that they themselves often preferred solitude. They also noted that people around them usually try to steer away from the subject of the disappearance because they feel embarrassed or uncomfortable with their repeated doubt, sadness, and the memory of those who disappeared.

According to the people heard during the FNA, each family member closest to the missing person tends to react in their specific way to the ambiguous loss and its effects.

In many cases, families cannot develop a meaningful communication process capable of mediating the differing behaviors of their members and their surrounding community. Consequently, many conflicts and resentments can occur and lead to the isolation of family members of missing persons.

“My two children became really closed, really withdrawn, after their brother disappeared”, stated the mother of a missing teenager. Observing the change in behavior of an uncle of a missing person, a third family member said:

“My brother lived upstairs and lived with my son who had disappeared. He was the family clown, but then he became withdrawn and really sad, and he doesn’t talk about it”.

On the other hand, many of the family members interviewed expressed that they resent when other family members do not participate in activities and affairs related to the disappearance.

Many of the mothers of missing persons said that they feel divided between conflicting feelings: resentment because their other children show no interest in the searches and the belief that they avoid talking about

it to keep their mothers from being even sadder. Meanwhile, brothers of missing persons resent their mother's absence, who, focusing on the loss of the missing child, becomes absent from her other children. A similar process occurs between couples.

According to the interviews, the following family dynamics are very often repeated within this context, leading to the isolation of people inside the family as a consequence of the disappearance:

- one of the members of the family, frequently the mother of the missing person, becomes the primary or sole family member devoted to activities related to the search;
- the family members at the forefront of the search silently nurture the desire that people around them show interest in the memory of the missing person, in the searches themselves and matters related to the disappearance;
- when they are not heading up search efforts, the parents of the missing persons tend to be less engaged in outside activities or family conversations related to the disappearance;
- the differences between the individual positions taken by the family members of a missing person often produce separations or breakups of emotional relationships;
- young people who are connected to the missing person – mainly their siblings – grow more introspective and less involved in family life;
- older relatives, such as the grandparents of missing persons, express a fear of dying without knowing what happened to their absent loved one, exhibiting a low resilience to living with ambiguous loss.

Silence

Despite being a source of resentment to many, some of the family members interviewed during the FNA said they are trying to understand the silence of those around them.

“I know that they’re suffering too”, said the mother of a teenager. Another family member with a similar case claimed that she learned to understand that her relatives distanced themselves and did not talk about the disappearance to save her – and not because they did not like her:

“I feel that it’s not that the family is abandoning, the family sometimes ends up avoiding the subject to avoid hurting us”.

Either way, the difficulty of interfamily communication and the isolation of family members of missing persons reduces or, in certain instances, erodes their family support network, further weakening them and limiting their ability to handle the impact of the disappearance on other spheres of their life.

Emotional life

More than half of the FNA interviewees said they had ended a relationship or became unavailable for relationships after the disappearance. While remaining in a relationship, others stated that they did not have an intimate relationship with their partners: *“I feel very lonely, I’m becoming needy,”* said the mother of a missing child.

Unavailability

Absorbed in the activities connected to the disappearance and/or distress over the uncertainty, these family members are often unable to fully devote themselves to co-existing with the people in their home and taking care of other aspects of daily life.



This lack of availability is typified by the physical absence of the person, who is focused primarily on the search, and by the lack of interest or energy devoted to other matters or other people in his family.

A psychologist who treats families of missing persons pointed out that there are needs of the family that are neglected besides the person they are looking for. *“The person who is leading search efforts is the second person in the family to disappear,”* he observed.

As a result, a lot of nagging and resentment ends up unfolding. *“You’ve already lost a daughter; do you want to lose the rest?”* – remarked the sister of a missing person to her mother, complaining of her absence.

Interviewees who remain at the forefront of searches explained that they are trying to explain to their family members why the disappearance is a priority and why they cannot avoid the sorrow. However, they stressed that other people do not understand their suffering, which leads to them realizing that they are lonely.

On the other hand, they stated that they

resent the behavior of others and often take the initiative to distance themselves. *“I feel the need to be alone in my corner. Sometimes I just want to stay away from everybody,”* a mother stated.

Misunderstandings by people around them

According to the FNA findings, more distant relatives and community members of the missing persons’ families invariably fail to understand the extent of the suffering caused by the disappearance, which is why they have difficulty interacting with them.

Consonant to people interviewed by the ICRC, after the first few weeks or months of the search, the vast majority of people around them who have the intention to help think that their role would help bring an end to the suffering of the missing person’s family members as soon as possible. This is why they try to encourage them to distance themselves from the topic of the disappearance, abandon the expectation of an unlikely outcome, and avoid remembering the missing person. All of this is a cause of distress.

Many of the family members interviewed shared that people who visit them at home ask them why they keep the photos displayed and keep their loved one's personal belongings. According to family members, most people do not understand that the gesture is intended to preserve the memory and the missing person's very existence. *"No one wants to be forgotten,"* many of them have stated.

According to their statements, when they are attending family gatherings or with friends, the family members of missing persons are criticized because they cannot escape from their sadness or the events related to the missing person, and because they are continuously focused on the subject of disappearance – which upsets and occasionally even annoys the people around them.

The mother of a missing man stated:

"When I mention that I'm looking for my son, people say: 'Still?' This is the word that hurts the most".

From her perspective, the expressions of the people around her demonstrate they do not understand what motivates the mother of a missing person. But it makes her realize how much time has passed without having received any resolution on what happened and where her loved one is.

The many inappropriate comments made by others about the disappearance encourage family members to isolate themselves as they realize they are misunderstood. The mother of a missing young man reported that someone asks her if she has other children whenever she talks about the disappearance. And when she answers yes, she ends up hearing:

"ah, so you have three daughters, right? Life goes on. Get on with your life".

She then thinks

"And what about my 'one' that's missing? (...) No one understands this".

Social and community life:

Whether by choice of the family members themselves at the forefront of search efforts or because their friends and relatives no longer invite them, people affected by the disappearance reduce their participation in social gatherings. Family members have shared many statements about this throughout the FNA:

"The disappearance affected my entire family. Everyone suffers a lot. My mother doesn't even celebrate Christmas anymore; she has become very withdrawn and is suffering".

"I turned away from everyone because I thought I was getting in the way."

"I don't have any friends; I don't have anyone".

"My social life is over".

The diminishing social and community life of family members of missing persons happens gradually over time and stands in sharp contrast with the expressions of support they receive shortly after the disappearance.

In virtually all the cases analyzed during the FNA, family members received concrete emotional support from relatives, neighbors, colleagues, and even strangers immediately after the disappearance.

Among the types of help received, family members mentioned: being accompanied to the numerous visits to public agencies or places where the missing person could be, creating and distributing publicity material, mediating information on support services, being hosted for free in another city, the way they were treated, time off from work, assisting with expenses, reposting posts on social networks, and others.

“Everything is good at first. Everyone helps. Everything is like marriage. But they go away after a while”, said the brother-in-law of a missing man.

The father of a missing teenager likened the situation to a marathon:

“Everyone is there at the starting line, but everyone soon gets tired and drops out of the race. This isn’t a 100-meter race. It’s like a marathon”.

Through statements such as this, participants have reflected how this important early show of support tends to dissolve over time, leaving them frustrated, resigned, sad, and lonely.

Other interviewees also mentioned that they feel unenthusiastic about maintaining social activities or sharing their suffering with the community because there is a lack of understanding about this condition.

“We hear a lot of nonsense. When we explain that we have a child missing, some people say that we have to forget about it and let it go. Others look at us and say: ‘Hey, you look so fine, it doesn’t even seem like you have a missing child’”.

On the other hand, simple expressions of solidarity were highly appreciated by the interviewees, proving that the community can play a relevant role in supporting the families of missing persons.



D) COPING MECHANISMS AND AVAILABLE RESOURCES

Interviews conducted during the FNA revealed that few resources were available that are suited to the specific conditions and suffering experienced by family members of missing persons, forcing them to deal by themselves with the severe impact the disappearance has on their mental health and the quality of their relationships.

Mechanisms for psychosocial needs

Most of the interviewees' coping strategies involve independent actions and mutual support activities among family members of missing persons, generally using family associations as a mediator.

When asked about the activities that made them feel good, family members interviewed during the FNA noted the following:

The list above illustrates that there are plenty of references to being in contact with other family members of missing persons (items e, g, h, k) and activities related to the disappearance (item j), underlining the importance of mutual support between people who share the same grief.

The importance of keeping in touch with other family members of missing persons was expressed several times during FNA activities, particularly

A	23 family members cited having work and income
B	21 family members cited religious beliefs
C	21 family members cited talking to someone
D	21 family members cited regular physical activity
E	19 family members cited meeting and speaking to other families of missing persons
F	18 family members cited receiving support from non-governmental organizations
G	17 family members cited being a member of an organization of family members
H	12 family members cited taking part in activities organized by family member associations
I	12 family members cited taking medications
J	12 family members cited meeting with government agencies about the disappearance ¹³
K	10 family members cited participating in public gatherings about the disappearance
L	07 family members cited traveling
M	04 family members cited taking care of family, children and grandchildren
N	04 family members cited consuming alcoholic beverages (sporadic or not)
O	04 family members cited hobbies
P	02 family members cited voluntary work

by those unaware that these family associations existed. At the end of the meeting between the interviewed family members, they exchanged phone numbers to organize a communication group via a smartphone application, even incorporating the family members into other existing groups.

13. This positive reference to government agencies was primarily targeted towards the assistance given by the PLID-SP's multidisciplinary team and to having good experiences with police officers tasked with investigating the disappearance.



V. Moriyama/CRC

Family members also brought up other things that made them feel better, including involvement in religious activities (item b) and community and family contact (items c, m, and p). This demonstrates that facilitating spaces that can tear through the isolation of family members of missing persons positively impacts them.

That said, the element linked to preserving a spiritual faith was frequently expressed as a comfort factor by the family members interviewed during the FNA.

Lastly, they referred to the importance of activities that preserve the memory of the missing person within the family. The mother of a missing young man said that every year since her son disappeared, on his birthday, she distributes pieces of cake to homeless people in a place that is a reference for her searches. In another family, at the request of the youngest sister of a missing young man, the family includes

his name among those who participate in the “Secret Santa” at Christmas parties. A gift is bought in his name, and another is intended for him when they exchange gifts.

Practicing these rituals is beneficial because it assuages the feeling that the missing person’s family members are letting them slip into oblivion – one of the emotions linked to the suffering caused by the disappearance. Group rituals also reduce isolation and allow family members to communicate about the disappearance while celebrating important dates.

Mechanisms related to psychosocial needs

In terms of psychological needs that emerge due to disappearance, the FNA found few family members receive any specific treatment. When asked if they were taking any steps to alleviate their psychological suffering, only 15 of the 27

interviewees described doing something –grossly disproportionate to the suffering described by all family members.

