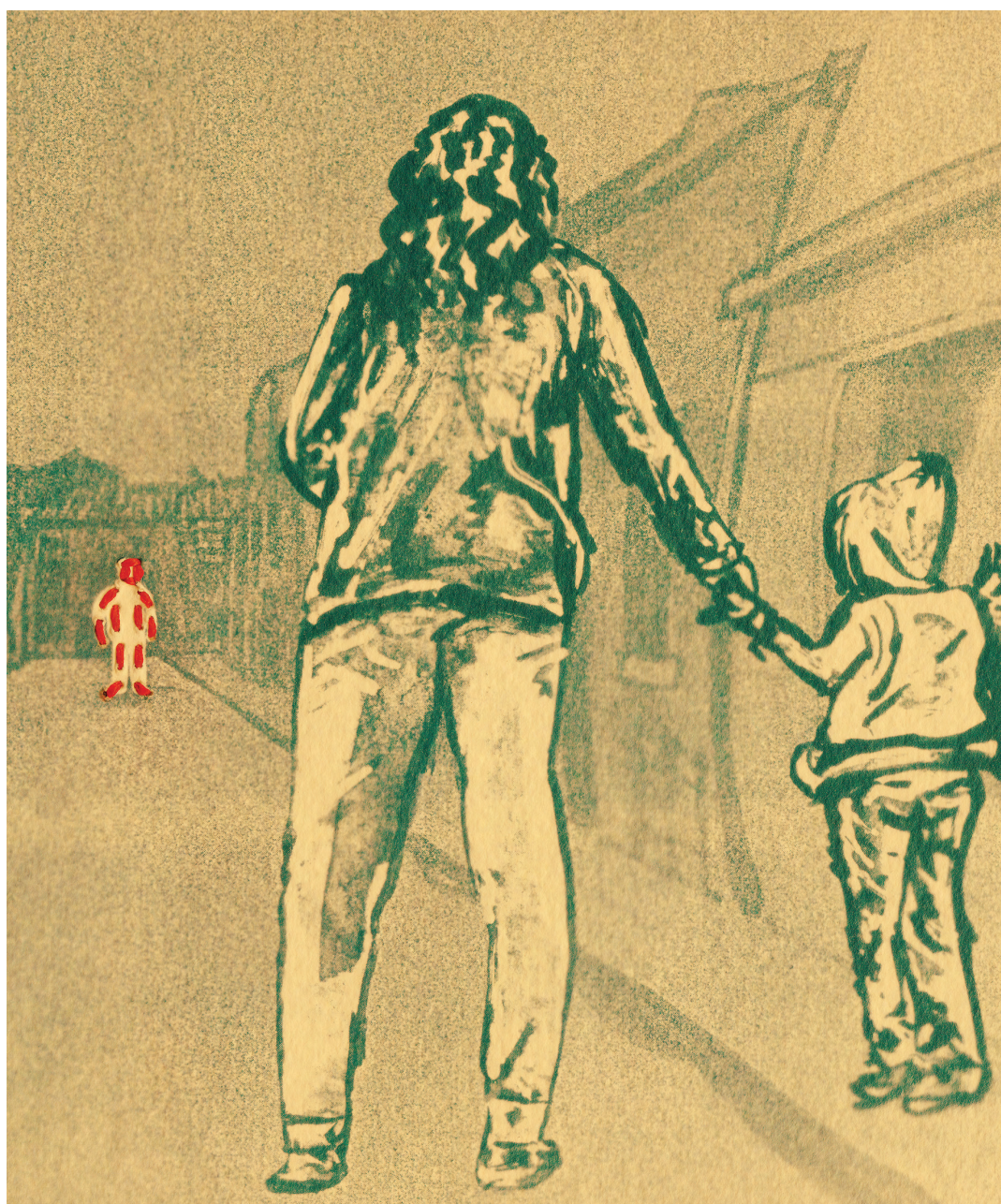


Families of Missing Migrants:

Their Search for Answers, the Impacts of Loss and Recommendations for Improved Support

Country report:
United Kingdom



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The COVID-19 pandemic has had disproportionately negative effects on people already in vulnerable situations, including those with missing migrant relatives. It has exacerbated the struggles that the families discuss in this report.

This report is dedicated to the families of all people who have gone missing or died on migration journeys while seeking safety, dignity and better opportunities.

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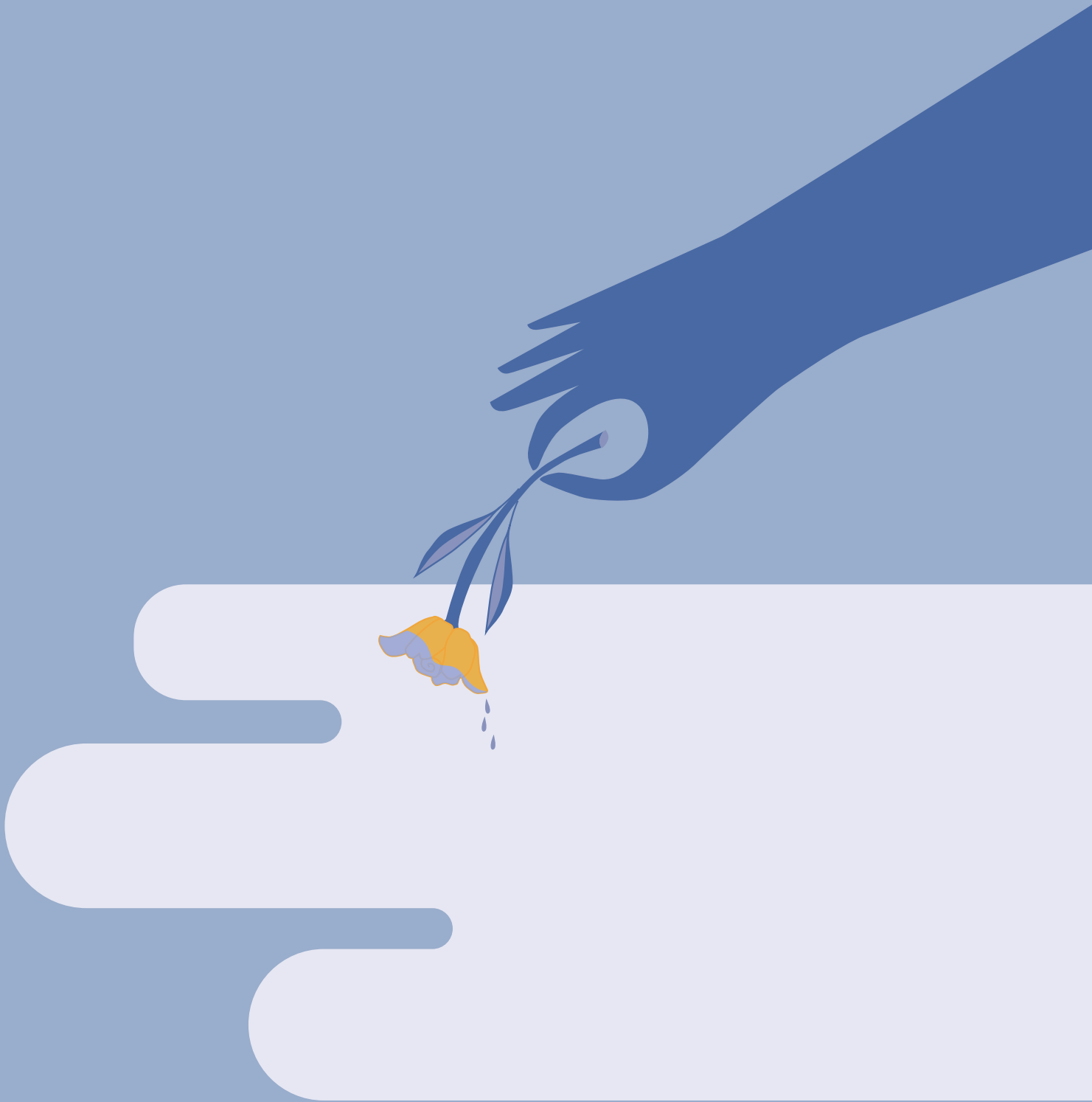
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ABBREVIATIONS

APPG	All-Party Parliamentary Group
BRC	British Red Cross
CSO	civil society organization
ECHR	European Court of Human Rights
ECPAT UK	Every Child Protected Against Trafficking
GMDAC	Global Migration Data Analysis Centre
ICRC	International Committee of the Red Cross
IOM	International Organization for Migration
IRR	Institute of Race Relations
MCA	Maritime and Coastguard Agency
MMP	Missing Migrants Project
MPU	Missing Persons Unit
NCA	National Crime Agency
NGO	non-governmental organization
NRPF	No Recourse to Public Funds
UNHCR	Office of the United Nations High Commissioner for Refugees



ASSESSMENT OF THE NEEDS OF FAMILIES SEARCHING FOR RELATIVES LOST IN THE CENTRAL AND WESTERN MEDITERRANEAN

Between April 2019 and March 2021, IOM's Global Migration Data Analysis Centre (GMDAC), through its Missing Migrants Project (MMP), carried out a research project that aimed to document the experiences of families searching for missing relatives lost in the context of migration journeys in the Central and Western Mediterranean. Since 2014, IOM's MMP has recorded more than 40,000 deaths and disappearances during migration around the world. The death or disappearance of each person included in IOM's records has reverberating effects on the family and community surrounding them. With support from the Swiss Federal Department of Foreign Affairs, IOM GMDAC conducted research in Ethiopia, Spain, the United Kingdom and Zimbabwe to better understand the experiences and the challenges that families face while searching for loved ones lost during migration. The project aimed to capture such situations in places of migrant origin, transit and destination.

The project was a highly collaborative effort involving several IOM offices and a team of independent academics and researchers who are migrants themselves and/or who work closely with migrant communities in the countries that participated in the study. An advisory board formed by key international and civil society organizations and academics working with families of missing migrants around the world provided input at different stages of the project.

The research team spent time with 76 families in their communities across four countries, having in-depth conversations with them. The team prioritized listening to what is important to the families, allowing them to drive the knowledge that was created with the project. Thus, the voices of the research participants, who are all missing their family members in the context of migration to another country, are at the centre of the project's findings and reports. The experiences of families were complemented with interviews with more than 30 stakeholders to assess the institutional, legal and policy frameworks applicable to cases of missing migrants in the contexts studied.

Based on the research findings and in consultation with the project's advisory board, a series of policy implications and recommendations were developed to drive action to support families of missing migrants in searching for their relatives and dealing with the impacts of their loss. They are aimed at different actors – in government, international organizations, and community and migrant support organizations – and can be found in the last chapter of each of the reports.



76
FAMILIES



4
COUNTRIES



More than
30
STAKEHOLDERS

EXECUTIVE SUMMARY

While there are studies documenting the conditions under which migrant deaths or disappearances take place, few countries have paid attention to how families are impacted by these events and the ways in which they seek to clarify the fate and whereabouts of their missing relatives. This is the case of the United Kingdom of Great Britain and Northern Ireland (hereafter referred to as “the United Kingdom”), where despite the existence of vast diasporas and the country’s long-standing history of migration, there is scant knowledge and understanding of the experiences of missing migrants and their families. Indeed, the perspectives of families affected by this kind of loss are virtually non-existent in discussions on migration and human rights in the United Kingdom. Whenever present, they emerge in the aftermath of a high-profile event involving migrant deaths, never to be heard of again. There is therefore much for policymakers, migrant rights advocates, and the general public to identify and to understand on the subject in order to develop responsive support policies and programmes that recognize and address the immediate needs of the families of dead or missing migrants.

This report is based on two streams of research conducted with families of missing migrants and with key stakeholders in the United Kingdom in 2020. The first is based on interviews conducted with families based in the United Kingdom who have searched or are searching for relatives and loved ones who went missing on irregular migration pathways, and in particular, on the Western and Central Mediterranean routes to Europe. The second side of the research is a policy-orientated overview of the laws, advocacies, initiatives and support services available in the United Kingdom for families of missing migrants, based on interviews conducted with key stakeholders from academia, civil society, local authorities and national State institutions in the United Kingdom.

The research demonstrates that families’ experiences are shaped by multiple structural constraints, ranging from the circumstances in their countries of origin, the challenges in the places where their loved ones went missing, to their encounters with institutions within the United Kingdom. However, they are also the result of complex interactions shaped by ethnicity, class and gender. Combined, these factors often hinder well-intentioned efforts by families and institutions to get answers concerning the disappearances. Furthermore, the policy and legal frameworks that deal with incidents of missing persons are not inclusive enough to adequately support the specific needs of families of missing migrants.

Currently, a very small number of actors can be found in the United Kingdom that provide support services to families of missing migrants, and their work continues to be inhibited by several factors, not least the present friction in the United Kingdom between the need for humanitarian responses to migration matters and the push for more stringent immigration control approaches. There is still a lack of knowledge and understanding about the experiences of missing migrants and their families, within relevant sectors and the wider United Kingdom population.

This report points to the urgency to develop specific and targeted responses to the needs of the families of missing migrants in the specific context of the United Kingdom. The recommendations, summarized below and further described at the end of the report, provide essential insights for developing such responses and highlight the need for additional research leading to evidence-based policies and interventions. They should be considered by all government authorities, non-governmental organizations (NGOs), community groups and international organizations interacting with those in the United Kingdom looking for people who went missing during migration:

1. The centring of families in their search for their missing migrant relatives as well as in all activities and initiatives linked with lost or missing migrants.
2. The designation or creation of a dedicated multi-agency “one-stop shop” to assist those in the United Kingdom searching for missing migrant relatives.
3. The development of a protocol that specifies the responsibilities and obligations of key actors in the search for missing migrants.
4. The creation of a national database that holds information on deaths and missing people, whether migrants or otherwise, and is accessible to all relevant stakeholders.
5. The establishment of a European Missing Migrants Observatory where national authorities would report and register the details of unidentified remains found across Europe, including at the continent’s sea borders, along with details of families who are searching for their missing relatives.
6. The creation of a fund to address the socioeconomic needs of those searching for their missing migrant relatives and to facilitate efforts linked with the search for missing or lost migrants.
7. The provision of legal mechanisms that allow people with missing migrant family members to carry out searches regardless of their immigration status in the United Kingdom and without fear of sanctions.
8. The improvement of collaboration between community-based organizations and larger charities and NGOs that support those searching for lost or missing migrant relatives.
9. The raising of awareness: (a) among migrants and potential migrants about the importance of staying in touch with their families when undertaking journeys and how they can seek help when in danger; (b) in the Government and among the general public on the subject of missing migrants and the complex needs and rights of families who are searching for their lost loved ones; and (c) among families of missing migrants about how to search for loved ones who have gone missing in the context of migration to the United Kingdom.
10. The inclusion of data protection and informed consent in any intervention or interaction involving cases of missing migrants.

CHAPTER 1

Migration journeys to the United Kingdom



1. Introduction

Samuel Okyere¹

An important dimension of the current debate concerning migration and migrants' rights relates to the deaths or disappearances of people along perilous migratory routes and the experiences of their families. The exact number of migrants whose lives are lost or who go missing on migration pathways to the United Kingdom of Great Britain and Northern Ireland (hereafter referred to as the United Kingdom), or even globally, cannot be stated with absolute certainty due to reporting and monitoring weaknesses, and also as a result of the conditions under which these deaths and disappearances take place: unregistered journeys on board precarious vehicles, clandestine transits across bodies of water or deserts, and experiences involving violence and crime by different actors en route (Laczko et al., 2016; Last and Spijkerboer, 2014; Pickering and Cochrane, 2013).

While there is increasing attention paid to the number of people who die on migration journeys across the Mediterranean Sea, relatively little is given to the impacts on the families of those who go missing or die, and especially those already in Europe. This is the case in the United Kingdom, where despite the existence of vast diasporas and the country's long-standing history of migration, there is scant knowledge and understanding of the experiences of missing migrants and their families,² in part due to the attention that is paid to other migration issues (Lynn and Lea, 2003). Indeed, the perspectives of families affected by this kind of loss are virtually non-existent in discussions on migration and migrants' rights in the United Kingdom. Whenever present, they often emerge in the aftermath of a high-profile event involving migrant deaths, never to be heard of again. Yet there are many studies pointing to the consequences of family separation and disappearance, in the contexts of war, conflict, disaster and migration, that argue that there are not only deep effects on a personal level but also broad humanitarian implications on communities and societies (British Red Cross et al., 2019; Mediterranean Missing, 2016). There is therefore much for policymakers, migrant rights advocates and the general public to identify and to understand on the subject in order to develop responsive support policies and programmes that recognize and address the immediate needs of the families of dead or missing migrants.

This report is based on two streams of research conducted with families of missing migrants and with key stakeholders in the United Kingdom in 2020. It is divided into two main sections: Chapter 2 presents the findings of the research with families of missing migrants, while Chapter 3 presents an assessment of the legal, policy and institutional frameworks applicable to issues of missing migrants in the United Kingdom.

¹ Dr. Samuel Okyere is a Senior Lecturer in Sociology at the University of Bristol's School of Sociology, Politics and International Studies.

