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Deaths Along Southern EU Borders

Tamara Last

Migration Law Series

Department of Constitutional and Administrative Law
De Boelelaan 1105
1081 HV Amsterdam
The Netherlands
Tel. +31 20 5986261
www.rechten.vu.nl

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Summary

People have been dying while trying to cross the external borders of the EU for over three decades. Some shipwrecks – such as those in October 2013 and April 2015 – captivate international publics and trigger intense political debates, but this kind of death is also normalised. This thesis examines the relationship between border deaths and EU policy. Building on existing literature that has tied border deaths to the legal and political developments of the Schengen Area, the thesis makes an important empirical contribution to current debates surrounding deaths in the Mediterranean.

Based on a meticulous collection of official death records of persons who died crossing the borders from 563 municipalities in five southern EU Member States, the thesis reveals discrimination against irregularised travellers in overburdened death management systems and the remarkable prevalence of non-identification of bodies believed to be those of migrants. Further analysis of this new source of data demonstrates the unreliability of news-sourced death data on which policy-making and scholarship depend.

The EU and its Member States have pursued a migration agenda based on assumptions that scholars fundamentally disagree with. The Deaths at the Borders Database provides official evidence that there have been deaths every single year since the emergence of the southern EU external borders. In addition, all existing datasets suggest an increase in deaths in the 21st century compared to the 1990s, as border control has intensified. While non-conclusive, the facts undermine the premise of EU policy-making in the area of migration and border control, that deaths happen because enforcement is weak and smugglers are ruthless. Meanwhile, the facts support the alternative view common among scholars, that deaths happen because policies are selectively restrictive and border control encourages risk-taking.

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co-authors:	Joke Harte (chapter 2 and 4) Thomas Spijkerboer (chapter 2) Giorgia Mirto (chapter 2) Orçun Ulusoy (chapter 2) Ignacio Urquijo (chapter 2) Nefeli Bami (chapter 2) Marta Pérez Pérez (chapter 2) Flor Macias Delgado (chapter 2) Amélie Tapella (chapter 2) Alexandra Michalaki (chapter 2) Eirini Michalitsi (chapter 2) Efi Latsoudi (chapter 2) Naya Tselepi (chapter 2) Marios Chatziprokopiou (chapter 2)
editing/proofreading:	Francine Last Veeni Naganathar
cover photographs:	Thomas Spijkerboer (*skull beads on Spiaggia dei Conigli*) Tamara Last (*registry books, EU passenger rights poster, death certificate*)

This PhD thesis is dedicated to the deceased women, men, children, mothers, fathers, sons, daughters, sisters, brothers, aunts, uncles, grandparents, cousins, partners and friends recorded in the Deaths at the Borders Database. You are not forgotten.

* * *

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Contents

Chapter 1

The relationship between EU border deaths and policy: an overview

The research presented in this book investigates the phenomenon of border deaths – the deaths of people whose travel is not state-sanctioned (which irregularises their residence status), and for whom the act of crossing an international border is illegal. Irregularised travellers die on their way to major international borders and after crossing them as a result of their precarious status, but deaths are concentrated in physical border regions (Pickering and Cochrane 2012). Border deaths occur along several major fault lines between the Global North and Global South, as well as along borders surrounding conflicts. This research focuses on those deaths that have occurred along the southern external borders of the European Union (EU).

Before the 1990s, there were no regular reports of deaths along EU borders. Since 1990 there has not been a single year without. In the late 1990s, early 2000s, news of migrant shipwrecks, boat chases and collisions came predominantly from the Adriatic Sea where the Italian police were enforcing a shift in policy from welcoming Albanian and Kosovan refugees to preventing their mass arrival (Albahari 2006). In 2003-2004, the phenomenon of dead bodies washing up on the beach that had been concentrated in the Strait of Gibraltar for over a decade grew to encompass the length of the Andalusian coast. Around the same time, Lampedusa became the border spectacle of migrants intercepted at sea, both dead and alive (Cuttitta 2014). In 2005, thousands of people preparing to jump the fences of Ceuta and Melilla fascinated and horrified Spanish and international viewers, extending the spotlight of the "problem of illegal immigration" from the southern coasts of mainland Spain to these two autonomous cities enclaved on the northern coast of Morocco. In 2005-2007, European headlines asked what the EU was doing about the people who were dying and going missing along "its" sea border between West Africa and the Canary Islands. In 2010-2011, an increase in the number of people attempting to cross the Evros/Meric river marking the land border between Turkey and Greece

reignited the attention of Balkan and international civil society to this rural but heavily militarized border region that had previously been known for exhausted travellers wandering into unmarked fields of landmines. The Central Mediterranean route from Libya to Italy drew attention in 2011 during the Arab Spring, especially the well-known case of the "left-to-die" boat which was investigated by the Parliament of the Council of Europe as an example of the failures of multiple state actors to abide by their international obligations (Strik 2012). After the famous 3rd of October shipwreck in 2013 that led to a stately mass funeral, the European public were captivated by the struggle of Italian and Maltese Search and Rescue services to rescue thousands in distress at sea across the Strait of Sicily. More recently, in 2015-2016, international headlines exclaimed the tragedies unfolding in the Aegean Sea as boats of people departed the western coasts of Turkey for Greece. Meanwhile, border deaths continue in the Straits of Sicily and Gibraltar and in the Atlantic with no indication that the phenomenon will end.

The central question originally guiding the research presented in this book was: Has migrant mortality increased over the past 20 years as a consequence of changes in border policies? The main aim was therefore to analyse *quantitatively* whether border deaths are *historically* related to policy shifts. The initial research design envisioned the collection of data on deaths and arrivals (from which to calculate mortality rates over time) and the compilation of border policies at the EU level and their implementation at the Spanish, Italian, Maltese and Greek levels. However, the very first step of the research (collection of death data) threw up unexpected results that changed the course of the research altogether, although the overarching aim of quantitatively investigating whether border deaths are historically related to policy shifts remained intact. These developments are outlined in the following paragraphs which summarise each chapter of this PhD thesis and outline the connections between them and the central research question.

As explained in detail in Chapters 2 and 4, existing data on EU border deaths is highly problematic. In short, there is no official data and as a result, research and policy-making depend on news-sourced datasets created by civil society (and now also intergovernmental organisations) for campaign and awareness-raising purposes. The initial research proposal recognized the need for the creation of a more reliable database of deaths and proposed death registries as a viable alternative source to news reports on the basis of a pilot study undertaken a few years earlier.

Chapter 2, "*Deaths at the borders Database*: evidence of deceased migrants' bodies found along the southern external borders of the European Union", presents the reasons for, the methodology behind, the making of and the preliminary findings of the *Deaths at the Borders Database* (www.borderdeaths.org). As the chapter describes, what was initially envisioned as a simple first step toward analysing trends in migrant mortality, became a monumental and significant project in its own right. Far more than a tally of the number of deaths per year, the *Deaths at the Borders Database* is a collection of official documental evidence concerning the individuals whose bodies were found in Spain, Gibraltar, Italy, Malta and Greece between 1990-2013. The process of collecting this evidence and compiling the database also produced considerable qualitative data from interviews with a wide range of actors involved in death

management along the southern external borders of the EU and from the observations of the field researchers who were searching death registry archives. As a result of the methodology of this ambitious data collection project and the challenges of unearthing documentary evidence of border deaths, the objective of this part of the research shifted from counting deaths (necessary to calculate migrant mortality) to witnessing and evidencing these deaths.

Chapter 2 also outlines two unexpected findings thrown up by the *Deaths at the Borders Database*. Firstly, two out of every three bodies recorded in the database remained unidentified, meaning that the individuals whose bodies they were, remain missing persons. This became the subject of tangential Chapter 3. Secondly, the number of individuals recorded in the database was much lower than we had expected to find, revealing that only a small proportion of bodies are retrieved; most people disappear. Moreover, the number of bodies found each year maps a very different trend than the number of deaths reported by news-sourced datasets (see Figure 2.4). This finding meant that the *Deaths at the Borders Database* could not provide the data needed to calculate reliable mortality rates as anticipated in the original research design. Instead, it provided a much needed second source of data to properly assess the reliability of news-sourced data, as presented in Chapter 4.

Chapter 3, "Challenging the anonymity of death by border sea: Who are boat migrants?", uses the *Deaths at the Borders Database* and qualitative data from pilot studies to explore why identification rates are so low among persons who die border deaths along the southern EU external borders. The deceased are not the only people affected by the phenomenon. Families are deprived of the emotional and legal relief associated with knowing the circumstances and details of the death of their relatives. In addition, local – even national – forensic authorities are straining under the huge accumulation of unidentified bodies, a unique category of deceased persons with specific identification challenges. Differences in identification rates across countries and municipalities suggests that lack of know-how, networks and resources are obstacles to the identification of deceased irregularised travellers. Meanwhile, differences across groups and the labelling and procedural information for this particular group of unidentified deceased persons suggests that the biggest obstacle to identification may be lack of motivation. Whether this stems from compassion fatigue following decades of EU border deaths, or from the racialisation and dehumanisation of irregularised travellers and their dead bodies (Weber 2010; Basaran 2015), unfortunately falls outside the scope of this tangential chapter and, therefore, the research presented in this book.

The process of creating the *Deaths at the Borders Database* confirmed that existing data was even less reliable than initially suspected. In the meantime, the number of publications on the subject of EU border deaths had doubled since the shipwreck of October 2013 and drew dedicated media attention and funding opportunities for various interested actors, including researchers. Therefore, rather than producing another critical contribution grounded in problematic data, the project evolved into a reflective assessment of existing academic scholarship on the relationship between EU border deaths and policy.

Chapter 4, "Data on deaths of irregularised border-crossers along southern EU external borders", presents a two-staged investigation into existing datasets: What sources of data are

used by academics to study EU border deaths? and How reliable is this data for studying trends over time? An exhaustive review of academic literature that seeks to explain the phenomenon, found that academic research – and, therefore, presumably policy-makers and civil society as well – is heavily dependent on news-sourced death data. Comparison of the *Deaths at the Borders Database* with the "List of Deaths" compiled by UNITED for Intercultural Action shows that news-sourced data both under-counts and over-counts deaths in irregular and unpredictable ways. While datasets such as UNITED's List of Deaths, the Fortress Europe blog, The Migrant Files and IOM's Missing Migrants Project are invaluable awareness raising and campaign tools and provide evidence of the phenomenon, that news-sourced death data cannot be used to calculate reliable mortality rates or assess trends in deaths over time. The chapter explores possibilities for estimating the number of deaths more accurately, but concludes that the limitations of existing data cannot be overcome by statistical analysis.

The research findings presented in Chapter 4 dramatically reduced the options available to quantitatively analyse the historical relationship between border deaths and policy. This provided an opportunity to further develop the aim of evaluating existing academic contributions to knowledge on EU border deaths. The aim was motivated by a desire to contribute something new to a debate that seemed to be stuck in a loop (see Chapter 5) while people continued to die crossing the southern EU external borders.

The in-depth study of academic literature introduced in Chapter 4 revealed much more than the homogenous sources of data used to study EU border deaths. Chapter 5, "Hypotheses of the relationship between EU border deaths and policy: policy-makers vs scholars" presents the main findings that, although no common understanding emerges from the literature of what *kind* of relationship exists between deaths and policy (e.g. causal, reciprocal, structural), a relationship is consistently presumed to exist, and there are two hypotheses about how the relationship works that are common to almost all academic contributions to this field:

> Academic Hypothesis 1: Border deaths occur because migration policies irregularise travel for certain people.
>
> Academic Hypothesis 2: Border deaths increase because border control endangers irregularised travellers.

These hypotheses prompt policy solutions that are contrary to current policy-making. A review of EU policy preambles, reveals two very different hypotheses about how EU border deaths are related to policy that justify policy responses to border deaths.