Among the interviewees who mentioned having some strategy to cope with this suffering, some of them referred to one or more than one of the following activities:

7	taking sedatives
5	praying or attending religious venues
4	attending or attended individual psychological counseling (on a pro bono basis)
3	staying in regular contact with the PLID-SP psychologist
3	receiving psychiatric care
3	participating or having participated in group therapy
2	attended a psychosocial group run by an association of family members
1	attending appointments with a social worker
1	attended a support group on a theme that is different from the disappearance

Participants were also asked if they would like to receive specialized professional support. Of these, 13 family members responded that they would like to receive support from a psychologist. Four expressed interest in seeing a psychiatrist. In many cases, respondents were not clear about the roles that these professionals play.

Barriers to psychological treatment for family members of missing persons and successful experiences that have been reported

According to the evidence collected during the FNA, not many family members of missing persons are using

individual psychological therapies. One of the reasons mentioned for this was the limited offering of free services.

Furthermore, professionals with experience in caring for family members of missing persons have found that pure psychological care, disconnected from services related to the other needs of family members of missing persons, is inefficient. Given the prevalence of pragmatism in these families and their strong focus on searching for the missing person, approaches solely related to individual psychological aspects are not attractive to family members.

Interviews with family members and professionals, and leaders of associations offered some clues as to why few people affected by a disappearance opt for services providing psychological treatment.

Promotion and awareness of services

One of the barriers encountered is the limited awareness that family members of missing persons have about existing psychological treatment services, whether offered through the public network pro bono initiatives or the private networks. Some family members have uncertainty over what psychological treatment service entails.

“A lot of mothers believe that they don’t need therapy because they don’t really understand the psychologist’s work”, reported the head of a family association during the FNA.

This lack of understanding creates resistance to seeking psychological services, as observed by another person interviewed by the FNA: *“Psychological treatment is extremely important, as long as the family accepts it. Many families still have preconceived notions about it, like it’s a thing for crazy people. They say that they’re suffering and they’re not crazy”.*

Associated with this misunderstanding is the heavy inclination to neglect self-care among family members. As long as the overriding priority of the search impels family members, they find it extremely hard to devote time and energy to other activities, especially those that concern their own well-being.

Compatibility with the availability and resources of family members

The professionals interviewed at the FNA mentioned that they have also seen situations in which family members of missing persons wish to participate in activities involved in psychological or psychosocial treatment but are unable to do so because the schedule clashes with other activities and because of its distance from their homes.

People who run support groups for families of missing persons promoted by an association said that many family members are unable to participate because the meetings take place on weekdays (when many are working) or because those who are unemployed cannot afford the transportation.

Those who head up PLID-SP services also pointed out that family members of missing persons are dispersed throughout the state of São Paulo and need to travel long distances for in-person assistance. “Many spend half the day just to get to the center and another half day to get home,” one of the interviewees remarked.

This difficulty was also mentioned by a person leading a program that offers pro bono psychological treatment. She related that, some years ago, she managed to raise funds to pay the psychologists and expand the services provided for parents of missing children. However, of the 100 slots made available, only 11 were filled because the project did not anticipate the limitations of family members to travel to the location.

Training professionals

A third factor identified by the FNA is related to the limited awareness about the nature of the specific distress caused by the disappearance. Treating an ambiguous loss as mere common grief can cause the professional to inappropriately diagnose these family members as someone who struggles to process the grief when it is, in fact, another type of suffering, which needs to be addressed as such during the therapeutic process.

Unless professionals distinguish this condition from other types of pain resulting from a loss, like grief, they will tend to approach patients inappropriately and focus their treatment on the patient accepting the loss and preparing them to mourn the missing person. Because this is impossible given the uncertainty caused by the suffering, the relatives of missing persons give up on treatment and reinforce the perception that no one can understand them.

Available services and successful experiences in psychosocial support

The most successful experiences of services focused on family members of

missing persons that were described during the FNA relate to multidisciplinary, flexible, and integrated care services with elements to support the search for the missing person.

Hybrid assistance

One of the examples identified involves individual care for a new case, conducted in an association of family members of missing persons. According to what they related to the ICRC, a pair of volunteers made up of a social worker and a psychologist provided hybrid care:

- gathering information about the disappearance;
- providing guidance on the search;
- giving information on how the association could assist with the disclosure of the case and advice on future complications;
- maintaining an open space to listen to what a family member wants to talk about concerning how they feel, their fears, their hypotheses about the disappearance, and their search experiences up until now.

Initially conceived as an interview to collect the missing person's data in the Association and obtain authorization to publicize the case, the format and objective of the interview ended up being redesigned. With room to last even more than an hour, the interview no longer focused solely on the factual data of the disappearance and now included a period of judgment-free listening. The interview became a space for refuge and psychosocial support. Family members expressed that this was the first place where they felt understood

and that they could understand the instructions on how to proceed.

According to the volunteers from the association, the two key elements of hybrid assistance corresponded to the following:

- addressing the core issues linked to the search, where a response could be given as to the family member's desire for pragmatic information to find their loved one and to assure them that they are well taken care of; and
- supportive listening, expressing signs of empathy and solidarity.

These two elements were also found in another positive example identified during the FNA: the assistance provided by the Public Prosecution Service of São Paulo (through PLID-SP) to family members of missing persons. With a focus on providing support to help locate and identify missing persons, the program now has a psychologist on its staff. Their participation had initially been thought of to adapt the assistance to the condition of family members of missing persons and help in obtaining information for the search.

But over time, as a result of the approach taken, there has been a clear appeasement to the suffering and anguish of family members, leading to a recognition of the attention given by the psychologist as a valuable element to the program. The psychologist made periodic phone calls and maintained communications with the beneficiaries through messages relayed over the internet to deal with the limitations of on-site assistance (because of the cost and time of transporting family members to the PLID-SP).

Spaces for mutual support

Some other examples of activities that help foster coping mechanisms for the family members of missing persons include group mutual support sessions, like periodic or celebratory conversation groups, gatherings, and communications through cell phone messenger groups.

These opportunities for family members of missing persons to interact with each other were greatly valued by both family members and the professionals interviewed during the FNA because they create an environment of understanding and sharing experiences, ultimately becoming motivational.

“I talk about how I feel here. Out there, I’m not me. I can’t talk about my missing son. Here, people understand me”, stated the mother of a missing young man.

As the two-day meeting held during the FNA wrapped up, everyone who took part expressed great joy and said they felt a sense of comfort because they were finally being heard and were surrounded by people who share the same pain.

“I’m really happy. I’m not happy for the reason that brought us here, but for getting closer to all of you”.

“I’d like to express my thanks for the opportunity to be here, in this paradise. We could talk, cry, talk funny things, laugh with wonderful people (...), all my friends in pain and grief. May we get together even more times”.

“I don’t really know how to express this, but I want to thank you because you made me feel alive, because I’ve been dead since my son went away and disappeared”.

Some family members pointed out a sensitive aspect of participating in psychosocial support groups: listening to accounts from other family members who are at different stages of the search process can become tedious and painful.

“I stopped going to the group because I felt down listening to the same stories”, expressed the mother of a missing young man.

Another interviewee mentioned:

““I began to feel despondent when I heard that someone’s son disappeared 10 years ago, another, 20. It hasn’t even been 1 year since my son disappeared, and I already feel like it’s too much”.

Considering that family members of missing persons can become re-traumatized from their interactions with other families going through the same plight, the best experiences on mutual support spaces reported during the FNA did not only focus on the subject of the disappearance but a variety of topics and activities conducted in different formats.

In this sense, a non-governmental organization (NGO) representative in São Paulo commented that she noticed a clear improvement in the self-esteem and happiness of mothers of missing persons who took part in the baking and beauty courses offered free of charge. She associated the effectiveness of the activities with the opportunity these mothers were given to focus on something positive (like learning something new and the chance to earn income). At the same time, within the NGO space, they had the opportunity to participate in chat groups and discussions on the disappearance effects.



“Corridor of care” formed by family members of missing persons – Fortaleza – 2019

Likewise, one of the leaders of the family associations in São Paulo declared that festive gatherings or meetups centered on teaching a skill that family members of missing persons may find useful tend to have a positive effect because they are opportunities to bring them together and to help promote a way to share experiences about the disappearance through the planned activity.

Individual guidance at special times

Some family members mentioned that they had received support from someone at crucial times of suffering after their disappearance that was instrumental in their recovery. The mother of a missing teenager said that, when she was unable to get out of bed due to depression, her brother got in touch and began visiting her and, to get her to leave the house, went with her to the places she needed or wanted to go.

“He gave me strength and went with me everywhere. He was my angel. If it wasn’t for him, I wouldn’t have even gotten out of that bed. After that, I began going to a therapy group and went back to studying”.

In addition to noting that individual monitoring at special times is an important mechanism for coping with the psychological consequences of the disappearance, the FNA suggested that this measure is complementary to the process of clarifying the missing person’s fate and whereabouts.

The PLID-SP staff stated that, in some cases handled by the program, there was a need seen for individual accompaniment at certain times during the search process due to the state of psychological fragility and/or the relevance of certain actions to clarify the case.

In this regard, there was an example about the mother of a missing teenager who police officials asked to donate a biological sample to conduct a genetic examination that could confirm whether the human remains found through the investigation were that of her daughter.

The teen’s mother was rather resistant to providing the genetic sample because she did not want to deal with the possibility that her daughter was dead. With the accompaniment of the psychologist and the proper approach, she gradually overcame her resistance, and her biological material was collected, helping to solve the case.

E) PHYSICAL HEALTH

Disappearances also lead to consequences on the physical health of those who suffer from the absence of a loved one. During the FNA, several family members consulted claimed to have witnessed the early death of people affected by a disappearance. Many of them also reported that they have neglected or gave up taking care of themselves, are dealing with an illness, or a previous illness is getting worse. One of them wrote:

“The problem is the pain and sadness we go through having a loved one gone missing. And the longing. Even mom passed away without hearing about her missing son”.

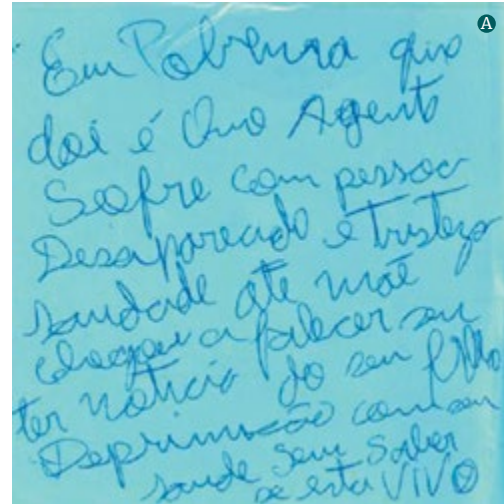
Professionals interviewed during the FNA also pointed out the perception of the effect on the physical health of family members after a disappearance. Two psychologists reported that family members who dedicate themselves to searching for the missing person begin to neglect their health, particularly concerning food. Their opinion that this fact, added to the stress and psychological suffering, makes people ill.

One of the association leaders stated that, since she began working, she has handled 13 cases in which mothers of missing persons died during the search process – all with severe signs of depression.

“With no answer, they lose the will to live”, she stated.

Another leader described having witnessed the deaths of 16 mothers of missing persons, reaffirming:

“most of the time, it starts with depression and then other ailments pop up”.



A. This problem that hurts is that we suffer with the missing people. It is sadness, the longing until the mother passed away without having news about her son.