² The term "missing migrants" in this report refers to people whose whereabouts are unknown and/or who are considered missing by their families (i.e. it is up to the families to say if they consider their relatives to be missing migrants). This includes circumstances in which the person has been out of regular/habitual contact and their whereabouts are unknown. Accordingly, some missing migrants may be alive but unable/unwilling to keep in touch with their families, or they may have lost their lives during the migration journey, but their remains have not been found and/or identified.

Chapter 2 is based on interviews conducted with families in the United Kingdom who searched for, or are currently searching for, relatives and loved ones who went missing on migration pathways. Their experiences are shaped by multiple structural constraints, ranging from the circumstances in their countries of origin, insecurity, inaccessibility and other challenges in the places where their loved ones went missing or lost contact, to their encounters with institutions within the United Kingdom. However, they are also the result of complex interactions shaped by ethnicity, class and gender. Combined, these factors often hinder well-intentioned efforts by families and institutions to get answers concerning the disappearances.

Chapter 3 presents the findings of an assessment that identified the laws, instruments, processes, initiatives and support available in the United Kingdom for families of missing migrants and the levels of engagement with and advocacy in the United Kingdom for this issue. This was achieved through a review of existing literature about the subject of missing migrants and their families in the United Kingdom, along with interviews with various institutional and academic stakeholders who work on the subject of missing persons either within the general United Kingdom context or the specific migration context.

Both chapters point to the urgency to develop specific and targeted responses to the needs of the families of missing migrants in the specific context of the United Kingdom and highlight the need for additional research leading to evidence-based policies and interventions. The final chapter of this report provides essential recommendations for developing such responses.

2. The United Kingdom’s migration context

The United Kingdom is home to numerous and diverse diasporas. From 1948 to 1971, nearly one million people from Jamaica, Bermuda, Trinidad and Tobago, Guyana, India, Pakistan and several African countries came to settle in England as a result of the United Kingdom’s long-standing colonial history and ties (Hatton and Wheatley Price 1999; Goulbourne, 1998). In the last two decades, the scale and diversity of these diasporas have increased through the arrival of Syrian, Somalian, Eritrean, Sudanese and Ethiopian nationals seeking refuge from multiple political and violent conflicts, as well as others seeking educational and work opportunities and to reunite with their families (Home Office, 2016 and 2019; Holloway et al., 2019; ONS, 2020).

Despite its diversity, the country has also witnessed important changes to its migration policy, which have impacted the lives of migrants, including asylum seekers and refugees, and the ability of people seeking protection to reach and settle in the United Kingdom (Silverstone and Brickell, 2017). Starting in 2012, the “hostile environment policy” of the UK Home Office (the Ministry of Interior), followed and reaffirmed by Immigration Act 2014 and Immigration Act 2016, ushered in a raft of measures which have had a deleterious impact on migrant rights (Travis, 2013).³ These adverse measures include but are not limited to: sharp increases in visa application fees; expansion of spousal and family reunification visa application requirements; cuts to access to welfare provisions for migrants, asylum seekers and refugees;⁴ curtailment or removal of appeal rights for certain visa categories; and restrictions on migrants’ ability to open bank accounts, obtain driving licenses or rent accommodations from private landlords, to name a few. Visa approval rates have also declined for certain nationalities and ethnicities. For instance, scrutiny of Home Office records by the UK Parliament’s All-Party Parliamentary Group (APPG) found that African applicants are more than twice as likely to be refused a visa for the United Kingdom than applicants from any other part of the world (APPG for Africa et al., 2019). Immigration lawyers in the United Kingdom have similarly argued that visa approval rates have decreased for people seeking to enter the country not only from Africa, but also from the Indian subcontinent, the Caribbean, Cuba, Viet Nam, Fiji and Thailand (Hill, 2018).

Barriers and restrictions to safe, legal and orderly migration block the ability of many to reach the United Kingdom. Many migrants have found irregular and often dangerous modes of travel as their only option. Over the last couple of decades, much has been written about the hazards that migrants and asylum seekers from across Asia and Africa face in their

³ The “hostile” environment was renamed the “compliant” environment in 2018 by the successor to two previous Home secretaries who implemented the policy between 2012 and 2018 under the name “hostile environment”. The substantive components of the policy were not changed. It is however still referred to in the United Kingdom (in media, in daily use and by key stakeholders, including the participants in this research) as the “hostile” environment. The term “hostile environment” will therefore be used throughout this report.

⁴ The phrase “migrants, asylum seekers and refugees” is used throughout this report as each category implies particular treatment and experiences of the research participants.

efforts to safely reach and settle in the United Kingdom (Parker, 2017; McFadyen, 2018; UNHCR, 2018; Eynon, 2019). Many rely on smugglers to navigate dangerous routes through Central and South Asia into Europe, then into the United Kingdom (Berry et al., 2015; Donini et al., 2016; Tan and Nguyen, 2017). Many others embark on journeys across Africa and the Mediterranean, following the Balkan Route, or travelling through Italy and France, which are characterized by significant amounts of violence and extreme environmental conditions (Dockery, 2017; Hagen-Zanker and Mallett, 2016; Sánchez Dionis and Dearden, 2019).

Once in Europe, migrants with irregular status often seek to enter the United Kingdom, hiding in lorries travelling through the Eurotunnel (Dearden, 2016), tucked away in ferries or aboard small boats navigating across the English Channel (Bolt, 2017; Willsher, 2020). Over the years, the British Government has sought to reduce irregular migration attempts across the Channel, most notably through the dismantling of informal refugee camps and settlements near ports like Calais and Dunkirk, well-known points of informal entry into the United Kingdom, as well as increased patrolling of the area (BBC, 2020). The outcomes of these measures have been mixed. For example, the demolishing of the migrant camp in Calais in October 2016 did not dissuade attempts to cross into the United Kingdom informally. At least 2,000 people with irregular migration status were estimated to be in Calais in March 2020 (Taylor and Willsher, 2020). Furthermore, it is believed that efforts to curtail irregular migration⁵ from French ports has resulted in growing numbers of migrants pursuing other routes, departing instead from Belgium or the Netherlands, often with devastating consequences (Sanchez, 2019).

3. What is known about people who go missing or die on migration journeys towards the United Kingdom?

It is unknown how many people have died in their efforts to reach the United Kingdom along any of the routes. Data from IOM's Missing Migrants Project (MMP) and the Institute of Race Relations (IRR) indicates that nearly 300 people have died on the coast of northern France and Belgium, in the English Channel, and shortly after arrival in the United Kingdom between 1999 and 2020 (IRR, 2020).⁶ However, the number of missing migrants en route to the United Kingdom is likely to be much higher, as there are many data-collection challenges and cases of people who go missing where there is no proof of death included in the project's records. Furthermore, it is impossible to know how many people who have gone missing or died geographically far away from the United Kingdom were en route to the country. This lack of exact numbers of "missing migrants"⁷ is also tied to the fact that deaths and disappearances are not systematically reported nor recorded by relevant authorities. Most known cases are typically those involving large numbers of migrant casualties (Sánchez Dionis and Dearden, 2019). The tragedy of 23 October 2019 is one example, when the remains of 39 Vietnamese men and women were discovered in a refrigerated lorry at the Tilbury Docks in Essex, having travelled through Belgium and France, and before that, across several other countries. In a recent case, Abdulfatah Hamdallah, a 28-year-old man who travelled from his home in the Sudan to northern France three years previous, drowned in his attempt to reach the United Kingdom on 19 August 2020. Indeed, many cases involve migrants whose remains have not been recovered or whose identities remain unknown.

Precarious or irregular journeys are not the only factor behind the deaths or disappearances of those seeking to reach (and to stay in) the United Kingdom – the risk of disappearance or loss of contact between migrants, asylum seekers, and refugees and their relatives and loved ones once in the country is also high. Following unsuccessful attempts to regularize their immigration status in the United Kingdom, some people make the difficult decision to "intentionally go missing" by cutting contacts and absconding from places of registration in an attempt to avoid apprehension or deportation. Many of these cases have been identified as unaccompanied children (Allsop and Sigona, 2016), whose ages and lack of

⁵ The term "irregular migration" is used throughout this briefing to refer to the movement of persons that takes place outside the laws, regulations or international agreements governing the entry into or exit from the State of origin, transit or destination. The term does not refer to individuals themselves. As laws and policies determine the type of documentation required for movement across borders and for stays in countries, a person's migration status can change during their journey and/or stay in a country of transit and/or destination.

⁶ For the most updated data, please visit: www.missingmigrants.iom.int.

⁷ This research project followed a broad definition of "missing migrants", which includes both those who are missed and whose whereabouts and fate are unknown by their families, and those who as a result of some evidence, usually the finding of remains, are presumed to have died in the course of their migration journey. In the United Kingdom, there are also cases of unaccompanied migrant children who abscond and "go missing" from State-supported care before they turn 18 for fear of being forcefully returned to their countries of origin when they reach the legal age of adulthood. This research does not deal specifically with this category of missing migrants.

immigration status often make them prone to exploitation and abuse. It is, for example, estimated that approximately 3,100 Vietnamese youth and adults found themselves in situations of forced or involuntary labour in the United Kingdom between 2009 and 2018 (ECPAT UK et al., 2019).



Near the former informal migrant settlement “the Jungle” in the port city of Calais, France, migrants wait to find a way to cross to the United Kingdom, often by hiding on commercial lorries. © IOM 2015/Amanda NERO

With the exception of the tracing service offered by the British Red Cross and the International Committee of the Red Cross (ICRC),⁸ in the United Kingdom there are no agencies or policies specifically dedicated to help report, locate or identify cases involving migrants who went missing while in transit to the country. Neither are there official mechanisms that facilitate the repatriation of remains of people who have died during their migration journey. Families or members of the public can report cases of missing migrants to the police as regular missing-person cases. However, the dynamics of a missing-person case in the United Kingdom is quite different from a case involving irregular migration. As demonstrated in the following chapters, often there are further obstacles confronting the search for missing migrants due to the transnational nature of migration, limited information on the circumstances surrounding where and when the person went missing, challenges of pinpointing or accessing the locations where the person went missing, and the potential involvement of criminal actors, among other factors. In sum, there are no official provisions or protocols in place to assist in the search of missing migrants, asylum seekers or refugees in the United Kingdom. Aware of the realities of irregular migration pathways, faith institutions and diaspora associations often provide financial, therapeutic and other forms of assistance to the friends and families of the missing. Solidarity or community-based efforts to repatriate human remains or to locate the missing are also often carried out. Their capacity and reach, however, are limited, which makes the need for effective mechanisms to identify paths to support the families of missing migrants even more pressing.

⁸ For more information, please see Chapter 3, Section 4.3.1.

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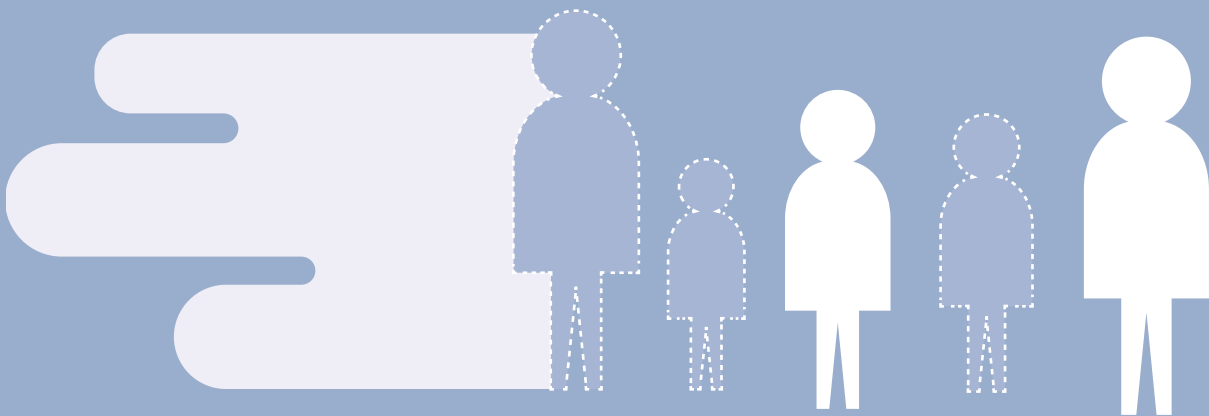
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CHAPTER 2

Families in the United Kingdom with missing relatives in the context of migration



1. Introduction

Samuel Okyere¹

This chapter is based on 23 interviews conducted with families in the United Kingdom who searched for, or are currently searching for, relatives and loved ones who went missing on migration pathways. Families' experiences are shaped by multiple structural constraints – ranging from the circumstances in their countries of origin, insecurity, inaccessibility and other challenges in the places where their loved ones went missing or lost contact, to their encounters with institutions within the United Kingdom. However, they are also the result of complex interactions shaped by ethnicity, class and gender. Combined, these factors often hinder well-intentioned efforts by families and institutions to get answers concerning the disappearances.

All families interviewed for this research live with the uncertainty of their migrant relatives' whereabouts. They report enduring trauma, depression and distress. For most, these experiences are further compounded by personal encounters with sociopolitical unrest and violence in their countries of origin prior to their arrival in the United Kingdom, and also by the structural constraints they encounter in the context of their everyday lives as United Kingdom-based migrants. Most lack awareness of how or where to start the search for a missing loved one, or how to report a disappearance that occurred outside the United Kingdom or while in transit. These challenges are often exacerbated by the lack of permanent or regular immigration status. Families' capacity to search for missing loved ones is clearly impacted by the inability to work legally, limited access to housing, restricted access to the welfare system, and the very inability to move around freely for fear of being arrested and deported. All these factors deepen the distress caused by their loss, and often leave families exposed to fraud or exploitation by actors that take advantage of their grief through false promises of help or support.

After an overview of the research approach and methodology, the chapter covers the main findings, including the families' experiences of thus far trying to search for their loved ones and the barriers they identified to making progress. The last section outlines the overarching responses articulated by the families that would improve their situations. These points are integrated into the recommendations for action in the final chapter of this report.

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2. Research methodology

The findings and recommendations in this chapter are based on interviews with individuals and families in the United Kingdom searching for migrants who went missing in the context of migration, as well as people who had been successful in their search. “Family” was defined to include both nuclear and extended family members, friends, and others who have the personal, social and economic well-being of the missing person at heart. This definition was also based on interviewees’ own concept of who were included in their family.

A qualitative methodology featuring semi-structured interviews was used to allow participants themselves to determine the issues related to the loss or disappearance of a loved one. With the deeply intimate and personal nature of the topics involved in the study, all interviews were conducted while having the best interests of the interviewees in mind. The research team followed the ethical guidelines established by IOM, including securing informed consent and maintaining the privacy, dignity and anonymity of all participants (all names used in this report are pseudonyms). Knowing the extreme psychological challenges endured by the families of missing migrants, the research team provided participants with information on how to obtain assistance and resources.

A total of 23 (10 women and 13 men) people from Somalia, the Sudan, Nigeria, Pakistan and Ghana were interviewed. The interviews were carried out during the first quarter of 2020 in the cities of Nottingham, Bristol and London. With the exception of 5 that were conducted by phone and Skype at the request of the interviewees, all interviews were conducted in person. A total of 20 were in English, and 3 were in Arabic. Participants were identified through migrant and community-based organizations.

3. Research findings

3.1. “If it wasn’t for the war, this wouldn’t have happened”: Contextualizing loss and separation

Many interviewees traced the disappearance of their loved ones and the onset of their searches to turbulent circumstances in their countries of origin or on their journeys of escape. War and conflict often led to the destruction of families’ homes, or to the virtual destruction of towns and villages, making it hard for those missing and their families to remain in a single location or to stay in touch. Such was the case of Abbas,² whose family was split by the war in Somalia. After escaping, he heard that some of his siblings and his parents were still in Somalia, but he could not get in touch with them. According to him, “As a result of the civil war, there was really no infrastructure to do that ... no telephones, emails and all that. So, that was not an option!”

Even after settling in the United Kingdom many years later, he still had not been able to make contact with his family:

“When I came here, I tried to contact them through all the avenues that were available, [but] they were not settled in one place. They were fleeing constantly ... They were just trying to settle down wherever they found safe[ty] ... They were constantly fleeing because of the war.”

Fardowsa, a Somalian woman in Bristol, has been searching for her lost brother for over a decade. In 2006, she fled to Kenya after fighting started in a neighbouring town. Eventually Fardowsa, her parents and two sisters were reunited at a refugee camp in Kenya, but they could not find her brother. Her search continued once she arrived in the United Kingdom, but also to no avail:

² Please note that all names are pseudonyms to protect the privacy of the interview participants.

“ In Kenya we went to UNHCR, MSF [Médecins Sans Frontières] and other organizations, but no one had any information on him. He was not in any of the camps. After I arrived in the UK, a friend took me to the Red Cross here in Bristol, but they did not get any results for us in this country or anywhere. We won't give up. We still talk about him every day, and often I cry, but it's all because of the war. If it wasn't for the war, this wouldn't have happened to our family.