> Policy Hypothesis 1: Border deaths occur because people migrate without authorisation.
>
> Policy Hypothesis 2: Border deaths increase because smugglers and migrants take more dangerous risks.

Despite these contrasting hypotheses, the presumption of a relationship between deaths and policy is unchallenged. But policies continue to seek to prevent illegal immigration and combat smuggling networks. Chapter 4 leads to the conclusion that there is insufficient death data to

test which set of hypotheses is a better fit. However, the *Deaths at the Borders Database* provides official evidence that there have been deaths every single year since the emergence of the southern EU external borders, and all existing datasets suggest an increase in deaths in the 21st century compared to the 1990s, as border control has intensified. While non-conclusive, this evidence undermines the hypotheses underpinning EU policy-making and supports the alternative hypotheses of how EU border deaths are related to policy common among academics (almost unanimously).

In sum, this research began as a quantitative project geared toward examining the hypothesis that over the last two decades policy shifts had resulted in an increase in EU border deaths. During the process of creating the *Deaths at the Borders Database* (Chapter 2) the research revealed a new topic (Chapter 3) and irresolvable data issues (Chapter 4), which led to an evaluation of academic and policy-makers' understandings of the relationship between EU border deaths and policy (Chapter 5). The answer to the original question whether EU border deaths are historically related to policy shifts is that there is a relation, but there is no quantitative resolution to the debate about how to bring an end to EU border deaths.

In addition, this research makes several contributions to debates about irregular migration and the EU. Due to the temporal and geographical scale of the research, these contributions serve to broaden the perspectives that usually factor into such debates.

First, a historical context. Debates about immigration to the EU and border control are fixated on the latest numbers, the latest policy documents, the latest refugee crisis and the latest shifts in European politics. Headlines report the deadliest months, financial quarters or years, and exclaim the unprecedented nature of recent developments. But the fatal crossings and shipwrecks of the last few years are not unprecedented; EU border deaths have been happening for three decades. As demonstrated at the beginning of this chapter, Syrian refugees are simply the latest group of people to be exposed to the risk of border death along the southern external borders of the EU. By studying longitudinal data from 1990-2013, this research has produced significant insights into the historical lead up to recent developments.

Second, a geographical perspective. EU border deaths do not only occur between Greece and Turkey or between Libya and Italy, but along the length of the external borders of the EU's Area of Freedom and Security. Although the scale of crossings and deaths in Greece and Italy have drawn attention to these parts of the EU external border in recent years, deaths continue to happen in other regions too, such as between West Africa and the Canary Islands, between Morocco and Spain and in the Adriatic Sea. Border deaths are not unique to the EU external borders. On a global scale, border deaths occur along national borders that designate fault lines between the Global North and Global South, fault lines that delineate – among other things – regions where people have powerful passports from regions where people have weak passports (see Figure 1.1). This research sought to present a comprehensive perspective on the southern external borders important for debates in the EU on irregular migration, and so limited its empirical contributions to this region.

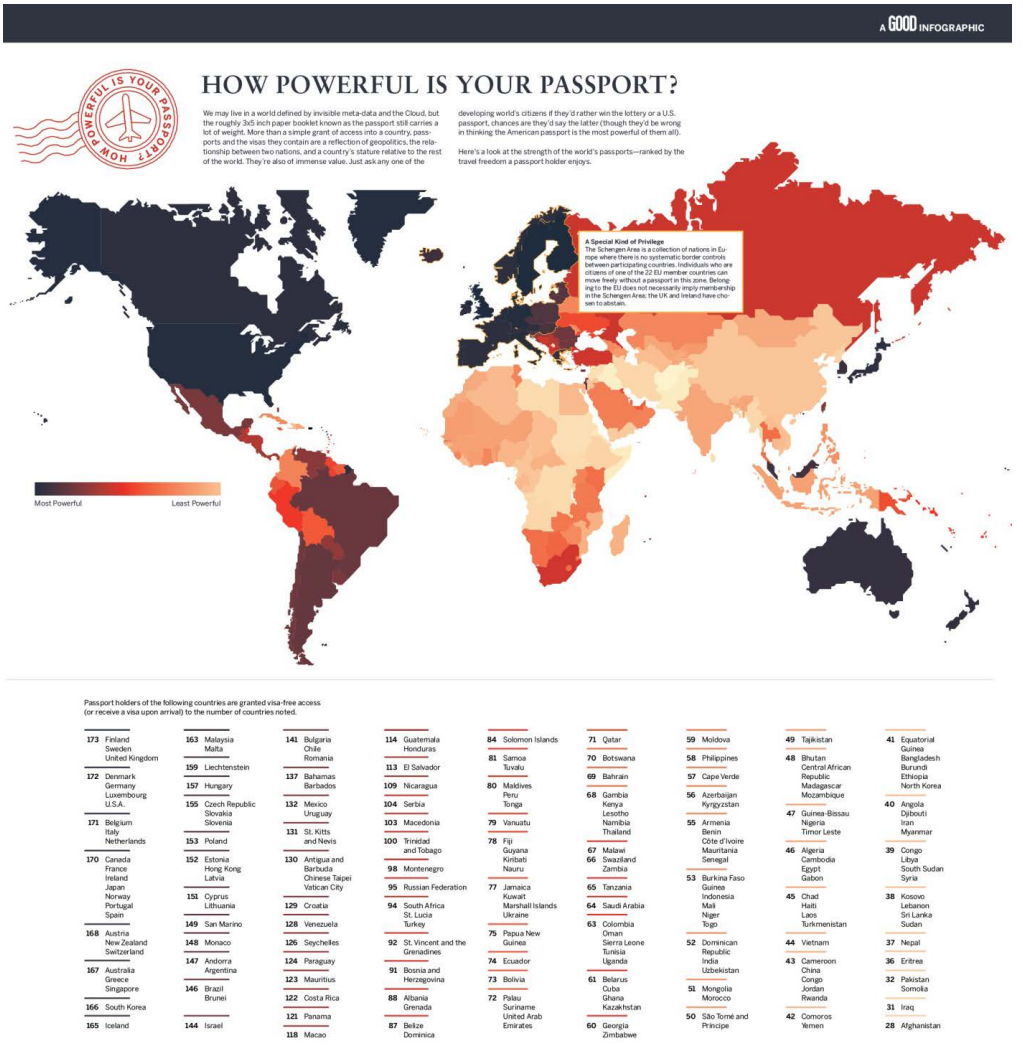

Figure 1.1 Map showing the relative travel freedom of national passports based on visa requirements for entry into other states. Designed by Ricky Linn for GOOD Magazine. (Source: https://www.good.is/infographics/how-powerful-is-your-passport).

Third, this research presents new insights from the first exhaustive study of academic literature on EU border deaths and the relationship with the migration and border regime. The phenomenon of EU border deaths first appeared in academic scholarship in the early 2000s, introduced by sociologists and lawyers concerned with race relations, peace studies and human rights. Over the last decade, as public interest in the situation has increased, literature on EU border deaths has grown substantially, and diversified in terms of disciplinary, methodological and theoretical approaches. Yet, of concern to scholars working in this field, the literature is predominantly grounded in desk-based research and dependent on news-sourced data. Nonetheless, despite the disparate nature of research in this small but expanding field, two clear ideas about how deaths and policy are related are common to almost all literature on the subject.

These ideas conflict with those that apparently underpin migration and border policy-making, and indicate completely different policy solutions than those that have been pursued until now. Policy-makers should be aware of this convergence in academia and take it seriously given that these ideas undermine the current approach to preventing further loss of life at the external borders.

Fourth, a reminder of the individuals concerned. *The Deaths at the Borders Database* is the first dataset to record people who have died attempting to enter the EU individually, rather than incidentally. This perspective exposed new insights, such as the low rate of identification of deceased irregularised travellers, the racialisation of death management, and the challenges of tracing people from the incident in which they died to their burial place (Chapters 2 and 3). Deciding to compile individual death records changed the nature of the research, from data collection to evidence collection, from counting to witnessing. Individual death records more effectively convey the loss of *life* from border deaths, reminding us that the people directly harmed are irregularised travellers. Their deaths affect the psychological and physical well-being of a second round of individuals: their families and friends, and witnesses (survivors, rescuers, death management officials, local residents). Other important research is contributing to our knowledge of the perspective of family and friends of deceased or disappeared irregularised travellers (e.g. Zagaria, Kovras and Robins).

Meanwhile, searching archives of 563 municipalities along the southern EU external border, conducting interviews with over 70 officials and local residents from these communities, and becoming, myself, a witness as a researcher of border deaths, revealed severe secondary psychological and physical damage from border deaths. Despite widespread awareness of shipwrecks and the dangers of irregularised travel, debates on irregular migration and border control do not demonstrate full awareness of the loss of life and damage associated with border death.

By focusing on individual loss at a regional scale over a 24-year period, this research contributes a comprehensive overview of EU border deaths that can help prevent these deaths – a general objective EU policy-makers adopted over a decade ago.

Chapter 2

Deaths at the Borders Database: evidence of deceased migrants' bodies found along the southern external borders of the European Union[1]

People have been attempting to cross the external borders of the European Union (EU) without authorisation since the late 1980s (Balibar 2004; Düvell 2006; de Haas 2008; van Houtum 2010). In making the attempt to enter the EU clandestinely, irregular border-crossers face a range of risks, including the risk of death. 'Border deaths'[2] include drowning in shipwrecks, dying of dehydration and hypothermia on boats or in rural or wild areas near land borders, and instances of direct (e.g. shootings) and indirect (e.g. landmines) violence. Over the last decade, the EU's Southern borders – namely, the external borders of Greece, Italy, Malta, Spain and Gibraltar (see Figure 2.1) – have become known as sites of an escalating number of border deaths. While there are many people who survive the journey, it is the deceased irregular border-crossers with whom the *Deaths at the Borders Database* and this chapter are concerned.

While irregular migration into the EU has been the subject of much discussion (Triandofyllidou 2016), the only available data on those who die is sourced from news media (for a detailed analysis, see Chapter 4). The Fortress Europe blog[3] lists news reports of those who have died on their journey to the EU. UNITED Against Intercultural Action's List of Deaths[4] is a systematic record of news collected by the extensive civil society network. The newer Missing

[1] Co-authored with Giorgia Mirto, Orçun Ulusoy, Ignacio Urquijo, Joke Harte, Nefeli Bami, Marta Pérez Pérez, Flor Macias Delgado, Amélie Tapella, Alexandra Michalaki, Eirini Michalitsi, Efi Latsoudi, Naya Tselepi, Marios Chatziprokopiou & Thomas Spijkerboer. This chapter has been published in the *Journal for Ethnic and Migration Studies* (2017) 43(5): 693-712.

[2] The term 'border deaths' is subject to the interpretation of 'border'. This study uses 'border' to refer to the physical external border lines of the EU, including the high seas between southern EU Member States and North and West Africa. Others interpret the term more expansively (Weber and Pickering 2011).

[3] http://fortresseurope.blogspot.nl/p/la-strage.html

[4] Full name: List of 22.394 documented deaths of asylum seekers, refugees and migrants due to the restrictive policies of Fortress Europe. http://www.unitedagainstracism.org/wp-content/uploads/2015/06/Listofdeaths22394June15.pdf

Migrants Project[5] of the International Organisation for Migration is also sourced largely from news (Al Tamimi et al 2017). Scholarship on border deaths is therefore heavily reliant on data sourced from news media (Cuttitta 2006; Spijkerboer 2007; Carling 2007; Kiza 2008; Weber and Pickering 2011; Pickering and Cochrane 2013; Williams and Mountz 2015). News media is not a consistently reliable source of data: (1) not every shipwreck might be considered to be 'news', and media attention to the issue fluctuates over time; (2) each story is covered differently and the details important to a news story are not the same as those needed for research; and (3) there is a risk of over-counting if, for example, one journalist covers the missing from a shipwreck while another covers the discovery of unidentified corpses in fishing nets (Last and Spijkerboer 2014). Yet, official data on irregular border-crossers is limited, and there are no official death tolls.