Based on stories from family members interviewed about their health status, the FNA detected a high level of physical illnesses. Someone was sick within the family in all the cases analyzed.

Only three of the 27 family members directly interviewed did not report any health issues.

Additionally, 18 family members interviewed mentioned having more than one illness.

In five cases, the report involved more than five simultaneous health problems.

The issue of physical health was discussed with family members in an open-ended question provided during the individual interview. Family members were invited to talk about their health problems and the treatments they had tried. In response, they mentioned different health problems, with the following being the most frequent:

• fui minha Saude restaurada (minha Saude de volta) ^A

minha Saude ^B

② - CUIDAR DA SAUDE DOS MEMBROS DA FAMILIA ^C

O pior é a falta da minha Saude ^D

A. Have my health restored.

B. My health.

C. Take care of the health of the family.

D. The worst is the lack of my health.

Disturbing symptoms of heart problems and other serious diseases (such as cerebral aneurysm, arthrosis, fibromyalgia, rheumatism, and cancer) were also mentioned, although less frequently. In most cases, family members said that these health problems first occurred after the disappearance.

Many of the interviewees made a direct correlation between this fact and their deteriorating physical condition.

high blood pressure	mentioned by 11 family members
chronic bodily pain	mentioned by 08 family members
vision problems	mentioned by 07 family members
headaches/migraines	mentioned by 06 family members
eating disorders	mentioned by 06 family members
stomach issues	mentioned by 05 family members
diabetes	mentioned by 04 family members
chronic shortness of breath	mentioned by 04 family members
thyroid problems	mentioned by 03 family members

SOME EXAMPLES INCLUDE:

- According to a medical evaluation, a mother of a missing young man developed diabetes due to stress, which seriously affected her vision. She also complained of feeling pain in her body and on the left side of her head, which sometimes prevents her from even getting up in the morning.
- Another mother said she feels a lot of pain in her eyes that affect her vision, “especially when worried”.
- The mother of a missing man explained that “she has an incurable skin allergy from stress and that, if she becomes even more stressed out, itches and breaks out everywhere”.
- In another case, the mother of a missing young man mentioned that she had fibromyalgia due to the searches – remaining on the streets for long periods of time and sleeping in cold places.



V. Moriyama/ICRC

As for the impact of the disappearance on the health of other family members, 18 of the 27 interviewees said that relatives who were close to the missing person also fell ill.

According to reports, the consequences on the health of older people were more visible and drastic, prompting cases of early death. For example, the grandfather of a missing person suffered a stroke that caused his death. That happened the same year of the disappearance of his loved one. The great-uncle of another missing person had diabetes and died three years after the disappearance.

Coping mechanisms for family members pertaining to physical health needs and existing resources

Among the family members of missing persons who were interviewed during the FNA, seven said that they did not receive any type of treatment, 13 sought medical care through the public health system, and a private doctor treated two of them. The others cited additional strategies to feel better, including the use of teas and tranquilizers, as well as physical exercise, to minimize symptoms. A number of them remarked on the delay to be treated by medical specialists in the National Health System (SUS).

Lack of courage, time, or resources to take care of health was mentioned by about a quarter of the people interviewed.

SUMMARY AND GENERAL RECOMMENDATIONS ON PHYSICAL AND MENTAL HEALTH NEEDS

The disappearance of a loved one causes severe and unique suffering that affects the physical and mental health of family members of missing persons, including the psychosocial aspects of their lives.

The higher the level of uncertainty and abandonment experienced by the family members, the more intense the suffering. The deeper the uncertainty, the stronger the dedication to the search, and the higher the tendency to neglect health and social life.

From a psychosocial perspective, there is a significant risk that these family members could be isolated and that the support networks could be reduced or even terminated (something that is vital to handling the demanding search process). A diminished willingness to be in loving relationships also has repercussions on marital ties and deepens loneliness.

In terms of mental and physical health, the effects of disappearance may undermine a person's capacity to participate in day-to-day activities and, in extreme cases, may even lead to an early death.

Psychological and psychosocial needs are expressed in a cross-cutting manner because they are affected and affect the interactions family members of missing persons have with the civil servants handling search procedures, including their capacity to work and their conditions.

Family members employ precarious coping mechanisms to deal with the consequences the disappearance has on their health.

The provision of conventional mental health services does not generate adherence. On the other hand, hybrid experiences of attending family members of missing persons, associating elements regarding the search for the missing with psychosocial actions, have shown significant positive effects. This is a reflection on the fact that these family members give up so much in the hope of finding some answer to the whereabouts of their loved one: they push everything aside, including their marriage, their social life, their health, and even their children, who complain of their absence. Therefore, the services offered to help strengthen the psychological or physical health of these family members of missing persons need to avoid suggesting that they “get on with their lives” and abandon the search to take care of themselves.

The support given in health must prepare them to live with the uncertainty and absence while gradually resuming other aspects of their lives that were put on hold. For this reason, health professionals and others who assist family members must have some knowledge about ambiguous loss. As a result, their pain would be respected, and they could be taught that it is not only necessary but possible to take care of their physical and mental health while remaining involved in the search for the missing person.

Based on FNA findings, **it is also recommended that reference centers or services are created for family members of missing persons, along with a network of health services that offer a distinct focus on the specific needs that stem from a disappearance.** In other words, these services need to possess the structure, personnel, action plans, and operating protocols that will allow them to apply an approach that corresponds and is appropriate to the condition and consequences of the disappearance for the family members of missing persons.

Further details on this recommendation and how to address physical and mental health needs can be found in Chapter 9 of this report.

8.3 THE NEED FOR RECOGNITION, DIGNIFIED AND EQUAL TREATMENT, AND JUSTICE

The third theme that emerged from the interviews with family members of missing persons in São Paulo was the need to remedy somehow the suffering and other losses resulting from the disappearance through institutional and community actions.

In various ways, family members of missing persons see themselves as victims of a serious incident. They yearn for the people and institutions around them to express empathy with their pain and take initiatives to help mitigate their suffering.

“Reducing the heartache of mothers and families of the disappeared”

For the family members surveyed during the FNA, the need for healing solutions involves the three elements mentioned in this chapter’s title. They include:

- the expectation that the existence, legitimacy, and severity of their suffering brought on by the disappearance will be recognized socially and institutionally;
- the expectation that they will be treated in a manner that is appropriate to the gravity of the situation they have fallen victim to within government entities and in other areas of their daily lives;
- the expectation for manifestations of justice that are commensurate with the consequences of the disappearance in their lives.

“I’d very much like it if photos of our missing people were publicized more in the media. I’d like the authorities to be more respectful of our pain and to put themselves in our shoes.”

Gostaria tbm que o estado se responsa-
bilize pelos nossos filhos desaparecidos
mesmo porque são cidadãos que pagam seus
impostos. e quando isto acontece não os fa-
miliares não tem direito nem ao um ad-
vogado.

A. I would also like that the state takes responsibility for our missing children, even because they are citizens who pay their taxes. And when this happens, the family members do not have rights or lawyer.



A) RECOGNITION

When people and institutions close to the victims of acute suffering demonstrate signs of understanding and recognizing their pain as both real and severe, this recognition represents an important source of relief and provides some healing.

The family members interviewed during the FNA repeatedly complained that they resent the indifferent way they are treated by the authorities and by the people around them, as illustrated in previous sections of this report.

One of the professionals consulted by the ICRC also emphasized this facet of family members of missing persons' needs, noting that they "feel there is a certain lack of recognition of the legitimacy of their search".

Meanwhile, one of the heads of a family association stated that civil society in Brazil does not generally recognize the theme of disappearance, unlike many other causes of suffering.

She believes that the population's lack of engagement in actions related to the topic is clear proof of this. "*The disappearance is ignored,*" she remarked.

Promotion

At various times during the FNA meetings, the family members being interviewed expressed that increasing the issue's visibility would be greatly satisfying.

"It makes me so happy when I see that someone took the time to share my post on the internet", the father of a missing teenager stated.

Respeito

A

respeito

3- atenção das autoridades
2- mais respeito com o fmeian

B

3 - Amor ao próximo, a todos sem olhar classe social, cor ou sexo cometido, pois todos somos filhos de alguém, que nos ama e sofre.
Desvelar soluções e a paz a cada família

C

2º Dar mais atenção para os fmeian de classe inferior

D

Problema, preconceito em família, humilhação do pai

E

- A. Respect.
- B. 1- Attention of the authorities | 2- More respect for the families.
- C. 3- Love your neighbor without looking at social class, color or mistake made, because we are all family of someone who loves us suffers | Unveil the solution and peace for each family.
- D. 2- Give more attention to people of a lower class.
- E. Problem, prejudice in the family, people humiliation.



Mother of a missing person, in an interview with the ICRC – 2019

Recounting an example in which an unknown person took the initiative to ask for a copy of the poster with his son's photo, he said:

“That really motivated me”.

In this respect, measures taken to spread the word about disappearance cases hold an additional meaning for family members beyond the task of attracting news about the whereabouts of the missing person. They demonstrate that people or institutions care about their suffering – making them feel less lonely and forgotten.

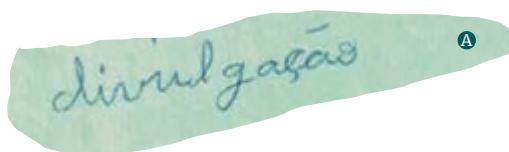
Credibility and reputation

During the FNA, family members also repeatedly expressed that they considered the level of the Brazilian population's understanding about the subject of disappearances to be too low. They believe that this is the origin of significant neglect and of mistaken judgments that they often hear.

“People talk like the missing person or the family has done something wrong”.

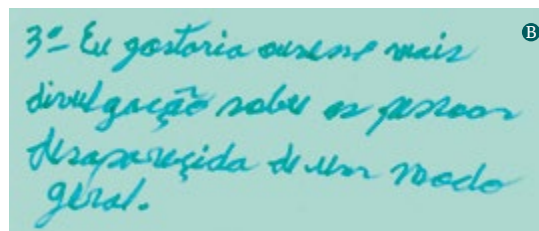
Family members voiced that, in their experience, public officials and those



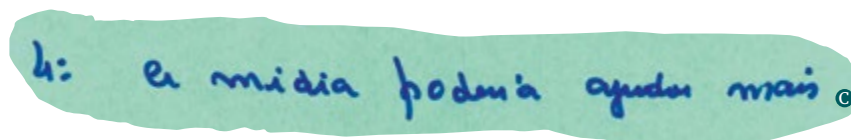


A

- A. Dissemination.
 B. I would like that it could have more dissemination about missing people in general.
 C. The media could help more.



B



C

around them also often expressed some doubts about what family members say about the missing person's disappearance.

"They always think that we're lying".

Therefore, they have a pronounced interest in preserving their reputation and that of their missing loved ones.

Family members spoke about how they resent the low "credibility" and relevance shown to their stories and feelings. They find it difficult to "handle the indifference by authorities and people" and would welcome receiving more "attention" and "trust" from them.

Non-repetition

Another element of the need for recognition voiced by the family members interviewed during the FNA is the desire that initiatives are instituted to ensure that the suffering experienced by the families of missing persons is not repeated.

"I wouldn't wish what I'm going through on anyone." "There is a need to create programs for preventing a disappearance because no mother should have to go through this", they stated.