Many interviewees reported experiencing the loss of their loved ones during their own migration journeys. Munir is a Sudanese man in London who has been searching for his wife and sister. They started the journey as a family but became separated as they were trying to make the Mediterranean passage from Libya into Europe, when his wife and sister were forced onto a different boat:

“ There was a lot of fear and crying as many of us couldn't swim. We clung together for safety, but my sister and my wife became separated. We couldn't go after them because our sons were holding on to me and my brother-in-law, and the water was also moving us the other way. My wife had a white scarf, and I clearly saw her getting with the group going to the other boat, so I believe she got on that boat. [I] prayed that we all arrived safely in Italy and would reunite. Our boat was rescued by an Italian ship after about four days. It took us to Sicily, and they registered my brother-in-law and I, and I asked them about the other boat and the women. A lady there – I think she said she worked with Red Cross or UN or something like that – told us that several boats had been rescued that week and taken to other places like Lampedusa and Sardinia, so she asked us for their names to help us.

After two weeks in Sicily, Munir had no information concerning his wife's and sister's whereabouts. Along with the rest of his family, he decided to leave for Calais and eventually managed to enter the United Kingdom, where he continued pursuing the search:

“ It was very difficult for us to leave Italy. We couldn't eat or drink. My brother-in-law and I felt ashamed that we were unable to protect my wife and [my] sister. In Italy we went to the registration office every day to check. Even after we got to London, we have been calling them, but nobody knows where they are. Even if we heard that they died, we can accept the news a little bit because that's God's wish. But to not know anything is a killer.

Omar, a Sudanese man in Nottingham, has been searching for Ali, a childhood friend who went missing while they were both crossing into Europe. While interviewees were not asked whether they felt their loved ones might have perished, Omar raised this prospect when he said he witnessed his friend and others falling off the dinghy they were travelling on. But even if his friend was lost at sea, Omar said he was searching still because he needed closure:

“ Maybe another boat picked them up or maybe they drowned, but how can I be sure if no one has found his body? In Italy, I asked the people there, but they said all the bodies that are found are buried ... So I asked them how you can bury someone just like an animal without finding his family? After I arrived in the UK, some of my friends told me about Salvation Army and I went there, but they said they don't deal with that. I have been making posts about Ali [his friend] on Facebook, but no one has seen him or his body, so I will keep searching until I find him.

Many other interviewees reported having lost contact with their loved ones within Europe on their way to the United Kingdom. Abdulai and his wife, a Nigerian couple who lives in London, have been searching for their son, Shehu. The family was living in France without documents and aimed to seek asylum in the United Kingdom. Frustrated by their many setbacks and feeling that his father's efforts to reach the United Kingdom were not viable, Shehu decided to leave on his own. The family does not know if Shehu disappeared in France or once he was in the United Kingdom. Abdulai recounted:

“ About two days [after he left], he called us to say he was going to try and jump on a lorry to come here [United Kingdom]. We advised him against this, but he had made up his mind. This was the last time we heard from him. His phone was completely off when we called. We reported [the disappearance] to the French police after about one month, but they didn't have any information. We finally arrived in the UK about four months later and reported to the police here too. The response has been the same, still no information. We have asked all his friends in Nigeria, France, and [the] UK, but no one knows. We don't even know if he managed to leave France.



Separated at Sea. “There was a lot of fear and crying as many of us couldn't swim. We clung together for safety, but my sister and my wife became separated. We couldn't go after them because our sons were holding on to me and my brother-in-law, and the water was also moving us the other way. My wife had a white scarf, and I clearly saw her getting with the group going to the other boat.” © IOM 2021/Salam SHOKOR

3.2. “Basically, you rely on friends”: Experiences of searching for missing migrants

As shown, disappearances rooted in conflict, war and violence marked the beginning of the search process for many families. For many others, the unsafe conditions of irregular migration journeys led to separation from their family members. This section examines how once in the United Kingdom, they restarted their search. The vast majority relied on the support provided by other migrants, asylum seekers and refugees, through which they eventually accessed larger informal networks, as well as grass-roots/local migrant support organizations and religious institutions like mosques and churches. These personal, close-knit sources of support and care are crucial in navigating the search process.

Families also reported having turned to larger, more established organizations on occasion, often because they realized that smaller or informal groups lacked adequate financial resources or institutional ties to continue a search. However, even when they were receiving support from established organizations, participants concurrently relied on friends, relatives, personal ties and grass-roots organizations for immediate one-on-one support. The role of social media was also identified by interviewees as critical to reaching migrants and refugees in other countries who could have been

in contact with their missing loved ones and therefore provide details leading to their whereabouts. Social media, however, had to be approached with caution, given the likelihood of scams and abuses.

3.2.1. Migrant, asylum seeker and refugee organizations as sources of support

Individual, personal acts of care and support performed by other migrants, asylum seekers and refugees, along with the institutional but also spiritual assistance provided by churches, mosques, and community-based grass-roots migrant and refugee associations, are key components of the search process, and their relevance was mentioned by interviewees throughout the study. A total of 20 of the 23 interviewees began their search while relying on the support provided by friends and acquaintances from migrant and refugee communities in the United Kingdom. Abdikadir, a Somali man in Nottingham who was searching for his brother, explained how these informal support networks work:

“ Basically, you rely on friends. There are always friends that know friends and that know more friends, like a group of people from the same country. The Sudanese community here in Nottingham and the UK for example. You talk to a “brother” who also asks others. Through platforms and meetings in such communities, you get to hear about missing persons. You get to know those that were shot in Libya, those that died in Libya or while trying to make the journey and all that.

Interviewees also mentioned the importance of churches, mosques, and migrant and refugee associations. In addition to much needed financial, emotional and spiritual support, these groups often provided Internet and computer facilities to carry out online searches and supplied translation and interpretation services. They also disseminated information concerning specific missing migrants through their networks. By virtue of being community-based, these organizations were trusted as accessible and welcoming spaces to carry out searches, and were in fact preferred to more established, larger and/or stronger organizations. Kwame, a Ghanaian man in London searching for his brother, explained he had found ethnicity-based groups and organizations more helpful than institutional ones:

“ I’ve approached many organizations and charities, but many of them don’t have time for you. They’re helping so many people, and your story is just one of many, so I felt like they don’t really care. But the church and my friends have been wonderful. Every day, on WhatsApp, Facebook and so on, they help me get the message out. They pray for me and call me to find out how I am doing. Without them, I would be on the streets like a madman today, I tell you.

A similar point was raised by Omar, who has been searching for a lost friend:

“ I became part of the Nottingham Refugee Forum [a larger organization] and shared my story with them, but nothing changed, no help! I had also been to the Red Cross. Only the Sudanese association still talks to me about it, and wallahi [I swear to God] that means everything to me.

While the help provided by friends, other migrants and migrant organizations was identified as a source of great emotional, financial and moral support, interviewees also recognized its limitations. Some interviewees felt that relying on friends, faith organizations and less formal options could be problematic at times. For instance, some noted that help was often dependent on maintaining a “good standing” with a mosque or imam. Some had felt obligated to visit the mosque for prayers regularly or to adhere to expectations of “being a good Muslim” to receive support. Also, access to other services or networks (for example, specialized, qualified psychological services and information about government programmes) was hard to obtain at this level. Munir noted:

The community can only give you moral support. They will encourage you, and that’s just about

“ it. Members of the community here do not have current information about counselling, about opportunities for education here and all that. That’s the limit within the community!

Text box 1. The search experiences of women

Gender roles and expectations play an important role not only in the decision to migrate but also in the search process. Among the nationalities interviewed for this briefing, the number of men who embark on migratory journeys tends to be higher than those of women. Men also constitute the majority of those who have been reported as dead or missing in the context of their journeys. The cases of most interviewees in this sample, in fact, involved the death or disappearance of a male migrant.

The death or disappearance of a person has dramatic implications for anyone who loves him or her. However, some of the implications of such a loss can be exacerbated due to long-standing forms of inequality based on gender. Women, for example, often face additional responsibilities as the mothers or caregivers of missing migrants’ children, having to both care for and support them financially. During the interviews, women disclosed facing social pressures to remain faithful to their partners, especially if the latter’s deaths had not been confirmed. Other times women also faced criticism if they remained single or on their own, particularly if they were still in their reproductive years. Emeka, who has been searching for her missing husband, was often urged to rebuild her life and to become pregnant again:

“ It is very difficult for me as a single mother. It is five years now [of] people telling me every day to forget him and find a new man before it is too late for me to have more children.

Families may also put pressure on women to find new partners, often to ensure a source of income or support. This point was echoed by Dorcas, another Nigerian woman also searching for her husband, when she explained that she had been advised by her family to move on because her husband was likely deceased.

Women also reported criticisms from their extended families, with their personal lives being scrutinized for signs of moral misbehaviour or impropriety after a death or disappearance. The family of Marjani’s missing husband, for example, chastised her following false rumours that she had started a new relationship in London:

“ His sister who used to be my best friend called me all sorts of names. They said I could not even wait a few years before moving in with another man, that I wasn’t even looking for [my husband], that I was still married and I should think about that ... a whole lot of things even though what they heard wasn’t true. All of this causes me great pain on top of everything I am suffering.

Conversely, none of the men with dead or missing wives disclosed facing this kind of criticism or abuse from their own relatives or those of their wives. Thus, it seemed that gendered expectations about marriage, fidelity, fertility and reproduction tend to be imposed more systematically onto women than men.

Gendered inequalities were also present in the actual experience of the search. Work by the Women’s Budget Group et al. (2017) has shown that migrant women in the United Kingdom from black and minority groups are more likely to hold precarious jobs and face socioeconomic

hardship and other adverse circumstances which already limit their ability to search for lost or missing loved ones. Women participating in this research made reference to how the unavailability of time to participate in searches as a result of work, caregiving or household duties, and limited or restricted access to social spaces and forms of support available to men but not to women also impacted their ability to conduct a search. For example, women interviewees' accounts attested to the existence of segregated spaces and limitations in the ways men and women could socialize. This restricted women's access to support from male friends, colleagues, pastors and imams, in ways not experienced by men. This issue was evident in Munish's reflections on the search for her brother:

“ Munish: I mainly use the Internet, or I call friends over the phone to check ... We have an association, and sometimes I want to go there to ask people. But being a woman, it is not that easy because it is mostly men who attend the meetings.

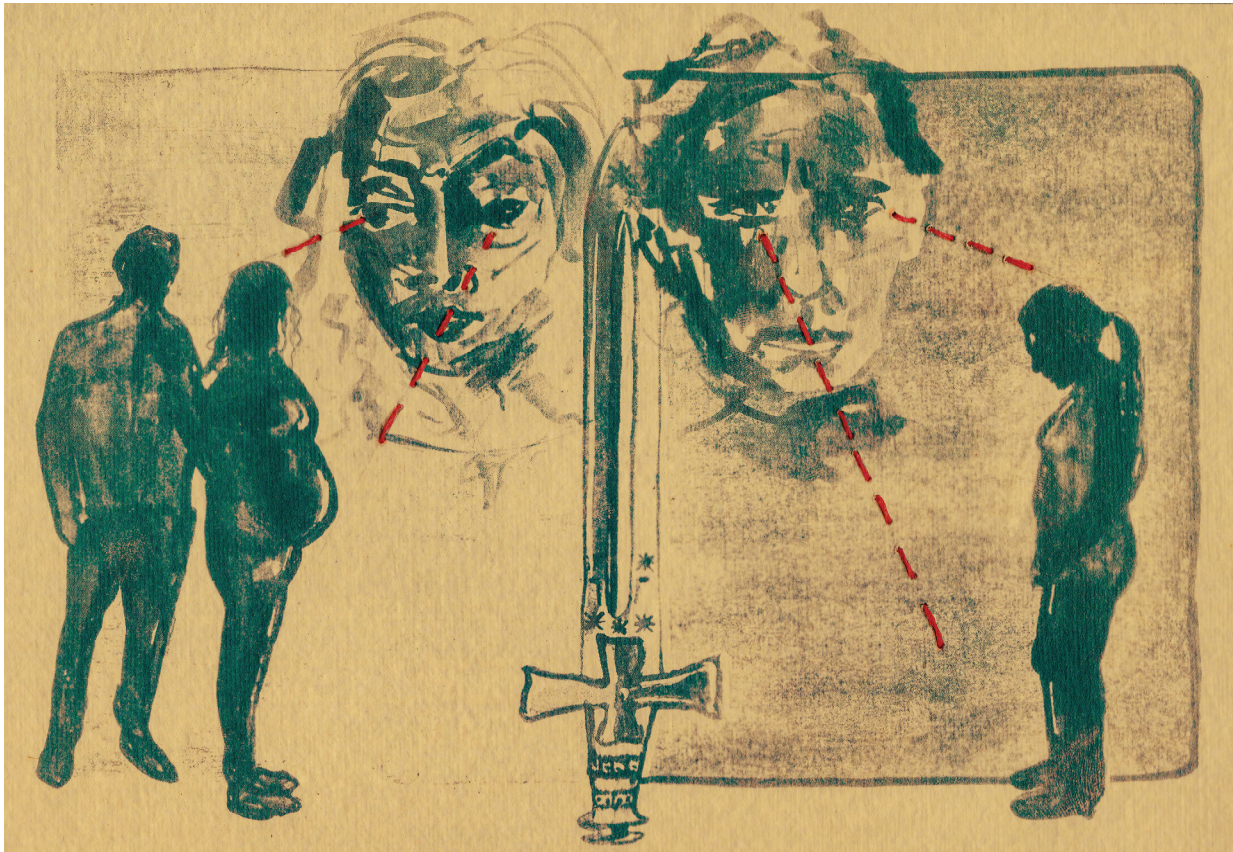
Interviewer: Why don't women attend? When you say it is not that easy, what do you mean?

Munish: Women are not banned from attending the meetings, but it is complicated. How do I even explain this? Okay, it's like this. It is frowned upon in the community to mix with men that way, so no woman really does it. I don't feel very comfortable with it because it looks like I'm doing something wrong.

Sexual harassment and demands for sex in exchange for information and assistance are also part of the experiences of women conducting searches. Habibi, a Pakistani woman who lost contact with her mother and three siblings and has been trying to find them for the last decade, was sexually assaulted by men who had promised to help her with her search.

“ This was in 2009. My papers had not gone through, and [the place] where I was staying was very bad. There was mould all over, and the heating didn't work. I went to shops in the area to sit around to stay warm, and I met him at a betting shop that I was visiting. He was very charming, and everyone liked him. We used to talk a lot, and he said he could help me with the search. He invited me to his flat so that we can use his computer to send messages. And that's how it happened. Both him and a friend of his.

Habibi did not initially report the assault to the police because she still believed that her attacker's genuine intention was to assist her with the search. He in fact asked her to move in with him because of her precarious housing situation, and allegedly to expedite the search. However, the sexual and emotional abuse persisted, and eventually she realized that he was taking advantage of her situation. She reported the abuse to the police, a legal case was filed, and she received counselling and support during the trial. She has, however, not received assistance with the search for her missing relatives.



Damned If I Do, Damned If I Don't. “Women disclosed facing social pressures to remain faithful to their partners, especially if the latter’s deaths had not been confirmed. Other times women also faced criticism if they remained single or on their own, particularly if they were still in their reproductive years.” © IOM 2021/Salam SHOKOR

3.2.2. Institutional forms of support

Interviewees also reported having relied on more established institutional channels such as United Kingdom–based charities and non-governmental organizations (NGOs) in their search. The most significant of these is the British Red Cross and its Restoring Family Links programme,³ through which some interviewees had managed to locate missing migrant relatives in countries other than the United Kingdom. Shinne, a Somali man in Bristol, found his mother and wife through this service, and he is still looking for his missing brothers. He explained:

“ I came here around 2008, and at the time, I was an asylum seeker, so I could not access financial aid or support. Even if I tried, I could not contact my family. However, when I settled here around 2010, I went to the British Red Cross, the one in Bristol. I gave the details for my family, my wife and everything to them, and they translated the information to Somali and sent it to Somalia. And after about two months, a guy from the British Red Cross called me to say they had found my mom and my wife. I am confident they’ll find my brothers too.

Stella, a Nigerian woman in Nottingham searching for her best friend who went missing while travelling from Italy to Spain, expressed similar confidence in the Red Cross:

³ More information is available at www.redcross.org.uk/get-help/find-missing-family.

“ I registered the case with the police in Spain and Italy, but I was not hearing anything, so someone told us to try the Red Cross office. I went there, and they took my picture for their website so that she can find me if she is also looking. I have seen that many people are using their service, so it must be good.

Aside from the Red Cross, and sporadic references to the Salvation Army, interviewees were not aware of any other organization that provided assistance in searching for people who had gone missing while migrating. One interviewee reported that he was told United Kingdom-based organizations could help only with disappearances that had taken place within the United Kingdom. Interviewees indicated that it was through information obtained prior to their arrival in the United Kingdom at refugee camps, upon arriving in Europe, or through interactions with staff from the UK Home Office and immigration lawyers that they became aware they could contact the Red Cross if searching for lost or missing relatives.



Stella. “I registered the case with the police in Spain and Italy, but I was not hearing anything, so someone told us to try the Red Cross office. I went there, and they took my picture for their website so that she can find me if she is also looking. I have seen that many people are using their service, so it must be good.” © IOM 2021/Salam SHOKOR

3.2.3. “It was easier to spread the news that way”: Social and traditional media in the search for missing migrants

All 23 interview participants had relied on various platforms to trace their family members online, as well as Facebook groups, Twitter and Instagram to carry out their searches. Shinne remembered that his reconnection with his family started through an Internet search: “[I] googled organizations that help refugees, and I was able to get to the Red Cross through that.”

