

The background is a dark grey field with various geometric shapes and symbols. On the left, there are several plus signs in blue and yellow, some of which are partially obscured by a white circle. On the right, there are larger, more complex geometric shapes in blue and grey. A solid orange circle is positioned at the bottom right of the white circle.

Searching for a Legal Framework: Missing Migrants in International Law

**A presentation for International Association of
Law Libraries(IALL) Annual course**

By:

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Background

- October 3, 2023 marked the ten year anniversary of one of the worst shipwrecks in recent era where at least 368 migrants lost their lives close to the small Italian island of Lampedusa.

Home > News > World > Italy

Italy remembers hundreds of lives lost in one of the Mediterranean's deadliest migrant disasters



By Euronews

Published on 03/10/2023 - 20:26



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Comments

As Lampedusa commemorated the 10-year anniversary of the sinking of a migrant boat that claimed 368 lives, participants said little has changed to prevent a similar tragedy.



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- Unfortunately, it would not be the last time we hear of such events.
- Just recently in June of this year, there was a similar shipwreck took place where a crowded boat carrying several migrants just off the coast of Greece where more than 100 migrants are confirmed dead and many others still missing.
- Another one can be mentioned in Italy as well.

ALJAZEERA LIVE

News | Refugees

At least two killed, dozens missing in shipwrecks off Italy's coast

Italian coastguard says it has recovered two bodies and rescued 57 people after two boats sink off island of Lampedusa.



Migrants and refugees on board of NGO Proactiva Open Arms rescue boat look at boat Guardia Costiera heading to Lampedusa island, in central Mediterranean Sea, close to Lampedusa island, Italy, August 19, 2022 [File: Juan Medina/Reuters]

6 Aug 2023


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VOA

EUROPE

Growing Pressure on Greece Over Migrant Shipwreck, As Hundreds Still Missing

June 21, 2023 11:08 AM Henry Ridgwell



WATCH: Hundreds Still Missing as Greece Pressed to Investigate Migrant Shipwreck

Greece is under growing pressure to launch an independent investigation into the June 13 sinking of a vessel that was carrying up to 750 migrants, amid accusations from

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- According to the data from the IOM's missing Migrant Project, established as one of the response measures following the Lampedusa shipwreck, there are close to 60,000 missing migrants around the world since 2014.

(figures last checked on 5 October, 2023.)



58,965

MISSING MIGRANTS SINCE 2014



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- The Missing Migrant Project has also recorded 4,562 dead and missing migrants for 2023 alone.
 - The remains of 24,917 people have not yet been recovered.
- (figures last updated 5 Oct, 2023.)

KEY STATISTICS SINCE 2014



Missing Migrants Project has recorded the deaths of 58,912 people since 2014.



The remains of 24,917 people who lost their lives during migration have not been recovered.

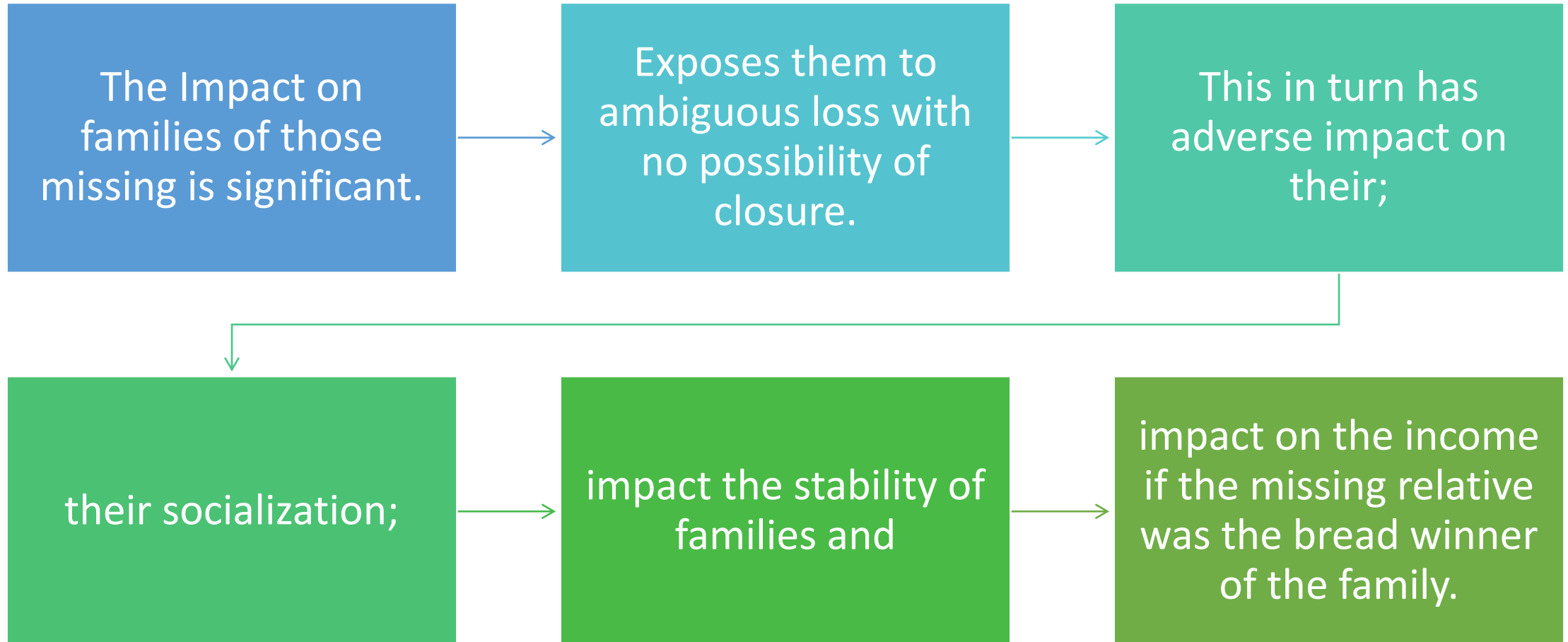
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These figures are likely to be higher.

IOM only tallies the number of people who have died at international borders or during the journeys

It does not cover other instances where migrants could go missing such as in immigration detention.

Adverse Impact on families



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- Migrants face unique hurdles in searching for their missing relatives and access to justice such as;
- The absence of mechanisms to report.
- the inability to travel, owing to the lack of resources, to the country where the migrant went missing.
- These challenges adversely affect their enjoyment of their human rights.

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- Despite these challenges, there does not seem to be a coordinated approach among states towards alleviating the suffering of the families of missing migrants.
- As put in the Op-Ed, “the International community is yet to develop a coherent and effective strategy to deal with the problem of missing migrants.”



WSJ | OPINION

Counting the Missing Migrants

New technology and better cooperation can account for the dead, taking their families out of limbo.

By William Lacy Swing and Kathryn Bomberger

Feb. 15, 2016 at 2:00 pm ET



Arriving at Piraeus, Greece, last week. Thousands of others asylum-seekers haven't survived the journey. PHOTO: LOUISA GOULIAMAKI/AFP/GETTY IMAGES

The Research Question and Objectives

- The focus of my research is to study whether the international law can provide a coherent strategy to respond to the problem of missing migrants.



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To answer this question, I go through the relevant regimes of international law such as

international human rights law,

the law of the sea,

international humanitarian law,

international criminal law, and

Determine whether they can respond to the needs of missing migrants and their families to prevent them from going missing or facilitate search as well as provide effective remedy.

Methodology

- I adopt a doctrinal methodology basing my analysis on the legal instruments as well as case-law of judicial and treaty bodies as well as resolutions, declarations of international organizations.



Thank you!