This aspect is so important to the family members of missing persons that the two leaders of the associations of family members who took part in the FNA

emphasized that they are committed to conducting activities to prevent new cases. One of them organized lectures at schools and distributed pamphlets to children and adolescents to inform them of the disappearance risks.

"Everyone thinks that a disappearance only happens to certain people, but nobody ever imagines that it can happen to them. Awareness is also important for people to prevent it".

B) DIGNIFIED AND EQUAL TREATMENT

Associated with the need for recognition, the need for dignified and equal treatment was often cited by family members during FNA as a way to alleviate the suffering caused by the disappearance.

Backing the statements made by family members, one of the professionals interviewed by the ICRC who is involved in the attention of disappearance cases emphasized that there is noticeable satisfaction and joy on the part of family members when they know that the case related to their loved one is progressing, even if it represents a simple procedure for the official in charge.

"The no oblivion is a satisfaction. It's the recognition of pain, which is really important for families", he remarked during the interview.

2) Poder ayudar a otras familias que pasan por ese drama. ^A

Unfortunately, the overall impression of family members who participated in the FNA is that they are not afforded cordial and respectful treatment from all the public officials they come into contact with because of the disappearance.

“There are some people who treat us well, but not all of them do”, one participant said.

As a matter of fact, the way they were treated was generally described as aggressive and disdainful, prompting all family members to express that they would like to be treated with “respect” and that they had gone through “humiliating” experiences.

We need ***“someone who will listen to us when we talk about our children”***, mentioned one of the interviewees.

Furthermore, the family members and professionals interviewed also noted the lack of equal treatment for disappearance cases, both in public services and the press. One of the interviewees added that *“the service is better for those who have the power of knowledge.”* Another noted that *“there is a big difference in the investigation depending on the family’s social status.”*

There is an equal amount of dissatisfaction over the unequal treatment given by what family members identified as *“the media.”* The sense that some cases resonate more in the media to the detriment of others also makes family members feel like that they are disregarded, forgotten, and ignored.

C) JUSTICE

As a third element of the need for reparative measures, family members throughout the FNA often cited their expectations for justice. When questioned about this during the restitution session from the FNA results, all agreed that they are waiting for justice.

“And everything that I’ve gone through all these years? There needs to be justice for that”, claimed the mother of a missing person.

However, when asked about the meaning of the expression “justice” in their own situations, family members were divided into three different groups.

For the first group, achieving justice would mean punishment for those responsible for the disappearance, which would help ease their suffering. The son of a missing elderly woman remarked that ***“the punishment would create the feeling that some justice has been done”***. ***“If someone is guilty, let them be punished”***, stated another interviewee.

The second group of family members believes that an investigation focused on criminal punishment of the responsible for the disappearance should not be a priority. Still, it would be useful to clarify the fate and whereabouts of the missing person.

Finally, for the third group, the notion of justice should be solely linked to a

③ Saber qual a responsabilidade do Estado sobre o desaparecimento. ^A

quick and efficient response from the State to the disappearance, resulting in the missing person's location. These family members feel that no punishment would be necessary if they could get some answers about the whereabouts of loved ones. **"I just want my son back"**, the mother of a missing young man affirmed.

Some of the family members who expressed this feeling declared that, for them, it would even be difficult to imagine someone being punished for the disappearance of their loved ones

because they do not know the real circumstances surrounding the incident. **"Punishment of whom?"** asked one of the interviewees. In her opinion, justice would be served when the State provided clarification on the disappearance as quickly as possible, locating her loved one.

The divergences observed regarding the notion of justice by the family members who participated in the FNA seem to reflect the diversity and complexity of the circumstances surrounding the disappearance within Brazil.

1- justiça, o modo que são tratados ^B
2- a cobrança das autoridades

3- mais respeito das autoridades quando se fala de desaparecimento. ^C
Gostaria tbm que o estado se responsabilize pelos nossos filhos desaparecidos mesmo porque são cidadãos que pagam seus impostos. e quando isto acontece não os familiares não tem direito nem ao um advogado.

3) Que a justiça se mova a favor do fato ao nosso favor. ^D

3) Se tiver um culpado que seja punido ^E

③ PUNIR OS RESPONSÁVEIS ^F

A. Know what the state's "responsibility" is for the disappearance.

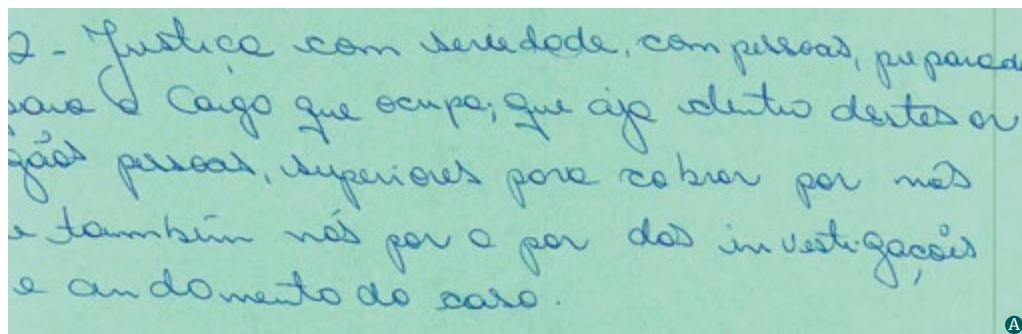
B. 1- Justice, the way they are treated. | 2- The charging of the authorities.

C. More respect from the authorities when we talk about the disappearance. I would also like that the state takes responsibility for our missing children, even because they are citizens who "pay" their taxes. And when this happens, familiars do not have a right or a lawyer.

D. That justice actually moves in our favor.

E. If there is a guilty party, let it be punished.

F. And punish those responsible for it.



A. Justice with seriousness, with pressure, prepared for the position they occupy, that “there is” within these institutions higher people to charge for us and also for keeping up to date for us of the investigations and the progress of the case.

On the other hand, this does not remove the need they express to receive some form of immaterial reparation for the suffering they have gone through because of the disappearance and an expectation on the State as the responsible for providing this reparation.

Por otro lado, eso no elimina la necesidad que expresan de recibir alguna forma de reparación inmaterial por el sufrimiento vivido debido a la desaparición y la expectativa de que el Estado sea el responsable de brindar esta reparación.

SUMMARY AND OVERALL RECOMMENDATIONS ON THE NEED FOR RECOGNITION, DIGNIFIED AND EQUAL TREATMENT, AND JUSTICE

The nature and seriousness of the consequences of the disappearance for family members reveal expectations that the intense suffering experienced will be somehow repaired or remedied.

Although the primary desire of family members is to be reunited with their loved one (meaning that the situation is reverted to where it was prior to the disappearance), a number of other measures also have a reparation effect.

The most prominent measures to be recommended include the following:

- promoting public recognition of the personal pain that family members have suffered, and recognizing disappearances as a collective problem (and not just as an individual issue);
- initiatives that convey respect for family members (which include dignified and equal treatment);
- actions that preserve or revive the memory and reputation of missing persons;
- measures for preventing disappearances and others designed to promote non-repetition;
- actions for legal accountability by the responsible for the disappearance, always associated with clarifying the fate and whereabouts of the missing.

Details on these recommendations are provided in chapter 9 of this report.

8.4 LEGAL AND ADMINISTRATIVE NEEDS

The disappearance of a family member often makes it difficult for the people remaining to gain access to the missing person's assets or income and problems in transferring responsibilities that had belonged to them.

The person's absence can also lead to problems accessing their information or documents, for example, duplicate of personal documents. This is important for a range of activities in everyday life or even for investigations into the missing person's whereabouts. Family members of missing persons begin to face a number of problems after the disappearance of their loved one. These difficulties can also emerge over time, including trouble obtaining permissions to facilitate investigations, having access to documents, and obtaining or regularizing the custody of children that have been left behind.

Given this, *"knowing each person's rights"* becomes a challenge, meaning that ensuring access to *"legal advice"* becomes essential *"to supporting the family(s) of the missing person(s)."*

A) RECOGNITION OF THE LEGAL PROBLEMS OF FAMILY MEMBERS OF MISSING PERSONS

During one of the FNA group sessions, family members were asked if they had been facing any legal problems due to the disappearance. They initially

claimed that there were not many examples, placing little relevance on the subject. However, in response to more specific questions, family members remembered several experiences they had gone through and described difficulties related to legal and administrative issues.

During an interview, one of the leaders of an association also cautioned that family members of missing persons have difficulties understanding the legal problems that stem from the disappearance and were not very certain how to resolve them.

The FNA also determined that, within the scope of the Public Defender's Office of the state of São Paulo (DPE-SP), the legal and administrative needs resulting from disappearance cases corresponded to a *"still invisible demand."* The defenders indicated that the DPE-SP had little data on how these cases are handled and basically associated disappearances with the filing of lawsuits for declaring an absence and declaring the presumed death of missing persons.

Accordingly, one aspect observed of the legal and administrative needs of the families of missing persons involves their low capacity to recognize everyday problems as legal and administrative issues. Likewise, there was scant awareness of the problems that family members encountered by the professionals providing free legal assistance.

B) ACCESS TO INFORMATION AND LEGAL ASSISTANCE

Closely linked to the topic above, another finding concerning legal and administrative needs is that families of missing persons do not have sufficient information on basic legal issues related to the disappearance, their rights, and the services they could access to.

The overwhelming majority of family members participating in the FNA were unaware of the role of the State and Federal Public Defender's Office, which are the institutions tasked with providing free legal assistance to people with low income. For example, of the 27 family members interviewed, only four had turned to the services of the DPE-SP.

The majority claimed that they were unaware of the opportunity to file a judicial declaration of absence and presumed death of their loved ones to facilitate the management of assets and rights left by them. Some of them had also been given erroneous legal orientations.

However, other participants mentioned that they had their questions answered and had received legal guidance at appointments with the PLID-SP.

Throughout the FNA session on legal and administrative issues, there was a clear need seen to improve the ability to access information regarding the rights of family members of missing persons: in addition to the initial difficulty in determining their own legal problems, family members expressed a number of doubts on various legal aspects and effects related to the disappearance.

After collectively realizing that many of the challenges they had been facing could potentially be solved through proper legal assistance, they also suggested that pamphlets should be created and information sessions held on the subject.

C) LEGAL PROBLEMS OF INTERVIEWED FAMILY MEMBERS OF MISSING PERSONS

In addition to a group session, participating family members also had the opportunity to talk about these needs on an individual basis. At that time, they pointed out the types of legal problems they were facing or had already dealt with from a list of possibilities. Thus, there were:

09 reports on charging a family member of a missing person due to obligations or debts incurred by the missing person

06 reports on difficulty in gaining access to a bank account in the name of the missing person

06 reports on difficulty related to the custody/child support of the missing person's minor children (enrollment at school, issuing documents, travel, etc.)