Likewise, Mahmoud stated that he thought of using social media in his search: “Nowadays, 80 to 60 per cent of Somalis use social media, Facebook or WhatsApp groups where they can trace and make contacts with their relatives. It is the same everywhere, and that is how most people I know have found people.”

Omar went as far as to suggest: “It might be easier to find your families through these platforms than going to the Red Cross.”

Tasha, a Somalian woman in Bristol was successful in her search:

“ I tried [Somali BBC and the Red Cross] without success. What worked was social media. I contacted my friends, and my friends contacted their relatives with the information I shared with them, [and] we managed to find my mother in Yemen. It was easier to spread the news that way. And we are already getting information [via] Facebook platforms that may also help us find my father.

Social media also provided a way to verify news concerning missing migrants and to avoid the dissemination of erroneous or false information. For example, a family reached out to Omar on Facebook to confirm the reported drowning of a missing relative in the Mediterranean, which had been reported on a Sudanese community WhatsApp group:

“ There are always friends that know friends and that know more friends, and social media makes it easier to connect with everybody. You get to hear about missing persons through platforms like these.

In summary, those searching for missing migrant relatives simultaneously use several strategies but are most often supported by friends and other migrants, who connect them with community-based grass-roots networks and organizations. The research indicated that there is limited awareness concerning the activities carried out by larger, more established organizations such as the Red Cross or the Salvation Army. Thus, smaller, more personalized one-on-one assistance mechanisms are preferred due to their perceived better effectiveness and trustworthiness compared to the more established ones – whenever these can be accessed, if at all. In all cases, platforms like Facebook and WhatsApp were used widely to facilitate searches.

Text box 2. Experiences with scams and crimes

The distress and desperation arising from the lack of information about missing migrants' whereabouts often leave relatives open to exploitation and deceit. Joseph's family paid nearly GBP 2,000 to someone who claimed to have information on his sister's whereabouts:

“ We posted messages on Facebook, and soon I got a WhatsApp call from a lady who saw it. She said she was friends with my sister. She spoke our language, she knew the part of Kumasi where we are from, and she seemed very genuine, so we didn't doubt her when she said Mercy [Joseph's sister] had been kidnapped in [the] Niger and the people were asking for GBP 5,000 to release her. We had heard that this happens, so [we] believed her. I sent her my savings of GBP 2,000 to try to secure Mercy's release, but that was the last time the woman called. We used to chat on WhatsApp, but her number vanished as soon as she got the money. Just like that. People are just taking advantage of those of us in this situation.

Interviewees also spoke of other forms of fraud they encountered while relying on the Internet to carry out their searches. Kwame, a Ghanaian man searching for his brother, had been a victim of identity theft as a result of passing on his details to scammers:

“ Someone told me that he knew people who worked with the UN or some important agency that helps find missing people, so they could help me if I gave them some identity documents to verify my details and conduct checks in their database. I didn't think anyone would try to take advantage of this sad situation, so I sent him a copy of my passport. He emailed me two weeks later and said they haven't found [my brother]. About two months later, I found out someone had used the documents I sent to those people to take out credit cards in my name.

3.3. Obstacles in the search for lost or missing migrants

Families identified three main barriers that limited or, in some cases, altogether prevented them from searching for their missing migrant relatives. Often mentioned were the challenges posed by their own irregular immigration status, and the perception that a search could trigger an investigation by the Home Office (by virtue of it being the UK agency in charge of immigration), which could negatively impact their ability to remain in the country. Second, and this is often tied to an irregular immigration status, was their socioeconomic precarity emerging from the lack of authorization to work, including the inability to secure decent or affordable housing. The third general challenge was the absence of programmes or projects to support the families of the missing in their search, as well as a lack of awareness among migrant and refugee communities about what to do when a loved one is missing.

3.3.1. *“You can't really be searching because you have to hide yourself”: Challenges posed by the United Kingdom's immigration system*

Many interviewees reported that they feared conducting a search as they believed this could trigger unwanted contact with the UK Home Office, which could potentially impact their ability to obtain asylum or their applications to remain in the United Kingdom. While unfounded, the fear that searching for a missing migrant could trigger a deportation order constituted a real concern for many. Interviewees expressed how by virtue of having arrived in the United Kingdom irregularly (possibly as asylum seekers), with their resident status yet to be established, they feared approaching official bodies for the purpose of a search. They worried that the act could be interpreted as a demand for government assistance which could label them as being in violation of their admission terms. This was a point Tasha, a Somalian woman in Bristol looking for her father, repeated several times in her interview:

“ Those days my heart would skip a beat whenever I heard the word[s] “Home Office”. You feared they were coming for you anytime you saw a police car. I was completely afraid of asking anyone else for help because I was an illegal immigrant and didn't want just anyone at all to know. I didn't even dream of opening up about this problem I was having until I got my papers.

The fear of starting a search before having attained favourable immigration status systematically led to the postponement of any search efforts, and therefore to the loss of valuable time to collect information and/or evidence related to a missing migrant's case. Many interviewees indicated that they had to make the difficult decision of giving priority to the process of securing their own immigration status in the United Kingdom, with the hope that once they had cleared that hurdle, they could dedicate time to search for their loved ones. Joseph waited for nearly two years before starting to look for his sister who had gone missing during her journey from Agadez to Libya, fearing a search would jeopardize his application to remain in the United Kingdom:

“ I wondered where she could be, but I couldn't go see anyone to talk about it, not even my lawyer. I felt that we had to focus on [my] application and get my stay in this country first, else we would ruin everything if we tried to do it all at once. It took [me] almost one and a half years to get the visa.

This fear was also echoed by Ali, a Somalian man who was searching for his brothers who had gone missing while en route to the United Kingdom:

“ The UK immigration system is unpredictable because you would not know whether you'll be accepted or not, so you're just frozen and waiting ... Can't really be searching because you have to hide yourself.

Linked to this, interviewees' testimonies indicated fear that officials, formal institutions or bodies whom they could approach for assistance may be tied to the Home Office. Their concern was that reaching out to these actors implied making themselves visible to those monitoring immigration violations and reporting to the Home Office. Referrals to the Red Cross by Home Office officials, for example, were taken by some as proof that the Red Cross was not independent from government agencies and might in fact be working in collusion with the Home Office to deport or remove migrants and asylum seekers. For instance, when asked why he has not gone to the Red Cross for help, OC, a Nigerian man in Nottingham searching for his wife, bluntly stated: “You have to be careful because they [Home Office, Red Cross and other charities] are all working together now.”

Delays on asylum determination, dependent visas and other permits also led many to postpone their search. Emeka, a Nigerian woman looking for her husband, lamented:

“ When I came here ... I would cry every morning ... I was crying over my loss and also because the future was uncertain then. I did not know what was going to happen. I didn't know if I would get residence here, or if I was going to be deported and all that. That was what I was facing then apart from the loss of family.

Having endured extremely challenging circumstances to arrive in the United Kingdom, several interviewees felt that disclosing the disappearance or death of their loved ones could lead Home Office officials to believe they were fabricating stories to gain status or obtain support, so they decided not to disclose their loss. Interviewees indicated that the tone and nature of the questions from immigration officials often led them to believe that their disclosures concerning missing or dead relatives or friends were simply interpreted by the Home Office as attempts to gain sympathy or embellish their cases to secure the leave to remain.

3.3.2. *“If you are struggling to survive yourself, you can't find someone”: Challenges posed by financial precarity*

Another barrier to actively searching for a missing loved one that was often reported during the interviews was the precarious living conditions faced by those carrying out the search. Facing unstable and low-paying employment situations and poor housing conditions limited the ability of many to start a search. Ali, for example, disclosed:

“ The main challenges I can say is ... first, if you are struggling to survive yourself, you can't find someone. Unless you settle down, you can't look for them. Unless you have somewhere to live, you have a roof [over] your head, and then some income to live on, that's when you can really focus on finding them. But when you are not independent or in a strong position with your papers or socially or economically yourself, you can't do anything.

The socioeconomic hardships faced by research participants – in their vast majority, migrants, asylum seekers and refugees themselves – can be explained by several factors. Austerity measures implemented in the United Kingdom since 2010 have imposed cuts on social security provisions such as housing assistance, child benefits, and unemployment or job-seeking support for migrants and asylum seekers (Loopstra et al., 2015). The lack of regular immigration status further exacerbated these hardships.



Left in Scraps. “I had no money to pay my rent and my bills. I was eating leftovers from the schoolchildren’s plates we cleared up. I felt very ashamed of myself, and I even forgo searching because of my own pains from all this.”
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Currently, asylum seekers are not allowed to work while their applications are being considered. The Government provides them with a stipend of GBP 39.60 per week, intended to help them cover their basic living needs. This amount, however, has systematically been shown as insufficient to cover basic expenses such as housing (Refugee Council, 2021), leading many asylum seekers to look for jobs in the informal economy, where abuse and exploitation are rampant. Even for those migrants and refugees who have attained the legal right to stay in the United Kingdom, prejudice and discrimination often limit their ability to find employment and generate an income, without which their ability to search for their loved ones is rather limited. Fardowsa explained:

“ They were only giving me a few hours of work. I asked for more, and they said there wasn’t any. Titi [a friend] told me the supervisor I was working for didn’t like black people and doesn’t give them hours. She used to work with him but changed to another one, and she’s now okay. So, because of this I had a job, but I had no money to pay my rent and my bills. I was eating leftovers from the schoolchildren’s plates we cleared up. I felt very ashamed of myself, and I even forgo searching because of my own pains from all this.

Such was the magnitude of hardship for some, that while they very much wanted to be reunited with their loved ones, they themselves did not want to be found – as they felt that their relatives would be ashamed of them if they found out about their deprived living conditions. This was revealed by Shinne after he disclosed that he was homeless:

“ At first, I was trying to look for them [parent and siblings], but my situation made me stop. I was thinking: If I find them, then what? I don’t have any money, a place to stay or anything for them. I am ashamed of myself, and they will be ashamed of me too when they see my situation. I want to know where they are and if they are well. Then once things are better, I can reveal myself.

3.3.3. *“Where do I even go [to] ask questions?”: Challenges posed by the lack of a search body or mechanism and a lack of awareness of existing courses of action*

Interviews showed that people do not know where to start the search for a loved one regardless of their ability to speak English or their immigration status. Without a clear centralized mechanism or search body, few families know where to look or whom to ask. Joseph, a Ghanaian man who is a citizen of the United Kingdom and is searching for his lost sister, argued:

“Where do I even go [to] ask questions? The police in the UK or Ghana can't help because we lost touch with [my sister] on the journey. And I am someone who can read and write [in English], but I am still struggling, so imagine someone who can't do that.

Joseph's point was often raised in the interviews: police agencies in the United Kingdom or in countries of origin and transit do not assume jurisdiction over missing migrants' cases, under the claim that the death or disappearance did not take place within their territory. Hence, Joseph and his family were in limbo. They did not know whom to contact regarding a loss which, as far as they knew, had occurred at some point in the desert route between Agadez and Dirkou in the Niger. Furthermore, even in the event that police services in either the United Kingdom or Ghana decided to assist, Joseph could not provide any additional information beyond the basic details that someone who had travelled with his sister had shared:

“All we know is that the last time [my sister] called, she was in Agadez. I can't give details of what happened because I wasn't there. What can anyone do with that information? Everyone we ask wants more [details], but apart from her picture, we don't have anything else.

For some, the real issue at hand is the lack of awareness that exists among migrant and refugee communities concerning not only what to do when a loved one disappears or goes missing but also how to communicate with family members while in transit. This point was summed up by Anais, a Somalian woman in Bristol searching for her two sons who went missing while trying to cross from Libya into Europe:

“Although migration levels are high in Somalia, the level of awareness among the general public [on what to do in case of a death or disappearance] is low ... There is no general awareness on how to look for, communicate with or connect with the missing. People do not know where to turn.

This issue was confirmed by people from different countries who were interviewed in the course of this research. Interviewees stated how when they set off on their own journeys, they did not think of the possibility of losing contact with their loved ones, of going missing or even dying – despite their awareness of the risks involved when migrating irregularly. Nobody reported having a plan in place, such as what to do in the event of a disappearance, or knew whom to contact to discuss a potential search – not to mention how groups or organizations that could provide tracing of this kind were unknown to the interviewees. Participants believed that despite the ubiquity of migration in the United Kingdom, there is scant awareness among migrant and refugee communities as well as the public regarding how to assist those searching for help. Dorcas, a Nigerian woman in London who has been searching for her husband, noted:

“You know how people in this country think that we migrants have everything we need? When I disclosed to [my colleagues] that I couldn't find my husband and I wasn't getting any help from the Government or police or anyone, they were amazed. Whenever I tell everyone, it seems like it is the first time they realize that there are people like us in this country who need help. Lots of people don't know about this problem at all.

3.4. Living with loss: Psychological impacts and harmful coping mechanisms

The structural challenges that families face during their search are compounded by the psychological and emotional impacts of the loss. References to feelings like anger, sorrow, anxiety or helplessness were common in the interviews. A couple of interviewees disclosed that they had been clinically diagnosed with depression and other mental health issues as a result of their loss. Stella explained:

“ I didn't know where to go or where to get information, [and] even if I [were to know how] to do all these things, I was demoralized. It was beyond description. I was just depressed! That period in my life was just ... I was just ... I was broken and depressed.

A similar point was raised by Cindy, a Ghanaian woman in Nottingham who dealt with the pain of not knowing what had happened to her sister:

“ To me, not knowing whether they are dead or alive is actually the main problem! You can't sleep at night! You may remember your mum and dad out there, your siblings. You can't even get on with your own life. If you know that they are dead, you will be more comfortable! But the problem is when you don't know whether they are alive or not. That's the main problem! I can't even explain it.

Many interviewees disclosed having developed substance abuse problems in their attempts to cope with their loss. James, a Nigerian man searching for his son and his brother who had gone missing in Libya, had turned to drugs and alcohol as a coping mechanism:

“ My life is really miserable! I spend days drinking and smoking. I spend every GBP 20 or 30 that I get on cigarettes and alcohol. But when I am done smoking or drinking, I retreat to one corner to cry, to think about my life, about my dead brother, my family and all that. I feel as if I should not be doing this, but I can't get over it.

Even in the case of interviewees who had managed to find their loved ones, the lasting scars of psychological and emotional trauma remained. Images of conflict and violence, and broadcasts of the experiences faced by migrants trying to cross borders, generate sorrow, terror and other negative feelings that remind them of their own experiences and losses. Ali stated:

“ The sense of loss never leaves you. Leaving one's country in the midst of violence and losing contact with one's dad or losing a family member brings all sorts of negative memories, especially when you hear of people crossing or migrating to another country now. It is still difficult to express how I feel when I hear that people are crossing the Mediterranean or going to Libya. It is just traumatizing!

Many interviewees indicated how, having endured harrowing experiences and precarious journeys before getting to the United Kingdom, the bureaucratic and threatening nature of the visa and asylum process, alongside their unsettled immigration status, had not only made the search for the missing difficult but actually exacerbated the trauma. Omar lamented:

“ I could not sleep for a long time! I kept remembering the incident and my friend. I was looking for any help to get over the trauma and visited doctors and psychologists, but nobody helped because [I lack] legal status, [I have] no job, no money and all that! Sometimes, I just feel like committing suicide, like ending it all. The only thing I know is that I am a human being. I just get up in the morning, put on my clothes and wander about without any sense of direction. If I had my papers, at least I would be busy trying to make something out of my life, and it would be easier to forget or get over what happened in the past.

Omar's application for asylum had been refused, and he was waiting for the appeal hearing at the time of the interview. He showed signs of how his inability to regularize his stay further impacted him psychologically.

“ I cannot say I have gotten over [the loss of my friend], especially with the situation ... with my condition in this country. No legal status, no job, no money. There are many things that I cannot do. I cannot work. I cannot search properly. I cannot go back to my family. I cannot bring or even see my wife. I am just like a thing, not a human being. Is [this] what they call freedom in the United Kingdom? Where is the freedom?

4. Conclusion: What do families want?

The goal of this research was to identify the experiences and needs of families searching for loved ones who went missing in the context of migration. Their responses revealed a wide range of needs, experiences and expectations, along with specific and common aspirations. These can be grouped into three areas: (a) systematic, institutional support in the form of improved social and financial assistance, along with the availability of counselling and other forms of psychological support; (b) improved collaboration between informal and/or community-based grass-roots groups and larger institutions and/or established NGOs in the United Kingdom and countries of origin and transit; and (c) the creation of specific mechanisms that actually allow for the safe reporting of missing migrants while providing support to their families in the process, alongside improved technology and awareness-raising.