Mortality is a standard measure of human well-being. Accurate death statistics for irregular border-crossers are needed to determine the severity of the risk they face and to assess the impact of policies and specific practices in reducing deaths. Data should preferably be disaggregated to enable comparison of age, sex or nationality groups, seasons and routes. An individualised death toll is important to raise awareness of the issue and its history in a dignified manner that acknowledges the humanity that has been lost.

From a pilot study in Sicily in November 2011, Spijkerboer (2013) demonstrated that death certificates could be used as an official source to count border deaths. Death certificates are public, legal documents archived in registries that record details about deceased individuals in that municipality. They are issued in the course of the state's management of a dead body as proof of death. Death management systems vary between and within countries, but they all encompass a series of stages, including a recording stage. Spijkerboer found death certificates of migrants who had died in shipwrecks whose bodies had been processed in Pozzallo and Porto Empedocle to be a reliable official source and determined that consulting local death registries along the Mediterranean coast could 'lead to a comprehensive data set on the number of deaths, the approximate time of death, and the place where the bodies were found' (Spijkerboer 2013: 221). Our project tested Spijkerboer's hypothesis that death records are a viable source of official data on border deaths in the region.

Our initial aim was to generate an official count of border deaths in the jurisdiction of southern EU Member States over the period 1990-2013. However, after pilot studies in Greece (October 2013) and Spain (February 2014), it became apparent that death records were an unexpectedly rich source of data, revealing more than where, when and how many migrants deceased, but also clues as to who they were and how they had died. Loath to miss out on the opportunity to know more, the aim became to collect as much information as possible from the death management systems of southern EU Member States, so as to create a publically-available, individualised 'evidence-based' record of people who have died attempting to cross the southern EU external borders and whose bodies have been found and managed by European authorities.

[5] http://missingmigrants.iom.int/

Figure 2.1 Map illustrating where data were collected for the Deaths at the Borders Database.

This chapter outlines the research design and methods used for systematic, multi-sited data collection from death registry archives and the construction of the open source *Deaths at the Borders Database*. Then, it presents the findings of the quantitative data collection and the qualitative case studies conducted alongside. The chapter ends with a discussion of the use of death records as an official source of data about border deaths.

Method

Given the expansive geographical and temporal coverage and the challenges of accurately identifying death certificates of people who died border deaths,[6] the research benefitted from some guiding principles. On the one hand, as multi-country data collection from local municipality archives had not been attempted before and concerned a subject on which there was very little pre-existing literature, it was important that the research design had the flexibility to evolve with what we learned, as we learned it. On the other hand, in order to produce a single comprehensive and accurate database, it was important that the research design maintained consistency in its approach. These two principles, flexibility and consistency, provided the parameters for the planned research and for methodological decisions taken during data collection.

As it was not possible to fully comprehend what the final database would consist of without first substantiating what data we could collect, the study was designed with two Stages:

(1) Collect data on border deaths from death records.

(2) Publish an open source, individualised but anonymised database.

[6] Death registries are organised chronologically and sometimes also alphabetically by surname, but not by legal status or nationality.

The methods used to complete these Stages are outlined below.

Stage 1: Collect data on border deaths from death records

The plan to collect data from death records involved three steps: check that death records are accessible and reliable across all five countries of study; identify relevant death registries; and implement a comprehensive, uniform approach to searching for and selecting data.

Pilot studies to determine reliability of death records

Spijkerboer's (2013) study in Sicily had determined that death certificates could be a reliable source of official data on border deaths, but the exploratory nature of his research and the fact that it was limited to two municipalities in one country meant that his conclusions were not generalisable. According to a review by the World Health Organisation, death registration is 100% complete in Greece, Italy, Malta and Spain, as in most of Europe, meaning that all adult deaths are registered for the population covered by the death management system (Mathers et al 2005). However, these systems are not designed with border deaths in mind, so it would be necessary to check completeness ourselves. Spijkerboer's study focused on the reliability of death certificates exclusively, but death management systems may generate a more accessible and reliable official source. Finally, it was important to test whether death registries would be accessible in Greece, Spain, Malta and Gibraltar, and throughout Italy.

Pilot studies were conducted in Greece, Italy, Malta, Spain and Gibraltar to map the death management systems of these countries and all potential sources of border death data. In each pilot study, semi-structured, formal interviews were conducted with key actors in death management to gain an overview of the procedures and paper-trail from discovery of a body to burial. Key actors were identified by internet and phone inquiries, and through word-of-mouth once in the field. Depending on the location, key actors include officials of the police/coast guard, civil registries, courts/magistrates/public prosecutors, legal medical institutes/coroners/ morgues, cemeteries, municipality/provincial administration, and funeral services. NGOs and individuals from the local community were also contacted for referrals and interviewed if they were involved in managing or monitoring border deaths. Pilot studies were intensive and extensive, aiming to exhaust all avenues of qualitative and quantitative data collection from local official sources.

Pilot studies in March 2014 in Malta and in February 2015 in Gibraltar covered those territories. Locations of pilot studies in Greece, Italy and Spain, were selected for different reasons. In October 2013, we visited the two locations which had seen the most border deaths in Greece: the Aegean island of Lesvos and the Greek-Turkish land border along the Evros river. In contrast, in February 2014, we visited the Spanish administrative regions of Malaga and Valencia to test whether death registries were also reliable in places where only a few border deaths would be found, and the region of Castellón to confirm that it was unnecessary to search further up the coast from Valencia. Finally, in June 2014 we conducted the Italian pilot study in Apulia to test the general applicability of the results of Spijkerboer's study in Sicily and to determine the historical reliability of death registries (Apulia was the site of mass arrivals from Albania in the 1990s and early 2000s). The variety of locations provided insight into the characteristics and particularities of death management systems of Mediterranean EU Member

States and the reliability and accessibility of death registries as an official source of data about border deaths.

It was anticipated that municipalities that had somehow 'unusual' experiences of border deaths may also manage these deaths in an unusual way. Therefore, field work similar to the pilot studies was planned for the remaining southern EU external land borders (Ceuta, Melilla and northwest Greece) and for Lampedusa, which was the site of the Italian government's 'border theatre' before Mare Nostrum (Cuttitta 2014). Otherwise, the country pilot studies provided sufficient context for data collection.

Country strategies for identifying relevant death registries

The second step in the research design was to identify which death registries in the external EU border regions might register border deaths. Data collection from Malta and Gibraltar was exhaustive: Gibraltar only has one Public Registry and Malta's two death registries are centralised in the main Public Registry in Valletta. However, Greece, Italy and Spain have thousands of liksiarcheia (ληξιαρχεία), stato civile and Registros Civiles; it would be unrealistic and pointless to search them all.

On the basis of news-based border death data and literature on irregular migration, the geographical scope of the research could be limited to municipalities with jurisdiction over the borders shown in Figure 2.1. Different strategies were developed for Greece, Italy and Spain to identify relevant registries. These strategies took into account: knowledge of the death management system gained from the pilot studies; logistics of covering the areas in Figure 2.1; and the target to complete the Database within a year so that it would be as up-to-date as possible when released.

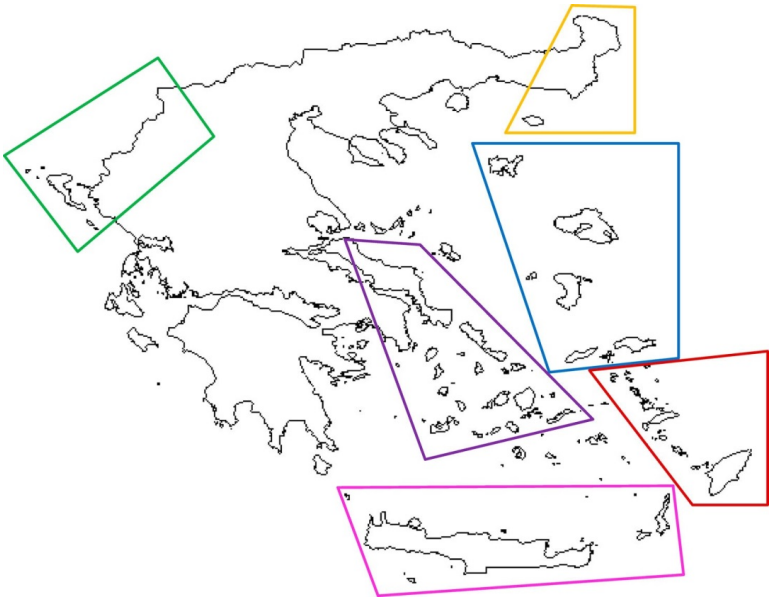

Figure 2.2 Map illustrating six regions of data collection in Greece.

Greece. Different irregular border-crossing points have come in and gone out of use between 1990 and 2013. The research was concerned with the first physical external borders people cross on their way *into* the EU, namely, the land and sea borders with Turkey, the land border with Albania, and the sea border south of Crete where boats departing from Egypt have been known to arrive.

Dozens of islands in the Aegean Sea 'border' the Turkish coastline in the sense that they could be the first port of entry for people travelling by boat. In addition to the southern coast of Crete and the – mostly rural – municipalities with jurisdiction over the land borders with Turkey and Albania, there were an estimated 100 municipalities to visit. But Greece twice changed geography and powers of local administration between 1990 and 2013, multiplying the locations of registry archives (Tselepi et al 2016). In addition to limited transportation between islands, these factors contributed to the decision to divide data collection in Greece into six regions (Figure 2.2) and allocate each region to one researcher.

Researchers conducted desk-based research on the total number of registries (*liksiarchia*) in each region. Once in the field, they could exclude irrelevant registries if there were no media or NGO reports of deaths there, if more than one local official claimed there was little to no chance of any border deaths being registered there, *and* the registrar of that registry confirmed this. Informal interviews with local actors were conducted by phone or in person. By allocating researchers to a particular region, they were able to become familiar with the local officials and bureaucratic hierarchy, making it easier to identify relevant registries for data collection and to gain access.

Italy. Italy is the country of first arrival on several sea routes across the southern external borders of the EU. Boats arriving on the coasts of Apulia, Calabria, Sicily and Sardinia or shipwreck on the way, depart from Algeria, Tunisia, Libya, Egypt, Turkey, and Syria. Stowaways have also been discovered on international commercial and passenger ships arriving in Italian ports.

The Fortress Europe blog and UNITED's List of Deaths were used to create a list of all provinces in or near which shipwrecks or bodies had been reported. According to Italian law (DPR 396/2000), all deaths should be registered by the municipality in which the person died or their body was found. Therefore, data collection was planned to include all registries along the coasts of these provinces, an estimated 250 registries to be covered by two researchers.

The Italian pilot study found that provincial authorities are granted considerable discretion to design their own procedures for death management, which creates the potential for border deaths to be registered in stato civile of inland comune. Consequently, the researchers began data collection in each new province in the provincial capital to conduct interviews with key actors to determine whether to include inland registries and/or exclude certain coastal registries in that province.

Spain. The Strait of Gibraltar has always been a crossing point between Africa and Europe, but several sea routes emerged between 1990 and 2013, including across the Alboran Sea to mainland Spain from Morocco and Algeria, and to the Canary Islands from the west coasts of

Morocco and Western Sahara, and later from Mauritania, Senegal and the Gambia. Spain also has two land borders with Morocco, surrounding the autonomous cities of Ceuta and Melilla.