06 reports on difficulty in receiving labor benefits on behalf of the missing person

05 reports on difficulty in obtaining information or documents that would be useful in investigating clues about the whereabouts of the missing (data on the use of the missing person's phone or transactions in their bank account)

03 reports on difficulty in selling personal property registered in the name of the missing person

03 reports on difficulty in accessing, transferring, or otherwise managing the pension or retirement benefits that the missing person was receiving

02 reports on difficulty in obtaining or changing documents pertaining to marital status

01 reports on difficulty in selling real estate registered in the name of the missing person

01 reports on difficulty in obtaining a passport for the missing person's child

01 reports on difficulty in resolving issues related to the inheritance of family property

01 reports on difficulty in retaining real estate in the missing person's name

01 reports on lack of clarification on the misuse of the missing person's documents

Some of the problems the family members interviewed have faced include:

- receiving an invoice for a course that the missing person had not started;
- inability to close the bank account of the missing person, existing collection of bank fees;
- parents of the missing person subpoenaed in an alimony suit to force them to pay support to their grandchildren (children of the missing person);
- maintaining funds in a judicial deposit derived from labor benefits paid by the company where the missing person worked;
- court order to provide information on the standing of the missing person's CPF and duplicate of their birth certificate (which was required as a document needed for filing a request to access the missing person's data);
- impossibility to transfer a vehicle registered in the name of the missing person to the buyer;
- lack of action by authorities towards discovering a company in the name of the missing person, without their participation.

D) UNDERSTANDING AND USE OF LEGAL CONCEPTS OF ABSENCE AND PRESUMED DEATH BY FAMILY MEMBERS PARTICIPATING IN THE FNA

Only a few family members interviewed during the FNA said they were familiar with the declarations of absence and presumed death.

At the time of the interview, only five of them had attempted to obtain any "official declaration on the disappearance," including others they mentioned: the missing person's judicial declaration of absence, judicial declaration of presumed death, the missing person's judicial interdiction and obtaining a certificate, issued by the Civil Police, with information on the registration of the disappearance.

References made by some family members to the absence certificate issued by the Civil Police came as a surprise to other family members during the FNA session who had not received information about this at police offices.

During FNA activities, family members were given the opportunity to share a wide array of information about their experiences concerning the legal and administrative needs that emerged after their loved ones went missing. These interactions made them realize that divergent information had been provided, and they concluded that there is no standard in providing assistance.

Family members who had never attempted to obtain a declaration about the disappearance mentioned that they were not aware of the existing legal alternatives nor how valuable they are in resolving the legal problems they encountered.

For example, the sister of a missing man stated that she was unable to request her brother's declaration of absence because she did not have an identification document, and the registry office he had been registered in refused to give her an official copy of the birth certificate without a court order.

THE LEGAL TREATMENT OF DISAPPEARANCE IN BRAZILIAN LAW

Brazilian law recognizes every natural person as entitled to personal and patrimonial rights and responsibilities, defining the circumstances in which the relationship between two or more people creates legal bonds, such as the marriage bond and bonds between relatives. As a general rule, the law ascribes these rights, responsibilities, and bonds to alive persons, providing for their transfer or termination only in the event of a death.

When a person disappears, the exercise of her/his rights, the fulfillment of her/his obligations, and the possibility of altering parental bonds become frozen. This is why the persons closest to the missing person are faced with numerous obstacles in managing assets and obligations that are not theirs and are also blocked from accessing the missing person's data and documents. Family bonds are also unchanged.

In Brazilian law, some regulations address the consequences of a person's disappearance, but they are not enough to cover all the needs family members of missing persons have. The Civil Code, for example, allows family members to request a judicial declaration of the absence of persons who have disappeared so that a trustee can be designated who can manage their assets. It also allows the request to open a provisional succession, which allows for the provisional transfer of the assets and rights of the missing person to their heirs. This could become irreversible with the declaration of the presumed death of the missing person.

While a declaration of absence can be requested soon after a disappearance, opening a provisional succession depends on a 1 to a 3-year period (depending on the case). Meanwhile, a claim for a declaration of presumed death can only be submitted 10 years after the final decision on the provisional succession.

Given that measures for patrimonial law can only be taken by the trustees or provisional successors of the missing person before the declaration of the presumed death, many legal problems caused by the disappearance remain unresolved.

Although the recent Law 13.812/2019 has incorporated a broad concept of disappearance, Brazilian law has not yet defined a legal status for missing persons, nor has it established rules that would ensure the protection of their family members, as well as rights that are needed to minimize the consequences of a disappearance.



Resistance to the declaration of a presumed death

To gain access to part of their rights and resolve legal and administrative problems, relatives of missing persons need to file for a declaration of the presumed death of their loved one. In addition to the demands on time and submittal of documents, this step implies considerable difficulties from the perspective of family members.

They consider it unfair to have their missing loved one declared dead and, added to that, totally out of line with the high level of hope they maintain of finding that person alive.

“How do you expect me to say that my relative is dead if I hold on to the hope that he is alive?”, an FNA participant asked. She refused to proceed with the advice given by a lawyer, who said that she should file for a declaration of death to resolve a property problem.

Likewise, another participant mentioned her family members’ resistance to accepting this alternative that would allow them to resolve all the legal and administrative issues she has faced for over 25 years due to her husband’s disappearance.

After initiating the legal process to declare the presumed death, her daughter asked her not to proceed with the matter because she did not want her father to be declared dead without the certainty that he had died. In that case, the wife of the missing person continues to be married, but after all these years without her husband, she prefers to declare herself a widow.

She explained that this helps her prevent everyday embarrassments, like talking at social events about not knowing her husband’s whereabouts.

SUMMARY AND GENERAL RECOMMENDATIONS ON JUDICIAL AND ADMINISTRATIVE NEEDS

A disappearance produces various types of legal and administrative problems for the missing person's family members, further exacerbating the negative impacts they experience in other areas of life, such as mental health and economic circumstances.

Family members of missing persons have limited access to information about their rights.

Professionals who provide legal assistance services know very little about such a situation.

For these two reasons, the full extent of the legal and administrative problems brought on by the disappearance still needs to be better understood and further analyzed in São Paulo and Brazil, in general.

Measures also need to be taken to improve access to justice and mechanisms to resolve conflicts for the family members of missing persons so that specific legal problems can be resolved and demands for recognition related to the right to know can be addressed.

As for the Brazilian legal system, it can be seen that the concepts of absence and presumed death provide a resolution for only part of the legal and administrative problems that stem from a disappearance. The application of these precepts depends on the passage of long periods of time, during which countless problems remain unresolved.

Additionally, the legal concept that offers the broadest level of a solution to the legal problems of family members of missing persons is based on the formal recognition of the missing person's death. This concept is at odds with the subjectivity of the relatives of missing persons (who remain hopeful of finding them alive again) and with part of the reality of disappearances in Brazil.

Given this, a legislative supplement is recommended to establish the legal status of the missing person and the rights of family members of the missing person, along with the corresponding means of access.

Details on these recommendations can be found in chapter 9 of this report.

8.5 ECONOMIC NEEDS

The disappearance of a loved one brings about significant economic repercussions to their family members – the final group of needs identified during the FNA.

The extent of the economic consequences of disappearance on family members could be identified through the fact that three-quarters of the interviewees indicated that their economic conditions deteriorated after the disappearance.

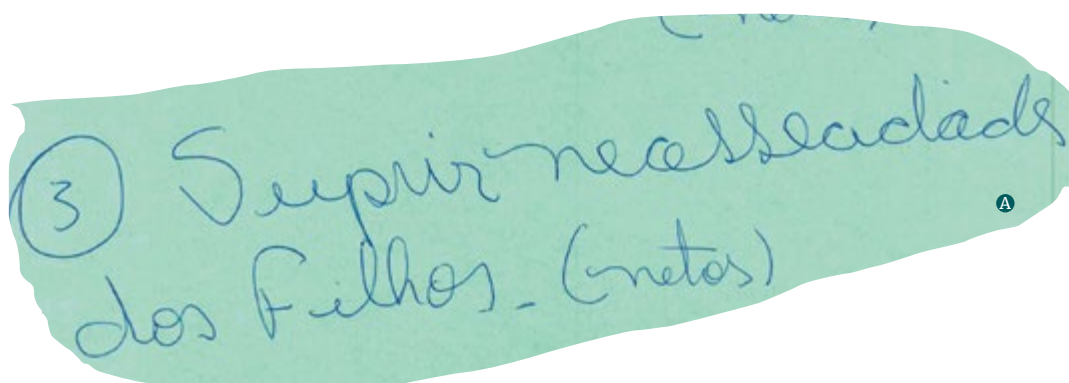
The professionals and leaders of associations who were interviewed during the FNA also claimed that the disappearance's impact on the economic status of the family members is clearly visible.

This is especially serious given the fact that, according to the professionals who deal with disappearance cases in São Paulo, the majority of families affected

by the disappearance *“are relatively poor and end up in need, since a lot of them quit their jobs to look for their children”*.

While data on family income before the disappearance could not be gathered, respondents were able to provide information about their income at the time of the interview. That revealed that more than half of them lived on a family income of up to two minimum wages.

NO. FAMILY MEMBERS	MONTHLY HOUSEHOLD INCOME
06	less than 1 monthly minimum wage
10	between 1 and 2 minimum wages
08	more than 2 and up to 5 minimum wages
02	more than 5 minimum wages
01	No answer



Investments in independent search activities

According to what was explored in section 8.1, the relatives of missing persons ultimately dedicate their resources to financing search efforts for the missing person. The sense of urgency for these activities is so intense that many of them fall into debt to pay for it.

This is what has happened to nearly half of the family members interviewed during the FNA.

About a third of them also described having even sold off possessions to pay for the expenses generated by the search actions.

Almost two-thirds of respondents also relied on donations made by third parties to assist in these activities.

According to further information gathered at the FNA, the family of the missing person's funds are eventually affected by the search, regardless of its size.

For example, the mother of a missing man mentioned that she sold her cookware to pay for flyers with her son's photo to publicize his disappearance. Her full time is devoted to the search. She was no longer making coconut pastries and sewing curtains to sell like she used to do.

Another mother who was interviewed described how she cut her hair to sell to pay for transportation, which she needed to travel to the places where she hoped to find news about her son. When the money ran out, she continued these

journeys on foot. She also said that she spent all of her time looking for her son and began to depend on donated food staples for her and her other two children's meals.



A. Legs / Feet

The father of a missing man who was in a better economic condition than the previous family members, related that he spent a lot of money on transportation and publicizing his son's disappearance, even hiring a fly-over service to survey the area where his son's car was found after the disappearance. He also incurred costs from third parties and paid for travel to other cities whenever there were clues that his son had been seen. As a result, he sold off his assets and quit working (to dedicate himself to the search).

Reduction or loss of ability to work or generate income

The previous examples reveal a second dimension of the economic consequences of the disappearance: the loss or reduction of availability for activities that generate income.

This is especially relevant because, in two-thirds of the cases analyzed during the FNA, the family breadwinner was the interviewee them self – and that only a little more than a third of them received any pension social assistance benefits.

NO. FAMILY MEMBERS	THE MAIN SOURCE OF INCOME FOR THE INTERVIEWEE
10	retirement
05	formal regular employment
08	informal employment
01	self-employment
03	no source of income

This unavailability for work activities afflicting family members of missing persons is linked both to the fact that they need to balance work with search efforts and that there are consequences from the disappearance on their physical and mental health.