(a) The need for systematic, institutional support

Families were frustrated by how the lack of basic access to employment, housing and legal immigration status often prevented them from carrying out searches in the United Kingdom. Most of those searching for missing migrants were migrants, asylum seekers or refugees themselves. In the United Kingdom, these are also some of the groups facing the highest levels of socioeconomic precarity. Many live in conditions of deprivation, with poor housing and informal and low-paid labour or unemployment, as a result of lacking authorization to remain in the country legally or obtain employment. These immigration-related challenges often prevent people not only from fulfilling their basic needs but also from searching for their loved ones. Families repeatedly identified these constraints as a critical area for redress:

“ From my experience, I will say that getting a place to stay, food to eat and a good-paying job is the most important thing. I cannot [conduct a search] before I got these things in order. NGOs or the Government or those who really want to help us should pay attention to this area. (Munir, a Sudanese man in London searching for his wife and sister)

Alongside the need for improved paths allowing those seeking missing loved ones to access employment and affordable housing, families also highlighted the urgency of providing them psychiatric therapy and counselling to deal with the psychological consequences associated with the emotional burden of their loss. Interviewees spoke of having been prescribed powerful antidepressants or even being hospitalized as a result of severe depression, experiencing suicidal feelings, and other mental health issues related to the trauma of not knowing the whereabouts of their relatives. Many had resorted to alcohol or drugs as ways to cope with the stress. Hence, access to rehabilitation facilities, counselling and other mental health support was identified as a critical area of need. Participants noted that although such support could be accessed via the National Health Service, it usually takes months to be seen by a specialist, which could have potentially fatal outcomes for some. James told us:

“ Mental health support must be available on day one. I suffered so much to get it. And I want to say that anyone in my position, looking for their loved ones and also dealing with all the other problems, must get this support from day one. Else they may harm themselves, or maybe they will even harm others. I was walking in the streets with bad thoughts in my mind all the time. Maybe I should jump in front of a car ... all of these thoughts. But even after I told my doctor that I was going to kill myself, it was another two weeks before I got to see the psychiatrist.

Counselling and access to medical services and drug rehabilitation should feature prominently in support programmes for families throughout the search and beyond, given that the debilitating effects of the loss impair the physical health even of those who have found their missing relatives. As Abbas argued:

“ I know a lot [of] people that faced similar issues and could not recover! A lot of people still suffer from depression and that kind of stressful situation. So, there is need for psychological support even after finding or receiving news about the missing person.

Stella shared similar concerns:

“ There are people that have found their families but are still affected by some of the problems they faced when they first came here. Some of them became diabetic ... I know someone who still has high blood pressure caused by anxiety and loneliness.

(b) Improved levels of organizational coordination and stronger partnerships

Participants also expressed the need for improved coordination between community-based grass-roots groups and larger institutional organizations to secure and/or expedite access to services, including those related to mental health. Stella said:

“ If my pastor finds that prayers and church counselling alone is not working, then he can refer me to see a professional counsellor or therapist with a charity or some other organization. [When] you're new to this country, getting this kind of help is very difficult.

As Joseph put it:

“ The churches, community groups and our friends are all helping us a lot with the problem, but they are limited [in their ability to help]. Charities and NGOs can support or team up with each other for searches, to improve the situation.

Closer collaboration can be achieved through the recruitment of volunteers from migrant organizations and communities, who can serve as language and cultural interpreters and help navigate the social and cultural dimensions tied to a search. Mahmoud emphasized:

“ One of the ways this can be done is by recruiting people from countries like Syria, Somalia, etc., you know, [people from] migrants' countries of origin. This is because some of the people [searching] may not speak or be fluent in English, so when they go for help, their needs are not being met. They may also not know where to look for relevant information. These volunteers can be mentors for their communities. They can identify with the issues faced by the people of their communities.

Interviewees also called for the implementation of more collaborative efforts between United Kingdom–based charities and those in countries of origin and transit. As Victoria emphasized:

“ Many [charities] that can assist do not have a wide base. It's either some are active here but not back home, and vice versa. So, they need to be connected up.

Joseph had similar concerns:

“ For example, there are many migrant groups in this country, and they often have access to information [that] UK-based charities may find difficult [to reach]. That's how they could collaborate, [by sharing information].

(c) The implementation of a formal mechanism to carry out searches

What families most often emphasized was the need for a formal body or mechanism to conduct searches, a protocol of sorts that allows them to report the loss or death of a loved one regardless of the place where the disappearance took place, that provides guidance and legal advice, and that allows for the identification, claiming and repatriation of remains. As Omar put it:

“ Identification and registration of deaths must happen regardless of where or how people die. That's why many of us are not getting results. I've seen this myself. People die, and we don't have any way to report it, or the body is found but can't be identified.

As OC (a Nigerian man looking for his wife) and many others argued, systems for reporting and identifying bodies should involve a multi-country strategy given the nature of migration – in particular, that of irregular migration. This also requires improved involvement and coordination of consular offices in countries of origin, transit and destination:

“ The Government here or France or Italy or Libya or Nigeria or anywhere else must search for the bodies of those that are dead. They can conduct some background tests to know their places of origin and take the information to their countries’ embassies. Then the embassies can continue the search in their country and contact their families just to inform them.

Interviewees emphasized the need for accessible information and guidance on how to start searching for lost or missing migrant relatives. Interviews showed that despite the high number of migrants in the United Kingdom, people seeking their loved ones or attempting to start a search do not know what process they should follow, nor what body or agency they should reach out to, as exemplified by these statements by Anais and Tasha:

“ Getting right information and knowing where to go for what purpose is very important. People don’t [know] where to go or where they can find such information. If people can get information through the Home Office, IOM office or other big organizations in the big cities in the UK, that will be helpful for them. (Anais)

“ Many people don’t have any idea how to even [start] searching. That was my situation. I arrived here, and I didn’t have a clue. During my interview, I told the immigration office [about my case], but they didn’t have anything to say to me. Where should I go? [Whom] should I speak to? I was all on my own. [Letting] everyone know what to do is very important in my view. (Tasha)

The role of technology was also emphasized by Omar when asked about how the search could be improved or made more accessible. His argument was that societies all over the world now have access to the Internet and other technology to facilitate a search:

“ At the time (around 2008), not many people were using Facebook – even though it was around then – like now. Almost everybody in Africa is using Facebook now. It might be easier to find your families through these platforms than going to the Red Cross.

At the same time, it cannot be assumed that all people searching for missing migrants have access to technology in the form of Internet or social media. Many interviewees lacked Internet or computer access at home, and their only way to conduct searches was through churches, mosques or community organizations. Limited access to technology can also be an issue in countries of origin, and is particularly likely during transit. Interviewees mentioned that radio shows could be an alternative; that in many cases, the radio had been effective for accessing and disseminating information concerning missing migrants in countries of origin, transit and destination; and that said shows could constitute a potential service to be implemented in the United Kingdom. At least one interviewee reported that he had been able to locate his father through a radio show.⁴

Furthermore, participants recognized the advantages of technology in the context of a search, but they also acknowledged that it comes with risks. The rise of “fake news” and misinformation on the Internet could give families false hope or create further distress. Tools like location trackers could inadvertently reveal the whereabouts of people who may not want to be found as they are fleeing from persecution and political harassment, escaping gender-based violence or simply planning to start anew. Combined, these challenges faced by families with missing migrant relatives in the United Kingdom demonstrate the need to develop protocols or guidelines that allow searches to be carried out ethically and responsibly.

⁴ For example, BBC Somalia with funding and coordination from the International Committee of the Red Cross ran a show in which people could share letters and messages with relatives with whom they were trying to re-establish contact. More information is available at www.icrc.org/en/doc/resources/documents/audiovisuals/video/2013/03-15-somalia-rfl.htm.

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CHAPTER 3

The United Kingdom's approach to missing migrants: Systems, policies, and frameworks



1. Introduction

Sia Kondeh¹

This chapter presents an overview of the laws, policies, initiatives and support available and relevant in the United Kingdom for families who have missing migrant relatives. It describes the government bodies and civil society and international organizations that shape the institutional context faced by people in the United Kingdom who have missing migrant relatives and how these instruments and actors function in practice. Together with the findings of the research conducted with people directly affected by having missing migrant relatives (in Chapter 2), this chapter informs the recommendations (in Chapter 4) for how institutions and practitioners could better support families of missing migrants in the United Kingdom.

The evidence shows that despite the progress and established response in the United Kingdom on the issue of missing people, more generally, there is a lack of awareness about the unique challenges faced by families of people who go missing on irregular migration journeys, including the effects of separation, disappearance or death. As a result, no national legal frameworks exist that respond to the specific needs of missing migrants and their families. There are equally no specific processes that deal with the issue of people who have died while on migration journeys (either within the United Kingdom or elsewhere, en route to the United Kingdom). All such processes are directed through generic police procedures, and thus the issue of missing migrants is foremost treated by the Government as a criminal justice issue.

The data collected for Chapter 2 indicates that families are the primary actors leading the search for their missing migrant relatives in the United Kingdom. They are sometimes supported by their migrant and/or diaspora community networks. However, the United Kingdom's "hostile environment" immigration policy evidently acts as a significant barrier for many migrant families to approach authorities about their missing relatives, as many may be subject to immigration-related controls and are navigating the asylum process themselves. The hostile environment impacts these families' trust in State authorities and their access to support services that could help them in their search for their missing loved ones. Furthermore, while the majority of the missing are adult migrants, State legislation and programmes that are carried out related to missing migrants have largely focused on migrant children (and in particular those who arrive in the country unaccompanied), who either go missing themselves after leaving care facilities or are searching for their relatives.

There are limited examples of coordinated responses to resolve cases of missing migrants, but overall, there is a lack of collaboration between key stakeholders in the United Kingdom, including institutions and civil society, on the subject of missing migrants and supporting their families. What is more, the exit of the United Kingdom from the European Union ("Brexit") will likely be a setback to any advancements in this regard, as it is still unclear how the outcome of the negotiations will

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affect United Kingdom actors’ access to information-sharing systems and frameworks that exist in the European Union (and vice versa) and that support work on this issue.²

The research findings highlight that much needs to be done by policymakers, State institutions, migrant rights advocates, civil society and the general public in the United Kingdom to further develop understanding and adequate responses for the needs of families of missing migrants. In particular, the State should recognize that this is a humanitarian issue, and that it has a duty to facilitate the tracing of the missing and to make appropriate provisions for the deceased, regardless of their legal status and age. One way of going about this would be through adjusting and increasing capacities and expertise that already exist for dealing with regular cases of missing persons to include those that happen in the context of irregular migration journeys.

After a short description of the research methodology, the chapter presents an overview of the applicable laws, policies and relevant actors with regard to the issue of missing migrants in the United Kingdom. Analyses of the applicability and functionality of the current institutional context are integrated throughout the text.

2. Methodology

The mapping of legal frameworks, policies and actors relevant to the issue of missing migrants in the United Kingdom was derived from a desk-based review and analysis of a wide range of available resources. Further supporting information and analysis were collected through semi-structured interviews with eight key stakeholders from academia, civil society, local authorities and national State institutions in the United Kingdom in spring and summer 2020.³ All of the research participants either work directly with people who have missing migrant family members or have advocated and supported cases of missing migrants and their families. Their insights helped identify areas for improvement and contributed to the recommendations on how to better support families of missing migrants (in Chapter 4). The methodology for conducting the research and the initial findings were reviewed by the project’s advisory group, which is composed of international and national experts on the issue of missing migrants.

3. Findings: National legal frameworks relevant to missing migrants and their applicability

The research found that there are no specific legal frameworks in the United Kingdom that deal with either investigating missing-migrant cases and supporting those looking for missing migrants or managing cases of deceased migrants, including facilitating the identification, repatriation and burial of remains. Relevant United Kingdom authorities, such as the police, do not have roles under general legal frameworks to investigate cases of missing migrants (whether missing in the country or elsewhere), except when they are required to do so by law – such as when a person has been reported missing or found dead, or foul play is suspected, within the United Kingdom’s territory. This extends to people who are lost at sea (for example, in the English Channel), but only if they are lost within the country’s maritime boundaries. It follows that authorities cannot investigate such cases without reports having been filed. The research also found that direct contact and collaboration between the police and families of missing migrants is limited only to a small number of cases – when migrants are found dead and the police seek to trace their families, or the families come forward. Further analysis of the two separate circumstances – when migrants are found deceased, and those who are missing and their whereabouts unknown – is provided below.

² For example, the United Kingdom had the right to take part in Schengen cooperation under the terms of the Treaty of Amsterdam, including having access to the [Schengen Information System II \(SIS 2\)](#), the most widely used and largest information system for security and border management in Europe. This will no longer be the case. As of January 2021 when the United Kingdom exits the post-Brexit transition period, the United Kingdom automatically forfeits its right to access the SIS 2 and membership in other key frameworks such as Europol and Eurojust, as the United Kingdom will then be regarded as a third country outside of the European Union systems of cooperation. The implications of these forfeitures however are still not clear at the time of writing.

³ The research process was disrupted by measures introduced as part of the official United Kingdom response to the COVID-19 global pandemic in March 2020. The research team was challenged to engage all stakeholders identified for this research. Many advised significant reduction in capacities (such as furloughs, adjusted priorities) or altogether halted activities, including support services for families of missing migrants. The researchers mitigated the effects of this pandemic by extending the timeline for the project as well as shifting all the interviews online, to enable participants to engage in the research process.

3.1. Deceased migrants: Policy and legal frameworks

There is no cohesive approach or specific laws in the United Kingdom for dealing with cases of deceased migrants, including cases where unidentified remains are found. Equally, no clear protocol exists to support families who are trying to navigate the many frameworks and processes that govern the general procedures in the United Kingdom for dealing with the remains of people found dead.

Three reports in recent years highlight the fractured approach in the United Kingdom for dealing with cases of deceased migrants and their families. The first is the case of 27-year-old Matada, who was found dead in 2012 on the pavement in London after falling from a Heathrow-bound flight from Angola. The coroner's inquest⁴ determined that the police had no default obligation to investigate as no one had reported him missing in the United Kingdom. Given the lack of frameworks concerning migrants, the coroner and the police had to rely therefore on various legislation and procedures, to enable them to utilize the powers needed to investigate and determine the cause of death, along with the identity of Matada and his family (Walker, 2013; Siddique, 2015).⁵ The second is the case of another unidentified person found dead in 2019 in a private garden in London after falling from a Heathrow-bound flight from Nairobi, Kenya. A year on, the person was still yet to be identified and their family notified.⁶ On 23 October 2019, the bodies of 39 Vietnamese migrants (29 men, 8 women and 2 boys) were found on the back of a lorry in the city of Essex. It had travelled from the Port of Zeebrugge, Belgium. There were significant delays in the initial investigations, including an initial misidentification of the migrants as Chinese. The families, both in Viet Nam and in the United Kingdom, came to know about the fate of their loved ones mostly from media coverage about the incident. Correct identification of the remains was only possible once the families came forward in response to media reporting. It was said that the police's strong focus on the criminal elements of the case during the preliminary investigation phase was partly to blame for this mishap (BBC, 2020).

Relevant authorities continue to rely on a patchwork of existing laws to facilitate their response to cases of deceased migrants. The Coroners and Justice Act 2009 provides the only general legal framework that can be applied to incidents of migrant deaths. Part 1 of the Act imposes a legal duty on a coroner to investigate any death of a sudden, unexplained or violent nature. A death during irregular migration that occurs in the country's territory could fall under this category. The duty of the coroner is to establish the identity of the deceased person and the cause and circumstances of death so it can be registered, and to inform the family. Primary investigations are carried out by police authorities whose role is to assist the coroner during the process; however, this is a civil procedure, not a criminal procedure. A coroner's investigation and inquest therefore does not depend on there being suspicion of a criminal act, and it does not depend on the filing of a complaint by the family of the deceased migrant. Under both United Kingdom law and Article 2 of the European Convention on Human Rights, families should be involved to the fullest extent possible in coroners' inquests. However, it is unclear as to what extent coroners must go to engage families, especially when the latter are in another country.

It is likely that families of missing migrants are not familiar with these procedures as well, whether they are in the United Kingdom themselves or not.⁷ The cost for a legal counsel to represent them at an inquest⁸ and costs associated with managing the remains of deceased loved ones can also be a deterrent for families who may wish to engage in this process. In addition, the Coroners and Justice Act does not make any provisions for the specific circumstance of deceased migrants or for their families, including cultural, social, or religious requirements for burials, bereavement

⁴ In the United Kingdom, an inquest (and the broader concept of a public inquiry) forms part of an investigation to establish the cause and circumstances of death in the case of a sudden, unexplained or violent death, led by a coroner and in some cases involving a jury (a group of lay/everyday persons usually selected from the national electoral roll to sit in and provide verdict to determine the outcome of formal, legal proceedings such as an inquest). Deceased migrants are deemed in the United Kingdom to fall into the categories of deaths that trigger a coroner's inquest or public inquiry.

⁵ These included laws and powers around access to personal data and access to the personal devices of the deceased (in this case, a mobile found in one of the pockets of the clothing of the deceased). The police detectives were only able to identify him after analysing data collected from the Angolan SIM card found in the phone, which led them to an acquaintance of the deceased who later identified the body (Walker, 2013). It took many months however for his family to be traced – and only after they identified themselves to authorities in Mozambique after reading about his death in a local newspaper (Walker, 2014).

⁶ Despite several police requests for information from the public, no one has come forward. Police briefings about the case suggest that complex processes and procedures are being navigated in their investigations into the case. In a similar case in June 2015, when two men were stowed away in a plane from Johannesburg to London, the one who died was identified six months later as Carlito Vale, around 30 years old and from Mozambique. To learn more about his life, please see [link](#) and the documentary *The Man Who Fell from the Sky*.

