

Where are they?

Searching for missing persons and meeting their families' needs

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People go missing in Africa during armed conflicts, other situations of violence, disasters and in the context of migration. In addition to missing persons themselves, their families bear the brunt of the trauma. Through coordinated action, governments can ensure family links are preserved or re-established and reduce the impact on society. This report draws on the ICRC activities with families, authorities and other actors to deal with the problem of missing persons and their relatives.

Key findings

- ▶ In Africa, the impact of missing persons on individuals, families and communities is one of the most damaging and long-lasting humanitarian consequences of armed conflict and other situations of violence, along with migration.
- ▶ Efforts are needed to address cases of missing persons and to prevent people from going missing. Families are central to these efforts.
- ▶ Robust institutional and legal frameworks are essential in addressing at national level the issue of missing persons and their families.
- ▶ Political will and sustained commitment are key to ensuring effective developments to deal with the issue of missing persons in compliance with international law. Those efforts can be nurtured at local, national and regional level. States should also address the question of missing persons within their efforts to solve conflicts.
- ▶ The question of missing persons should be included in transitional justice processes, which play a crucial role in addressing the suffering of individuals, families and communities in post-conflict situations.
- ▶ Clarifying the fate and whereabouts of persons missing in the context of migration requires a strong and committed transnational effort from countries along migration routes in the region and beyond.

Recommendations

National authorities, regional bodies and the African Union should:

- ▶ Acknowledge the tragedy of missing persons and address the problems their families face as a result of this situation.
- ▶ Put in place preventative measures and early initiatives to deal with the issue of missing persons.
- ▶ Identify relevant gaps, needs and limitations that hinder the prevention and the search for missing persons.
- ▶ Respond to the various needs of families and ensure institutional and legal frameworks that allow for an individual-specific assessment and response. The rights and needs of families to know the fate and whereabouts of their missing relative should be at the centre of search processes and should be upheld.
- ▶ Ensure political will to address the issue of missing persons and increase search capacity and efforts in that regard.
- ▶ Consider establishing dedicated national mechanisms on the issue of missing persons where relevant.
- ▶ Include the question of missing persons in truth-seeking, justice and reconciliation processes, which should have lines of coordination with other bodies tasked with clarifying the fate and whereabouts of missing persons. The AU's transitional justice policy is a key guiding document.
- ▶ Establish clear pathways to be followed in searching for and identifying persons missing in the context of migration. Clear principles should be adopted for the exchange of information and effective coordination channels among authorities in countries along migration routes.

Interview methodology for this report

Country	Families interviewed (n)
Cameroon	57
Ethiopia	147
Libya	375
Nigeria	50
Senegal	228
Uganda	102

This report uses information provided by families. This information was obtained during family needs assessments that have already been undertaken in the continent, including a good geographical representation, namely in Ethiopia (2008–10), Senegal (March–May 2012), Uganda (October–November 2012), Libya (June 2013–July 2014), Nigeria (July–November 2018, focus group discussions with children in January 2019), Cameroon (May–August 2019), and focus group discussions in South Sudan (July and October 2019). These assessments allowed to highlight a certain number of trends and issues in the continent, while putting them in a global perspective thanks to the International Committee of the Red Cross' (ICRC) long-standing experience and expertise in other regions of the world.

Individual interviews were conducted with relatives of missing persons. At times, other family members joined the interview, if the interviewee consented. Interpreters (staff of the ICRC) were also present when necessary. Interviews took place at the interviewee's home or another location of their choosing (the National Society (NS) local office, for example). Interviews were conducted with the support of NS volunteers in some contexts, like Senegal.

The selection of families for individual interviews relied on the ICRC's registered cases of missing persons. Lists from other sources were also used in Libya. The selection of families to be interviewed focused on meeting quantitative and qualitative criteria. They included, among others: the circumstances

in which the person went missing, the relationship between the interviewee and the missing person, the geographical location, the status of the family, the age and sex of the interviewee and the missing person, ethnic background, etc. Standardised individual questionnaires, with closed and open-ended questions, were adapted to reflect each context. They included questions focusing on the following issues: the search and attitude towards the fate of the missing person, economic situation, mental health and psychosocial issues, legal and administrative situation and the attitude regarding the acknowledgment of their situation.

Each selected family that took part in the interviews did so based on voluntary participation and with informed consent. All personal data has been used in a confidential manner.

Key terms

Missing person

There is no legal definition of a missing person under international law. However, it is understood that a missing person is one whose whereabouts are unknown to his/her relatives and/or who, on the basis of reliable information, has been reported missing in accordance with national legislation in connection with an international or non-international armed conflict, other situations of violence, disasters, and any other situation that may require the intervention of a competent state authority.

Migrant

A broad description of migrants is used here to include all people who leave or flee their home to seek safety or better prospects and who may be in distress and need protection or humanitarian assistance. Migrants may be workers, students and/or foreigners deemed irregular by public authorities. This inclusive description is used by the ICRC, as does the Red Cross and Red Crescent Movement (RCRC). The ICRC seeks to ensure that all migrants, including refugees and asylum seekers, receive the protection to which they are entitled under international and

domestic law, but it uses an inclusive description to reflect its operational practice and emphasises that all migrants are protected under several bodies of law.

Restoring Family Links

Restoring Family Links (RFL) is a range of activities aimed at preventing family separation and persons going missing, restoring and maintaining contact between family members, reuniting families and contributing to clarifying the fate and whereabouts of persons reported missing. The most common situations where the Family Links Network (FLN) takes action are when loss of contact is due to armed conflict or other situations of violence, natural or man-made disaster and other situations of humanitarian need, including in the context of migration. The RCRC Family Links Network is comprised of national

societies' tracing services, the tracing agencies in ICRC delegations and the ICRC's Central Tracing Agency in Geneva.

Unaccompanied and separated children

As per the Inter-Agency Guiding Principles on Unaccompanied and Separated Children, unaccompanied children (also called unaccompanied minors) are children who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so. Separated children are those separated from both parents or from their previous legal or customary primary caregiver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members.

Introduction

In April 2014, 276 schoolgirls were kidnapped from secondary schools in Chibok, north-eastern Nigeria. The plight of what are now commonly referred to as the 'Chibok girls' attracted international attention and triggered worldwide mobilisation. While some of the schoolgirls were eventually freed, more than 100 are still missing. Their families are anxiously waiting for news of their daughters and their return home.¹

Parents of the Chibok girls are among thousands of families in Nigeria, on the continent, and worldwide, that are experiencing similar suffering. Every day, thousands of parents, sisters and brothers, sons and daughters, grandparents and others, are eagerly waiting for news of their loved ones who have gone missing because of armed conflict, other situations of violence (OSV)² or disasters, or in the context of migration.

As of 2020, the ICRC has documented close to 44 000 missing persons in Africa, affecting every part of the continent. This figure represents merely a small fraction – namely cases registered by the ICRC – of a wider, still undocumented, often neglected, and imperceptible humanitarian tragedy.³

Families are often suffering in silence, alone. Waiting to learn about a relative's fate and whereabouts means

living between hope and despair, facing the pain of ongoing uncertainty and being unable to grieve. Yet, this grief affects thousands, including family members, communities, and the society at large. Some went missing yesterday, while others have been missing for years, even decades. The issue of missing persons often transcends generations.

Every day, thousands await news of loved ones gone missing during conflict, disasters or migration

The situations in which people go missing are often complex, ranging from ongoing conflicts to transition periods or the context of migration. The issue of missing persons and their families is addressed in various bodies of law, but their implementation is often challenging or lacking. Numerous people continue to go missing every day, the fate and whereabouts of those already missing often remain without clarification, and families are not always attended to or heard.

Efforts to address the plight of missing persons and their families, particularly through the adoption of relevant regional and national legal and policy

frameworks, are nascent in Africa. While they often remain limited due to insufficient degrees of support or awareness at required levels, these efforts are important and must be further encouraged.

This report discusses several of the main reasons people go missing in Africa, with a focus on armed conflict, OSV and migration. Other causes, such as natural disasters, are not discussed here. It highlights aggravating factors and analyses regional dynamics that increase the risk of people going missing. The report then turns to the challenges faced by families once their relatives go missing. Finally, it provides several examples of the responses of authorities, the ICRC and other actors, and offers general recommendations.

The nearly 44 000 missing persons in Africa documented by ICRC in 2020 is a fraction of the wider, undocumented humanitarian tragedy

This report is informed by ICRC activities in several countries and key operations in Africa, and reflects the work done with families, authorities and other actors. It is based on interviews with 959 families of missing persons from Ethiopia, Uganda, Senegal, Libya, Nigeria and Cameroon, and focus group discussions with 60 families in South Sudan. The interviews were conducted in the framework of family needs assessments undertaken in 2010 (Ethiopia), 2012 (Uganda and Senegal), 2013–2014 (Libya), 2018 (Nigeria) and 2019 (Cameroon).

ICRC does not have a full picture on the issue of missing persons and their families in all the contexts. While main conclusions can be extrapolated to the continent altogether, this limitation should be taken into consideration while reading this report. All figures in the report are from the ICRC in relation to activities in Africa, unless otherwise stated.

Regional dynamics

While more than 1.3 million people are still displaced in South Sudan, the impact of the conflict has also been felt beyond its borders by other countries in East and Central Africa.⁴ About 2.2 million people from South Sudan have sought refuge across borders, especially in the Democratic Republic of Congo (DRC), Sudan, Ethiopia and Uganda.⁵ As of June 2020, the ICRC was still searching for more than 5 400 people from South Sudan, on behalf of families in South Sudan or in neighbouring countries.⁶

Ethiopia and Somalia are among the top 10 countries with the highest numbers of internally displaced persons.⁷ They also host refugees from other countries, while a part of their own population seeks refuge abroad.⁸ The dynamics of violence affecting those countries and this region have triggered family separations in both contexts, with close to 3 000 persons in Ethiopia and more than 2 200 persons in Somalia still being sought by families.