In Spain, deaths are investigated and registered in the judicial district in which the deceased's body was found.[7] We uncovered no evidence suggesting that authorities would diverge from this practice. Indeed, Spain has an extraordinarily standardised death management system that operates according to the same procedures carried out by the same actors in each municipality. Therefore, Registros Civiles with jurisdiction over the coasts of the Canary Islands, Balearic Islands, and southern mainland Spain up to and including Valencia as well as Ceuta and Melilla were relevant for data collection: an estimated 200 registries to be covered by two researchers.

Gaining access to registries. Although death records are public documents, the standing of researchers in terms of their access to death registry archives is not clear and local authorities have varying perspectives. Rather than adopt a particular interpretation of rights of access, researchers would follow procedures requested by each registry, and respect and accommodate the particular concerns of the authority they were dealing with.

Common Methodology, balancing consistency and flexibility

After determining that death registries were reliable and accessible, and developing country strategies for identifying registries to search, the third step was to implement a consistent way of searching registries and extracting data about border deaths. The Common Methodology comprised of:

- A set of instruments for collecting and recording data.
- A working definition of 'border death'.
- A step-by-step guide to searching archives and using the instruments.

Researchers familiarised themselves with the Common Methodology during a training workshop in April 2014.[8] The research design provided full time long-distance logistical and methodological support; researchers would operate independently in the field and, therefore, needed a harmonised understanding of the research to be done. This decentralised approach fostered a sense of collective ownership and solidarity, contributing to the comprehensiveness of the work done.

Searching for border deaths. Registries do not maintain indices of foreign deceased,[9] nor is it common to indicate on the death certificate what the person was doing when he or she died. Identifying border deaths in death registries is a matter of deduction, for which researchers needed to search directly through the registry books containing death certificates issued

[7] http://www.mjusticia.gob.es/cs/Satellite/Portal/es/servicios-ciudadano/tramites-gestiones-personales/inscripcion-defuncion

[8] Two of the 13 researchers joined the study after data collection had commenced and were trained in the field by experienced researchers.

[9] We encountered only one civil registry where a special index was kept of migrants and it was done at the personal initiative of the registrar. She explained that she believed that someday, someone would want to have that information.

between 1 January 1990 and the day on which they visited the registry. *Instructions for Field Researchers* guides the reader through excluding death certificates of persons who certainly did not die border deaths, e.g. European citizens and residents. This vastly reduced the number of death certificates the field researcher had to examine, speeding up the search through thousands of death certificates per registry.

A working definition. Researchers searched for a particular kind of 'border death' according to a list of inclusion and exclusion criteria specifically for people who die attempting to cross southern EU external borders without authorisation whose bodies would be managed by authorities in the EU between 1990 and 2013. People who died shortly after arriving, from factors directly attributable to border-crossing, are included, but not those who died in detention or living on the streets or trying to travel on to another EU Member State. Researchers selected cases based primarily on the information in the death certificate, and secondarily from other documents or discussions with key actors. If in any doubt about whether it fell within the working definition, researchers recorded the case, to be subjected to review in Stage 2 of the research.

Instruments for data collection. When a researcher identified a possible border death, the Common Methodology provided a set of instruments to collect data. If permitted, researchers also made a copy of the death certificate. The instruments include a codebook for extracting data from documents, a logbook for recording experiences and results of searching a registry, and an Excel template for entering data from codebooks. The instruments were developed on the basis of the Greek and Spanish pilot studies, tested for practicability and content during the Maltese pilot study and tested for clarity and usability during the training workshop.

The codebook (one per border death) is made up of four parts: administration of data collection, procedural information about how the body was discovered and managed, personal information about the deceased and information about the cause and circumstances of his/her death. Data are assumed to come from the death certificate; any alternative source is noted next to the relevant information. The template corresponds with the variables in the codebook.

The logbook (one per registry visited) served three purposes. First, it offered space to record qualitative data collected from actors they encountered in the field. Second, researchers recorded if and why they had consulted alternative sources to ensure traceability of data. Lastly, the logbooks served as a reporting mechanism for the particular strategies and tactics employed to gain access to and search through that registry. Researchers sent logbooks soon after visiting registries, which were reviewed immediately, enabling ongoing discussion of methodology and improving coordination and consistency.

Handling personal, sensitive data. Collecting data from death management systems exposes a considerable amount of personal information. On the advice of the Ethics Committee of the Law Faculty of Vrije Universiteit Amsterdam, only researchers working on the Database had access to any copies of original documents and all data being transferred from the field were encrypted and password protected.

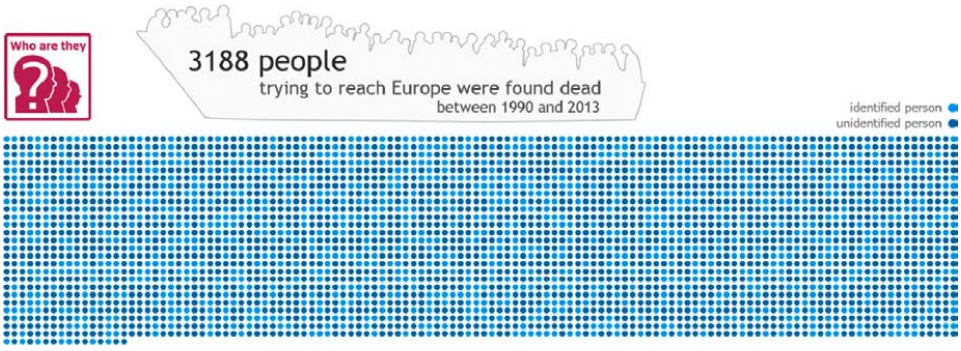

Figure 2.3 Illustration of the 3,188 persons recorded in the Deaths at the Borders Database, 1990–2013. (Interactive version available at www.borderdeaths.org). © Dutch Data Design.

Stage 2: Publish an open source, individualised but anonymised database

Stage 2 of the research plan concerned compiling an accessible database that presents data on each person deceased rather than the incident, anonymised out of respect for the privacy of the deceased and their families. Given the volume and ambiguity of the raw data, compiling the database was a collective effort; every decision concerning what and who the Database would include was made by at least two persons and preferably by all five members of the compilation team.[10]

There were four steps envisioned in planning the publication of the *Deaths at the Borders Database* open source. First, researchers would clean and check data against original documents (where available) and review the substance of the data. Second, the team would re-classify the raw data into clear variables that presented detail while ensuring anonymity of the persons deceased. In the spirit of creating an 'evidence base', the *Deaths at the Borders Database* was built bottom up: starting with the data from each registry to create regional, then country datasets, which was only compiled into a single database shortly before publication.

The third step would be to decide who to include. Who had died a border death was not certain in all cases. A 'certainty level' variable was added to reflect the degree of certainty that each case was a border death based on uniform criteria derived from reviewing the raw data.

The final step would be to make the Database accessible to the wider public. Dutch Data Design[11] worked with researchers to create an interactive visualisation of the Database that illustrated its main findings. This visualisation is based on a simplified dataset of merged variables illustrating when, where, how and who had died. The visualisation is embedded in a website that hosts free downloads of the Database in English, national datasets for Greece, Italy and Spain translated to their official languages, and summaries of the methodology and preliminary findings of the research.

[10] One researcher from each study country.
[11] http://dutchdatadesign.nl/

Discussion of Findings

In the vast majority of places illustrated by Figure 2.1, death certificates are consistently issued for deceased migrants whose bodies are found and archived in municipality registries throughout the regions of the EU Member States included in the study. Between April 2014 and February 2015, researchers searched through over two million death certificates in 563 death registries, as well as other documents in municipality, cemetery and pathologists' offices, and collected 4,147 cases of possible border deaths. Interviews were conducted with 78 key actors during pilot and case studies in 11 locations, and many more conversations were had with officials encountered during data collection. In May 2015,[12] the *Deaths at the Borders Database for the Southern EU* was published open source on www.borderdeaths.org, complete with interactive visualisation (see Figure 2.3), providing information about 3,188 persons who died border deaths from 1990 to 2013 and whose bodies were processed in Greece, Italy, Malta, Spain and Gibraltar. In short, the answer to the question whether death records can be used as a source of official data on border deaths is: yes.

The findings of quantitative data collection and field work that explain the contents of the *Deaths at the Borders Database* are presented in two parts: the first looking at death management systems as a source of data on border deaths, and the second looking at death certificates as the primary 'access point' to data recorded by death management systems. The findings demonstrate the accuracy, comprehensiveness and limitations of the Database.

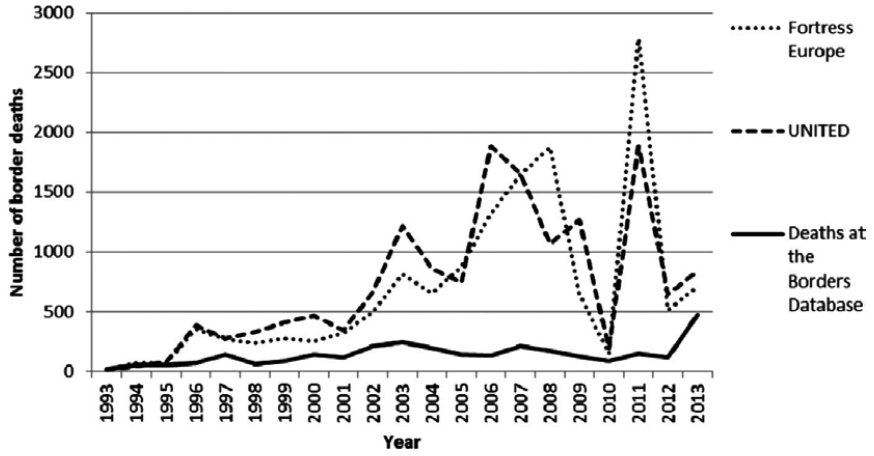

Figure 2.4 Graph showing trends in fatalities recorded by the *Deaths at the Borders Database*, UNITED's List of Deaths and the Fortress Europe blog.

Death management systems generate data about border deaths

While 3,188 is already too many dead among a predominantly young and healthy population, the number of border deaths recorded were far fewer than estimates from UNITED and the

[12] An update was published on 28 June 2016 with irregularities removed and functions added to increased usability.

Fortress Europe blog (Figure 2.4).[13] The difference is due to the source of data: *Deaths at the Borders Database* is a collection of information from EU Member State death management systems that only deal with bodies that have been found or brought within their jurisdictions, whereas the lists of UNITED and the Fortress Europe blog are sourced primarily from news media, which also report on bodies found in EU-neighbouring countries and the missing. However, while death management systems cannot provide a total count of border deaths, they generate considerable information about those in their jurisdictions.

Figure 2.5 illustrates general characteristics of a death management system. When a dead body is found or a person dies of unnatural causes (i.e. not of old age or known illness or condition) the police are notified. The police inform a judge or public prosecutor, who opens an investigation into the cause and circumstances of death. The processes triggered by the discovery of a dead body or an unnatural death can be categorised into three stages: investigation of the death, recording of the death, and burial. A pathologist determines the medical cause of death, while forensic experts, police, coast guards and witnesses report evidence concerning the circumstances of death to the judge or public prosecutor. The investigation stage culminates in the official declaration of an unnatural death as a homicide, suicide or accident, triggering the recording stage. Death certificates are issued by the civil registry in which jurisdiction the person died or the body was found (Greece, Italy, Malta, Spain and Gibraltar), or by the civil registry in which jurisdiction the body was buried (Italy and Greece). At this point, families can claim the body and organise a funeral. If the deceased person is unidentified, if no family members claim the body, or if the family cannot afford a funeral and grave site, the municipality is responsible for the burial.

As with any bureaucratic system, death management generates paperwork, including reports, official communications, declarations and permits. There are limitations in terms of accessibility and retention: not all documents are consistently archived (e.g. autopsy reports), some are archived only temporarily (e.g. court files), and some are confidential (e.g. police reports, autopsy reports and court files for ongoing investigations). Nonetheless, in all southern EU Member States, border deaths trigger death management systems and the information generated as a result can be found in various state and professional archives.

