



The Missing:

Action to resolve the problem of people unaccounted for as a result of armed conflict or internal violence and to assist their families

INTERPOL Standing Committee on Disaster Victim Identification

Chambery & Lyon, 29 to 31 May 2002

Contribution from the International Committee of the Red Cross (ICRC)

Cooperation with the INTERPOL Disaster Victim Identification (DVI)

Mission statement

The aim is to heighten awareness among governments, the military, international and national organizations – including the worldwide Red Cross and Red Crescent network – and the general public about the tragedy of people unaccounted for as a result of armed conflict or internal violence and about the anguish of their families

by creating and making available tools for action and communication

in order to ensure accountability on the part of the authorities responsible for resolving the problem of missing people, to better assist the families and to prevent further disappearances.



ICRC

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The International Committee of the Red Cross (ICRC) is grateful to INTERPOL's Standing Committee on Disaster Victim Identification (DVI), in particular its Chairman, for this opportunity to present, in writing, its concerns regarding the rights of families to ascertain the fate of relatives who are unaccounted for as a result of a situation of armed conflict or internal violence and its willingness to develop its relationship with INTERPOL with a view to tangible cooperation regarding the disaster victim identification system (DVI).

1. Introduction

The ICRC has launched, in cooperation with all interested parties, an interactive process of reflection on the tragedy of people unaccounted for as a result of armed conflict or internal violence.

The ICRC is increasingly concerned about this issue.

Uncertainty as to the fate of relatives is a harsh reality for countless families in all situations of armed conflict or internal violence. It often lingers on for many years, which is not only a tragedy for the families but can also hamper efforts aimed at achieving reconciliation and an enduring peace by contributing to further outbreaks of violence.

In accordance with the mandate conferred on the ICRC by the Geneva Conventions and their Additional Protocols, and its right of initiative in all theatres of operations, the organization's objectives include ensuring that people are protected against threats to their lives, their physical integrity and their dignity, preventing disappearances, restoring interrupted family links, and clarifying the fate of people whose families are without news of them.

The ICRC's traditional protection activities (restoring family links, visiting detainees, collecting and passing on information, making representations to the authorities concerned, providing support to the families of the missing, etc.) enable thousands of families to receive news of their loved ones.

Nevertheless, in most places, the ICRC is prevented from fully accomplishing these tasks owing to inadequate political will on the part of the authorities or parties concerned:

- ☑ The ICRC often does not succeed in setting up a network for exchanging family news in all regions affected by armed conflict or internal violence. Some regions remain inaccessible and the people living there are cut off from relatives living elsewhere, for whom, over time, they become missing persons.
- ☑ The ICRC does not always have access to all persons detained and does not obtain all information concerning them. Thousands of detained people have no contact with the outside world; for their families, they are missing persons.
- ☑ Similarly, not all information on the dead, whether killed in action or from bombing or by summary execution, is systematically made available to the families or the ICRC. This means that relatives live with the false hope that they might one day see their loved ones again. Even when it has been established that a person is dead, the human remains are very often not returned to the family, which hampers the necessary grieving process.

The ICRC notes that governmental and nongovernmental organizations which are also active in preventing disappearances, promoting international humanitarian law and human rights as well as solving cases of missing people, face similar obstacles.

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Accordingly, the ICRC's objective in launching this process in cooperation with all those involved in dealing with this issue is to:

- ☑ review all methods that could be employed to better prevent disappearances in armed conflict or internal violence and respond to the needs of families that have lost contact with their loved ones;
- ☑ agree upon common and complementary recommendations and operational practices with all those working to prevent disappearances and to respond appropriately when people are unaccounted for in armed conflict or internal violence;
- ☑ raise this concern to a higher level on the agendas of government authorities, the United Nations, and nongovernmental organizations.

It is vital that the disappearances cease and that the families' right to know, which is recognized by the entire international community, be upheld.

2. How is INTERPOL DVI concerned by the process launched by the ICRC?

- A. INTERPOL is a governmental organization recognized worldwide. It developed the DVI system on the basis of its extensive experience, providing tools that are and can be used anywhere.
- B. INTERPOL DVI has encouraged the formation of specialized DVI teams made up of civilians as well as police officers; the teams have invaluable know-how and are ready to intervene internationally.
- C. INTERPOL DVI has a worldwide capacity to mobilize resources.
- D. Unfortunately, many of the people unaccounted for as a result of armed conflict or internal violence are dead. The only means of providing the families with answers is to retrieve, exhume and identify their human remains. Several countries in which such cases arise, however, lack the necessary resources and know-how.
- E. The retrieval, exhumation and identification of human remains can only be handled by recognized professionals; formal identification of human remains is the responsibility of the authorities.
- F. The DVI system and specialized teams could provide invaluable assistance in such situations, given that:
 - a. the standard is recognized worldwide,
 - b. the expertise is recognized worldwide,
 - c. the teams are consequently able to act quickly and in emergencies.