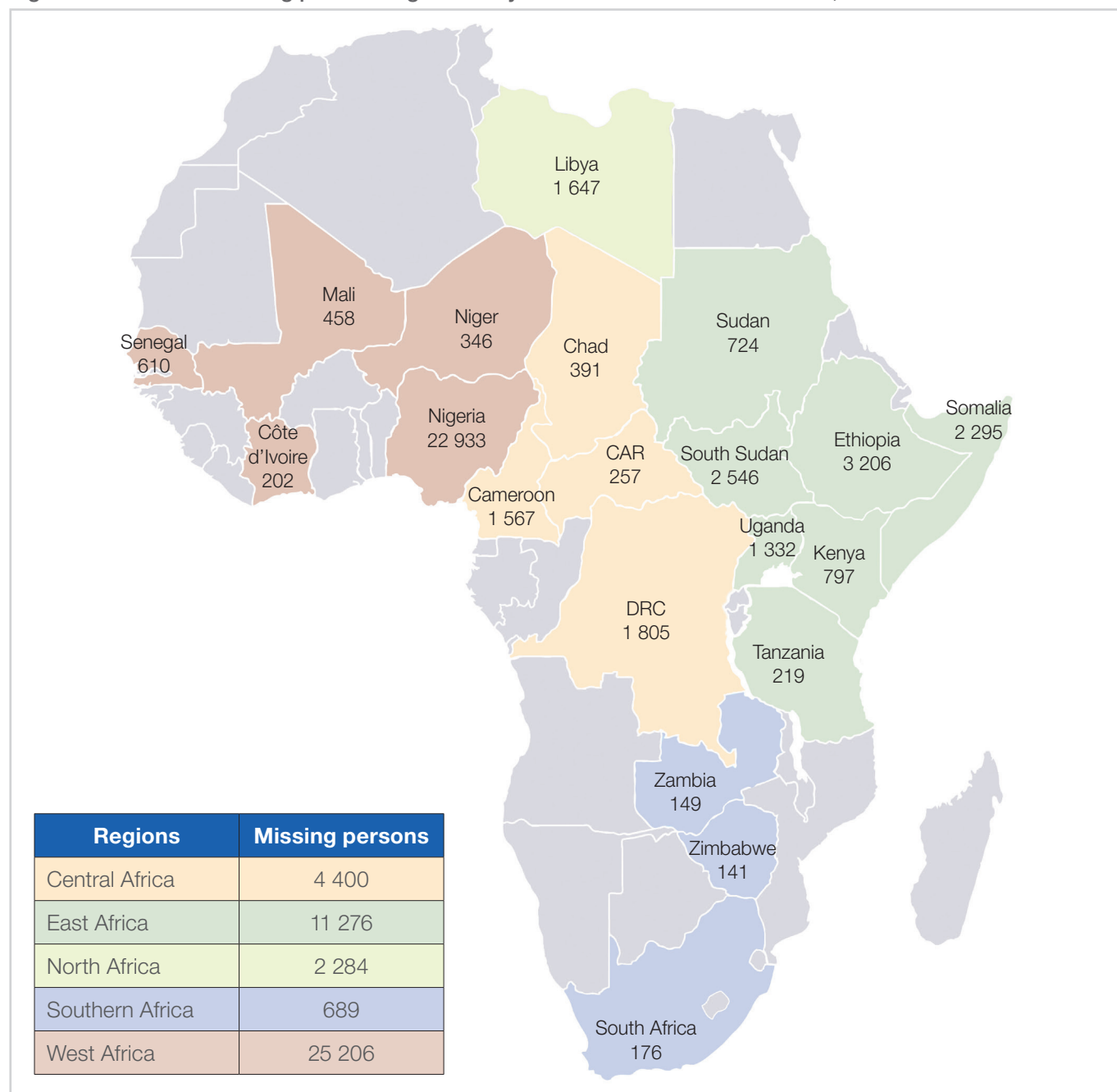
2.2 million

PEOPLE FROM SOUTH SUDAN
HAVE SOUGHT REFUGE
ACROSS BORDERS

Figure 1 displays regional trends based on cases of missing persons collected by the ICRC. Southern Africa is specifically concerned with migration routes from within the region and from the Horn of Africa. Central Africa figures reflect past crises such as Burundi in 2015 and continuing armed conflict and OSV in the DRC, Cameroon and the Central African Republic (CAR). The DRC and the CAR also bear the consequences of conflicts in neighbouring countries.

East Africa shows how conflicts in South Sudan, Somalia and Sudan have affected Kenya, Uganda and Tanzania. Ethiopia adds not only cases due to the past armed conflict, but also those of migrants finding themselves at a crossroads of migration routes heading north, south, west and east. West Africa accumulates people fleeing crises in the Lake Chad Basin and Sahel, as well as past situations of violence, as in Côte d'Ivoire. The region is also home to migrants leaving for North

Figure 1: Number of missing persons registered by the ICRC in selected countries, 30 June 2020



Source: ICRC 2020

Africa. That region is affected by migration dynamics and past and current situations of conflict and OSV, for example in Libya.⁹

Who goes missing?

Anyone can go missing. In some circumstances, men and boys are more likely to do so, because of the possibility of getting involved in the fighting, being abducted, recruited to fight, or arrested and detained in relation to conflicts and OSV. Men make up more than 61% of the missing persons the ICRC is searching for in Africa. More than 83% of persons sought by families in Cameroon, 59% in Nigeria and 60% in South Sudan are men.¹⁰ In Uganda, 90% of the persons reported missing by families interviewed in 2012 were male, some of them just boys.

Children can be caught up in conflicts in multiple ways. They can be separated from their families when fleeing clashes or attacks. They can be easy targets for recruitment by parties to the conflict, leaving their relatives without any news of their whereabouts. They are often reported as missing by their family.

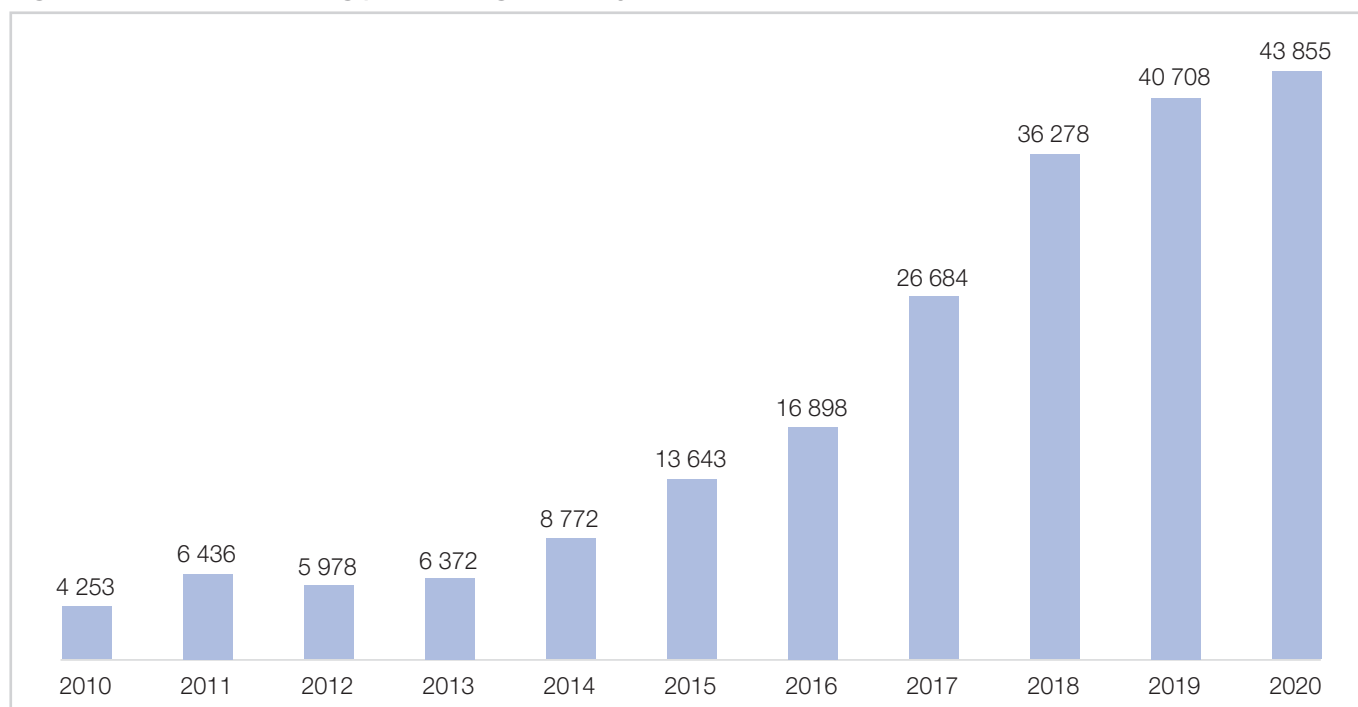
More than 45% of missing persons documented by the ICRC in Africa are below 18 years old.¹¹ Children account for more than 57% of missing persons in Nigeria, 53%

in Somalia, 42% in Ethiopia, 33% in Uganda, 28% in South Sudan and 27% in Cameroon. Among the 16 800 women searched for by their families in Africa, 60% were girls younger than 18 years old. Girls account for a quarter or more of missing cases in Nigeria, Somalia, Uganda and in Ethiopia.¹²

Among the 16 800 women searched for by their families in Africa, 60% were girls younger than 18 years old

The number of missing persons registered by the ICRC with families in Africa has increased significantly over the past decade (Figure 2). Many factors explain the constant and dramatic rise over the last five years. On one hand, the ICRC has increased access to families and has stepped up its activities accordingly. Cases of missing persons are being documented more systematically in a growing number of countries. This is in addition to those of missing children and other vulnerable people, such as the elderly. On the other hand, the significant rise in conflicts conversely increases the likelihood of people going missing.

Figure 2: Number of missing persons registered by the ICRC in Africa



Source: ICRC 2020

The ICRC's figures are not exhaustive and represent only a small fraction of all missing persons in Africa. However, contexts in which the ICRC has registered high numbers of missing persons are often affected by severe conflict dynamics. The Lake Chad basin is an example. In Africa, more than half of the people still unaccounted for as of June 2020 were documented in Nigeria, while more than 1 500 persons were registered as missing in Cameroon.

Why people go missing

There are various reasons why people go missing. These include, but are not limited to, armed conflict and OSV as well as in the context of migration.