[13] The estimates from UNITED and the Fortress Europe blog have been adjusted to fit with the interpretation of 'border death' used for the *Deaths at the Borders Database*, excluding persons who died on their way to the EU external border or after arriving in the EU (e.g. in detention or during deportation).

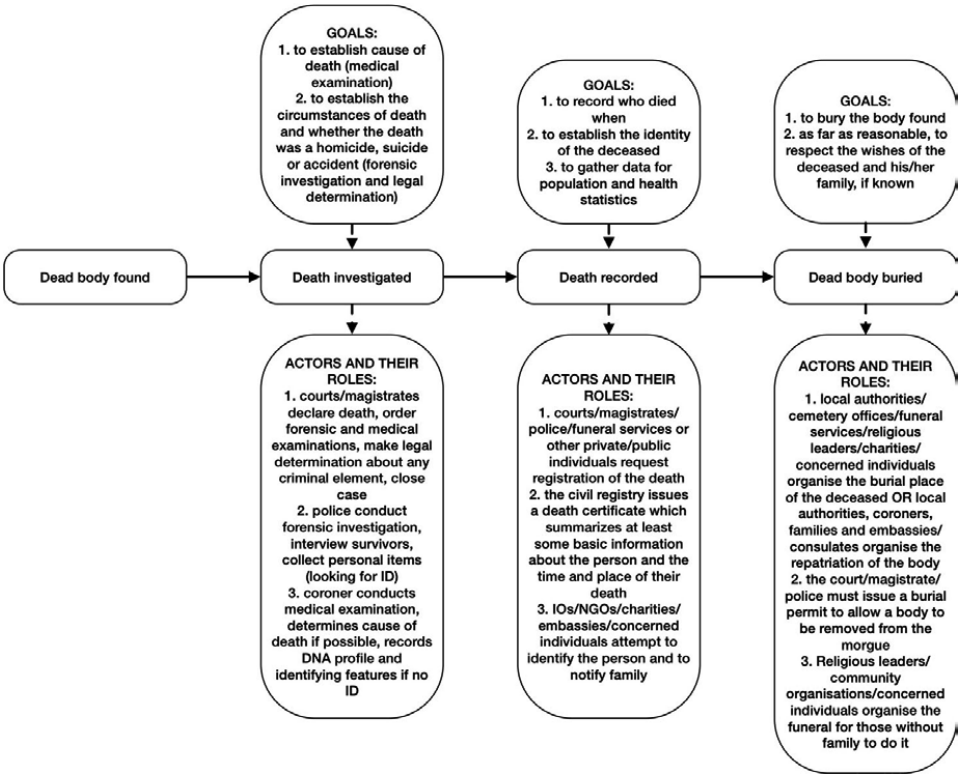

Figure 2.5 Diagram representing the general stages of a death management system, based on those of Greece, Italy, Malta, Spain and Gibraltar.

Death certificates are a generally reliable source of official data

Death certificates were the primary 'access point' to information recorded by death management systems. In general, death certificates proved to be a reliable official source of data about irregular border-crossers. As shown in Table 2.1, 2263 death certificates were a source for 71% of cases recorded in the *Deaths at the Borders Database*. For just over half of those cases, other documental sources supplement the death certificates to ensure accuracy. 'Other documents' includes 218 cemetery registry entries, 460 files archived by pathologists and 1603 official communications by local or provincial authorities issued in the course of the management of a dead body. The 29% of cases sourced only from documents other than death certificates are limited to a few, exceptional locations, discussed below. Death certificates are reliably issued for deceased irregular border-crossers because recording is an integral stage of death management systems.

Table 2.1 Sources of information in the *Deaths at the Borders Database*.

Source(s) used	Count	% of all cases
Death certificates only	1062	33.3
Death certificates and other documental sources	1201	37.7
Other documental sources only	925	29.0

Accessibility of death certificates was the first of two major challenges faced in data collection because public access to state archives – even for research purposes – is not guaranteed. In Malta, Spain and Gibraltar there are standard procedures for requesting direct access to registries, but in Italy and Greece the regulations are far more vague (Pérez et al 2016; Tapella et al 2016; Tselepi et al 2016). In all countries, when access was denied, the researcher negotiated one compromise after another until the person responsible for the archives agreed. In most cases, these compromises concerned working hours and spaces. However, occasionally researchers were forced to compromise aspects of the Common Methodology in order to secure access to data.

Sometimes, particular information (cause of death) or methods of recording (no copies, or only copies and no codebooks) was restricted. Where recording cause of death was restricted, this information is missing from the Database. Where restrictions affected *how* researchers recorded information, extra care was taken. Rarely, direct access to archives was restricted. Researchers conceded to compromises which granted them access only to index books[14] or digital versions of the archives[15] only if the registry had a very small archive and there were unlikely to be border deaths registered. In a few small registries, a civil servant insisted on conducting the search under the researcher's supervision.[16] Where compromises were made to the searching method, researchers asked to collect death certificates of all foreigners and unidentified persons and selected the border deaths among them later. Thus, deviation from the Common Methodology was occasionally necessary, but these had no impact on the number of deaths recorded and minor impact on the content of the Database.

Of the 571 registry offices finally identified as relevant for the purposes of data collection for the *Deaths at the Borders Database*, only eight refused access completely. Six of these were in Spain, one in Italy, and the eighth in Greece. In Spain, there are five Registros Civiles which refused access where it is possible that there are border deaths registered (Marbella, El Ejido, Villajoyosa, Palma de Mallorca and Las Palmas de Gran Canaria), and one in which there are certainly border deaths registered (San Sebastian de la Gomera). According to a decision by the *Consejo General del Poder Judicial*, the judge responsible for each registry has the prerogative to decide whether to allow access to researchers,[17] but refusals must be put in writing to enable appeal. Because appeals were lodged on these six refusals (still pending), no alternative sources were sought. Therefore, these jurisdictions are not covered by the Database and an unknown number of persons – unlikely to exceed 100 – are missing.

During field work in Crotone province, Italy, the researcher was informed about two deaths in Cariati, Cosenza province. She was refused access by the registrar of Cariati, who claimed that there were no border deaths registered there; and instead collected testimonies and supporting documental evidence from key actors involved in both cases. For no apparent reason, despite being found in the same area, one was buried in Cariati, while the other was buried in

[14] These record far fewer details about the deaths.
[15] These are more difficult and time consuming to search as the operating programs do not have adequate search functions, which may have increased the possibility of human error.
[16] Supervision could be direct (watching the search), or instructive (explaining the methodology).
[17] Decision dated 1 April 2014; on file with author.

Mandatoriccio. Interviews with key actors in Mandatoriccio indicate, however, that these were the only bodies of irregular border-crossers found in the province.

Soufli, in the Thrace region of Greece, is a significant town along the land border with Turkey. During the Greek pilot study, we were told by many respondents that most border deaths in this region were registered in Soufli. This was confirmed by a count provided by a civil servant of the registry who searched death certificates from 2000 to 2013 (see Table 2.2). However, multiple attempts to negotiate access to the death registry of Soufli were unsuccessful, culminating in a formal refusal by a District Attorney of Thrace on grounds of privacy of 'illegal immigrants',[18] despite a written statement by the Hellenic Data Protection Agency explicitly excluding deceased persons from the scope of data protection law.[19] Without option to appeal, an alternative 'access point' was sought. Cemeteries where deceased irregular border-crossers were known to have been buried (most significantly, the private cemetery in Sidiro which, in October 2013, hosted more than 350 graves according to the Imam who managed it) denied access to their archives. Finally, the pathologist of Alexandroupoli Hospital permitted data collection from his professional archive.

Table 2.2 Comparison of deceased irregular border-crossers recorded in the *Deaths at the Borders Database* and a count of those registered in Soufli registry office.

Year	*Count of cases in Evros* missing death certificates			Count conducted by civil servant of Soufli registry		
	Total count	Females	Identified persons	Total count	Females	Identified persons
2000	2	0	2	8	0	1
2001	5	0	0	5	0	3
2002	6	0	3	6	0	3
2003	43	3	13	34	3	2
2004	27	0	1	21	0	0
2005	7	0	1	4	0	1
2006	16	2	3	15	2	0
2007	23	0	1	16	0	0
2008	17	1	8	19	0	0
2009	23	7	1	1	0	0
2010	35	6	5	43	12	3
2011	41	4	7	34	1	1
2012	30	5	8	33	6	4
2013	6	0	1	7	0	3
All years	281	28	54	246	24	21

The pathologist archived all reports concerning bodies which he (or one of his colleagues) had autopsied, and as the only pathologist in the region, this feasibly includes all autopsies of deceased irregular border-crossers. Table 2.2 compares the cases in the *Deaths at the Borders Database* that were recorded from documental sources other than death certificates with the

[18] Email communication with field researcher, September 2014; on file with author.
[19] On file with the author.

count conducted by a civil servant of Soufli's death registry. In several years, the counts are the same or differ by only one or two cases. Several factors could explain minor differences in the two counts shown in Table 2.2. Deaths are not always registered immediately, especially if the body is unidentified, so some of the pathologist's cases may be registered the following year. The pathologist may not be made aware of late identifications in which he does not participate; likewise, the registrar may not have been informed of an identification if the family did not ask to repatriate the body. Although we provided the civil servant clear instructions about who we were looking for, it was not possible to apply the certainty criteria to her count from the Soufli death registry, so different interpretations of a 'border death' may also be a factor. While the differences should raise concern about the possibility of the burial of unregistered[20] or non-autopsied[21] dead migrant bodies in the Evros region, we believe the pathologist's archive was a reliable source. Its major flaw was that the pathologist's archive only dated back to 2000. However, Soufli became the main civil registry for registering deaths only after 2000 because prior to that irregular border-crossers were typically registered in the villages where they were buried. According to the civil servant who conducted the count shown in Table 2.2, there were no border deaths registered before 2000. Thus, there is good reason to consider that, although the Database may not be complete for the Evros region, the pathologist's archive provided a comprehensive alternative for the most important years of data missing as a result of the refusal of access to Soufli registry.

Table 2.3 Cases in the *Deaths at the Borders Database* missing death certificates.

Region/Province	Count of cases recorded without death certificates
Evoia (Greece)	15
Evros (Greece)	281
Malta	26
Calabria, Cosenza (Italy)	2
Apulia, Foggia (Italy)	1
Sardinia, Carbonia Iglelias (Italy)	2
Sicily, Agrigento (Italy)	566
Sicily, Ragusa (Italy)	19
Sicily, Siracusa (Italy)	7
Huelva (Spain)	1
Gibraltar	5

The research revealed a few exceptions to the general reliability of death registries as a source of official data on border deaths. Table 2.1 shows that 925 cases were recorded only from other documental sources; Table 2.3 lists the regions/provinces where these cases were recorded. The Evros and Calabria cases can be explained by the problems of access described above. Then, there are four provinces in which border deaths are not common and one or two – all of unidentified persons – were not registered by the responsible registry. In Cosenza, as explained above, access to the registry of Cariati was denied, so it is unclear whether the two deceased

[20] Recorded by the pathologist but not any registry.
[21] Recorded by Soufli registry but missing from the pathologist's records.

irregular border-crossers found in that municipality were ever registered.[22] In the other three provinces, the responsible registry office had the information and chose not to proceed with usual registration for some reason (e.g. Huelva,[23] Foggia[24] and Carbonia Iglelias[25]). Such bureaucratic obstacles and misconduct by individual registry offices also explain missing death certificates in the Sicilian provinces of Siracusa[26] and Ragusa[27], and on the Greek island, Evoia.[28] The number of affected cases in these places are larger simply because here border deaths were more common (at different points during the period 1990-2013). However, the problems unearthed with registration in Malta, Gibraltar, and especially the Sicilian province of Agrigento (Italy) are more alarming because they resulted in systematic non-registration of deceased migrants.