⁷ As equal weight in the United Kingdom is given to both written legislation and principles derived from decisions made by courts in cases, these legal principles surrounding coroner investigations and inquests are also constantly changing, and thus difficult to understand for someone who is not familiar with them.

⁸ Although "exceptional funding" is available under the Legal Aid, Sentencing and Punishment of Offenders Act 2012. The exceptional funding criteria allow funding for representation at an inquest to be provided on two grounds: where it is necessary to carry out an effective investigation into a death, as required by Article 2 of the European Convention on Human Rights; or where the Director of Legal Aid Casework has made a wider public interest determination that the provision of advocacy for the bereaved family at the inquest is likely to produce significant benefits for a wider class of people. It may seem at face value that families can meet either criterion, but final decision to award the grant is based on a guidance by the United Kingdom's Lord Chancellor (Fairbairn and McGuinness, 2021).

support such as psychosocial support for trauma, or post-burial support. Families usually rely on their diaspora groups and some non-governmental organizations (NGOs)⁹ for support through this process. Some of these issues were highlighted in the case of Matada, mentioned above, whose family in Mozambique could not afford to pay the large sum asked for by the United Kingdom authorities to repatriate his remains. Subsequently, he was buried for a time in the United Kingdom in an unmarked grave (Walker, 2014). In the Essex lorry deaths case, mentioned above, international fundraising and donations from the Vietnamese diaspora associations in Europe helped to raise money for the families, to cover the costs of repatriating the bodies to Viet Nam (BBC, 2019).

3.2. Missing migrants: Policy and legal frameworks in context

A legal and institutional framework exists in the United Kingdom for missing people in the country. There are Government-funded civil society organizations (CSOs)¹⁰ that work on this issue and a dedicated Missing Persons Unit (MPU) within the National Crime Agency (NCA)¹¹ which holds the United Kingdom Government’s operational mandate for missing persons. The police have specific responsibilities to investigate and undertake search-and-trace measures under this framework. There is also government direction for families on how to engage with the police on this issue, along with a dedicated support line that forms part of the United Kingdom’s national emergency helpline. In 2017 alone, a total of 422,740 incidents of missing persons were recorded by the United Kingdom’s NCA.¹²

However, the above missing-persons framework is perceived by some stakeholders as too closely tied with State institutions and law enforcement agencies, such as the police, and this can serve as a deterrent for families of missing migrants, who may be navigating the process of legalizing their own immigration status. One indication of this is that in 2019, only about 100 of the calls received by the police about missing persons were related to missing migrants, and they mostly involved incidents of missing unaccompanied migrant children. Furthermore, there are no specific laws or policies guiding the MPU that address specific circumstances of people missing in the migration context, such as the fact that a lot of time may have lapsed from when the family members became separated to when the family in the United Kingdom attempted the search, which can render “traditional” tracing methods ineffective.

The lack of specific and State-led frameworks for dealing with missing migrants in the United Kingdom means that families with missing migrant relatives must rely on generic legal frameworks in order to claim their rights with regard to their search for their missing loved ones. The most common one is the [European Convention on Human Rights](#), and specifically Article 2, which establishes the right to life and imposes on the States the duty to protect life, implying a duty to conduct an effective official investigation when an individual has sustained life-threatening injuries, died or disappeared in violent or suspicious circumstances (ECHR, 2020). Direction provided by the European Court of Human Rights requires the next of kin of the deceased to be involved in the inquiry to the extent necessary to safeguard their legitimate interest. Furthermore, the European Convention on Human Rights protects the right to family life in Article 8, which encompasses the right to enjoy family relationships without interference from the authorities, including the right of families to live with their loved ones. These rights are enshrined in the United Kingdom’s [Human Rights Act 1998](#) and therefore have direct legal applicability in the United Kingdom. However, reliance on these provisions can only be actioned when a family member is in pursuit of a formal legal redress, such as court proceedings for an asylum case or a family reunification case. From the little evidence available in the United Kingdom, it does not appear that families can rely on these provisions in situations where a person is looking for a missing migrant family member.

The right to support for unaccompanied migrant children searching for their loved ones can be drawn from the [Borders, Citizenship and Immigration Act 2009](#), Section 55, which imposes a statutory duty on the UK Home Office (the Ministry of Interior) to carry out its functions in a way that safeguards and promotes the welfare of children. This statutory duty falls on local authorities to demonstrate, among other things, “fair treatment which meets the same standard a

⁹ INQUEST is an example of an NGO that has experience and expertise in providing support for families in the United Kingdom who may be going through coroners’ inquiries and investigations. Its expertise is not specific to support for families of missing migrants. CSOs with existing expertise could be endorsed to expand their support for families of missing migrants, and to better collaborate with families and other stakeholders in advocating this issue.

¹⁰ Organizations such as [Missing People](#) are at the fore of the advocacy and response in the United Kingdom.

¹¹ More information is available at www.nationalcrimeagency.gov.uk/what-we-do/how-we-work/providing-specialist-capabilities-for-law-enforcement/missing-persons.

¹² This is an average increase of 18 per cent in previous years. There are variables in the reported and recorded incidents of the missing in the three devolved nations (England and Wales, Scotland, and Northern Ireland), which may affect the trends in cases of missing migrants within each devolved nation (NCA, 2019:5).

British child would receive” under the [Every Child Matters](#) policy.¹³ By virtue of this Act and its resulting policy, unaccompanied migrant children are entitled, as a British child would be, to support from the relevant authorities under the country’s missing-persons mechanisms to find their families in the United Kingdom or missing loved ones elsewhere. Little evidence exists however that unaccompanied migrant children have been able to exercise their rights under this statutory provision. There is also no protocol to streamline this.

The costs of legal services also deter families from accessing relevant legal frameworks, such as those listed above, to support their efforts to trace and reunite with their missing migrant relatives. Lack of access and recent cuts to legal aid in the United Kingdom¹⁴ mean that many families must make tough choices that directly impact the extent to which they are able to commit to the process of searching for their missing migrant relatives.



Unidentification Card. “I could not sleep for a long time! I kept remembering the incident and my friend. I was looking for any help to get over the trauma and visited doctors and psychologists, but nobody helped because [I lack] legal status.”
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¹³ The [Every Child Matters](#) policy initiative is a series of three United Kingdom government papers the contents of which were incorporated into the [Children Act 2004](#) (the Green Paper for the policy is available in the link). It applies to children in the United Kingdom, from birth to age 19, including looked-after children of the State. It requires that all organizations that work or come into contact with children must have safeguarding policies and procedures to make sure that every child – regardless of whether they are considered vulnerable or not, their age, gender, religion or ethnicity – are protected from harm. The policy initiative is now implemented under the United Kingdom Department for Education and the Department for Children, Schools and Families.

¹⁴ Drastic cuts to legal aid were introduced about a decade ago, which has significantly reduced access to available funding for many people on the lower end of United Kingdom society, including some families of missing migrants.

3.3. Multilateral legal and policy frameworks

The United Kingdom is party to several international and regional human rights and humanitarian laws and treaties that contain provisions that could be applied to the issue of missing migrants and their families. There is little evidence however of a concerted effort on the part of successive United Kingdom administrations to implement their obligations under these international frameworks. A summary is provided below of relevant international frameworks which the research participants identified as crucial for supporting families of missing migrants in the United Kingdom.

The principle of “the right to life” provided in the European Convention on Human Rights is also included in the United Kingdom’s Human Rights Act 1998. It is a key international human rights provision used by those who are supporting families and advocating their rights to family reunification, which includes offering aid to trace their missing migrant relatives. Research participants pointed out that the United Kingdom is yet to fully implement human rights principles on the right to family life, as the concept of family in the United Kingdom is still defined narrowly when it comes to immigration policies and proceedings – to only mean biological, nuclear relatives. This has affected many asylum and family reunification cases where families find themselves up against the challenge from the Home Office to prove their relations with their loved ones, often through providing DNA test evidence. Research participants argued that any measures and provisions introduced as part of the Government’s emergency responses to the COVID-19 pandemic or its Brexit plans that may affect migrants and their families do not absolve the United Kingdom of its obligations under human rights principles and the relevant case law that has developed around this legal provision.¹⁵

The United Nation’s *Global Compact for Safe, Orderly and Regular Migration*,¹⁶ adopted in 2018 by 152 United Nations States, including the United Kingdom, specifically provides for international cooperation to save lives and prevent migrant deaths and injuries. Objective 8 of the Global Compact for Migration includes a commitment by States to identify those who have died or gone missing, and to facilitate communication with affected families, along with the standardization of the collection and exchange of relevant information about migrants. The research participants highlighted that the non-binding nature of the Global Compact for Migration potentially undermines its effects under United Kingdom law, and therefore the extent to which stakeholders in the country can make use of it to support advocacy of the rights of families of missing or deceased migrants.

The United Nations Convention on the Rights of the Child (CRC), which was ratified by the United Kingdom in 1991, was highlighted specifically by interviewees who work closely with unaccompanied migrant children, as justification for the State to take an active position on the issue of missing migrants. Article 18 makes provision for the rights of children to be raised by or to have a relationship with their parents, and the Convention also requires governments to support parents to raise their children. This provision could be incorporated into relevant legal frameworks for children in the United Kingdom and inform the duty of relevant State institutions to assist those looking for missing migrant children, including those not in the country.

The only specific provision that was available in the United Kingdom to support unaccompanied migrant children in their searches is the duty to trace under the European Union Council Directive 2003/9/CE,¹⁷ which requires European Union member States to support unaccompanied migrant children to contact or even to reunite with their families.¹⁸ This duty is incorporated in UK regulation,¹⁹ and the United Kingdom’s Home Office holds the governmental responsibility for enforcing the duty through local authorities’ children services, who are responsible for supporting unaccompanied migrant children throughout the asylum process (CCLC, 2017). Although the Department for Education

¹⁵ Importantly, the United Kingdom will continue to be subject to the European Convention on Human Rights, regardless of its departure from the European Union through the Brexit process, because the two regimes are separate. Although recent developments suggest that the current United Kingdom Government is, at the very least, scrutinizing some provisions of the United Kingdom’s Human Rights Act 1998, with plans to opt out of some of the convention’s provisions that may apply to irregular migrants, such as the protection of asylum seekers against deportation (Grierson, 2020; Stone, 2020).

¹⁶ The Global Compact for Migration was approved by 152 United Nations member States, including the United Kingdom, in 2018, as a crucial multilateral policy framework on issues of migration.

¹⁷ The Council Directive 2003/9/CE on minimum standards for the reception of asylum seekers was replaced by the recast Reception Conditions Directive 2013/33/EU, which was adopted during the second phase of the Common European Asylum System. However, the United Kingdom opted out of the revised directive, meaning that the 2003 Directive still applies. Further information can be found in the European Asylum Support Office guide on family tracing, which is available at <https://easo.europa.eu/sites/default/files/public/EASO%20Practical%20Guide%20on%20Family%20Tracing.pdf>.

¹⁸ UK case law determined that the United Kingdom’s duty to trace, while independent of the asylum claim, may be relevant to the claim when it is in the child’s best interest, because information obtained during an attempt to trace family members may cast light on whether the child will or will not be at risk if returned to their country of origin.

¹⁹ It is incorporated in Regulation 6 of the Asylum Seekers (Reception Conditions) Regulations 2005, which is available at www.legislation.gov.uk/ukSI/2005/7/contents/made.

is responsible for collecting data relating to missing unaccompanied migrant children in the United Kingdom,²⁰ there is no central data about the actual numbers of unaccompanied migrant children that are missing or that are looking for their missing loved ones. The Government's action so far has been limited to a [guidance document for local authorities](#) to trace family members of unaccompanied children who have claimed asylum.²¹ Up to December 2020, the United Kingdom participated in the [Dublin III Regulation](#),²² which sets out which country in the European Union is responsible for considering an asylum claim made by a non-European Union national, and sometimes facilitated tracing and family reunification. As of January 2021, the Regulation is no longer applicable in the United Kingdom (as a result of Brexit).²³

4. Findings: Relevant actors – Their role and context

The actors described in this section have functions and carry out measures relevant to the families of missing migrants in the United Kingdom. They could also have a role to play in facilitating the expansion of the country's missing-persons expertise to include greater support and specific provisions for families of missing migrants.

4.1. The United Kingdom's Government and Parliament

The Home Office (the Ministry of Interior of the United Kingdom) is, among other things, responsible for border control, immigration and citizenship, law enforcement and policing, and detention. It also heads the implementation of the hostile environment policy, a series of measures administered through State institutions under which life is intentionally made intolerable for people deemed to be in the United Kingdom "illegally".²⁴ Families with missing migrant relatives in the United Kingdom are impacted by this criminalized approach to immigration because, as the research with families shows (in Chapter 2), many have irregular migration status themselves and/or their loved ones went missing on irregular migration routes. As a result, families are less likely to interact with the authorities regarding their missing-migrant cases. Another example of how this policy and approach relate to missing migrants is the Government's response to irregular crossings on the English Channel to the United Kingdom. The Government has tasked the United Kingdom's Maritime and Coastguard Agency (MCA) and Border Force with actively intercepting and turning boats with migrants back to the European mainland (Grierson, 2020; IOM, 2020). The United Kingdom has so far also failed to acknowledge or take investigative responsibility for cases in which people go missing on this sea crossing to the country.

The Home Office also implements the No Recourse to Public Funds (NRPF) condition, which has been included in successive United Kingdom immigration laws since 1999. The NRPF condition is imposed on persons with limited or no legal status in the United Kingdom and prohibits them from accessing certain defined public funds (such as welfare benefits, housing and legal aid). The effects of the NRPF condition make many migrant families of missing migrants (along with others who have irregular migration status in the United Kingdom) more vulnerable in their day-to-day lives and thus present obstacles.

²⁰ The information about the role of the Department for Education in recording cases of missing migrant children was provided as part of the United Kingdom's response to the request of the European Commission to find out how European Union member States treat cases of missing unaccompanied minors (EMN, 2020).

²¹ The approach of the Department for Education seems to be limited to providing guidance to local authorities about migrant children missing in education through the family tracing guidance (available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/633768/family-tracing-v2_0EXT.pdf). There have been a few court cases in recent years which have considered the failure by the Home Office to trace family members of unaccompanied migrant children. The United Kingdom's Supreme Court judgement on the KA (Afghanistan) case, however, affirmed the view that although there appeared to be scope to argue for support, including the legalization of status, on the basis of the Home Office's failure to trace, this is very limited to when the failure results from a decision maker applying their discretion rather than following specific criteria for determining asylum applications.

²² Officially, this is called Regulation (EU) No. 604/2013 establishing the criteria and mechanisms for determining the member State responsible for examining an application for international protection lodged in one of the member States by a third-country national or a stateless person.

²³ Neither the United Kingdom-European Union Political Declaration on Brexit nor the European Union's draft text for a new partnership agreement with the United Kingdom specifically identified asylum, unaccompanied children, or readmissions as areas for future agreement or cooperation (Gower, 2020). The United Kingdom Government reaffirmed its commitment to issues concerning refugees and asylum (House of Commons, 2020) within the context of existing UK immigration rules. There is still, however, no clear update about whether there will be a similar legal provision to replace the United Kingdom's previous specific commitments under Dublin III for reuniting unaccompanied migrant children with their families (and extending the duty to trace and provide legal routes for family reunification). There is concern that the country is now without the only legal and secured route for asylum seekers (including unaccompanied migrant children), who no longer have real alternatives to dangerous migration journeys to the United Kingdom.

²⁴ Please note that this is the term designated by the Home Office to refer to migrants whom it deems as having irregular status in the United Kingdom. This term is not used by IOM to refer to those migrants who do not have the required legal documentation or authorization to enter and/or reside within a given territory. IOM prefers the use of the term "irregular" to "illegal" because the latter carries a criminal connotation, is against migrants' dignity and undermines the respect of the human rights of migrants. See IOM's *Glossary on Migration* (2019).

The Parliament, on the other hand, has led several inquiries into issues of migration and migrant affairs, specifically through the Home Affairs Committee.²⁵ No specific investigations however have been conducted on the topic of missing migrants and their families. The role of the United Kingdom’s Parliament therefore could be to create the platforms that facilitate advocacy of missing migrants’ rights and provide evidence about the importance of this issue to compel the Government to act to protect families and their migrant relatives.

4.2. Other State institutions at the national, regional and local levels

The United Kingdom’s law enforcement institutions are the State institutions most engaged in the issue of missing migrants. The police have led investigations on cases of deceased migrants, such as the Matada case and the Essex lorry deaths mentioned in Section 3.1. The MPU under the NCA holds the Government’s operational mandate for missing persons generally.²⁶ Saying that, the MPU’s engagement in issues of missing migrants forms a very small proportion of its work, which mostly involves unaccompanied migrant children within the context of modern slavery, trafficking and exploitation.²⁷ To put it in perspective, the MPU stakeholder interviewed for this research explained that they received about 400,000 calls regarding missing persons in 2019; a total of 68 per cent (about 150,000) were about children generally, and only about 100 of these were about missing migrant children.²⁸ Operation Innerste is the only concrete police initiative so far that has supported a small number of unaccompanied migrant children, six in total, to search for their families.²⁹ The MPU does not generally engage directly with people searching for their missing migrant family members. This is due to a number of factors, including a lack of concerted effort on the part of the MPU to conduct effective information outreach to families and communities, and a reluctance among families to engage with authorities, including the MPU, whom they perceive to be law enforcement and/or immigration control agencies.³⁰

The MPU has made two key changes since its inception in 2008, which highlight its willingness to play a greater role in supporting families of missing migrants. The first is the reduction of categories of “missing migrants” from ten to just two – namely, missing migrants and missing unaccompanied migrant children – which has helped simplify the search process.³¹ Second, the MPU has proactively redirected its focus from immigration control to a humanitarian approach, despite the Home Office’s hostile environment policy. The MPU increasingly works closely with civil society, particularly the British Red Cross (BRC), on coordinated responses for tracing and identification of missing migrants. For example, there is a collaborative pilot project between the MPU, BRC and two United Kingdom academic institutions to support a selected number of families who live in the United Kingdom to trace their loved ones in Greece.³² The project can also support families even if they hold an uncertain, indeterminate or expired status in the United Kingdom.