Armed conflict and other situations of violence

There continues to be a high number of armed conflicts and OSV in Africa. According to the Institute for Security Studies (ISS), between 2018 and 2019, there was a 36% increase in incidents of armed conflict reported on the continent.¹³ Between 2011 and 2017, the number of internal armed conflicts increased by 50%. As a result, Africa now has the highest number of internal armed conflicts worldwide, according to Bakken and Rustad.¹⁴

The humanitarian consequences of an armed conflict or OSV, either recent or not, affect people similarly. Some people die, others are injured or get sick. There is often an overwhelming focus in the news on the number of dead and those forcibly displaced, both within and outside their countries. Attention is also placed on visible humanitarian responses provided to people in need. The tragedy of loved ones who become separated as a result of these situations is often forgotten.

One of the tragic consequences of armed conflicts and OSV is that people flee to protect their lives and those of their relatives. They also flee because infrastructure has been destroyed and there is a lack of basic services and little opportunity for a livelihood. In such cases, families are at risk of being separated. They lose contact and relatives go missing.

At the end of 2019, Africa alone recorded 19.7 million internally displaced people because of conflict and OSV, with 4.8 million of these displaced in 2019 alone.¹⁵ More than 75% of those internally displaced globally are found in 10 countries, including five in Africa: the DRC, Ethiopia, Nigeria, Somalia and Sudan.¹⁶ The trend is similar for

people moving across their countries' borders. Sudan, South Sudan, Somalia, the CAR and the DRC are among the top 10 refugee-producing states.¹⁷

I was at home when an attack took place in another village. Some of my family members got killed, while others ran away. My nephew was with those who ran away, but to an unknown place. Since then, the contact with him has been completely lost.¹⁸

Conflict and OSV can also result in people being arrested or detained. In such circumstances, they might also be at risk of going missing as it might not be possible for their families to know what happened, who arrested them, or where they are being detained. The person arrested or detained might be left without the means or the possibility of informing their family of their whereabouts. People can also be captured by armed groups or go missing following attacks on their towns, villages, and communities.¹⁹

The tragedy of loved ones who become separated as a result of armed conflict and violence is often forgotten

Humanitarian consequences caused by armed conflicts are often aggravated when a conflict is protracted. In Africa, the ICRC fears that 'conflicts last and they don't stop. And more are added'.²⁰ Protracted conflicts are not new in Africa. For instance, people in Nigeria,²¹ Libya,²² South Sudan,²³ Somalia²⁴ and the DRC have borne the brunt of years of violence.

The longevity of one main conflict or a series of different ones over the same territory and its complex dynamics, affect thousands of families.²⁵ The cumulative impact of degraded infrastructure, services and living conditions affect human dignity. It also exacerbates the fragility of essential social, economic and environmental systems for people's survival.²⁶

The consequences of conflict can become deeply rooted, impacting people, communities and countries, in part or in whole. The number of people going

missing can also be affected. The ability to search for missing persons and provide answers on their fate and whereabouts is hindered and can aggravate the situation of the families of the missing.

For example, half of the families interviewed in Nigeria in 2018 reported their relatives went missing in 2014–2015. Close to 60% of the cases registered by the ICRC in South Sudan concern people going missing between 2013 and 2016. Families in Libya reported missing relatives from the late 1970s until the present day. Some families caught in the 1998–2000 Ethiopian-Eritrean conflict are still waiting to hear about their relatives, while families interviewed in Uganda reported persons going missing from 1986 until 2006.

It is not uncommon that difficulties in accessing places, remote areas and poor management of the dead following clashes lead those involved in the fighting as well as civilians to go missing. Factors that contribute to the increase in the number of missing persons include bodies that are left unidentified on the battlefield, uncollected bodies, or those that are degraded.

In attempts to seek safety or better prospects elsewhere, people may flee across multiple borders, which further exacerbates the risk of going missing. In effect, families are often left with no information to use in the search for their missing relatives. Families of people who have been arrested or detained might face a similar situation as they may lack information about where their missing relatives have been taken, and consequently, where to start searching.

We did not know where to search. And with empty hands we cannot search.²⁷

Families may lack access to places where their missing relatives might be. They may have returned home, might be displaced in a camp in another part of the country or might have crossed the border in places that might be unreachable for their family. Often, places of detention are not physically accessible to families. People might not have any point of contact for information, or access to that information. They might also not feel confident enough to approach those who could provide them with information or an answer to their query.

People fleeing often lose their means of communication.²⁸ Phones become unusable if batteries are empty or the networks are poor or unavailable, especially if people have crossed borders. In addition, many often do not keep physical records of their relatives' contact numbers, as these are stored in the phones they might have lost when fleeing.

People in Nigeria, Libya, South Sudan, Somalia and DRC have borne the brunt of years of violence

The lack of documents can also impede families' searches for their relatives and contribute to increased numbers of people going missing. Often people do not have the requisite identity documents to travel or visit places of detention. The absence of a unified register of citizens, birth certificates and incomplete or lack of records of members of armed forces or detainees, make the issue even more acute.

People risk losing contacts in the context of migration

Over the past few years, there's been a bigger spotlight on migration, with a focus on missing migrants in Africa. More attention has been placed on the routes that ultimately cross the Mediterranean, starting from West and East African countries and ending in Europe. Other migratory routes, like that from the Horn of Africa to the west and south of the continent, or to Gulf countries, have attracted less attention but are no less important.²⁹ The latter is the main route out of Ethiopia; more than 90% of migrants arriving in Yemen are Ethiopians, crossing through Djibouti or Somalia, often intending to reach Saudi Arabia.³⁰

The issue of missing migrants is complex, touching many families across the continent. People migrate alone or with their family for various reasons. They flee conflict and OSV to seek better economic or life prospects for themselves and their families. The risk for migrants of losing contact with their families and going missing, and for families to lose contact with their relatives who have migrated, is significant throughout their journeys.

As of July 2020, the ICRC has recorded tracing requests from African families from 41 countries who are looking for over 6 000 relatives who went missing during migration, in Africa or in Europe. About 80% of those missing migrants originate from 11 countries.³¹ Nearly half of the relatives sought by their families are women, while more than 28% of those missing migrants are children.³²

The International Organisation for Migration (IOM), through its Missing Migrants Project, has recorded over 33 000 missing persons, defined as those who have died or are presumed to have died on migration routes globally since 2014. For Africa, they record over 7 000 deaths. The actual number is probably much higher, as not all deaths are reported.

Families' search strategies depend on the pathways available to them, and cultural and religious habits

The likelihood of people going missing increases when multiple borders are crossed. This is compounded by the many people missing at sea and on land after attempting journeys made more dangerous by the increased securitisation of migration in and out of Africa.³³ In this regard, migrants might increasingly take greater risks to avoid measures put in place by authorities to deter migration.³⁴ They travel along more perilous routes, not always those planned, often at the hands of smugglers and traffickers.³⁵ Migrants might also be arrested and detained without access to the outside world or the possibility of informing their families.³⁶

Very few migrants are aware of the risk of losing family contact. Migrants interviewed after their arrival in Europe, originating from 18 African countries, explained that they were unprepared for that eventuality. Very few had taken precautionary measures in case they lost their phones. Several had lost their devices on the road, had them taken, or had left without any.³⁷

Families are at times aware of the decision their relatives have taken to leave but might lose contact with them at some point during their trip.³⁸ When contact is lost, migrants are often not able to access the necessary services to re-connect with their families, increasing their risk of becoming missing.

Many migrants do not maintain contact with their relatives throughout their journeys. This lengthens the time since they last shared information with their families. For some, the time that has lapsed since their last contact with relatives is over two years. This makes it more difficult when they want to make contact, as they might no longer remember the phone number of their family back home.³⁹ It is also possible that there were no means of communication available when they left, further complicating the possibility of reaching out to their families at home.⁴⁰

In some circumstances, migrants might not want to be in touch with their families until their situation improves or is regularised, so they can offer assistance. This is often because of guilt or pressure from their families, pride or shame, or the fear of being rejected. They might also want to protect themselves from challenging family situations, or not expose their families to investigations or problems with authorities. Migrants might also want to protect themselves from the authorities in their countries of origin, or from traffickers.⁴¹

Not all missing migrants are deceased. Decades of separation between relatives bear testimony to this, as is the case of Samson and Sampinya in Zimbabwe.⁴² Nevertheless, shipwrecks in the Mediterranean and off the Atlantic coast, deaths in the Sahara or on the migration trail in Southern Africa have been documented extensively in the media and by international organisations.⁴³ Many bodies are not recovered, some are retrieved and buried without identification. Others are autopsied but their relatives' details are unavailable, making it impossible to identify them.

Families of the missing suffer in many ways

Behind every missing person, there is a family. Some of the problems faced by families in Africa with missing relatives might be similar to those experienced by families in other continents. Other challenges might be specific to a country or a continent. For years, the ICRC has documented its difficulties in various contexts by speaking with families to better understand how this situation affects them.

Problems relate to the search process, their economic situation, their mental health and psychosocial difficulties, legal and administrative challenges, and their thoughts

about justice, reparation and an acknowledgement of their situation. The extent to which families are confronted with these problems depends on the context in which they live, their personal situation, and the circumstances in which their relatives went missing.

Knowing the fate and whereabouts of missing persons

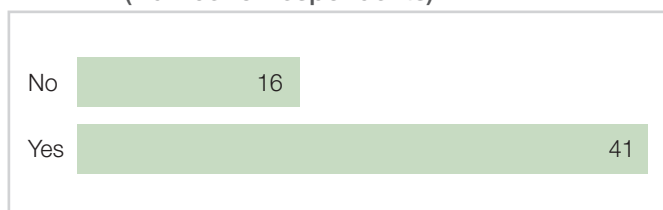
To know what happened to their relatives and where they are is a universal need of families of missing persons. Family needs assessments conducted by the ICRC in Africa reflect this. For 86% of families in Senegal, knowing the fate and whereabouts of their relatives was the most important need. This was the same for 70% of families in Nigeria and the majority of families in Cameroon.

The most difficult is to live without news about my son. I often think about what happened to him, what has become of him. Every night I think of him and I cry.⁴⁴

Families often continue to search for their relatives for years or decades after they go missing. Between 72% and 92% of families in Cameroon, Senegal, Libya and Nigeria said they actively searched for their relatives after they went missing.