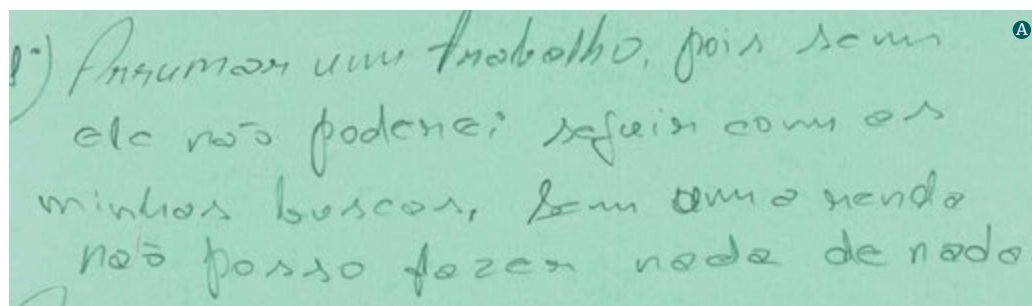
In one example, the mother of a missing child shared that, due to psychiatric drugs she started taking after her child disappeared, she lost the ability to do the works she was doing before and was unable to find another job.

Another mother who spoke at the FNA said that the physical limitations caused by the illness that surfaced after the disappearance was preventing her from being hired for the same positions she had previously performed.

Other interviewees also related that the difficulty of re-entering the labor market is often linked to prejudicial treatment by potential employers.

The mother of a missing child stated that, when she took part in some recruitment processes for job openings, she noticed a shift in the interviewers' behavior when she mentioned that she had a missing child. This led her to believe that having a missing child influenced the decision for her not to be hired. After a few negative experiences, she stopped mentioning the disappearance at interviews and was eventually hired.

This same family member said that she was employed when her son disappeared. In the first weeks and months, she received valuable support from her employer, who granted her vacation time and sympathized with her need to take leave and her low productivity caused by her emotional state. But after some time, she was dismissed and remained unemployed for many years.



A. Get a job because, without it, I will not be able to continue with my searches. Without an income, I cannot do anything at all.

Loss of the missing person's financial contribution

Among the cases analyzed through the FNA, two-thirds of the people who disappeared in adulthood were responsible for supporting the family. Half of them had two or more direct dependents. Their family's livelihood suffered an immediate impact as a result of the disappearance.

“Since I was a housewife, I had to turn around and learn how to work outside my home to support the children”.

This also took place in other situations reported during the FNA, in which the

AT THE TIME OF THE DISAPPEARANCE, THE MISSING PERSONS	NO. MISSING PERSONS	GENDER	AMONG THE ADULTS
contributed to supporting the interviewed family members	12	11 men 1 woman	2/3
had two or more dependents	9	10 men 1 woman	1/2

The wife of a man who disappeared, leaving behind young children, reported having struggled in the first few years after the disappearance because the family had depended entirely on her husband's salary. As a result, she could not pay the mortgage on the house they lived in, eventually losing the property.

parents of a missing person became responsible for supporting their children's children, i.e., their grandchildren. In another example, the sister of a missing woman needed to take on the responsibility for supporting her mother and nephews, who were totally dependent on her.



V. Moriyama/ICRC

SUMMARY AND GENERAL RECOMMENDATIONS ON ECONOMIC NEEDS

The economic conditions of missing persons' families are just another area of their lives that is ultimately affected by the disappearance.

These families invest almost everything they have into search efforts and visits to public agencies. They also take on the missing person's obligations and are subject to losses through the actions of malicious people. Moreover, family members' ability to work is limited, and their income is reduced.

Each of these aspects involving the economic needs of family members of missing persons is related to other needs that have been outlined within this report.

This indicates that the economic needs can be addressed by some measures aimed at other consequences of the disappearance, reinforcing the corresponding recommendations.

It is, therefore, possible to recognize that:

- families will feel less compelled to invest their resources in independent search efforts if there is proof that the relevant authorities will take all possible steps;
- there will be lower expenses and less time spent by family members traveling between various public agencies if centralized assistance is available and if this service can keep family members of missing persons updated on all relevant information;
- the assistance that is more catered to the conditions of family members of missing persons by the authorities responsible for the search efforts will also shield them from hoaxes and scams and will create a level of confidence that is beneficial to their mental well-being;
- the proper approach to health needs will help to restore the family members of missing persons' ability to work;
- providing suitable responses to the legal needs stemming from a disappearance will help spare family members of missing persons from allocating part of their financial resources to fulfill undue obligations.

Moreover, there needs to be a recommendation that **some specific measures be taken to address the economic needs that arise from the disappearance of a person.**

Accordingly, for cases in which the disappearance compromises the family's viability, **it is recommended that easily accessible social assistance benefits be granted to the family members and that a multidisciplinary team supports them.**

It is further recommended that guidelines on financial education be created for family members of missing persons to help guard them against committing their financial resources to debts or unnecessary expenses during the search process.

Details on these recommendations are provided in the next chapter of this report.





RECOMMENDATIONS

The FNA conducted by the ICRC in São Paulo has helped to identify several relevant elements about the Brazilian context of the disappearance and, most importantly, how this situation impacts the families of the missing persons.

The findings from the FNA also led to a series of recommendations that the ICRC since 2019 has applied to its own work, along with many others that it has shared bilaterally with authorities and other concerned institutions.

This chapter offers a synopsis of these recommendations hoping that they can be more widely circulated and thereby serve as a basis for future decisions,

complementary analysis, and a deeper assessment of the issue.

Noting that the needs of family members of missing persons are interconnected and demand integrated actions, the first section below outlines recommendations on a broader scope, which collectively address different consequences of the disappearance. Recommendations will be presented below for some specific themes that were addressed in previous chapters.

9.1 RECOMMENDATIONS ON A BROAD APPROACH

A) THE MECHANISM ON THE ISSUE OF MISSING PERSONS

The lack of an answer as to the fate and whereabouts of a missing person is a root cause of all the needs detected in this FNA. The approach to this problem is contingent upon efficient coordination between various institutions at diverse levels of the Brazilian federative system.

In light of this, it is recommended that **Brazilian authorities establish a national mechanism to address the issue of missing persons and their families**, such as a central commission on missing persons, which should lead and coordinate initiatives and centralize and share information pertaining to missing persons in Brazil.

The primary objective of this mechanism should be to clarify the whereabouts of the missing person and the circumstances of the disappearances in a non-discriminatory manner – regardless of the cause or circumstances of the disappearance, or the profile of the people involved. The mechanism also needs to coordinate all activities related to the authorities' communication with the families of missing persons and those concerning the response to specific needs arising from the disappearance.

Given the national (and international) extent of the phenomenon of disappearances and the dispersion of numerous factors associated with the issue of missing persons in the Brazilian reality, the mechanism has to include a central national coordination with working legal provisions and with coordination established in a standardized manner within the states.

The mechanism also needs to have legal authority, an administrative structure and specific financial, technological, and human resources to accomplish the following:

INTERINSTITUCIONAL COORDINATION TO PROVIDE CLARIFICATION ON DISAPPEARANCE CASES	<ul style="list-style-type: none"> • facilitate coordination between all institutions that play a relevant role in clarifying disappearance cases, including research institutions, institutions tasked with confirming the identity of persons, institutions responsible for the management of bodies of deceased persons, and institutions possessing pertinent information that can help in locating missing persons, assuring the families of missing person representants participation;
NATIONAL PROTOCOLS	<ul style="list-style-type: none"> • establish and guarantee that guidelines and protocols about the following aspects are implemented: search, confirmation of the identity and location of missing persons, the dignified and respectful handover of human remains (when deceased persons are located), as well as the re-establishment of contact between family members (when alive persons are located); • standardization of documents and procedures for collecting and comparing information on the missing, alive persons and deceased persons; • ensure that family members of missing persons can participate in the elaboration of the protocols so that their needs are considered;
INFORMATION MANAGEMENT	<ul style="list-style-type: none"> • standardize the collection of data and information on missing persons, consolidating and centralizing the updated list of cases at the national level; • standardize the collection of data and information on deceased people, especially those whose identity is unknown or who have not been claimed until their burial, observing best forensic practices and international protocols for this purpose, and ensuring that information is available when required for a subsequent process of confirming the identity of located;

INFORMATION MANAGEMENT	<ul style="list-style-type: none"> • centralize the management and analysis of national data on the registration, search, and location of missing persons;
DATA PROTECTION AND DATA SHARING	<ul style="list-style-type: none"> • establish and implement a system for sharing data and information on alive persons with all the health, social assistance, justice and education institutions, including other institutions that hold registration data (civil, military, professional, electoral, fiscal, etc.), and additional useful information to cooperate in locating and confirming the identity of missing persons; • ensure that personal data is protected in accordance with the principles of protecting personal data and human remains, including those recognized by the 2003 International Conference of Governmental and Non-Governmental Experts on Missing Persons;
TRAINING AND AWARENESS RAISING	<ul style="list-style-type: none"> • train all personnel involved in searching, locating, and identifying missing persons, handover of human remains and assisting the families of missing persons and those who are found, ensuring their dignified treatment and the application of the differential approach, corresponding to their condition; • make public officials and the public aware of the situation concerning the ambiguous loss suffered by family members of missing persons and how the disappearance affects different aspects of their lives;
ATTENTION AND PARTICIPATION OF FAMILY MEMBERS OF DISAPPEARED PEOPLE	<ul style="list-style-type: none"> • create and ensure the efficient operation of communication channels and protocols between the authority responsible for searching for missing persons and the family members interested in the update of individual cases current by pro-actively communicating its mandate, actions, procedures, any challenges experienced in the process, and results; • continually consult and allow the family members of missing persons, including their associations, to participate in the authorities' actions and decision-making;
CLEAR DEFINITION OF THE SEARCH AUTHORITY	<ul style="list-style-type: none"> • define the clear designation of the civil police or another institution that has the capacity to search for missing persons as the authority responsible for this duty, from the registration of individual cases to the definitive clarification of the disappearance cases;
COOPERATION BETWEEN INVESTIGATIVE INSTITUTIONS	<ul style="list-style-type: none"> • establish swift and efficient systems for activating all national, state, and municipal institutions that possess the ability to investigate whenever the authority responsible for the search deems it necessary for rapid and efficient clarification of individual cases; • establish and apply a precise roadmap for all entities that have relevant information to the search for missing persons at the three levels of the federation, defining their responsibilities and the systems for sharing information between them;
PUBLIC COMMUNICATION AND REPARATION MEASURES	<ul style="list-style-type: none"> • promote national awareness campaigns on the subject of disappearance to create favorable conditions for the community to accept and support family members of missing persons and to respond to their need for public recognition and reparation; • with the same objective, establish a date or periodic schedule (at least once a year) to commemorate the issue of disappearances at a national level; • create and widely promote a single, permanent, and updated space to publicize individual disappearance cases so that families of missing persons who wish to do so receive equal treatment and so that all people and institutions who may be interested in the subject of disappearances have access to official published information in accordance with data protection criteria;
UNDERSTANDING AND PREVENTION	<ul style="list-style-type: none"> • conduct or promote the implementation of studies on the phenomenon of disappearance to accurately detail its circumstances, size and the extent of its consequences, and provide guidance on the construction of prevention and combating policies that are needed to assure the non-repetition.