In Malta and Gibraltar, it is the practice of the Public Registries to only register persons who have died in the territory of Malta or Gibraltar. This means that bodies found in the sea – including in Malta's extensive Search and Rescue (SAR) zone – can be investigated and buried without their death ever being formally recorded. The Director of the Mortuary at Mater Dei Hospital maintains, since October 2004, a list of cadavers that are brought to Malta from the sea and suspected of being irregular border-crossers, so as to allocate each cadaver a unique tracing number. The list includes details about the discovery of the body as well as the results of the forensic medical investigation, and enabled us to fill gaps in data collected from the Public Registry. Like the archive of the Coroner of Thrace, the flaw of this list was that it only began in October 2004. However, Malta only joined the EU in 2004 and, according to police data, it was the first year when there were significant irregular arrivals to Malta. From several interviews and conversations, it is clear that we share a common definition of 'border death' with the Director of the Mortuary, which meant we did not have to deduce who to include from his list.

[22] The one buried in Mandatoriccio was not registered in Mandatoriccio, but as his body was found in Cariati, his death could be registered there.
[23] The judge in Huelva had forgotten to instruct the registrar to complete a death certificate. The access request reminded him of the forgotten case file in his office. This mistake may have been corrected since data collection.
[24] The registrar of Lesina was waiting for a direct order from the procura to issue a death certificate because the burial authorisation he received (which is the usual means of communicating this order) stated that the investigation was ongoing.
[25] Only parts of these bodies were found and the registry in Carloforte had taken it upon itself to keep a separate file of documents relating to incomplete, unidentified 'human remains'.
[26] In Noto, the registry kept a separate file of 'unknown' persons in the belief that deceased persons could not be issued death certificates until they were identified. In Pachino, there were three unknown bodies buried in the cemetery which were not registered in Pachino stato civile; one of which had died off the coast of Portopalo. It is not clear why these three were not registered when others were.
[27] The registry of Scicli did not register two unidentified bodies found near Donna Lucata in December 2004 nor the unidentified persons among the 26 victims a shipwreck near Sampieri on 18 November 2005, although all were buried at the Scicli cemetery. No explanation for this differential treatment of unidentified bodies was provided by the registrar.
[28] In the municipality of Kymi, the Mayor declared that the 'illegal immigrants' who died in shipwrecks off their coast should not be registered or buried there, and the registrar obliged, in contravention of Greek law pertaining to death registration. Although many actors remembered these deaths, we could not discover where the bodies had finally been buried; the only documental evidence remaining of these deaths were the operational reports of the Coast Guard. Such operational reports are rarely archived for long and they are not publically accessible; it was only because the researcher could prove the deaths were not recorded anywhere else that she was able to get permission to consult the Coast Guard's archive.

Most concerning of all is registration of deceased irregular border-crossers in Sicily. These represent the largest number of unregistered border deaths whose deaths were not registered, as shown in Table 2.3. It was immediately apparent from data collection in Agrigento province in May 2014 that there were many deceased irregular border-crossers who had been buried in cemeteries far from where their body had been found, without being registered in either place. A single, replacement secondary 'access point' was not an appropriate solution to this problem. Instead, the researchers adopted an exhaustive approach to data collection in the province of Agrigento. All registry offices and cemetery offices were searched for any filed documents (registers, burial permits, instructions from the Procura, coast guard reports, cadaver inspection reports, etc) pertaining to deceased migrants. As a large proportion of those buried in Agrigento province had died near the island of Lampedusa, field work in Lampedusa was vital, particularly the extensive searches of the stato civile and the professional archives of the acting pathologist. The conclusion of this exhaustive approach was that we are convinced that we found all possible documental traces of deceased irregular border-crossers in the province of Agrigento. However, as no office systematically records border deaths, it is possible that there are people buried about whom all traceable documental evidence has been lost.

While death certificates were generally reliable as an 'access point' to information recorded by the death management systems of Greece, Italy, Malta, Spain and Gibraltar, problems of access and proper registration raised the need for secondary 'access points' in a few, specific places. The data retrieved from these places were given careful attention during Stage 2 of the research – the creation of the Database. Cases collected from different sources were rigorously compared to reduce risk of double-counting. As shown in Table 2.1, 1201 cases are based on both death certificates and other documental sources, more than the number of cases based solely on death certificates or other documental sources. This demonstrates not only the result of measures taken to avoid double-counting, but also the care taken to supplement data collection from registries whenever there was any doubt as to their reliability as a source of data. Therefore, we conclude that the effects of the problem of gaining access to death registries and the problem of non-registration of border deaths on the quality of the Database are limited, both geographically and substantively.

Who and What is in the Database

Many people who have died attempting to cross the Southern EU external borders are missing or their bodies have been found and buried in other jurisdictions. Therefore, their data are not included in the *Deaths at the Borders Database* and, as a result, the Database does not present a total count of 'border deaths' along the EU external borders. However, for the people whose bodies were found and processed in Southern EU Member States, we were able to retrieve more information than we had anticipated or aimed for because death records proved to be a rich source of detail in many cases. The evidence collected is organised into 48 variables, including 12 variables of procedural information, 10 variables about personal details, and 15 variables concerning the place, date, cause and circumstances of death.[29]

[29] See "Metadata for the Deaths at the Borders Database for Southern EU", available at: http://www.borderdeaths.org/wp-content/uploads/Metadata-for-the-Deaths-at-the-Borders-Database-for-Southern-EU.pdf

In some places border deaths were registered quite differently to other deaths, especially in terms of the information provided in death certificates. Often, although not always, information was missing because the person was unidentified. But the fact that two thirds of the persons recorded in the Database are unidentified does not explain all the data gaps as personal details should be replaced with other details such as a description of and where and how the body was found. Whatever the cause, the consequence is a huge variation in the kind and completeness of information available from death management systems about persons who died border deaths.

This variation in the information available contributed to the second major challenge faced in data collection: identifying border deaths. Researchers collected data on all cases they found that could fall within the working definition. While some were clearly border deaths and others not, many were ambiguous due to insufficient or contradictory information. Systematic comparison of the deaths collected with those recorded in UNITED's List of Deaths and the Fortress Europe blog helped to 'confirm' some but not all cases. Criteria were developed on the basis of the raw data collected to assign each case one of five levels of certainty as to whether or not the person had died a border death: confirmed, likely, possible, unlikely and automatically excluded.[30] Table 2.4 provides the breakdown of cases per level. The confirmed, likely and possible cases were published in the public version of the Database along with their certainty level. Finally, 959 of the 4,147 cases that had been collected were not included in the Database. Classifying certainty post-collection lends consistency to the – somewhat intuitive – deductive process of identifying border deaths in the field.

Table 2.4 Certainty levels of cases in the *Deaths at the Borders Database*.

Certainty level	Count	% of cases included in Database
Confirmed (1)	2025	63.5
Likely (2)	447	14.0
Possible (3)	716	22.5

Effect of researching border deaths

The morose subject of the research had more of an impact on the researchers than anticipated. The risk of vicarious traumatisation[31] became apparent after the Greek and Spanish pilot studies and was included as a topic of discussion in the Methodology Workshop. In addition, researchers were invited to share their personal experiences in the logbooks, either in words or by indicating on a scale of 1-10 how data collection was affecting them. Due to the volume of data submitted and the prioritisation of overcoming obstacles to data collection, it was not always possible to read or respond to the material submitted in this regard. Each researcher established their own norm on the 1-10 scale, which was monitored to enable quick

[30] See document entitled "Criteria for Assignment of Certainty Levels in the Deaths at the Borders Database" in the Supplemental File, available at:
http://www.tandfonline.com/doi/suppl/10.1080/1369183X.2016.1276825?scroll=top

[31] Also referred to as secondary traumatisation, vicarious traumatisation is commonly linked with compassion fatigue and burn out, as well as indicators of post-traumatic stress syndrome. Although individual researchers may be aware of it, there is no professional acknowledgement of the risk of vicarious traumatisation in academia which is why it was absent from the original research design.

communication of a particularly challenging registry or period, to be followed up with a personal email or Skype call to that researcher. Researchers in Italy and Spain, who were collecting data full time for 10 months, scheduled breaks to provide relief from the subject and the travelling. Finally, a two-day Debriefing Workshop was organised in Madrid in February 2015, which included an informative session on vicarious traumatisation by a psychotherapist.[32] These efforts were sufficient to ensure completion of data collection and raise awareness of vicarious trauma, but inadequate to prepare researchers for exposure to the traumatic experiences of irregular border-crossers and support them through periods of high stress. The well-being of researchers exposed to traumatic 'data' deserves more attention in academia.

Conclusions

The *Deaths at the Borders Database* is the first longitudinal and geographically comprehensive collection of official evidence about deceased irregular border-crossers in EU Member States. Due to the comprehensive, flexible and methodical approach and the dedication of the research team, we are satisfied that the Database includes every deceased irregular border-crosser recorded by the death management systems of Greece, Italy, Malta, Spain and Gibraltar, except those few places we were unable to search. The Database provides a reliable minimum of the number of irregular border-crossers who have deceased between 1990 and 2013 and the information it contains contributes to knowledge of irregular migrant populations in the EU.

Death management systems have limitations as to the information they can provide about people who have died border deaths. First, only people whose bodies have been processed in the jurisdiction of the particular system will be recorded by it; second, there is considerable variation in the kind and amount of information recorded for each body. Nonetheless, for close to three decades[33], recovering the dead bodies of irregular border-crossers has triggered a series of procedures involving multiple state authorities, generating a wealth of official data that states could centralise[34] and make accessible for identification and family notification, and for impact assessments and policy review (Last, Spijkerboer and Ulusoy 2016). Data about deceased irregular border-crossers continues to be recorded at the municipal and provincial levels of state government due to the entrenched and automatic nature of the death management systems that have operated since the 1800s. This is also true of the death management systems of countries such as Morocco and Turkey. So, the same methods of data collection could be used to extend the Database to other jurisdictions in which 'border deaths' occur.

Death certificates are a reasonably accessible document from which to gather official data generated by death management systems. If completed properly, they provide a rich summary

[32] The session provided general advice related to the research on: factors that might make individuals more susceptible to trauma, how to recognize possible symptoms, and what effects vicarious traumatisation can have on emotional states, relationships and decision-making. The aim was not to diagnose or treat the researchers, but to raise awareness.

[33] The *Deaths at the Borders Database* covers 1 January 1990 to 31 December 2013. However, in Cadiz (Spain) we found death certificates of people who we suspect died border deaths as early as 1987.

[34] As the Parliamentary Assembly of the Council of Europe has acknowledged: PACE Resolution 2088, para 12.1.2.

of personal, procedural and death-related information. Their limitations as a source stem from their accessibility and instances of improper registration. In many places, state officials and civil servants simply need to be reminded of the duty to investigate and record all deaths and of the details that should be included in a death certificate if the person is unidentified (see Chapter 3). In a few places, the local authorities should adjust the way they record border deaths immediately, either by implementing existing regulations (in the case of wayward registries in Greece and Italy, especially in the Sicilian province of Agrigento) or by changing their regulations to enable the deaths of irregular border-crossers to be registered (Malta and Gibraltar).

In addition to providing insight into how deceased irregular border-crossers are managed in the EU, the *Deaths at the Borders Database* provides new data to triangulate with counts sourced from news media and thereby improve the accuracy of existing estimates and mortality rates. As shown in Figure 2.4, the Database reveals a different trend in fatalities over the period 1993-2013 compared to those of UNITED's List of Deaths and the Fortress Europe blog, raising questions about the impact of media attention on the reporting of border deaths. The detail of the Database provides the opportunity to conduct a case-by-case comparison of these datasets, which may go some way to answering those questions.