The fact that I do not know the whereabouts of my son is the greatest difficulty for me.⁴⁵

Figure 3: Did you search for your missing family member? Cameroon (Number of respondents)



In Senegal and Nigeria, 42% and 70% of families respectively continued looking for news, after an average

of four years since their relatives went missing for families in Nigeria. In Libya, 52% of families with missing members were still actively searching for them in 2013, while some families in Ethiopia were trying to track down missing relatives more than 12 years after they last had information on them.

I would swim to the end of the sea, if there I can find the truth.⁴⁶

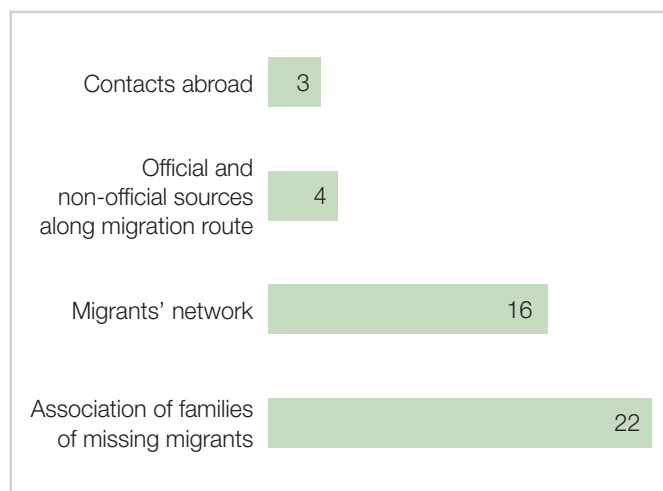
We are certain our son is not dead, and we will not give up. We will do everything possible to continue searching for him.⁴⁷

Search strategies applied by families depend on the contexts and pathways available to them, as well as cultural and religious habits. For example, in Nigeria, more than half of the families of missing persons searched for their relatives in camps for internally displaced persons or host communities. Around 26% of families say they turned to religious leaders for information. Children explained that they travelled to various places where they thought their missing relatives might be or to try to obtain information. They also relied on their social networks, organisations or advice from other people.⁴⁸

This was also the case in Libya, where families tried to find information in places of detention, hospitals, morgues or cemeteries. In addition, 21% of families approached relevant authorities dealing with missing persons, 12% tried to seek information from their friends and colleagues, and 9% sought the help of their community leaders.

In Senegal, families who searched for their missing relatives turned to various contacts (Figure 4). Most families in Cameroon tried to look for information in places where their relatives might be detained. They also turned to community actors, like *blamas* (traditional leaders) and religious leaders including *imams* and *marabouts*, for help. In Ethiopia, families sought information from local authorities or enquired with persons coming from Eritrea.

**Figure 4: Who did you contact to search for missing relatives? Senegal
(Number of respondents)**



The search for information unfortunately often remains unsuccessful. This was the case in Libya, for example. Although families reported that they tried searching for information with various governmental, national and international organisations, their efforts did not always bear fruit. Very little information was reportedly received or was considered useful by families in Nigeria. Information coming from host communities, internally displaced persons camps, traditional healers and fortune tellers was found to be the most useful.

Families can experience various challenges when they start searching for missing relatives. For 42% of families in Senegal, the main frustration was the money spent on the search. This was followed by their dissatisfaction with the services provided by authorities, the lack of information and, for some, the fear of searching for relatives who moved through irregular channels.

Families in Nigeria faced similar problems. Between a third and a quarter of families, depending on whom they approached, reported that they were asked to pay money, did not feel comfortable asking for or providing information, and received little assistance. Apart from the costs incurred, about a quarter of the families interviewed in Cameroon reported difficulties which partially or completely limited their ability to search for their missing relatives. They listed the lack of resources, information and people to turn to for help as their main constraints.

These impediments might also explain why some families did not look for their loved ones or stopped searching. In Nigeria, 22% of the families stopped searching because they had exhausted all the means at their disposal and felt tired after several years of trying. Some said they were discouraged by the community from pursuing their search. Families in South Sudan believed that when peace returned to the country, many people would too, including their loved ones.⁴⁹

In Senegal, half of the families that did not actively search for their relatives reported not being able to do so. At least 39% cited a lack of information, 7% were told not to or advised against searching, while 4% reported being scared. Only 13% of families in Libya did not actively search for missing relatives. In addition to the reasons already mentioned in other contexts, some families were sure their relatives were dead and did not know how and where to search for their remains.

The attitudes of families towards the fate of missing relatives varies from one family to another. It depends on the circumstances in which their members went missing, the time that elapsed since the last news on their loved one, and cultural and religious norms.

I have hope with every morning and with every new sunrise, I imagine him coming, I prepare his favourite meal every day in case he came back home suddenly.⁵⁰

In Senegal, 31% of the families thought their relatives were still alive, as did 58% in Nigeria. In Libya, 24% refused to believe their loved ones had demised. Most of the Senegalese families thought, based on rumours, that their relatives might be detained somewhere. One family believed they had recognised their missing relative in a 2006 TV report showing people disembarking on European shores. They also held onto the assurances of *marabouts* that their relative was still alive.

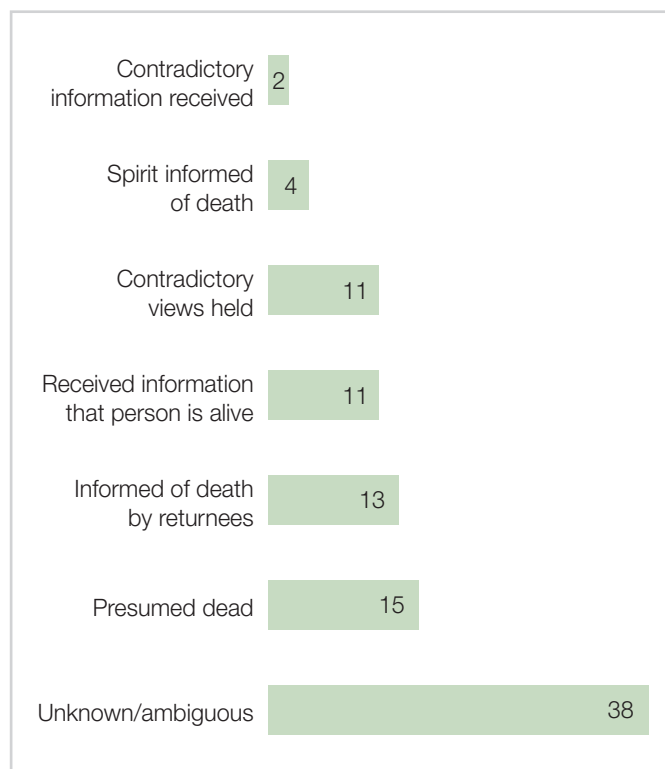
In Nigeria, some families relied on hope and rumours, since they had no proof of death. But others believed their loved ones were dead. In Senegal, 39% were convinced their relatives had died based on what they considered trustworthy testimonies, while 31% of families in Libya felt death had been the only possible outcome.

In Uganda, some families relied on information from those who had witnessed or had been informed of the death of the missing person to reach such a conclusion. The time that had passed also led some families to believe their missing members were most likely dead.

It's been three years already, I really don't know what to think of it. I don't want to lose hope, but at the same time I need to be realistic ... I really don't know.⁵¹

There are also many families that remain unsure about the fate of their relatives. Almost a third of Senegalese families were in doubt: 37% of them believed they might be dead, 29% thought they might still be alive, while 34% did not want to answer. Opinions varied in Nigeria among the 38% of families who expressed their doubt. Some cited the lack of proof of death, others were remaining hopeful, and some were counting on rumours. Similarly, some Ugandan families received conflicting information, increasing their feeling of uncertainty (Figure 5).

Figure 5: Fate of the missing persons as perceived by families, Uganda (Number of respondents)

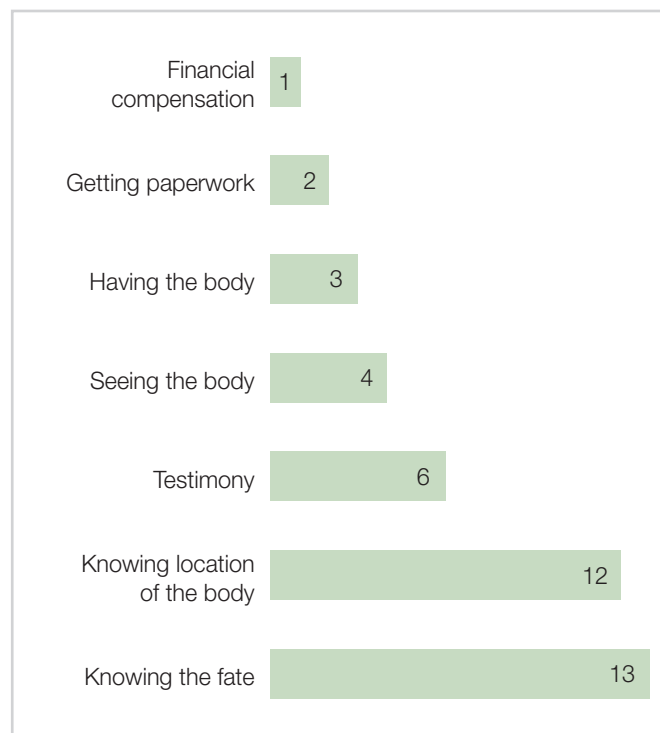


I always think – is he alive or dead? Since it is many years, and there is no report about him, maybe he is dead; but again, one hears of those taking many years to return – maybe he will too.⁵²

The families also had different attitudes towards their expectations in the event their missing relatives turned out to be deceased. Out of the Senegalese families, 45% indicated that they would just like to know where the remains are, 23% said they would wish to see the body, and 15% said that a trustworthy testimony would be enough to accept the fate and whereabouts of their missing relatives.

Nigerian families were split between those who thought it important to identify the grave or location, and others who did not. In addition, most of the families felt that it was not important to bring the body back home if it was buried. Other families shared that a confirmation of death would be enough to move on with their lives, while a few considered seeing the body as proof of death (Figure 6).

Figure 6: What would be an appropriate response concerning the fate of missing relatives, according to families? Nigeria (Number of respondents)



I just want to be certain that he is dead to be able to continue my life. No need for getting the body back or knowing where he is buried.⁵³

In Libya, the remains of relatives being returned home was considered a priority for more than half the families. This was to ensure they could give them a proper burial according to their religious beliefs. Should it not be possible, 13% said that as an alternative option, they would need to know where their relatives were buried and would want to be able to access the place of burial safely. More than 80% of families in Ethiopia said that being in possession of the body of a deceased loved one would prove the death and allow them to put their minds at rest. The importance of funerals and a clear explanation about why their relative went missing also came into play.