²⁵ Its work includes the inquiry in April 2020 that explored the [impact of the COVID-19 crisis on those in the asylum system](#), and the effect of the NRPf policy. The outcome of this inquiry is still pending at the time of drafting this report. The inquiry heard evidence from representatives of civil society, including the Immigration Law Practitioners’ Association, Free Movement, the Refugee Council, the Joint Council for the Welfare of Immigrants, and Detention Action. The limited number of actors supporting migrant families, such as those interviewed for this report, is already significantly scaling down their services due to a number of factors, including reduction in government funding for the civil society sector. Another inquiry was held in 2019 into the United Kingdom’s response to migrant crossings on the English Channel, and the committee will conduct a further inquiry into the rising number of people trying to enter the United Kingdom through the British Channel crossing in 2020.

²⁶ Its primary role is to provide operational support to police forces for missing and found cases – and lead investigations where no specific police force can be identified to lead. It also provides subject-matter expertise and guidance on missing persons through training, research, and collaboration with a wide range of partners and law enforcement agencies in the United Kingdom and globally. The MPU runs a website that currently holds data for between 6,000 and 7,000 people reported missing from the general population, and it is accessible to the public. The Unit also manages a public telephone helpline, and it is visible on social media platforms.

²⁷ It works with a global network for supporting missing children cases that is made up of about 35 member countries, as well as [Missing Children Europe](#) with its 32 members, for informal information-sharing and formal channels for international investigation into child abduction, trafficking and exploitation.

²⁸ This data is provided during an interview with an MPU officer carried out by the author in 2020.

²⁹ Operation Innerste was piloted in 2017 under the Hertfordshire Constabulary in the East of England to encourage trust between children at risk of trafficking and the United Kingdom authorities, to reduce the likelihood of them running away. A total of 20 police forces from across England engaged in the pilot.

³⁰ These factors might also explain the reason why the work that the MPU does on missing migrants tends to be mostly focused on migrant children. Migrant children are more likely to be included in central systems in the United Kingdom, such as in local authority databases as looked-after children, national databases when they are registered in schools, and with general medical practitioners (also known as family/personal doctors). They are therefore more likely to come to the attention of the MPU and are more easily engaged and/or identifiable in missing incidents.

³¹ Pre-2008, the NCA and the territorial police forces dealt with issues of missing migrants under 10 separate categories or labels. These included: avoiding authority, asylum seekers, trafficked persons, missing migrants, missing migrant children, refugees, etc. These reflected in the level of engagement and priority given to individual cases and, as suggested by an interviewee, had the effect of stigmatization, which resulted in authorities placing a greater focus on immigration control rather than humanitarian response approaches.

³² This will be done through collecting and matching biometrics and DNA data in the United Kingdom and Greece. The project is delayed however due to the COVID-19 pandemic.

The MCA and Border Force are frontline responders when migrants arrive irregularly by sea across the English Channel or by land or air travel, respectively. There are no standard procedures for the collection of key data from those who reach the country by irregular means and are intercepted, about fellow travelers who went missing before reaching the United Kingdom's borders,³³ which means that important information that could help resolve cases of missing migrants may not be recorded. Although there is concern that the focus of these agencies is on immigration enforcement, in line with the Government's hostile environment policy, research participants recommended that in addition to carrying out rescue missions, the coastguard should record and establish some preliminary details about all of the migrant passengers, including those who may have gone missing en route.

The United Kingdom's judiciary and legal institutions play key roles in inquests for deceased migrants, in the asylum processes and in family reunification cases. Forensic agencies in the country were also identified as important partners for the collection, recording, storing, and archiving of biometric data, DNA, and post-mortem data of deceased migrants, missing migrants, and families. Research participants highlighted that these institutions should be formally engaged to support initiatives for families with missing migrant relatives, especially as they have a role to better collaborate with civil society and families to assist tracing services than border officials.

Local authorities and municipalities usually have a direct line of engagement with unaccompanied migrant children placed in their care as looked-after children, and they are also responsible for applying the Home Office's duty to support unaccompanied migrant children going through the asylum process to trace their families. They also host many migrant families in Government-supported housing, who are resettled in the United Kingdom, some of whom may have been separated from their loved ones during their journeys to the country. While no official data exists about individual or collective initiatives by such actors to support cases of missing migrants, the research found that local authorities are relatively detached from the greater issue. One barrier is the data firewall between local authorities, which limits or restricts the exchange of information among them, and with other relevant stakeholders, such as the BRC, which could otherwise help resolve missing-migrant cases more effectively.³⁴ These data protection measures are effective for those who actually wish not to be found – for example, family members or missing relatives who may be victims of, or vulnerable to, domestic violence, trafficking and/or exploitation. Furthermore, even in the limited cases where local authorities carry out the State's duty to trace missing family members, they may be using it to collect information for immigration control. A research participant who works at a municipal council reported:

“ Sometimes we seek the information [about the child's family] as part of a durable solution in our long-term planning for dealing with the looked-after child, to assess whether evidence can be obtained and submitted against the child's asylum claim, that proves that it was safe for the child to be returned to their families, wherever that family may be.

The imbalance between immigration control and humanitarian responses was identified as an overarching obstacle for State institutions to engage with families in the United Kingdom about their missing migrant relatives. Unlike cases of missing persons in general, cases of missing migrants are usually considered by government institutions as issues for law enforcement and immigration control rather than being related to human rights and requiring humanitarian responses. Legality was identified as another obstacle for concerted efforts by State institutions – State actors, such as the police and courts, are often constrained to establish legal grounds to justify their intervention in the search for missing migrants. An interviewee who was a former human rights lawyer explained:

“ The difficulty [with cases of missing migrants] would be to determine the specific legal issues for missing, apart from the issue of dead where a body is found, and the specific legal provisions that require police involvement.

³³ People who are rescued by the United Kingdom Coastguard and brought ashore are brought to immigration detention facilities within a few days of arrival so that their cases can be processed. Under international law, they have the right to claim asylum. Rescued children, subject to age assessment, may be transferred into the care of local authorities as looked-after children under the State.

³⁴ Research participants provided many specific case examples of actions that have undermined family reunification efforts. Examples include members of the same family living under different local authorities within the same city or region (as supported refugees, supported asylum seekers, and/or looked-after migrant children). Because of a data firewall between them, although the respective local authorities have full knowledge of the existence of the other family members close by, information is not shared with those family members.

4.3. The role of civil society

With their expertise and experience, civil society actors are valuable stakeholders to advocate and to provide support for families of missing migrants in the United Kingdom and beyond, as discussed further below. According to the interviewees for this chapter, CSOs in the United Kingdom are generally trusted and responsive to the changing circumstances of people and communities; however, there could be more engagement on the topic of missing migrants and their relatives.³⁵ Some organizations, including refugee and asylum support groups, already interact with families of missing migrants, while others are well placed to diversify their existing expertise, including psychosocial support services, to meet the needs of families of missing migrants.³⁶ Civil society actors are well placed to advocate the integration of safeguarding measures, such as the use of personal data, that protect against interference from State authorities and limit negative impacts on the legal status and/or safety of missing persons and those searching for them.

4.3.1. The role of the British Red Cross

The BRC is the main CSO in the United Kingdom that leads in engaging and supporting families searching for missing migrant relatives. The BRC runs several free and confidential initiatives, including family tracing and family reunification services,³⁷ which provide support to those separated by armed conflicts, disasters or other emergencies, and migration. The tracing services support an average of 3,000 new enquiries each year in the United Kingdom, which lead to approximately 1,600 new cases involving tracing activities through its global networks of Red Cross and Red Crescent Societies and the International Committee of the Red Cross's (ICRC) Restoring Family Links programme. In 2019 alone, the BRC opened 1,649 cases of the missing, of which 1,571 were enquiries from families in the United Kingdom looking for their loved ones missing in the country or elsewhere along international migration routes, and 78 were from families abroad looking for their relatives in the United Kingdom – an increase of 20 per cent in incoming enquiries compared to the previous year. Some of the tracing cases were resolved through the [Trace the Face](#) website, where those searching can make their photos available to the public in the hope that they are identified by other visitors to the site, or that the non-public, confidential data behind the photo matches with profiles on the site. The BRC also supports families to communicate with loved ones in detention or other difficult environments in the United Kingdom and elsewhere, through its Red Cross Message letter exchange and oral messaging service called Salamat. Successes with finding missing migrant relatives can come about either through direct BRC efforts or supported tracing activities by the families themselves. In 2019, 537 families were given the results of their completed cases, including 141 cases in which people were identified through investigative tracing by BRC, and 120 missing persons who were found by their families with support from BRC or by using BRC resources, such as Trace the Face.

The role of the BRC on the issue of missing migrants is as key facilitator, both in providing tracing support to families and in advocacy for missing migrants in the United Kingdom and globally. Nevertheless, there are capacity issues to fully engage in the issue of missing migrants, such as addressing the diverse needs of families (e.g. those identified in Chapter 2), including essential psychosocial and trauma support services and forensics. The BRC is therefore working to engage counterparts, such as the MPU,³⁸ to overcome some of these limits.

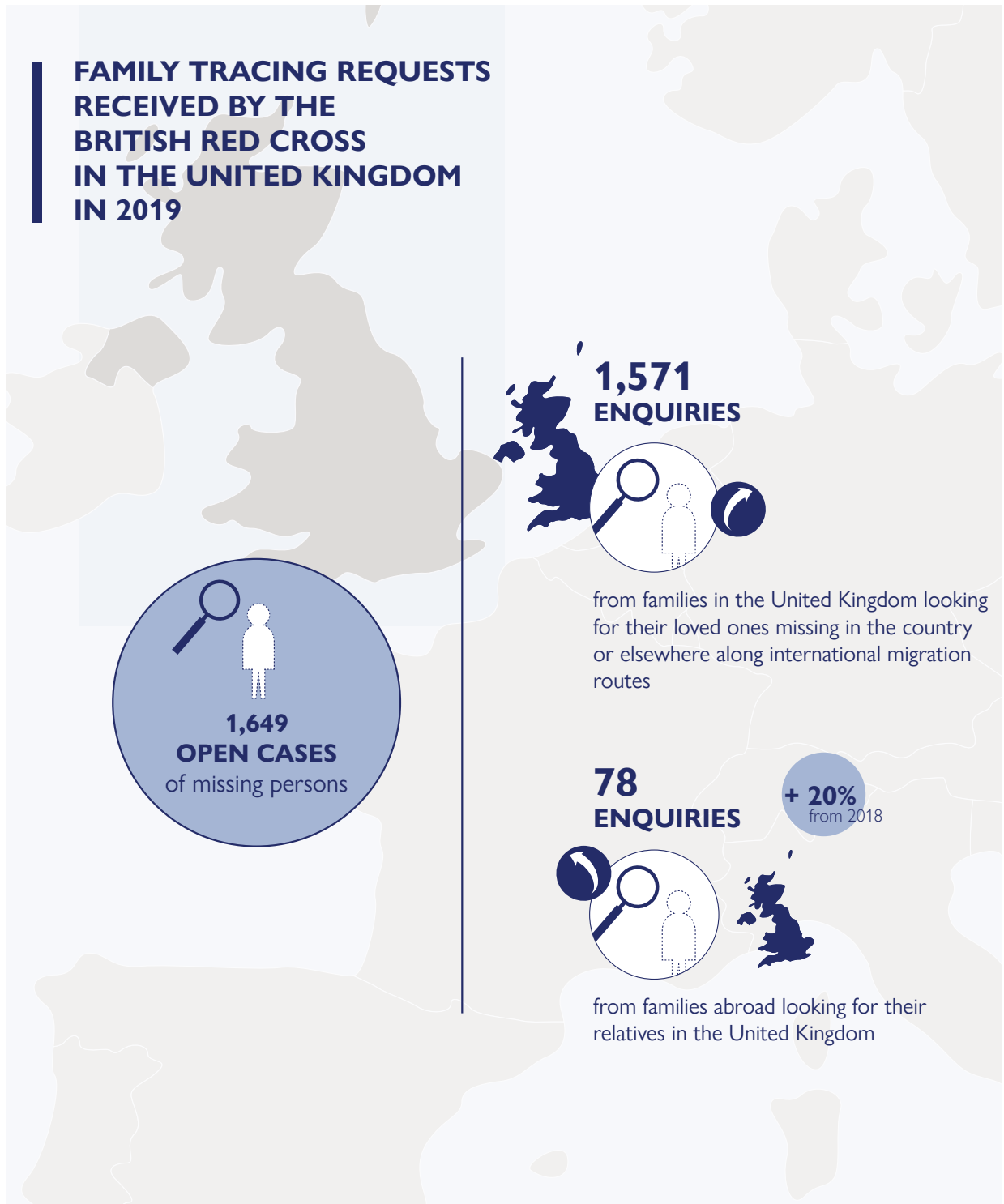
³⁵ Organizations such as [Missing People](#) and the [Salvation Army](#) have already made great progress on issues of missing persons among the general population, and they have a proven track record of working closely with the families of missing persons and relevant authorities. However, securing interviews with these organizations was not within the scope of this research. This was, in part, due to the impact of the COVID-19 pandemic on the capacity of some civil society actors to engage in certain non-priority activities.

³⁶ Organizations like the [Tavistock Trauma Service](#) and [Refugee Action](#) are experienced in providing trauma services and other forms of support to families of missing migrants.

³⁷ More information is available at <https://familylinks.icrc.org/en/Pages/Countries/united-kingdom.aspx>.

³⁸ The pilot project between the BRC and the MPU is mentioned in Section 4.2.

Figure 1. British Red Cross cases



4.3.2. The role of international organizations and other actors

There are several other civil society actors whose research, protocols and calls to action provide a foundation for advocacy and change on the issue of missing migrants in the United Kingdom and more broadly. One research participant observed:

“ The underlying core basis of international civil society is to put forward collective cross-sectorial recommendations for the work with the missing and their families ... to prevent and reduce impunity for States in their obligations to families or being actually contributory to their policies and practices for the disappearing and death of migrants whether that is wilful or by neglect.

The work of IOM was identified as a key contributor in general awareness-raising and advocacy of the rights of missing migrants and their families. IOM has engaged in the issue since 2014 through its [Missing Migrants Project \(MMP\)](#), which has developed into an important information hub that media, researchers, governments and the general public access for the latest information on incidents in which people go missing or die during their migration journeys globally. Through the MMP, IOM also conducts research and analysis on issues related to missing migrants, such as barriers to identification and the responsibilities of States. In addition, IOM works in partnership with other United Nations organizations, such as the Office of the United Nations High Commissioner for Refugees and the United Nations International Children’s Emergency Fund, to highlight specific issues concerning asylum-seeking migrants and unaccompanied migrant children, through reference to the Global Compact for Migration, including for the protection of the rights of missing migrants and their families. This includes the call for “viable mechanisms ... to ensure that people – first and foremost unaccompanied children – in various EU countries who have family or other important links to the UK can continue to travel or transfer safely” in the response to increasing cases of migrants crossing the English Channel, and in the wake of Brexit (IOM, 2020).

Other international organizations, such as the ICRC, are leading the advocacy for greater collaboration between civil society, governments and international organizations on the exchange and use of data collected from families to support search and tracing efforts. Notably, the ICRC’s [Resolution on Restoring Family Links](#)⁴⁵ calls for collaboration between civil society and States on data-sharing to resolve cases of missing migrants and is already guiding certain levels of engagement between the BRC and the MPU in the United Kingdom. Other international migrant rights organizations, including Methoria, the coordinator of the [Last Rights Project](#), advocate the rights of deceased migrants and their families across Europe, including the United Kingdom, highlighted by the [Mytilini Declaration](#).³⁹ [Safe Passage](#) advocates family reunifications and helps unaccompanied migrant children in transit, in countries such as Greece and France, to be resettled in the United Kingdom so that they do not attempt risky journeys to reach the country. [Every Child Protected Against Trafficking \(ECPAT UK\)](#) works for the rights of unaccompanied migrant children affected by trafficking and exploitation in the United Kingdom, which can overlap with issues related to missing migrants and their families. ECPAT UK’s report in 2018 brought to light that on average, 15 per cent of unaccompanied asylum-seeking migrant children and 27 per cent of previously trafficked children go missing from government care every year in the United Kingdom.⁴⁰

There is no specific research or overview of the role that foreign diplomatic missions (such as embassies and high commissions) in the United Kingdom play in supporting searches for missing migrants. However, given that the United Kingdom is host to significant diaspora populations and that families of missing migrants are from diverse countries, these missions potentially have a role to play as repositories of crucial information about their diaspora communities and as key interlocutors on advocacy of the rights of missing migrants’ families. Although these relationships vary greatly in terms of the level of trust between the diaspora and the political structures in the country of origin, in general diplomatic missions could facilitate access to information on how to search for missing loved ones and even help in specific cases. They could also provide essential support for bereaved families in terms of repatriating the remains of deceased migrants.