By releasing the Database open source as soon as it was compiled, the information collected is accessible to the research community, civil society and policy makers. Data is presented in an individualised way, placing emphasis on each person and what became of their body. In this way, the *Deaths at the Borders Database* contributes evidence to a current, highly-politicised issue in the EU and a reminder of a disturbing part of the picture of irregular migration that we are too easily inclined to dismiss.

Chapter 3

Who is the 'Boat Migrant'? Challenging the Anonymity of Death by Border-Sea[35]

An uncertain number of people with various motivations for entering the European Union have attempted, and continue to attempt, to cross the Southern EU external borders without authorization. The precise numbers of deaths are unknowable, as it is impossible to ascertain the proportion of bodies that are never recovered (Chapters 2 and 4; Last and Spijkerboer 2014). However, the phenomenon of 'border deaths' has certainly been present in the Mediterranean for more than 25 years and there does not seem to be an end in sight. Media and political attention has fluctuated during this period, shifting from the Canary Islands to Lampedusa, from the Aegean to the fences of Ceuta and Melilla, following major incidents that involve many lives or direct State actions.

However, information about the deceased – who they were, beyond the labels of 'illegal immigrant', 'clandestino', 'extracomunitario' – rarely feature among the death counts. What happens to the bodies of dead migrants in the Mediterranean is very much in the dark; it has – to the author's knowledge – never been on any national or EU institution's agenda. In some places, NGOs, local activists and solidarity groups, and concerned individuals have stepped up to fill the gaps in the death management systems of their localities. Meanwhile, with the encouragement and support of the International Committee of the Red Cross, a small number of professionals working within the death management systems of communities along the Southern EU external border have begun to cooperate and search for ways in which a more transnational and harmonised approach may be introduced to forensic teams across the EU

[35] Published in *'Boat Refugees' and Migrants at Sea: A Comprehensive Approach*, edited by Violeta Moreno-Lax and Efthymios Papastavridis, pp.79-116. Leiden: Brill (2016).

Member States of the Mediterranean. Despite these efforts, the individuals who lose their lives trying to enter the EU remain largely anonymous.

One of the issues for those working on the 'front lines' of the EU's external borders is that of identification. The *Deaths at the Borders Database* for the Southern EU reveals that 65% of bodies retrieved by local authorities along the external borders of Greece, Malta, Italy, Gibraltar and Spain from 1 January 1990 to 31 December 2013 remain unidentified by those authorities.[36] Identification is crucial for restoring human dignity to the dead, by acknowledging them as individuals with a life story and a family and friends (rather than just a growing death toll); for providing loved ones with emotional relief; and for legal practicalities for which death must be formally established. The fact that they are unidentified means that their families never receive proper notification or confirmation of their deaths, exacerbating the emotional and practical (inheritance, remarriage, child custody) effects of losing a relative. Decisions are made at the local level, concerning how the unidentified should be recorded and their bodies buried with very limited oversight, and the European public rarely learns more than a number about those who have died trying to reach European shores.

That two thirds of the individuals recorded in the *Deaths at the Borders Database* are unidentified begs further investigation into the issue of identification of people who die attempting to cross the EU's external borders. It is undeniable that the transnational and clandestine aspects of the circumstances surrounding the deaths provide additional challenges for forensic professionals and local authorities charged with investigating them. But what is it exactly about 'border deaths' that makes the identification rate (the number of identified, divided by the total number of bodies found) so low? Is it where they come from? Is it the place at which, or the means by which, they cross the border that makes identification such a difficult task? This chapter uses the *Deaths at the Borders Database* to explore the aspects of irregular border-crossing in the Mediterranean and the characteristics of irregular border-crossers that may contribute to the anonymity of these deaths.

There is also another line of questioning raised by this finding of the *Deaths at the Borders Database*, relating to how these deaths are investigated. The variation of identification rates between places and over time suggests that there is more to this issue than simply the anonymity inherent to irregular migration. This chapter sheds light on State management of dead migrant bodies in the Mediterranean, providing the context within which to compare identification rates between local authority jurisdictions. Qualitative data from pilots and informal conversations during data collection for the Database reveal varying practices and local resources, combined with a varying government and societal pressure to identify these particular deaths. These insights call into question the often-accepted anonymity of death by border-sea as an inherent

[36] The *Death at the Borders Database* is the first 'evidence base' of official information on border deaths, derived from the death management systems of Spain, Gibraltar, Italy, Malta and Greece. It aims to fill some of the knowledge gaps and serve as a new, complementary resource to enable further analysis and research, and, ultimately, to move the discussions about border deaths forward, towards concrete recommendations and policy changes. It was launched in May 2015, as part of the PhD research conducted by the author and the *Human Costs of Border Control* project and is available at: <www.borderdeaths.org/>.

risk or side effect of irregular boat migration, and point towards the need for knowledge-based policy design.

After outlining the sources of data on which this research is based, the chapter is divided into three sections: The first explores the aspects of irregular border-crossing that may contribute to the anonymity of so many of the dead. The second compares the identified and unidentified in the *Deaths at the Borders Database* to determine whether there are particular characteristics of the deceased that increase or decrease the likelihood of identification. Finally, the third provides an overview of the forensic and bureaucratic context within which identification is supposed to take place and explores examples from the different case-study countries that may illuminate the variations in identification rates between places and over time revealed by the Database. Overall, the chapter seeks to begin to understand why so many of the people recorded in the *Deaths at the Borders Database* remain unidentified. This discussion is vital, if we are to determine what more could be done to identify people who have died attempting to cross EU borders.

Sources of data

The source of the data used for quantitative analysis in this chapter is the *Deaths at the Borders Database* (Last 2015). The Database records a range of personal, procedural and death data about the 3,188 individuals who died attempting to cross the Southern external borders of the EU, whose bodies were recovered in, or brought to, Spain, Gibraltar, Italy, Malta or Greece between 1 January 1990 and 31 December 2013 (see Chapter 2). The Database is the first compilation of official, state-produced data about border deaths in the EU. The information has been gathered primarily from death certificates registered in the civil registries of municipalities that border non-EU countries. All other sources of data available about 'border deaths' are sourced from news media (see Chapter 4). The Database was created within the scope of the author's PhD research into the relationship between migrant mortality and EU migration and border policies. An anonymised version was made public to provide other researchers data with which to investigate the numerous questions arising from migrant mortality along the EU's southern borders.

In particular, the chapter investigates the finding that 65% of the 3,188 people recorded in the *Deaths at the Borders Database* have not been identified by the local authorities responsible for their bodies, for investigating their deaths, and for notifying their families. Figure 3.1 shows the trend of overall identification rates (the number of identified, divided by the total number of bodies found, per year) over time. The identification rate has remained low throughout the 24-year period, rarely rising above 50%, and never reaching 70%.

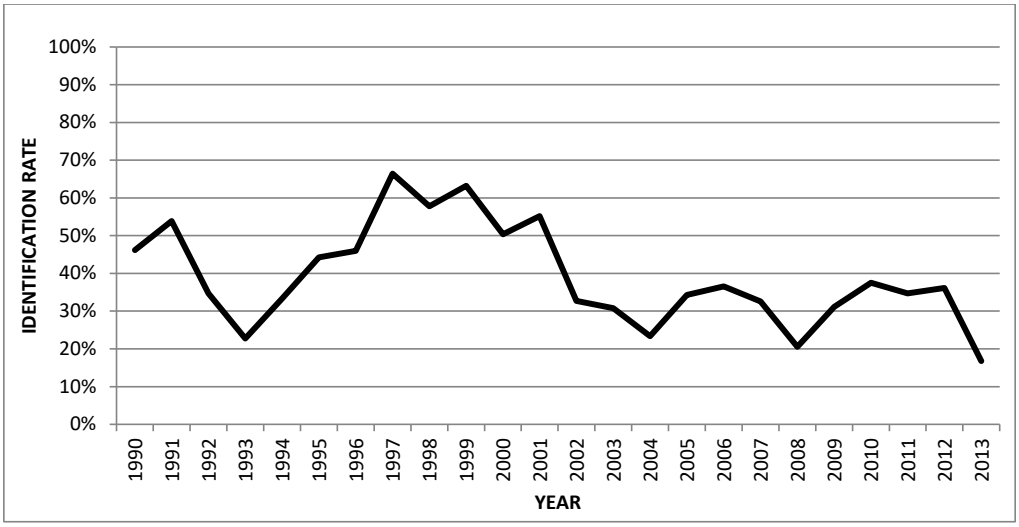

Figure 3.1 Overall identification rates of migrant bodies found, 1990-2013.

The quantitative analysis presented in the chapter is based on the data available for these 2,073 unidentified and 1,115 identified deceased individuals recorded in the *Deaths at the Borders Database*. There is no harmonised way for civil registries to record border deaths and this had two consequences for the Database and subsequent analysis. First, not all information is available for every individual recorded. Therefore, the Figures and Tables herein only present data on those individuals recorded in the Database for whom the relevant information is available. Second, each case recorded in the *Deaths at the Borders Database* has been classified as either confirmed (by local or national sources),[37] likely (given the nature of the death and the personal details of the deceased)[38] or possible (usually due to lack of information about the deceased or the death).[39] However, the result that 65% of border deaths are unidentified does not appear to be biased by the selection processes employed: 35% of confirmed cases (n=2025) are identified, 39% of likely cases (n=447) are identified, and 33% of possible cases (n=716) are identified.

To contextualise and explain the quantitative results, the chapter also uses qualitative data from researchers' observations and interviews with State and non-State actors during case studies conducted in 22 locations: Lesvos, Evros/Thrace, Epirus, and Macedonia region (Greece); Malta; Puglia, Lampedusa/Agrigento, Reggio Calabria, Crotone, Catanzaro, Sardinia, Messina, Caltanissetta, Trapani, Catania, Ragusa and Siracusa (Italy); Gibraltar; Malaga, Valencia, Ceuta, and Melilla (Spain). These case studies were included in the research design of the project in order to understand the death management systems from which data about border deaths was being collected, as well as to provide opportunity to pilot the methodology and instruments used for data collection.

[37] Certainty level 1.
[38] Certainty level 2.
[39] Certainty level 3.

It is important to note that the aim of the case studies was not to study identification (or under-identification). Insights into the processes and problems of identification were gathered to the extent that they factored into our understanding of the death management system and death certificates and to the extent that the issue arose in conversations with local authorities and other informants. The qualitative data used in this chapter is therefore limited: an unintended, but increasingly significant tangent of the author's research into deaths along the Southern external borders of the EU.

Inherent aspects of irregular border crossing

'Irregular border crossing' involves crossing a physical, territorial border – in this case, the Southern external borders of the EU – without authorization. 'Irregular border crossers' are thus a distinct group of people from the more general category of 'irregular migrants'. Not all irregular migrants enter the EU territories clandestinely, but, instead, enter legally with visas or enter deceptively with false documents and overstay (Triandafyllidou 2009); and many irregular border crossers regularize their status upon arrival by, for instance, applying for asylum.[40] People attempt to enter the EU irregularly, because they cannot – for a wide variety of reasons – obtain authorization to enter legally, with a visa (see e.g. Moreno-Lax 2008; Gammeltoft-Hansen 2011; den Heijer 2012). Since the emergence of EU external borders, immigration restrictions are enforced at designated border-crossing points at the borders between, among others, Greece and Turkey, and Spain and Morocco (de Haas 2008; Weber 2010; Klepp 2011). A small number of the people who would be stopped at these check points attempt instead to get around them (Weinzierl and Lisson 2007; Spijkerboer 2007), either by stowing away on regular transport (ferries, buses, lorries) or by taking irregular transport (walking, swimming, jumping fences or using 'migrant boats'). It is in these situations that border deaths occur.