Economic difficulties

We are 20 people at home. Before my son left, there were two of us to bear the household expenses. Since his departure, the family's income has dropped considerably. I can no longer provide daily meals and cover other family needs with my small business.⁵⁴

Many families of missing persons experience economic and financial hardships related to the loss of their relatives. This also came out during the assessments undertaken in Africa. Indeed, 63% of the families in Ethiopia, 67% in Libya, 68% in Nigeria and up to 92% and 93% of the families in Senegal and Cameroon respectively, stated that their relatives having gone missing had resulted in a loss of income.

Although the families in Senegal were not among the poorest within their communities at the time that their loved ones left home, their relative's absence had negatively impacted their financial situation. In Cameroon, 95% of the families had experienced a similar situation.

In 61% of the families in Libya, the missing relative, often a man, had contributed to the household income or was the main breadwinner. This was also the case in

more than 65% of the families in Ethiopia, 73% in Nigeria and 74% of them in Cameroon. Families in Nigeria also opined that their financial situation is likely to be affected in the long term due to missing relatives no longer being able to contribute to the household income or budget.

The missing person used to help me in trading and in farming. Now, those activities have been reduced, thus less income, as the missing person is no longer there to help.⁵⁵

Even in situations when the missing person was not the breadwinner, the sudden lack of financial support that they had previously provided often impacts their families. In Libya, for example, missing persons had helped take care of medical treatment bills, the expenses of siblings and had provided money to their mothers in 28% of the families. Similarly, extended family members in 14% of the respondents in Cameroon had been financially supported by the missing relative. Furthermore 32% of the families explained that they had to take care of the spouses or children of the missing person, which increased expenses for food, health and education.

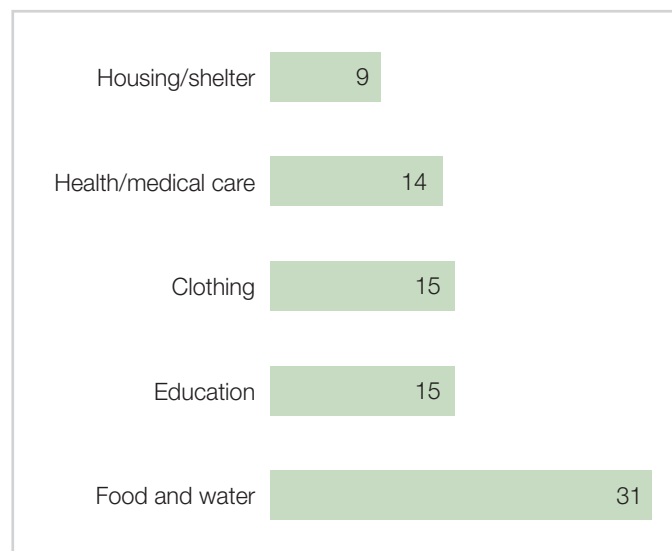
In some instances, families are unable to access and use the belongings and properties of their missing relative. In Nigeria and Cameroon, this is a problem faced by some families that have been internally displaced and have missing family members.

I know that my brothers love me a lot, but now every time they see me they know I am here to borrow money. I hate that feeling because I know that they have their responsibilities.⁵⁶

As suggested in Figure 7, the cost of searching for missing relatives also affects families financially. For example, expenses related to the search were reported to be the main financial problem for 16% of the families in Libya. Some spent significant amounts on travel, accommodation, and to pay traditional healers and fortune tellers for information. Time spent looking for family members also affected their ability to work and earn an income. Children interviewed in Nigeria said

they worked on farms owned by others to earn money or used part of a grant from a livelihood project to search for their parents.

Figure 7: Type of support needed by families, Nigeria (Number of respondents)



In order to go and travel to search for the missing person, I had to take some money from relatives, and it was a struggle to give it back.⁵⁷

For 89% of the families in Senegal, their income at the time of the interview was not enough to cover their basic needs, although many had petty jobs (36%), engaged in farming (22%) or received some support from their relatives (12%). Consequently, families resorted to negative coping mechanisms. Many reduced the number of daily meals, their consumption of basic services such as electricity and water, or even cancelled them altogether.

Up to 66% of families in Nigeria skipped some meals to make ends meet, while 10% skipped one meal a day. In Cameroon, 70% of families interviewed resorted to similar measures. Some relied on their children to earn an income, resulting in one or more of their children being removed from school. These families also spent less on healthcare.

Other families were indebted in money or in-kind. Such was the situation for 64% of the families in Cameroon,

67% in Senegal and 74% in Nigeria. Families borrowed money to pay the rent, invest in their small business, buy clothes for Ramadan, search for their relatives, or just to make ends meet.

Mental health and psychosocial issues

The reasons for their relatives going missing and the time elapsed since the last news, affect families differently. Nevertheless, many experienced similar problems personally, in their relationships within their families and within their communities.

In the months following their family members going missing, families in Senegal, Nigeria and Cameroon reported having experienced disturbing thoughts, trouble sleeping, nightmares and problems with concentration. They also had anxiety, together with signs of mood disorders including a loss of appetite, sadness, and feeling lonely. The latter two issues persisted at the time of the interviews in Senegal. Families in Nigeria experienced feelings related to everyday thoughts about their missing relatives, searching for information about their loved ones and remembering upsetting events.

In Cameroon, 21% of families expressed feelings of anxiety and stress related to not knowing where their relative was; 80% of them saw a clear correlation between their feelings and the absence of a loved one. In Uganda, 56% of families talked about *cwer cwiny*, or 'bleeding heart,' to describe their suffering, 38% expressed being worried, while 20% mentioned *two tam* or 'sickness of thoughts'.⁵⁸

To see my grandson reminds me of the absence of my son.⁵⁹

In Senegal, wives and mothers of missing persons have also experienced strong feelings of guilt. They blame themselves for having pushed, supported and contributed to the departure of their husbands or sons.

If I cry today it is because it is my fault that he left. I pushed him to leave, he was newly married and had no children.⁶⁰

Not knowing whether one's relative is alive or dead can prove an excruciating experience for families of missing persons. It can leave them susceptible to a range of mental health and psychosocial difficulties.⁶¹ The lack of clarity about the missing person being absent or present, dead or alive, results in an 'ambiguous loss', according to Pauline Boss. She considers this type of loss as the most stressful type, as there is no proof of finality.⁶² In Ethiopia, more than 40% of families said they alternated between the hope that their loved ones were alive and the fear they might be dead.

Where death is known the community will support you, you are not the first person to lose someone; you must move on and feel somewhat relieved. Where you don't know, it keeps haunting you when you have thoughts about the person; it continues, never ending.⁶³

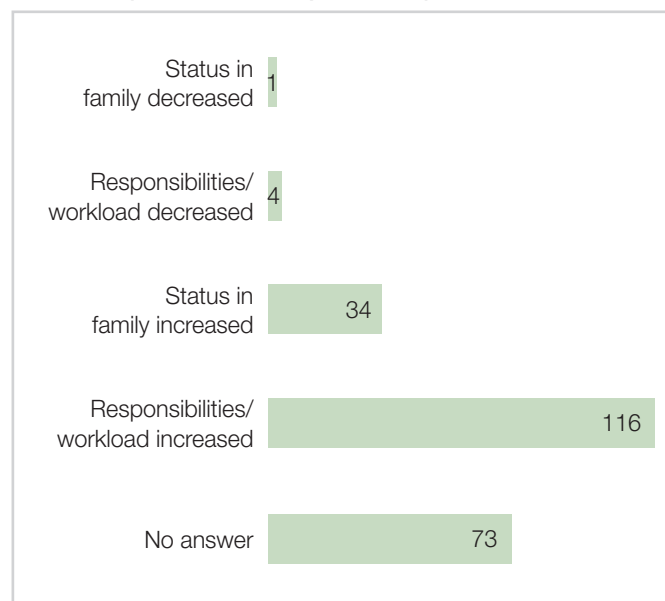
If we were certain they were dead, it would be easier for us. For God, in his mercy, relieves the suffering of those who have lost someone. But we are condemned to suffering because we live in doubt.⁶⁴

Other health problems often add to mental health issues. In Senegal, 62% of families said they suffered physical health problems after their relatives went missing, while 82% of families in Nigeria explained that these problems started immediately after the loss of contact with their family member. The most recurrent symptoms included breathing problems, headaches, heart palpitations and chest pains.

Most families shared that being a relative of a missing person affected their daily life. Some of the participants in Senegal as well as 46% of those in Nigeria found it difficult to carry on their daily household activities, focus or hold a conversation. Although this improved with time, 70% of interviewees in Senegal said other family members faced similar problems. More than half of the families in Cameroon believed their emotions affected their daily functioning. These included a lack

of motivation to work and run daily errands, or the avoidance of social interactions. Many people also battled with their identities and had to deal with changes to their roles within their families (Figure 8).

Figure 8: Perception of role within the family, Senegal (Number of respondents)



Wives and younger brothers in Uganda found themselves in the same predicament. Some women no longer knew whether they were wives or widows. In Senegal, the dissolution of marriages was perceived as the best option for social harmony and financial reasons.

Family members do not always share the same opinion about the fate and whereabouts of their missing relatives, as was the case among 24% of the families interviewed in Nigeria. Although this could be a source of conflict, it was not felt as such by families in Cameroon, while there was very little experience of it by those interviewed in Nigeria. On the contrary, 70% of families in Cameroon said relationships had not changed or had improved and they felt supported. However, where in-laws were involved, the situation was more complicated, according to 20% of participants. Wives of missing persons in South Sudan also shared similar problems.

I am divided between my hope and my parents' loss of hope.⁶⁵

Whenever I meet our father, I don't bring up the subject of the missing person because he won't function anymore. The missing person was everything to the father. His other son had to move back near him to support him economically and psychologically.⁶⁶

Families experienced an array of situations within their communities following the departure of their family members. Almost two-thirds of families in Nigeria reported that they did not feel ashamed or afraid of having a missing relative.