The mechanisms need to be constructed and developed gradually, with the participation of family members of missing persons and a comprehensive manner.



M. Cruppe/CRC

Psychosocial Support Group – Mothers of Sé Association – 2017

B) REFERENCE CENTERS FOR FAMILY MEMBERS OF MISSING PERSONS AND MULTIDISCIPLINARY SERVICE NETWORK

Live with the uncertainty about the fate and whereabouts of a loved one leads to physical and mental health consequences for family members of missing persons. It also causes isolation and weakens their support networks, provokes legal, administrative, and economic problems, and increases demands for actions to resolve the suffering.

The fragmentation of services related to the search for missing persons and of the given attention to family members of missing persons introduces added stress and trauma to their already vulnerable situation. Also, the widespread scattering of services hampers the awareness raising and training process that is needed to develop and implement concrete measures that apply the requisite differential approach and that have the ability to respond to the specific needs of family members of missing persons.

With this in mind, it is recommended that the Brazilian authorities implement reference centers for missing persons, establishing them in all cities where a significant number of families of missing persons are known. These reference centers need to be interconnected under the coordination of the mechanism or central commission dealing with missing persons.

The reference centers for family members of missing persons should carry out the following duties:

ATTRACTION OF BENEFICIARIES	<ul style="list-style-type: none"> • to serve as a point of attraction and reference for family members of missing persons who live in widely different circumstances dispersed throughout Brazil and who, due to the fragmented structure that exists at this time, find it difficult to find a point of support where they are able to express their specific needs;
COORDINATION WITH AUTHORITIES RESPONSIBLE FOR THE SEARCH	<ul style="list-style-type: none"> • maintain coordinated work with the authorities responsible for the search, to support them and the families of missing persons in communicating about the search process, in following up on specific and sensitive moments (such as collecting ante-mortem information, delivering results, etc.), and in forwarding multidisciplinary needs, identified during consultations related to the search process;
CAPACITY BUILDING WITHIN A NETWORK	<ul style="list-style-type: none"> • to operate as a center for promoting, training, and coordinating a network of multidisciplinary services that apply a differential approach based on the conditions of the family members of missing persons; • to ensure that the existing services continue to maintain trained groups or focal points that deal with social and legal assistance, health, protection, education services, and employment integration;
INDIVIDUAL ATTENTION WITH A DISTINCT FOCUS	<ul style="list-style-type: none"> • to offer individual assistance using a hybrid approach, active listening and facilitating referrals to specific services, according to the demands; • to provide accurate and standardized guidance on rights, access to services, and on the risks related to the consequences of the disappearance; • to develop criteria and protocols for home visits and to coordinate the network that will be responsible for conducting these visits within its territorial coverage;
REFERRAL AND SUPPORT CENTER	<ul style="list-style-type: none"> • to refer the families of missing persons to specialized services according to the demand while conducting the required follow-up to avoid undue bureaucracy or the re-victimization of the beneficiaries;
SUPPORT FOR MUTUAL SUPPORT NETWORKS	<ul style="list-style-type: none"> • to foster and strengthen collectives, associations, and other networks for family members of missing persons, to assist in expanding the offer of spaces for mutual support;
COMMUNITY AWARENESS	<ul style="list-style-type: none"> • to promote public activities that address the needs for recognition, community integration, and integration among family members of missing persons;
STRUCTURED PROGRAM FOR GROUPS	<ul style="list-style-type: none"> • to develop a structured program involving orientation and psychosocial sessions that will be held with groups of family members of missing persons with elevated levels of affectation due to the prolonged period of time of the disappearance; • to conduct assessments of the beneficiaries being assisted in forming groups and promoting, directly or through partnerships, periodic structured programs for orientation and psychosocial sessions.

To accomplish these duties, reference centers need corresponding financial and human resources. The reference centers should be comprised of multidisciplinary teams that include social workers, psychologists, and lawyers. The professionals on this team need to work in a sensitive, flexible, integrated, and holistic manner, bearing in mind that one of the traits of family members of missing persons is concealment (conscious or unconscious) and being unwilling to pursue answers to their needs when they are unrelated to clarifying the fate and whereabouts of the missing person.

Representatives of family members of missing persons from the territory covered by the reference centers should be invited to take part in the planning and development of protocols and action plans.

C) COMPLEMENTARY LEGISLATION

A series of measures that are needed to address the consequences of disappearance can be made feasible by complementing existing legislation.

As such, legislative reforms are recommended that encompass the following themes, among others that are needed to achieve the other recommendations in this report:

- instituting a legal status for the missing person as an alternative to the declaration of presumed death, making sure that the processing is accessible and compatible with the reality of the family members of the missing persons;
- making provisions for the rights of family members of missing persons, with their corresponding means of access;
- defining the institutionalism and allocation of responsibilities and duties corresponding to the creation of the mechanism on the issue of missing persons, an authority entrusted with search efforts and a network of reference centers for family members of missing persons;
- establishing the procedural rules needed to ensure that the procedures aimed at clarifying the fate and whereabouts of missing persons are obligatory, standardized, and integrated;
- creating social assistance benefits that are suited to the condition of family members of missing persons.

There is a specific recommendation that the legislative reform introduces a Certificate of Absence into the Brazilian legal system. This reform should include determining the eligibility criteria, the responsible authority, and the documents and procedures needed to file for the Certificate of Absence. This Certificate should be construed as proof of the absence of a loved one and used to process administrative requests for documents, benefits, and gaining access to the reparations policy according to the legislation to be adopted. Ideally, family members of missing persons should receive the Certificate of Absence as soon as possible, shortly after reporting the disappearance to the relevant authorities. Family members of missing persons who have had a death certificate in the past should be entitled to obtain the Certificate of Absence. The Certificate of Absence must remain valid for as long as the missing person's fate is unknown.



It is also recommended that the decision by family members of missing persons to not obtain a Death Certificate for the missing family member be respected. By introducing the opportunity to obtain a Certificate of Absence, an alternative channel is created for family members to resolve their administrative problems. However, it should not eliminate the ability for family members to request or maintain the Death Certificate if they so wish.

References for complementing legislation can be found in the model law¹⁴, designed by the ICRC based on its experience of working with the issue of disappearance in various countries throughout the world.

D) PROMOTING TEACHING, RESEARCH, AND UNIVERSITY EXTENSION ACTIONS ON THE SUBJECT OF DISAPPEARANCES AND THEIR CONSEQUENCES FOR THE FAMILY MEMBERS OF MISSING PERSONS

The disappearance of people has been capturing the attention of academics and researchers in certain fields. But as a multifaceted phenomenon that has multi-disciplinary consequences, it has a much greater potential to be addressed and explored at the university level, both for the production of knowledge and for training professionals to be better prepared to work in the various areas that are related to preventing and dealing with the problem.

In this sense, a recommendation is made for measures to be adopted to encourage the creation of teaching, research, and university extension programs, which may include the following: granting scholarships for research on the subject, promoting a national academic event; setting up partnerships between the mechanism, reference centers, and universities; and incorporating the topic in the National Plan for Education in Human Rights.

14. See: ICRC, Missing Persons: A Handbook for Parliamentarians.

9.2 SPECIFIC RECOMMENDATIONS

A) PUBLIC NETWORK OF HEALTH SERVICES WITH A DIFFERENTIAL APPROACH

The circumstances and suffering endured by the families of missing persons have led to serious consequences on their physical and mental health – repercussions that have even been associated with the acceleration of death.

Based on existing public services and NGOs and their refinement, the establishment of a national health care network for relatives of missing persons is recommended.

This network should work in a coordinated way with the reference centers for family members of missing persons and needs to make sure that physical and mental health care and psychosocial support for family members are conducted with a differential approach that suits their specific and multifaceted needs. Besides, the network must also:

TERRITORIAL DISTRIBUTION	<ul style="list-style-type: none"> • be distributed territorially according to the geographical dispersion of family members of missing persons;
METHODOLOGY	<ul style="list-style-type: none"> • identify strategies of attention of family members of missing persons that are consistent with their limitations for traveling around the territory and their tendency to neglect taking care of themselves and, as a result, looking for assistance in health services as a whole;
CONSIDERING THE COMPOSITION OF THE TEAM	<ul style="list-style-type: none"> • be composed of professionals from the medical fields (including psychiatry), psychology, social work, and other therapeutic areas focused on psychosocial needs (like art therapy);
COORDINATE	<ul style="list-style-type: none"> • rely on national coordination that is integrated with standardized state coordination; • in collaboration with the state coordinators, the national coordination needs to guarantee that professionals are trained and supervised. Protocols and methodologies for care are developed and validated and the inter-institutional collaboration is in place.

The State must guarantee the financial and human resources required to enable the network of health services for the families of missing persons to operate, and the strategies for establishing the network must account for the limitations of the beneficiaries.

Specifically, in relation to **MENTAL HEALTH ASPECTS**, the following is also recommended:

- that psychological and psychosocial professionals receive ongoing training on the specificities of working with family members of missing persons. This needs to include opportunities for theoretical and clinical supervision and self-care activities for the teams;

- that multiple and multidisciplinary care strategies are applied to the relatives of missing persons that are connected, when possible, to factors related to the search for the missing persons, to facilitate mutual support, and to help them be welcomed and accepted by the community (gestures of solidarity, ceremonies and tribute events for preserving the memory the missing person);
- that access to therapeutic processes is made easier through alternative means of participation and contact with professionals, and that home visits are made available, notably for cases where the most severe symptoms appear;
- that protocols are developed to refine the association of therapeutic activities with the use of psychiatric drugs when these are proven to be necessary.

With respect to **PSYCHOSOCIAL ASPECTS**, the following is recommended:

- that therapeutic intervention are established as a type of listening space within the family to address symptoms of isolation exhibited by family members who are taking the lead in search efforts for the missing person in relation to other family members;
- that technical support is provided for the empowerment or development of groups of family members, including those facilitated by associations of family members of missing persons and other groups.

In relation to **MEDICAL ASPECTS**, the following is recommended:

- that the network produces informative material and methodologies on how to deal with relatives of missing persons to prevent and anticipate psychosomatic symptoms that cause many of them, especially the elderly, to develop severe illnesses;
- that the material and the preventive methodology are distributed to the reference centers or services for family members of missing persons and to the comprehensive health network;
- that prompt flows of assistance are established in coordination with the reference centers and in a way that ensures relatives of missing persons have access to the diagnostic processes and required treatments.

These three aspects have to be integrated and articulated with each other and with reference centers so that:

- individual care can be replaced or supplemented by psychosocial assistance;
- cases that require individualized attention can be identified and referred during psychosocial activities;
- potential deteriorating physical and mental health problems that require complementary psychiatric care can be detected and prevented.



B) NETWORK OF LEGAL ASSISTANCE FOR DISAPPEARANCE CASES

The disappearance of a person places various legal ramifications and administrative difficulties on other family members, which can lead to economic hardships, affecting their health and making them feel ignored by the State.

In light of this, it is recommended that a national network of legal assistance for disappearance cases be formed that is made up of representatives from the Public Defenders' Office and the Public Prosecutors Office of the states and the Federal District, including the Federal Public Defenders Office and the Federal Public Prosecutor. They can conduct a detailed assessment of the legal demands of family members of missing persons that deal with different areas of the law, including aspects related to determining responsibility for the disappearance.