³⁹ Its formal name is the [Mytilini Declaration for the Dignified Treatment of all Missing and Deceased Persons and their Families as a Consequence of Migrant Journeys](#). The declaration was agreed upon in 2018 following two days of discussions between experts from around the world. The Declaration calls on States and international bodies to implement 18 standards and respect 12 defined rights for bereaved families and families of missing migrants.

⁴⁰ This was based on an estimated total of 4,963 in 2017. The work of ECPAT UK and Missing People includes two reports: [Heading Back to Harm](#) (2016) and [Still in Harm’s Way](#) (2018).

Some private-sector actors, specifically private investigators,⁴¹ also offer tracing services to families with missing migrant relatives in the United Kingdom. They potentially fill the gaps in available tracing services and provide alternatives to families who may seek their services, with the promise of expediting results, to avoid levels of bureaucracy, to avoid potential engagement with State authorities and for reasons of confidentiality. There is no available data about the extent to which private investigators are engaged in this topic or how successful they are in resolving cases. There is also no data to determine whether factors such as safeguarding measures, the trust of families, legality and cost for the service, which are key priorities for other mainstream civil society actors, are adequately provided by private-sector actors.

4.3.3. *The role of the families of missing migrants and their communities*

Families in the United Kingdom are the primary actors in the search for their missing migrant relatives, relying on their personal networks, including their diaspora communities.⁴² For example, Eritreans in the United Kingdom have taken significant collective community action to search for missing migrant relatives through grass-roots networks, including their religious institutions, social media and other informal channels. One research participant explained:

“ [The Eritrean community in the UK] are even trying to create a database of their missing in the UK and globally with the aim of accounting and recording what has happened. They see this as a way of recording the present experience of Eritreans, to save as evidence for any future redress for justice for the Eritrean people.

However, the rights and role of missing migrants’ families in the formal United Kingdom institutional process, such as in coroners’ inquests or police investigations, are not defined. This is markedly different from the role of families of missing persons in the wider population, who are seen by both the United Kingdom Government and State institutions as central contributors to their work. As seen in the Matada and Essex lorry death cases, families can play a crucial role in supporting State processes in resolving cases of missing migrants. There is scope for the greater prominence of the systematic involvement of families in State processes, as long as States address specific safeguarding measures as well as social, religious and cultural dimensions associated with this subject. There could also be concerted government effort to support family members living abroad to engage in investigations and funeral and repatriation processes, such as through easier visa pathways to participate in inquests or to visit graves if remains of the deceased migrants are buried in the United Kingdom, or through funds to repatriate remains.

However, there can be reluctance on the part of families to engage with institutional actors (as discussed in Chapter 2 of this report), which can limit their role to mere bystanders in cases involving their own relatives. Some families are dealing with their own claims for asylum or living in a prolonged state of uncertainty with no clear pathway to the regularization of their legal status in the United Kingdom. Families also face tough choices about where they spend their sometimes limited resources. Furthermore, there are no appropriate measures in the United Kingdom that ensure that personal data provided by the family is used for purely humanitarian reasons and not for immigration control and enforcement purposes. Families therefore have a greater chance of successfully resolving cases of their missing relatives and advocating their rights if they work through intermediaries, such as established CSOs, and/or are supported to coordinate their advocacy in unity.

Families with missing migrant relatives may enquire through their diaspora and community networks about their loved ones; however, it is difficult for these groups to interact with State processes and authorities on this topic, as they are generally more fragmented compared to mainstream civil society actors, which thus undermines their ability to sustainably advocate and investigate cases of missing migrants. Issues of legality can serve as a barrier since many community organizations are not considered by central and local authorities as having the necessary expertise or safeguarding measures in place to be entrusted with responsibilities concerning migrants.⁴³ Support for capacity-building and training offered to community groups by mainstream civil society on this issue could be beneficial here.

⁴¹ Two examples of this are the services offered by *Find a Detective* and *Look 4 Them*.

⁴² The role of families in searching for their loved ones has repercussions far beyond just the search and discovery of the individual or the remains of the deceased relative. Families deal with the legal issue on the presumption of death after a given period, which affects other sociocultural, legal, economic and religious issues. This also affects the marital status of spouses left behind, which can have an impact on remarriage, dealings with the estate of the missing migrant relative, and issues of inheritance. Furthermore, the process includes the collection of evidence to support a claim for family reunification – for example, with surviving children. Read more about these impacts and what families are doing to search for their loved ones in Chapter 2.

⁴³ Some research participants cautioned against “romanticizing” community and/or diaspora networks as there is a risk, due to inadequate safeguarding measures and lack of expertise on the issue, that they could hinder rather than support the tracing processes.

The need for improved coordination and stronger partnerships between community groups, more established civil society actors, and State institutions was also echoed by the families in Chapter 2 of this report.



Waiting. “The UK immigration system is unpredictable because you would not know whether you’ll be accepted or not, so you’re just frozen and waiting. Can’t really be searching because you have to hide yourself.” © IOM 2021/Salam SHOKOR



ACTOR	ROLE
Government	Provides the framework regarding the search for missing people in general in the United Kingdom and some guidance for supporting unaccompanied migrant children to trace their families. It operates, however, a hostile environment policy against irregular migration to and within the United Kingdom, which extends to a hostile approach in supporting families of missing migrants to find their relatives.
Parliament	Provides various platforms for actors to submit evidence about issues faced by migrants and their families. So far, however, it has not assessed the specific subject of missing migrants and their families.
Police	Hold the Government's operational mandate on the missing through the MPU. They oversee implementing actions to search for people and identify bodies (except for strictly forensic actions). They also support coroners' investigations into cases of deceased migrants.
Courts and tribunals	Have jurisdiction depending on whether the death occurred as a result of acts that may or may not constitute a crime. Civil courts make judgement on the applicability of rules contained in United Kingdom and European Union legislation. Coroners' courts investigate deaths of a sudden, unexplained or violent nature, which include deaths of migrants. Tribunals make rulings on asylum appeal cases and family reunification cases, which can affect families of missing migrants.
Forensic institutes	Facilitate the collection, recording, storage and use of forensic data, including DNA and biometrics, of missing migrants and their families.
Local authorities	Implement the Government's duties in relation to unaccompanied migrant children under State care, including the duty to support unaccompanied migrant children in tracing their families.

Civil society	Very few organizations exist that provide direct support to families of missing migrants. A large number exist, however, that support the missing in the general population in the United Kingdom, with relevant expertise and capacities that may be transferable to the subject of families and their missing migrant relatives.
International actors	Intergovernmental organizations and international CSOs provide extensive research resources and data that support tackling the issues affecting families and their missing loved ones. Embassies and high commissions could have a role to play in facilitating collaboration between families and State authorities.
Relatives of missing or deceased persons	Lead the search for their families, albeit done in an ad hoc, informal manner. They do not have defined roles in cases of identification of the deceased as this is dealt with by the judiciary (courts and tribunals).
Diaspora community networks	Provide grass-roots, usually ad hoc, support to families in their search. They are mostly non-experts and do not systematically engage with mainstream civil society or relevant State authorities.

5. Conclusions

This chapter aimed to identify specific provisions (including policies, protocols, procedures and initiatives) available to families of missing migrants in the United Kingdom that advocate their rights and offer specific services that support them in their search for their missing loved ones. The interviewed stakeholders, who represented a diverse range of actors and perspectives related to the topic of missing migrants in the United Kingdom, provided information on how these frameworks work in practice and affect the families of missing migrants.

The evidence shows that the United Kingdom lacks specific provisions for missing migrants and their families, whether within the otherwise robust framework for the missing among the general population or a unique framework specific to the subject of missing migrants. There are many actors within civil society and at the State institution level with relevant expertise on general missing-person cases, while only a handful of actors work directly on issues concerning missing migrants and their families – and their focus and mandate concern mostly cases of unaccompanied migrant children.

Furthermore, there is a general lack of awareness and understanding among relevant actors and the general population in the United Kingdom about the specific circumstances faced by families of missing migrants, along with the needs of families searching for their relatives lost on their migration journeys. Even though some provisions exist that specify rights of families and/or obligations of the State to support them, there is no clarity about their applicability to actual cases involving missing migrants. Equally, little evidence exists to suggest that relevant actors have utilized these provisions to advocate the rights and needs of families. A few of these civil society actors, together with a few State institutions, are slowly starting to collaborate, diversify their expertise and implement humanitarian response approaches to support families in their search.

However, the lack of concerted efforts to record and share information about migrants who have gone missing both in and en route to the United Kingdom is a major obstacle. Another barrier is the hostile approach of successive United Kingdom administrations towards migration deemed irregular, which continues to affect family members of the missing, in how they interact with the State about their missing migrant relatives. As a result, family members continue to be the key actors undertaking tracing activities, with support from their diaspora communities and a few CSOs. While they should remain central to any measure related to their cases, or to support the issue of missing migrants more generally, their efforts would be further helped if grass-roots and mainstream civil society actors were better equipped with training and resources for the use of available policy and legal frameworks that protect the rights of people with missing migrant relatives.

The recommendations provided in the next chapter, articulated by the research participants and developed from the observations of the researchers, highlight the need for evidence-based policy and practice interventions in the advocacy and support of and response to the specific needs of families of missing migrants in the United Kingdom. They are specifically targeted at government and national authorities, intergovernmental organizations, and civil society in the United Kingdom.

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Recommendations to improve the situation of families of missing migrants in the United Kingdom



This research with people who have missing relatives revealed the complex structural obstacles they face in their search for loved ones as well as the wider impacts of being in such a situation. Seeking to address these challenges and building on the findings of the research on the current policies and legal frameworks available in the United Kingdom, we propose the following recommendations to better support people in the United Kingdom with missing migrant relatives:

1. The centring of families in their search for their missing migrant relatives as well as in all activities and initiatives linked with lost or missing migrants

- (a) All efforts to assist people with missing migrant family members should recognize and meaningfully consider the expertise, knowledge, and well-being of families and situate them at the centre of all searches and related initiatives.
- (b) This principle should guide the development of any civil society-led or Government-led initiatives for better provision for families, including advocacy actions for their rights, and research aimed at supporting their efforts.
- (c) This could include supporting families to understand often highly technical processes and ensuring they have access to all relevant information.
- (d) The definition of “family” should be flexible, in line with the concerned individuals’ culture and other contexts, and take into account emotional dependency and mutual acceptance of relationships. As such, it should not be limited to purely biological relations. All children should be treated as part of a family, regardless of legal status.
- (e) Special attention should be paid to dealing with divided families who may hold conflicting views about their missing family members or who have different needs.

2. The designation or creation of a dedicated multi-agency “one-stop shop” to assist those in the United Kingdom searching for missing migrant relatives

- (a) This body would have general oversight of the work of the various government departments, State institutions, regional and local authorities, and civil society, with the mandate to provide either direct or referral assistance to those in the United Kingdom searching for missing migrant relatives in the country (or elsewhere) and to those outside the United Kingdom searching for family members who went missing or died on the borders of the country.
- (b) When there is confirmation of death, this body would help people going through the processes of settling the affairs of their loved ones, such as obtaining death certificates and helping with burials and repatriation of remains.

- (c) This body would be independent of any one government agency in order to provide those who lack immigration status in the United Kingdom with the assurance that they can come forward with their search requests without fear of adverse immigration outcomes.
- (d) The body would spread awareness about the Protocol (Recommendation 3) and what options families of missing migrants have available to them.

3. The development of a protocol that specifies the responsibilities and obligations of key actors in the search for missing migrants

- (a) Such a protocol would create a uniform approach to the implementation of existing national and international legal provisions that protect the rights of families of missing migrants.
- (b) The Protocol would act as a guide for families of missing migrants, as well as for community groups, organizations and government bodies trying to help them. It should include instructions for efficient collection, preservation, and sharing of data and cross-sectoral collaboration on missing-person cases. This can be drawn from existing/ international frameworks, such as those developed by the ICRC for interacting with families of missing migrants, information exchange mechanisms and minimum data to be collected for the search of missing migrants.
- (c) There should be clear and effective guidelines for how families can engage in the process regardless of their own legal status in the United Kingdom and report cases of their missing loved ones regardless of where they occurred.
- (d) The Protocol would also assign responsibilities to actors to help people overcome psychosocial, economic and other impacts related to having a missing migrant family member.
- (e) The Protocol should recognize and be flexible to the individual needs of people searching for their loved ones – for example, the deeply gendered dynamics that shape the experience of a search – and address that the challenges both men and women encounter when looking for loved ones may result in their different needs.

4. The creation of a national database that holds information on deaths and missing people, whether migrants or otherwise, and is accessible to all relevant stakeholders

- (a) This database would sit within an independent national mechanism (in Recommendation 2), which would also be responsible for coming up with a centralized approach to data collection, to bring together in one place what already exists – and to provide improved systems where stakeholders can record information on missing or disappeared migrants.
- (b) There should be systems in place for information-sharing as well as standards for what information to collect from families of missing migrants so that data is interoperable with actors who may be relevant to the case.
- (c) Such a database should include due regard for data protection and other privacy safeguards (see Recommendation 10).
- (d) The database would indicate cases in which people died without a registered next of kin, which could help resolve cases for families of missing migrants.

5. The establishment of a European Missing Migrants Observatory where national authorities would report and register the details of unidentified remains found across Europe, including at the continent's sea borders, along with details of families who are searching for their missing relatives

- (a) The Observatory would be responsible for monitoring databanks and setting procedures collaboratively with States globally to match comparative details of remains with information about missing individuals.
- (b) The Observatory would provide a platform for standard-setting and capacity-building across Europe to deal with records of missing migrants.
- (c) The United Kingdom Government must be involved in providing funds and supporting such an observatory, in collaboration with the independent national mechanism (in Recommendation 2).

6. The creation of a fund to address the socioeconomic needs of those searching for their missing migrant relatives and to facilitate efforts linked with the search for missing or lost migrants

- (a) This funding scheme would ensure that with the cost of their basic needs covered, families could dedicate their time to carrying out searches for their missing loved ones.
- (b) The funds could be used to support reunification of family members, repatriation of bodies, visits to locations of disappearance or death if the bodies have not been found, as well as other activities linked with the issue of missing migrants and their relatives' experiences – such as advocacy, capacity-building and expertise-training (and other initiatives that directly support the families of missing migrants).
- (c) Resources for the provision of mental-health and psychosocial services should be prioritized.
- (d) Funding would be provided by the United Kingdom Government via charities, non-governmental organizations (NGOs), international organizations, or philanthropy and grants.

7. The provision of legal mechanisms that allow people with missing migrant family members to carry out searches regardless of their immigration status in the United Kingdom and without fear of sanctions

- (a) There would be an exceptional legal provision that allows families already in the United Kingdom to carry out their searches regardless of their immigration status and without fear of reprisal. This mechanism would create a legal pathway for families in the United Kingdom to engage in the above-mentioned independent national mechanism and for the independent national mechanism to provide support to families. This provision should be included in legislation.
- (b) There would be an exceptional visa provision by the United Kingdom Government, implemented by UK Visas and Immigration, for families outside the United Kingdom to travel to the country to engage in processes to settle the affairs of their deceased loved ones (such as inquests, burials, repatriations of remains and visits to gravesites). The independent national mechanism (in Recommendation 2) would serve as guarantor of these families, to support them for the duration of their temporary visit and/or stay in the United Kingdom.

8. The improvement of collaboration between community-based organizations and larger charities and NGOs that support those searching for lost or missing migrant relatives

- (a) As many of these actors are already under-resourced, the extra work of collaborating externally would be made possible through government funding.
- (b) One way forward would be to form a working group (that includes families of missing migrants) of relevant actors concerned with this topic in the United Kingdom.
- (c) Such a group would help with information-sharing in both directions – to migrants and relevant government agencies.
- (d) Collaboration between community networks, community-based organizations and mainstream civil society organizations should start in the United Kingdom, but they should also look to cooperate with actors in other European States and beyond.

9. The raising of awareness: (a) among migrants and potential migrants about the importance of staying in touch with their families when undertaking journeys and how they can seek help when in danger; (b) in the Government and among the general public on the subject of missing migrants and the complex needs and rights of families who are searching for their lost loved ones; and (c) among families of missing migrants about how to search for loved ones who have gone missing in the context of migration to the United Kingdom

Government, international organizations, charities, places of worship, migrant associations, community groups and other stakeholders should undertake awareness-raising measures on these topics.

10. The inclusion of data protection and informed consent in any intervention or interaction involving cases of missing migrants

Protocols should follow existing guidelines, but some key elements to include are:

- (a) Consent is a process, centred around trust and transparency. These elements can be cultivated through the participation of families throughout any process involving them.
- (b) The least amount of personal data needed should be collected from families.
- (c) This data should be used only for the purposes agreed to by the families.

www.missingmigrants.iom.int