All the community cries together and understands each other.⁶⁷

However, 36% of families in Uganda reported stigma, and 26% of those in Nigeria noticed discrimination. This was not the case in Ethiopia or Cameroon for a large majority of the families. Marginalisation, exclusion, land disputes, grabbing or encroaching of property, perceived political affiliation, as well as the perception regarding the role and status of women were other problems highlighted by families. The roles and responsibilities of women who had missing relatives were particularly acute in communities in Senegal, as well as questions of morality and honour, also felt in South Sudan and Nigeria.

Freeing women is a way for us to do something right. If we let her go back to her parents, it's to make her comfortable.⁶⁸

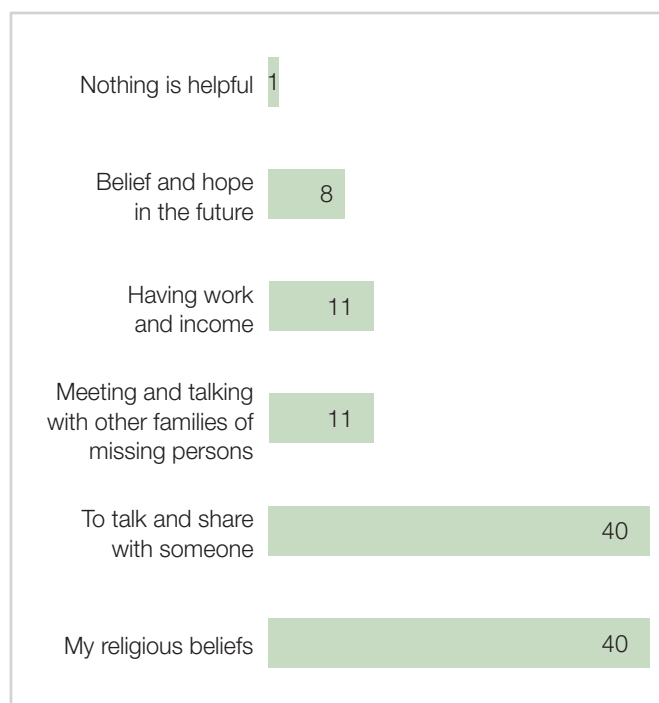
Families who lost children could also be stigmatised as having less valuable roles in communities, while some felt pressure from others to 'move on'.

Because I don't have children I am considered useless and not allowed to contribute to community gatherings.⁶⁹

Most families in Senegal indicated that they had turned to religion and had shared their tribulations with others to unburden themselves. More than 90% found great comfort in saying prayers for their missing relatives. There was also a difference in Senegal between families who could rely on a families' association and those who could not. Families in Uganda listed relatives, friends and neighbours as those they confided in and sought support from.

Families in Nigeria listed the following positive coping mechanisms: being able to talk with relatives, friends and their communities; taking part in cultural and religious rituals; being able to relate to other families of missing persons; and talking with specialists, such as doctors or psychologists. About 90% of the families said they felt better after religious and social activities or events, like prayers, weddings, child births or naming ceremonies (Figure 9).

Figure 9: Families' opinions on what makes them feel better, Nigeria (Number of respondents)



Similarly, 55% of families in Cameroon felt relieved when talking with relatives, friends or neighbours. All but 4% of these said their conversations centred around their missing relatives or their situation as a result, among

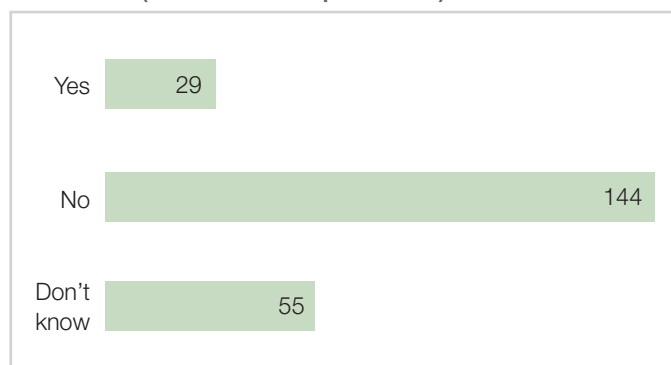
others. About 75% of this group revealed they talked with other families of missing persons in their communities, while 70% chose to pray and leave their situation to God.

Talking to other women in the same situation is helpful. It soothes, frees me and clears my mind.⁷⁰

Acknowledging and remembering the missing person

ICRC's experience globally shows that families of missing persons often report their situations have not been properly recognised by authorities. This was also the case in Senegal, where 63% of families expressed that feeling during the assessment (Figure 10). In Nigeria, 65% of families thought authorities were not aware of their situation and the challenges they faced and had not approached them to understand their circumstances and provide the necessary support. A similar opinion was shared by 77% of the families in Libya. In Cameroon, 86% of families had not been approached by anyone in relation to their situation.

Figure 10: Has your situation been acknowledged by authorities? Senegal (Number of respondents)



Families in Uganda welcomed the idea of a list of missing persons as a form of acknowledgement which could trigger assistance. Senegalese families wanted authorities to invest in the search for missing persons, especially through their diplomatic missions in countries along migration routes. Up to 88% of families in Nigeria wanted authorities to register their missing relatives, to search for them, and to acknowledge their situation.

The authorities should register the missing persons for remembrance, for them not to be forgotten.⁷¹

Three-quarters of the families in Senegal considered it important to have a memorial or a place where missing persons could be remembered. In Libya, 36% of families understood justice as knowing the fate and whereabouts of their missing relatives. In Nigeria, 64% of families expressed similar opinions, while 18% of them also felt families should be recognised as victims.

Legal and administrative difficulties

The lack of clear domestic legislation pertaining to the status of missing persons or the possibility of declaring a relative missing, administrative problems regarding property and inheritance, as well as divorce, remarriage and the custody of children are common challenges for families once one of their own goes missing.

In many countries, domestic legislation does not provide any status for missing persons. It is therefore difficult for families to get their relatives recognised as missing and enable them to receive support. Seeking a death certificate is often the only option available in order to access property, an inheritance and other assets, or to change a marital status. It puts families in a difficult position, as they are often unwilling to declare their relatives dead or might feel guilty if they do so.

Almost all families in Libya refused to seek declarations of death and obtain death certificates as they still held on to the hope that their relatives were alive, while 85% had no information or did not know who they could turn to for help with legal or administrative problems. Only 4% of the families in Nigeria answered positively when asked if they knew about benefits available to and rights of families of missing persons.

Even when domestic legislation does provide for declarations of absence, families are often not aware of it. In Senegal, where there is such a provision, nine out of 10 families interviewed had never tried to register the absence of their relatives. Some 65% of them mentioned the lack of information on how to go about seeking a declaration of absence and the perceived benefits of getting such a document. Another 30% shared daily

problems as well as their lack of capacity and resources to start such administrative processes.

A lack of relevant domestic legislation or information about it when it does exist often means affected families pursue traditional and religious avenues in a bid to resolve their problems. The latter indeed often play a bigger role than the formal administrative and legal framework. This might explain why most families in Cameroon and Nigeria did not mention any problems in that respect. The situation was similar in Uganda, where issues would be addressed by local and traditional institutions, and with very limited engagement with the state.

Legal and administrative challenges faced included the management of the assets left behind by missing persons for 19% of families interviewed in Senegal. In Libya, 44% of families reported problems accessing pending salaries of their missing relatives, because the employer requested they provide proof of death.

In Senegal, 9 out of 10 families had never tried to register the absence of their relatives

Issues often arose regarding marriage, divorce and custody of the children. For example, most women do not have a marriage certificate in South Sudan as marriages are conducted under customary law and certificates are not issued. Women also felt prohibited to re-marry, under pressure to return to live with their siblings or feared losing their children to their in-laws if they decided to re-marry.⁷²

In Senegal, weddings are also largely traditional and religious. Although the validity of these marriages is recognised in Senegalese law, many of them entered into by migrants prior to their going missing were not sealed in the civil registry. As divorces must be pronounced by a judge, the lack of marriage certificates can complicate matters, especially when there are disputes. This can prove difficult should a family want to seek benefits and solve administrative problems.

In Cameroon, families resorted to consulting traditional and religious leaders, but it is not clear yet whether this pragmatic approach was widespread. Up to 73% of

women in that country did not remarry, mainly because they have children.

What man would want a woman with children? It would be an additional charge.⁷³

Responses of authorities, the ICRC and other actors

Preventing people from going missing

The ICRC focuses not only on documenting cases and searching for missing persons, but also seeks to prevent people from going missing. Whether the cause of separation is due to armed conflict, OSV or in the context of migration, the RCRC family links network (FLN), present in countries throughout the region, supports separated families in re-establishing and maintaining family links.⁷⁴

More than 261 000 Red Cross messages (RCM) were exchanged between family members in 2019, including detainees and separated children.⁷⁵ Somalia, the DRC, Rwanda and Burundi accounted for 78% of those exchanges. Phone calls and video calls are also widely used, as they are more expedient than RCM and allow families to speak with their relatives. The ICRC facilitated close to 600 000 calls between family members in 2019.⁷⁶

Ensuring family links are restored and, whenever possible, maintained between those deprived of their liberty and their families is fundamental. It can help eliminate or reduce the possibility of loved ones going missing. More than 16 500 RCM were exchanged, and more than 5 400 oral messages facilitated between detainees and their families in 2019.

In addition to preserving family contacts, important safeguards such as the registration and notification of arrest and detention, access to lawyers and keeping a centralised registry of detainees by the detaining authorities can ensure those being held remain accounted for. This forms part of the work undertaken by the ICRC to support authorities' willingness and efforts to address these issues and fulfil their obligations regarding the preservation of contacts between persons deprived of their liberty and their families.⁷⁷

In 2019 at the 33rd International Conference of the RCRC, states, including in Africa, unanimously adopted the resolution on restoring family links, reaffirming the significance of protecting family links, the importance of data protection and the role of the RCRC.⁷⁸ The resolution also recalls states' obligations in relation to missing persons and highlights the importance of maintaining and restoring family links to prevent people from going missing and to protect the family links of separated families.⁷⁹

States are also called upon to make use of the services of their national societies in their role as auxiliaries to public authorities in the humanitarian field.⁸⁰ More than 80% of national authorities in Africa had already recognised the RFL activities as a humanitarian service.⁸¹ This is encouraging, especially when efforts are planned by national societies to strengthen coordination with authorities in several contexts, such as Nigeria, Ethiopia, Niger and Mali.⁸²

A national information bureau can help prevent people from going missing during armed conflict

The production and use of means of identification of members of armed forces or groups, including identification cards and discs, is also crucial to preventing persons from going missing. Under international humanitarian law (IHL), this also forms part of the obligations of parties to international armed conflicts. The ICRC encourages and supports armed forces to do so, through dialogue, dissemination and training workshops with relevant stakeholders.