This network should also develop and implement a training program for legal careers, including a protocol for assisting family members of missing persons. The protocol should be developed in a coordinated way with reference centers and with the mechanism that deals with the issue of missing persons.

As part of this coordination, the network for assistance in disappearance cases should give families of missing persons proper guidance on their rights and how to access them, and the available reparation policies.

C) SOCIAL WORK

The disappearance of a person yields economic impacts on their families, often leading to or even compounding difficulties in earning a living or gaining access to basic items.

With this in mind, as touched on earlier in this report, we recommended that easier access to social assistance benefits is guaranteed to family members and that a multidisciplinary team monitor them.

It is further recommended that guidelines on financial education be created for family members of missing persons to help guard them against committing their financial resources to debts or unnecessary expenses during the search process.



10

FINAL CONSIDERATIONS

While the context of disappearance in Brazil is associated with violence and a range of additional circumstances that have emerged in recent decades, authorities are faced with the challenge of responding to the consequences of current and past disappearances at the same time.

For the families of those missing persons, these consequences are several, serious and interconnected. They involve the need to know what happened to the missing person and their whereabouts, along with needs related to their physical and mental health, needs for reparation measures, legal and administrative needs, and economic needs.

The activities held during the FNA also revealed that there are experiences that have been or are in the process of being developed by public institutions and civil society organizations that are attempting to respond to certain needs of the families of missing persons. Coupled with the enactment of Law 13.812/2019, these experiences suggest that there is a growing awareness of the demand to develop more integrated and efficient responses to the disappearance issue in Brazil.

To help accelerate the creation of measures to structure a comprehensive and integrated response to the disappearance problem, the ICRC is publishing the conclusions and recommendations drawn from the FNA. Furthermore, it makes itself available to Brazilian authorities and groups of family members of missing persons to collaborate technically and provide support based on the experiences it has acquired through its work in Brazil and other countries.

The ICRC would like to express its heartfelt gratitude to the families of missing persons, public employees and professionals who have agreed to participate in the FNA activities and who have made it possible to prepare this report, which also serves to recognize and pay respect to the resilience and perseverance of all the families awaiting a response as to the whereabouts of a loved one.

“STILL?”

THIS IS THE WORD THAT HURTS THE MOST...

The text below relates a story of the scenes and events experienced by each of the family members of missing persons in São Paulo who agreed to participate in the meetings of the needs assessment promoted by the ICRC in 2018. Despite the wide range of profiles and situations experienced by these families, they all share the same pain and bear common traits regarding how the disappearance impacted their lives. Of course, not all the narratives in the stories below are repeated for each family. However, they indicate situations that the family members interviewed have described and demonstrate that their needs are several, interconnected, and overlap with each other. The ICRC invites readers to review the conclusions and recommendations it has compiled through its interactions with family members in São Paulo.

He disappeared several years ago, and since then, our family has never been the same.

The second I realized that he hadn't come back like he usually does, I began a journey that I wouldn't wish on anyone else.

He always came back at the same time and always answered my calls. Everything was different that day. I didn't understand what was going on.

I then began living with two monsters: the absence and the questions over what had happened to him.

I believe that other people can sympathize with the distress, but they've apparently not seen how it's changed my entire life.

Searching for him became the first priority of my day. Even when I'm doing ordinary things, like riding a bus, I'm looking for him. I'm always paying attention, looking at everyone who passes me. I've done and do everything I can to try and find some new news. This has drained all my time, energy, and resources.

Since he's disappeared, I've had to learn a lot.

I didn't know, for instance, where to ask for help. But then someone told me that I could file a police report.

I went to a police station hoping they'd go looking for him. I was told I had to wait 24 hours to file the police report.

It was terrible having to wait. I remember every detail of that first day. How tough it was...

How could anyone be indifferent?

I don't know if we'll ever get used to it, but I've had to deal with it in many places.

There were times when people said he must've been doing something wrong when he disappeared. I felt really bad about this. Why do people have to think right away it's the fault of those who've disappeared?

But then I try to calm down and think: I have a right to know what happened to him, no matter what took place, right?

I ran like crazy around the places where he used to go. I spoke to friends, relatives, neighbors. I visited all the hospitals, shelters, and police stations that I could. The time passed, and I learned that I had to personally go to ask to check that he'd been somewhere. It's tough to get the right information.

There'd been a time when I'd spent everything I had. So, my feet have become my most important tool.

I went into whatever hole he could've been in. I don't know what could have happened. I went to crackland and a lot of other dangerous places. I even had to ask the drug dealers for permission to pass.

Actually, I keep on going to all these places. You never know what could happen and where he might be today.

I do not want to think that he's not alive. But I've even been to cemeteries and the morgue to see people who've died. It hasn't been easy. I've done things I never thought I'd have the guts to do.

The item I use the most when looking for my son is the T-shirt I wear with his photo on it. Another thing is the posters. I carry them around every day and show them to people wherever I go.

Whenever I can, I also put posters up all over... on the street and wherever I go.

I'm also on the internet to spread the word around, post his picture, and ask people to share.

I keep publishing my phone number on everything and still hoping someone will see him and give me some news.

When the phone rings, my heart races. I think someone's found him.

Sometimes people claim that they've seen him somewhere. I then drop whatever I'm doing and run over there.

I never found him that way, and I've already been hoaxed. But I prefer always to go there and see if it wasn't him.

Something also happened where someone called me asking for money to tell me where he was. I was desperate. I didn't know what to do. I returned to the police station, and they told me they'd take care of it. You see, I don't really understand how this investigation process works, and I didn't know what happened after that.

Sometimes I'll have lunch at one of those soup kitchens for the homeless. I keep thinking that maybe he's living like that, disoriented and needing my help. My heart sinks when I think he may not have a place to stay on cold nights.

I spend everything I can on the search, even when all I have is barely enough to get through the day. And I also spend a lot of time going to places to gather some information. I ended up losing my job, and my life got really difficult. I sold a bunch of things and even my hair to raise some money.

This whole rushing around to search took up any time I had to rest, pay attention to my kids and take care of myself. But none of this is more pressing than getting information about him.

Time went by, and the number of questions only increased in my head. Even today, I keep wondering...

... is he alive?

... shouldn't I just check again that he's not at the city morgue?
... and what if someone's keeping him from coming home?
... if not for this, he left on his own ... but why did he abandon us?
... and if I didn't have to leave that day he disappeared...?
... did something happen, and he can't get home?

For each of these questions, I never find a single answer.

There are so many places to go, so much to check that I get confused.

Sometimes I feel like I have many shoes, but I don't have the feet to put them on anymore.

Since his disappearance, I've started living with his presence without him being here. This is torture. It's a pain that has no cure.

Sleep went away with him. I'm always restless, and my mind is racing. For a while, I couldn't even eat.

I had moments of panic, and then my blood pressure just rose. Stomach and body pains always came with bouts of tears. I ran out of patience over nothing.

It was really hard to stay focused on work or even think about where I should go for new information.

My relationship with my family also started getting bad.

Some people say things that hurt...

... if he hasn't come back, it's because he must not be alive ...

... you have to get on with your life...

... you're STILL looking?

This is the word that hurts the most.

I think that only people with a missing family member understand that you can't ever forget.

You know, at first, people were really supportive of me. On the first day, many people took to the streets and helped hand out flyers and search close to home. Over the first few weeks, I had many visits, and there were even people who chipped in with some money. But time went by, and people were getting tired.

Other people don't understand that this is a marathon, not a 100-meter race.

Ultimately, I ended up being alone, and now I have to hear how I need to leave all this behind.

I started fighting with my family over it. They also complain that I'm always down, and it seems that they don't like me to be at parties anymore. They don't understand me. I think it's better if I stay alone.

He left an empty place, which really messed my family up.

We used a portion of his salary for household expenses. We didn't have a lot of savings when he disappeared. I spent all of it early on, thinking it would help to find him. But that didn't happen. And to make matters worse, as I said, I lost my job. I borrowed some money, but his kids stopped going to school for a while, and I stopped buying my meds. We got evicted, and I had to do some risky things.

Along with this, I'm really sad about missing him and was trying to take care of the housework and take care of the kids because he wasn't around. They became like my daughters.

They didn't talk to me much about the disappearance. They became sad and withdrawn. The older one developed a severe allergy, which the doctor said is emotional. The other one gets really nervous every time she hears a noise.

At first, I didn't mention anything about the disappearance. I said he'd left for work. But then I had to tell her the truth because she started to cry whenever someone in the house said they were going to work.

Another bad thing that happened is that I can't solve a lot of problems without him around.

Everything is so complicated that I don't even really know who to ask for help. For example, once I tried to find out how his bank account was doing. I thought if things were going on with the account, it might give a sign about his whereabouts. Besides, things were so hard back home, the money he had in the savings could help with expenses. After I really insisted and showed the police report, the manager agreed to tell me if there were any movements in the account, but he didn't let me withdraw any money. He said he was only allowed to do this in the presence of the account holder or with an order from a judge.

I even tried to see what it would be like to file a claim in court. Someone I know told me to go to the public defender's office. But they asked me for a copy of his birth certificate and other documents. Since I didn't have it, I went to the notary office where he was registered, and they told me the same thing there: that they'd only hand over the certificate to the person themselves or if I submitted an order from a judge. I don't know if this is right, but that's what happened.

Since he's considered to be alive (and I pray that he is), they always say that he has to be there when I need to resolve something that has to do with documents. It was like that with his motorcycle too. I couldn't sell it because I'd need to have his signature on the transfer document.

Even for the kids, his daughters, it's difficult to get things done: they asked for their father to be present to enroll in school. I explained everything at the school, talking about the situation and the principal accepted it. But when it was time for them to travel, I couldn't do it. I thought it'd be good for them to go to their aunt's house to distract them a bit.

But I'd need to provide a parent's authorization for them to travel by bus. And how was I supposed to get that authorization if he's missing?

The pain I feel is much worse than if he'd died. I already know how it feels to lose someone. I cried, I was really sad, but I knew what had happened to the person. I could go to the cemetery, bring flowers and talk. This isn't the case with him.

When these things are going through my head, I don't even feel like getting out of bed. But then I think I have to keep going.

I still put a plate on the table for him at mealtimes and bake a cake on his birthday.

Whenever someone remembers him, it gives me comfort, because I don't want him to be forgotten.

I think that if more people showed that they care, I'd feel better.

I found another group of people who also have missing family members. It's really nice to talk to someone who feels the same pain and understands what I've been through.






WE SHARE INFORMATION AND TRY TO HELP EACH OTHER OUT.

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The ICRC helps people around the world affected by armed conflict and other violence, doing everything it can to protect their lives and dignity and to relieve their suffering, often with its Red Cross and Red Crescent partners. The organization also seeks to prevent hardship by promoting and strengthening humanitarian law and championing universal humanitarian principles.

People know they can count on the ICRC to carry out a range of life-saving activities in conflict zones and to work closely with the communities there to understand and meet their needs. The organization's experience and expertise enables it to respond quickly and effectively, without taking sides.

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