3. Potential areas of cooperation between INTERPOL DVI and ICRC

3.1 Enhancement of the DVI to include man-made disasters

The DVI system is based essentially on INTERPOL's experience of accidents (such as plane crashes) and natural disasters (such as earthquakes). To be used in man-made disaster situations (during or following armed conflicts), the system would have to be enhanced. For example:

- Additional information is required in the *ante mortem* questionnaire, for example regarding the circumstances of disappearance and potential witnesses.

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In the framework of the process it has launched, the ICRC has compared *ante mortem* questionnaires, including the DVI form and the forms used by experienced forensic and human rights non-governmental organizations acting in post-armed conflict or violence situations. The appended table sums up the results, the last column outlining the ICRC's draft proposal for a standard form to be discussed with all the organizations concerned¹.

- It might be useful to complete the *post mortem* form with best practices on the conduct of autopsies as set out in the Minnesota Protocol.

The ICRC recommends that a working group be established to enhance the present standard DVI system to include man-made disasters. The group's membership would include INTERPOL, the ICRC, the major forensic and human rights non-governmental organizations concerned and any other interested body. Once defined, the standard could be presented to and promoted by other international bodies, in particular United Nations agencies. INTERPOL DVI would be the working group's natural leader; the ICRC stands ready to play the role of coordinator, should INTERPOL DVI so desire.

3.2 Development of DVI standard software

INTERPOL DVI has started to think about developing standard electronic software to manage *ante* and *post mortem* data, said software to include some comparison or matching functions.

The existence of standard software is a major issue, in particular in countries that are strapped for resources. Were that software to be applicable in man-made disasters as well, it would significantly increase efficiency in all situations of armed conflict or internal violence. This is particularly true when one considers that the tools required have already been developed in several contexts on an ad hoc basis, which is waste of time and money.

Whether the software was used for natural or man-made disasters, its development would be conditioned by the following technical constraints:

- o it must be user-friendly, i.e. require very little training;
- o it should be portable and easily installed;
- o it must be possible to provide technical support easily and worldwide.

Given that the development of any software requires a substantial investment in human and financial resources, the ICRC is of the opinion that it would be reasonable to consider developing this standard software to include the specifications for man-made disasters.

Ideally the software's business and technical specifications would only be defined once the DVI system had been enhanced to include man-made disasters (see point 3.1 above).

In these circumstances, the ICRC would be ready to cooperate with INTERPOL at different levels (to be defined in due course) to build, dispatch and support the standard software.

¹ Table not included in the present version

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3.3 Availability of DVI emergency teams and resources

INTERPOL DVI has set up specialized DVI teams in several countries. It has the means to mobilize those teams rapidly.

The ICRC knows that INTERPOL is in principle not active in situations of armed conflict or internal violence. Nevertheless, in order to cope with the needs arising in such situations, the ICRC would like to define and establish the terms (including the financial implications) of a working relationship with INTERPOL with a view to enabling:

- ☒ DVI teams to be called in by the authorities on the recommendation of the ICRC;
- ☒ specialized DVI teams to be called in by the ICRC and to work under the ICRC's responsibility or umbrella.

The ICRC stands ready to meet with INTERPOL with a view to defining that relationship.

3.4 Availability of training teams and premises

With regard to countries with few resources, the specialized DVI teams could also provide training, either on the spot or in their countries of residence.

Most, if not all, countries in situations of armed conflict or internal violence lack resources and know-how.

Again, the ICRC would like to define and establish the terms (including the financial implications) of a working relationship with INTERPOL to enable it to draw on INTERPOL's capacity to organize and implement DVI training, either in a given situation or in a third country.

The ICRC stands ready to meet with INTERPOL with a view to discussing that relationship.

The ICRC wishes to thank the Chairman and the members of the INTERPOL Standing Committee on Disaster Victim Identification for their attention. It is confident that they share its belief that only a firm and determined collective effort will make it possible to bring an end to the tragedy of people unaccounted for and the anguish of their families worldwide. It thanks INTERPOL and its Standing Committee on Disaster Victim Identification for giving due consideration to its proposals.