Similarly, establishing a national information bureau (NIB) or analogous bodies, ideally in peacetime, can help prevent people from going missing during armed conflict.⁸³ Under IHL, parties to an international armed conflict are required to establish a NIB to receive and forward information on prisoners of war (PoWs) and protected persons who are in their power and to reply to enquiries concerning these persons.⁸⁴

Collecting, centralising and transmitting information on persons protected by IHL, like PoWs and civilian internees, who are in the hands of an adverse party, is an

essential preventive role of the NIB. The establishment of NIBs upon the outbreak of an armed conflict as a measure to prevent persons from going missing has been emphasised by the United Nations Security Council (UNSC) 2019 resolution 2474 on the question of missing persons in armed conflict.⁸⁵ This needs to be considered by states on the continent.⁸⁶

Under IHL, states and parties to armed conflicts also have the obligation to treat the dead in a respectful manner, to take all possible measures to search for, collect and evacuate the dead without adverse distinction. Furthermore, they are required to record all available information prior to burial and mark the location of the graves, with a view to identifying them, and to endeavour to facilitate the return of human remains upon request.⁸⁷ This will help to ensure deceased persons do not end up as unidentified and subsequently missing. International disaster response law also comprises several 'soft-law' instruments related to forensic activities and the management of the dead relevant to these situations.⁸⁸

Experts and practitioners exist in Africa, but resources and capacities vary greatly from one country to another. Ministries and departments responsible for disaster management, first responders and armed forces and other security personnel are increasingly interested in strengthening their ability to properly collect and manage the dead.⁸⁹ Through partnerships with a local organisation and a university, a three-week course on mass fatality management and forensic training has been available for experts at the Africa School for Humanitarian Forensic Action in Pretoria since 2016.⁹⁰

Beyond building their capacities, authorities are also encouraged to plan and strengthen coordination at local and national levels to be ready to respond to mass fatalities when armed conflicts or natural and man-made disasters occur. In 2019, South Sudanese authorities established the Advisory Steering Committee on the Management of the Dead to mobilise and coordinate the contributions of relevant ministries. This was to develop a mass fatality plan and ensure a professional and dignified response regarding the issue. It has also been directly involved in management of the dead operations following clashes. Similar endeavours are in progress in other countries, among them Niger, and should be continued.

Clarifying the fate and whereabouts of missing persons

The RCRC FLN searches for missing persons in various ways, depending on the circumstances in which people went missing, access to and availability of information, cultural and contextual particularities. It can take place where the sought person might be or where additional information could be obtained, for example in villages, with community or religious leaders, in places of detention or holding facilities, in refugee and internally displaced persons camps, in morgues and cemeteries.

Digital tools, like the Trace the Face website, are reaching out to people across the globe

Sharing transmissible information, in line with applicable data protection standards and respective mandates and working modalities, with relevant actors, including authorities are quintessential to the search.⁹¹ This is the case for example for unaccompanied and separated children and refugees, where the ICRC and NS coordinate their work with other stakeholders,

like the UN Children's Fund (UNICEF) and the UN Refugee Agency (UNHCR), and other non-governmental organisations.

Such efforts seek to ensure the needs related to family links are addressed as part of a wider protection response for children, refugees and asylum-seekers through field collaboration.⁹² This is especially the case in countries hosting internally displaced persons and refugees, for example the DRC, Uganda or Kenya.

The RCRC FLN employs various initiatives and methods to assist in the search for missing persons. For example, in South Sudan, the ICRC and the NS produced photo booklets of missing children to facilitate the search for their parents in refugee and IDP camps.⁹³ The use of radio has also been favoured in some contexts. The BBC Somali Service's *Missing Persons* programme broadcasts names of missing persons weekly to reach out to the Somali diaspora abroad.⁹⁴ In 2020, out of 150 families that had used the service in Somalia, 111 had restored contact with their missing relatives.

Digital tools, like the Trace the Face (TTF) website, which publishes photos of family members searching for their relatives on migration routes to Europe and Southern Africa, are reaching out to people across the globe.⁹⁵



Families looking for their loved ones in photo booklets in South Sudan (photo credit: ICRC)

Since the launch of TTF in 2013, and at the time of writing, 222 families had re-established contact.

In 2019, more than 3 600 cases of missing persons registered by the ICRC were positively solved in Africa. In the first half of 2020, the same outcome was achieved in over 1 800 cases, which represents an average of more than nine persons reconnecting with their families every day. These include cases solved by families themselves. Families may turn to the ICRC as they often lack avenues to pursue, the ability to engage with authorities or because they trust the ICRC and its global family links network.

Authorities need to strengthen their capacity to identify bodies in order to provide answers on the fate and whereabouts of missing relatives

Regular dialogue and coordination with authorities are crucial not only to access the affected population, but to also mobilise authorities to meet their obligations and offer appropriate technical advice and support. IHL and international human rights law (IHRL) recognise the families' right to know the fate and whereabouts of their missing relatives. They contain obligations for states on the search for the missing and the dead and the provision of information to their families on their fate and whereabouts.⁹⁶

Beyond the proper management of the dead, authorities also need to ensure they have capacity to identify bodies in order to return remains to families and provide answers to their questions. Strong and sustainable expertise and systems are therefore necessary. These include a unified register for the systematic management of dead persons at local and national level.⁹⁷

In this respect, developments are ongoing in several countries across the continent. Medico-legal experts in Tunisia are enhancing processes of standardisation and building their capacity to identify deceased unidentified migrants who perished in shipwrecks off their coasts.⁹⁸

South Sudanese authorities are also committed to improving their military hospital mortuary by seeking support for renovation, technical expertise and provision of equipment.⁹⁹

In South Africa, medico-legal experts from a mortuary have been collaborating with the ICRC since 2016, improving their identification practices and methods. They have been receiving information on missing migrants from their families in Zimbabwe and checking it against the post-mortem data on unidentified bodies in the mortuary.¹⁰⁰ The participation of an African Union (AU) representative at the African Society of Forensic Medicine conference in 2019 is another welcome step towards sensitising the AU to the efforts undertaken in various countries on the management and identification of the dead, and, the importance of these issues in relation to the missing in Africa.



INTERNATIONAL DAY OF
THE DISAPPEARED

Understanding, acknowledging and responding to families' needs

Addressing the need of families to receive information on the fate and whereabouts of their loved ones upholds their right to know and acknowledges their suffering. Recent commemoration events organised with the support of the ICRC in several countries on the occasion of the International Day of the Disappeared endeavoured to shed light on this issue in Africa – giving a face to the missing and a voice to their families.¹⁰¹

Progress still needs to be made in this regard, but there are efforts being made. South Sudanese authorities, for example, have shown an interest in addressing this humanitarian issue over the past few months, and as observed during their engagement in the commemoration events for the International Day of the Disappeared.¹⁰²

As described above, families experience other difficulties once relatives go missing. In cooperation with RCRC volunteers or families themselves, and with the support of concerned authorities, the ICRC strives to address the mental health and psychosocial challenges of the relatives of the missing through a holistic approach. It operates on the premise that families can be helped through empathetic relationships and mutual support.

The main objective of this method, referred to as 'accompaniment', is to strengthen the abilities of individuals and families to cope with the hardships brought on by loved ones going missing and to help them gradually regain social and emotional well-being.¹⁰³ This can be achieved by drawing on their own resources and those available in their communities – local and national – as well as by creating a supportive network.¹⁰⁴ Such programmes have taken place in Uganda, are ongoing in Senegal and have just started in Nigeria.¹⁰⁵

In Senegal, the number of families using positive coping mechanisms, like relaxation exercises and meeting people, increased at the end of the programme cycle. An evaluation of the programme implemented between 2013 and 2018 showed similar results in Uganda, with a decrease of negative emotions including sadness and hopelessness, while the daily functioning of most of the families had improved after the sessions.¹⁰⁶ Communities, including their leaders, had been supportive and played

an essential part in the process, especially in Senegal where the stigmatisation of families, particularly mothers of missing migrants, has been reduced significantly.¹⁰⁷

The skills, capacities, situation and needs of families are also assessed in order to build on existing resilience to improve their economic situation. Local organisations, NS, communities and authorities are mobilised to ensure integration in the economic environment and relevant support. In Uganda, between 2013 and 2016, some families benefited from capacity building in financial planning to create village savings and loan associations, while others chose income-generating activities such as farming. The associations empowered families and some community members by building their resilience, contributing to cover expenses such as school fees, and increasing productive assets.

Many countries do not have a legal framework that recognises or attributes a legal status to missing persons

In 2019 in Senegal, families engaged in trade benefited from an average 91% improvement to their income. Agricultural yields rocketed more than 100% for most families involved in farming, while the support allowed them to purchase livestock and cover other household expenses.¹⁰⁸

In Uganda, the 'accompaniment' was conducive to families continuing to meet one another through a buddy system. Associations of families of the missing are not many in the region. Family associations of missing migrants in Senegal and wives of missing persons in South Sudan are active but would benefit from more visibility and space nationally. These associations have helped families to be heard, make themselves understood, get a sense of solidarity and help improve their resilience. They can also be helpful to authorities that are ready to get involved in discussing and helping to address families' needs.

Many countries do not have a legal framework that recognises or attributes a legal status to missing persons. The absence of a legal status, especially a declaration/certificate of absence, means that families are forced to initiate steps for the recognition of a

presumption or formal declaration of death to exercise their rights or access social and material support. It requires families to psychologically 'close the file' on their missing relatives. When such processes exist, families might not be knowledgeable about them and not know how to access them, as in Senegal.

Moreover, the time between the last news received by the family about their missing member and the recognition of the status of absence might be too long, as in Niger and Côte d'Ivoire. Authorities should therefore ensure that a legal status and procedures are in place, effectively applied, relatively simple, accessible to families, and that those called upon to implement them are aware of such frameworks.

In 2019, UNSC resolution 2474 unanimously recognised the need to 'consider the provision of information on available services in relation to administrative, legal, economic and psychosocial difficulties and needs they [families] may face as a result of having a missing relative.'¹⁰⁹ It must now be made operational and implemented across the continent to address the multifaceted needs of families.

Ensuring adequate domestic institutional and legal frameworks

The ICRC has developed a model law and a model certificate of absence to support legislators drafting new legislation or amending an existing one to address, prevent and resolve the situations of missing persons.¹¹⁰ It provides definitions of missing persons and their families, addresses their rights and legal status, the search for missing persons, the search, recovery and management of the dead, the protection of personal data, as well as criminal responsibility aspects.

Parliamentarians are crucial in the elaboration of relevant legislation pertaining to the missing. In this respect, a handbook focusing on this humanitarian issue and detailing the model law on the missing is available to legislators to support their work.¹¹¹ In addition, legal studies on the compatibility of domestic law and policies with IHL and other international legal frameworks regarding obligations related to the missing are taking place or have been completed in several countries, including Cameroon, Tunisia, Niger, Ivory Coast, South Sudan and Zimbabwe. The ICRC seeks to share its

findings, address legislative gaps and discuss support in this regard with authorities, as is happening in South Sudan and Niger.

Often, the end of armed conflicts and other situations of violence are times when structures might be put in place by states to address political, social or humanitarian consequences. The issue of missing persons should also be a priority. The ICRC usually raises the need with stakeholders to consider a proper response and dedicated mechanism to register missing persons, clarify their fate and whereabouts and support their families. It has extensive experience working with and supporting authorities in various contexts.¹¹²

The ICRC is working with authorities in the region to sensitise them to the need to put in place a holistic response for and with families. Some welcome developments are underway in Nigeria, where the National Human Rights Commission seeks to conduct a pilot project to create a register and collect information on missing persons. Authorities in South Sudan have recently inaugurated a technical working group on those missing and their families, under the leadership of the Ministry of Humanitarian Affairs and Disaster Management. The working group aims to establish a national body with a mandate to clarify the fate and whereabouts of missing persons and support their families.¹¹³

The ICRC has developed a model law and a model certificate of absence to support legislators

Other mechanisms, such as transitional justice processes, seek to focus on justice, truth-telling, reparation and accountability. Various countries have adopted measures setting up truth and reconciliation commissions in the past, including processes for reparations.¹¹⁴ Currently, such commissions exist in the Gambia and Burundi,¹¹⁵ are forthcoming in the CAR,¹¹⁶ and are foreseen in post-conflict agreements, as in South Sudan.¹¹⁷ Those are commendable efforts that can contribute to the clarification of the fate and whereabouts of missing persons.

In February 2019, the AU issued its policy on transitional justice.¹¹⁸ That same year the African Commission

on Human and People's Rights undertook a study in various countries to analyse elements of transitional justice in post-conflict situations.¹¹⁹ It is important and commendable that the AU is willing to address humanitarian consequences due to armed conflicts and other situations of violence. States should include the issue of missing persons and their families in transitional justice processes.¹²⁰

Authorities in Africa need to put in place a holistic response for and with families

Moreover, it is important to ensure complementarity between transitional justice processes and any other mechanism set up to clarify the fate and whereabouts of missing persons, to ensure individualised answers and appropriate support to families.¹²¹

UNSC Resolution 2474 calls upon governments to exchange experiences, good practices and technical recommendations on the issue of missing persons.¹²²

Authorities showed interest and commitment during a recent event chaired jointly by the ICRC and states to open the debate on making UNSC resolution 2474 operational and developing concrete avenues for cooperation on the missing.¹²³ Since 2018, the Missing Persons Project, an ICRC-led initiative to set and promote guidance related to missing persons and their families and create a global community of practice, has been engaging experts, practitioners, organisations, families and authorities in that respect.¹²⁴

The Global Compact on Migration, and in particular objective 8 therein, adopted in December 2018, is another important reference.¹²⁵ It shed light on missing migrants and their families – an aspect of migration often forgotten.¹²⁶ It is a commendable effort that authorities committed to stepping up efforts to prevent migrants from going missing and to support their families. States need to increase their collaboration and coordination across borders to exchange information to clarify the fate of unidentified deceased migrants. There's progress in this respect in Zimbabwe and South Africa, while ICRC is supporting authorities in Tunisia and Côte d'Ivoire in identifying victims of shipwrecks.¹²⁷



Families responding to a needs assessment in Nigeria (photo credit: ICRC)

Importance of a sustained and multidisciplinary response

The issue of missing persons and their families in Africa is an enduring tragedy that is likely to continue if it is not properly addressed by authorities. Thousands of families are already waiting for answers concerning the fate and whereabouts of their relatives, who went missing yesterday, last year or decades ago. More families continue to be at risk of loss of family contact as they are entangled in long-standing, emerging and deteriorating crises across the continent, that further increase the risk of disruption of family links.

While challenges are manifold, relevant efforts exist at national level across the continent and should be further supported and developed. International law provides a framework that can help prevent people from going missing and clarify the fate of those who have gone missing. Putting in place measures that would prevent people from going missing, and thereby, families from suffering long periods of anguish and uncertainty over the fate of their relatives should be a priority.

Likewise, efforts to search for missing persons and provide answers to their families require the

same political will and commitment. This entails the participation, coordination and involvement of all relevant authorities at the political and technical levels, including the medico-legal, judiciary, and investigative bodies, to strengthen the capacity and system to collect, centralise, and process information related to missing persons and clarify their fate and whereabouts.

As much as the issue should be dealt with during conflict, post-conflict mechanisms and peace agreements should not leave the problem unaddressed, especially with the current developments in the region. States faced with that situation should be encouraged and supported to address the question of the missing. The AU and sub-regional entities can play a role in sensitising stakeholders when it comes to discussing and addressing humanitarian consequences.

Efforts are also needed to match the scale of the tragedy of those going missing on migration routes across the continent and beyond. Families need the mobilisation of states along migration routes, as well as sub-regional and regional organisations, as searching for and clarifying the fate of missing migrants requires national and transnational action.



South Sudanese refugees looking for their family in Ethiopian refugee camps (photo credit: ICRC)

The issue of missing persons is one that is at the core of humanity. It is about family and its unity. The coronavirus pandemic has taken its toll on all of us in Africa and globally in 2020. It is a stark reminder of how much we should value our families, need to be in touch with our loved ones and how essential it is that we know where and how they are. We can surely relate, to a certain extent, to what families of missing persons have been experiencing for days, months and years. Their missing relatives must not be forgotten. It is time their plight was heard, and their needs attended to. The ICRC will continue to support the families and the authorities on the continent to tackle the issue of the missing.

Recommendations

- The impact of missing persons on individuals, families and communities is one of the most damaging and long-lasting humanitarian consequences of conflicts, OSV and migration in Africa. Authorities should acknowledge the tragedy of missing persons and address the multifaceted needs of their families, ranging from the need to know, to psychosocial, economic, administrative, legal, and other needs.
- Continuous efforts are needed to address cases of missing persons and to prevent others from going missing. Authorities should increase prevention and early action on missing persons and solve pending cases. This includes: preventing the disruption of family links and restoring and maintaining links between separated family members; the collection and centralisation of information on missing persons; the proper management of the dead; the registration and protection of gravesites and the immediate search for missing persons.
- Families should be at the centre of efforts to address the question of missing persons. Their right and need to know the fate and whereabouts of their relatives should be at the heart of search processes and should be upheld. Authorities should support families and respond to their needs and ensure that institutional and legal frameworks allow for an individualised assessment and response.
- Strong institutional and legal frameworks are essential to address the issue of missing persons and their families at national level. Authorities should identify relevant gaps, needs and limitations that hinder efforts to prevent people going missing and the search for those already missing. Key elements of such frameworks include, among others, the establishment of a NIB and grave registration services, the recognition of missing persons and their families under national law, recourse to the presumption and certificate of absence, and an adequate, well-trained and resourced medico-legal system.
- Authorities should consider establishing national missing mechanisms. As former parties to a conflict, authorities should consider setting up coordination mechanisms as part of fulfilling their obligation under IHL to clarify the fate and whereabouts of persons reported missing because of armed conflict.
- Transitional justice processes can play a crucial role in addressing the suffering of individuals, families and communities in post-conflict situations. The question of missing persons should be included in such processes and concerned entities should coordinate with other bodies tasked with clarifying the fate and whereabouts of the missing. The AU can play a leading role here following the adoption of its transitional justice policy, together with sub-regional organisations.
- Political will and sustained commitment are key to ensuring effective and positive developments in addressing the issue of missing persons in compliance with international law. Those efforts can be nurtured at local, national and regional level. States should also address the question of missing persons as part of their efforts to solve conflicts.
- Clarifying the fate and whereabouts of persons missing in the context of migration requires strong and committed transnational efforts from countries along migration routes in the region and beyond. Concerned authorities, as well as sub-regional and regional organisations, should establish clear pathways to be followed in the search for and identification of missing migrants. They should also adopt clear principles for the exchange of information and effective coordination channels among authorities in countries along migration routes.

Notes

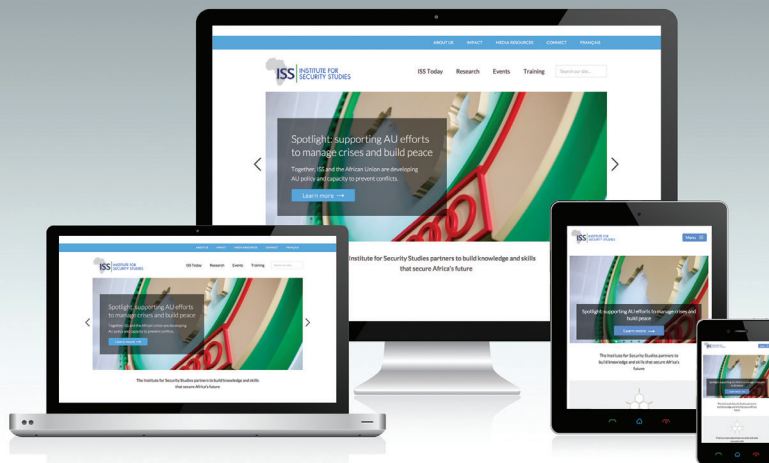
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