The finding of the *Deaths at the Borders Database*, that only one third of migrant bodies found along the Southern external borders of the EU are identified, suggests that there is something particular about irregular border crossing that leads to anonymity after death. But what aspects of irregular border crossing are inherent and how might these aspects affect identification?

From the brief description above, two factors emerge: First, many irregular border crossers decide to cross terrain or seas that are difficult to patrol, presumably as a result of the risk of being detected through enforcement of immigration restrictions at officially designated border crossing points (at airports, sea ports, and check points on roads) and operations to 'prevent illegal immigration'. While these routes are taken to avoid detection until they have entered the EU, one side effect is that, in case of decease, the chances of finding bodies is reduced, especially soon after death. Identification requires the presence of a body, and the earlier the body is recovered, the more forensic options there are for the collection of post mortem data.

[40] See e.g. annual and quarterly Risk Analyses conducted by FRONTEX: European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX), 'Publications / Risk Analysis': <frontex.europa.eu/publications/?c=risk-analysis>.

The second factor is the manner or means with which irregular border crossers cross the border. Irregular (use of) transport means that their names do not appear on any passenger lists and there are no formal logs of departures, routes, and arrivals. Shipwrecks of irregular migrant boats often involve mass casualties, resulting in few – if any – survivors to recognise the deceased passengers. Moreover, survivors may not end up in the same country as the corpses of the deceased and, even if they do, they are usually immediately channelled into immigration processing and removal procedures, physically and administratively separating them from their deceased travel companions. The potential consequences for identification of these two 'inherent' aspects of irregular border crossing along the Southern EU external borders will be explored in the following sub-sections.

'Where' they cross the border

The *Deaths at the Borders Database* assigns an irregular migration route to each case based on where the death was recorded. As Table 3.1 shows, there is considerable variation in identification rates between different routes. The Adriatic Sea route, between the Western Balkans and Puglia, Italy, stands out as having the highest identification rate (73%), while the Atlantic and Central Mediterranean routes have the lowest identification rates (23%).

Table 3.1 Variation in identification between different migration routes, 1990-2013.

Route	Identified Count (n=1115)	Total Count (N=3,188)	% Identified of Total Count
Land routes			
Adriatic (land)[41]	10	23	43
Eastern Mediterranean (land)[42]	118	399	30
Autonomous cities[43]	80	198	40
Sea routes			
Adriatic (sea)[44]	217	296	73
Atlantic[45]	74	323	23
Central Mediterranean[46]	222	983	23
Eastern Mediterranean (sea)[47]	136	408	33
International Port[48]	2	9	N/A[49]
Western Mediterranean[50]	256	549	47

This variation is not explained by a difference between land and sea routes. One might anticipate identification to be less common along sea borders, due to additional challenges posed by the sea, such as the body being carried far from the location of death. But the average

[41] Land border between Albania and Greece.
[42] Land border between Turkey and Greece.
[43] Land borders between the Spanish enclaves Ceuta/Melilla and Morocco.
[44] Sea borders between Albania/Montenegro/Croatia and Italy/Greece.
[45] Sea borders between Morocco/West African countries (Mauritania/Senegal/Gambia) and the Spanish Canary Islands.
[46] Sea borders between North Africa (Algeria/Tunisia/Libya/Egypt) and Italy/Malta.
[47] Sea borders between Middle East/North African countries (mainly Turkey/Egypt) and Greece.
[48] International ports that are not on other routes (Naples, Ancona).
[49] Too few cases to make the percentage identified meaningful.
[50] Sea borders between Morocco/Algeria and mainland Spain.

identification rate on land routes into the Southern EU is 34%, while on sea routes is 35%, i.e. a similar result. As Figure 3.2 shows below, the identification rates on land and sea borders fluctuate from year to year. The identification rate along sea borders is usually higher than along land borders. Only in 6 of the 24 years covered by the *Deaths at the Borders Database* is the identification rate along land borders higher than that along sea borders (in 1990, 1991, 1994, 1998, 2006, and 2008). Thus, while there seems to be a significant variation in the proportion of migrants identified on different routes, it does not seem to have to do with the migrants' choice of attempting to enter the EU by sea, rather than by land.

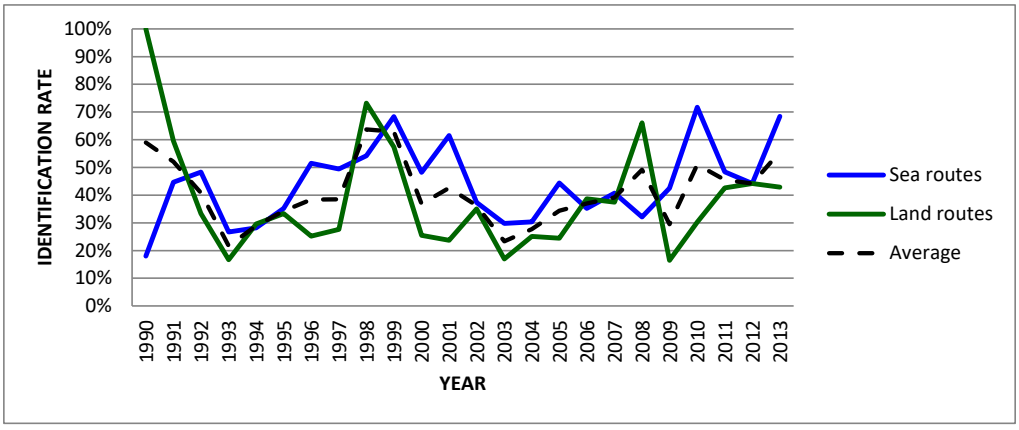

Figure 3.2 Trends in identification rates along southern EU external sea borders and land borders, 1990-2013.

Identification processes begin with the finding of a body, or at least part of a body. Irregular border crossing between designated border crossing points usually takes migrants on journeys through terrain or across waters that are difficult to patrol due to natural barriers or sheer distances. Unfortunately, as a consequence, many bodies of those who die are never found and, of the ones that are, many are recovered only after several days, weeks, months or even years, which reduces the chances of identification by recognition, by fingerprints, and possibly even by DNA. Thus, the places where people travel in order to effect a successful, irregular border crossing could influence the likelihood of their identification if they die by affecting how quickly the body might be found.

The *Deaths at the Borders Database* records how long the person was dead before their body was found in 981 cases, according to the availability of that information in the source documents. Of these 981 cases, only 138 (14%) are identified. In most cases, the length of time recorded is the estimate by the doctor or pathologist who examined the body, while in a few cases the length of time is calculated where both the date of the incident (e.g. a shipwreck) and the date the body was found was provided. It must be noted that these 981 cases are not a representative sample of all the individuals recorded in the Database.[51] Nonetheless,

[51] For instance, only 8% of cases recorded in Spain have this variable, compared with 36% of cases recorded in Greece, 44% of cases recorded in Italy, 77% of cases recorded in Malta, and none of the cases recorded in Gibraltar. In part, this is due to the fact that coroner's reports were consulted in Malta, Lampedusa and Thrace to

conclusions drawn about the impact of the length of time between death and the finding of the body on the chances of identification in these cases may offer insights into the role of the place and clandestine manner of crossing in identification.

Table 3.2 Differences in time between death and recovery of the body for identified/unidentified, 1990-2013.

Number of days before body found	within 1 day	2 days - 1 week	1-2 weeks	2 weeks - 1 month	1-2 months	2-6 months	6 months - 1 year	more than 1 year
Identified Count (n=138)	46	37	26	12	5	11	1	0
% of Identified Count	33.3	26.8	18.8	8.7	3.6	8.0	0.7	-
Unidentified Count (n=843)	262	281	97	105	55	27	5	11
% of Unidentified Count	31.1	33.3	11.5	12.5	6.5	3.2	0.6	1.3
Total Count (n=981)	308	318	123	117	60	38	6	11
% of Total Count	31.4	32.4	12.5	11.9	6.1	3.9	0.6	1.1
% Identified of Total Count	14.9	11.6	21.1	10.3	8.3	28.9	16.7	-

Table 3.2 shows the distribution of cases according to how long they had been dead before their bodies were recovered and examined. Pathologists often use ranges to estimate time of death longer than a few days, because the longer a person has been dead the more difficult it is to estimate time of death precisely. None of the persons who were estimated to be dead for over a year since their death were identified. The majority of both identified and unidentified cases for whom this data was available were found and examined within a week (60,1% of identified cases and 64,4% of unidentified cases).

Important methods of identification, such as facial recognition and fingerprints, are more difficult to implement the more the body has decomposed. Although the rate of decomposition depends strongly on the environment the body is in,[52] a few days can make a big difference. Therefore, one might hypothesise that the rate of identification is affected by how many days have passed between death and recovery of the body. However, this is not demonstrated in the data, if we compare identified and unidentified cases: 33% of identified and 31% of unidentified cases were found within 1 day, and 60% of identified and 64% of unidentified cases were found within 1 week. 12% of both identified and unidentified cases were found only after 1 month, when the likelihood of being able to recognize faces or recover fingerprints is negligible. Finally, the last column in Table 3.2 shows that the identification rate does not consistently decrease as the time between death and recovery of the body increases, as would

supplement gaps found in death registries. But this also reflects the variation in styles and degrees of recording information between different municipalities, which will be discussed in the third section of the chapter.

[52] For example, whether the body is in water, the temperature of the water/air, whether the body is exposed to animals, etc.

be expected, if the chances of identification were related to the degree of decomposition of the body.

The absence of a correlation between decomposition and identification appears to extend to the condition of the body, according to the cause of death. Destruction of the body itself does not seem to determine the chances of identification: the Database records 68 persons as having been victims of mine explosions, of whom 55.9% are identified (presumably through recognition by their travel companions or DNA matching). In contrast, 23.9% of the 137 cases of hypothermia are identified – a surprising outcome, considering that cold helps to slow decomposition – and even less (20.9%) of the 67 people who died of dehydration/starvation were identified. Thus, the condition of the body when found does not seem to explain low overall identification rate, as those who suffered the most physically destructive cause of death (mine victims) have by far the highest rate of identification. However, by far the most common cause of death recorded[53] among irregular border crossers along the Southern EU external borders is drowning (86.1%). This is not surprising given that many of the irregular migration routes into the southern EU Member States involve crossing long or treacherous stretches of water, such as the Strait of Sicily, the Strait of Gibraltar, and the Evros/Meric river. Salt water, fish, and birds damage bodies beyond recognition, and currents can carry bodies or body parts far from the place of death where survivors have been rescued or relatives may go in search of them. All these issues make identification more difficult, which may contribute to explaining why only 29.7% of the persons recorded in the Database who drowned were identified. In this way, where migrants cross the border – in terms of the different causes of death they face on different routes – may be significant for their identification, if they do not survive the journey.

'How' they cross the border

The 'overcrowded, unseaworthy boats' that are used for irregular border crossings are frequently cited as a cause of large-scale migrant fatalities (FRA 2013; Carling 2007).[54] While the images associated with such crossings are taken predominantly from the Central Mediterranean route, from North Africa to Southern Italy, the precarious and vulnerable nature of such 'migrant boats' are true of most irregular (use of) cross-border transport.

It is not a leap to suppose that the high numbers of unidentified among the dead may be related to the means of irregular border crossing. In plane crashes and cruise ship accidents, forensic teams use passenger lists as a shortlist of identities with which to match the bodies found, but no such shortlist is available for the identification of passengers on unauthorised transport, nor unauthorised passengers on regular transport (stowaways). The only people who may be able

[53] Cause of death is documented for 2,430 of the people recorded in the *Deaths at the Borders Database*.
[54] See also in the news: e.g. 'Tunisia rescues hundreds of boat migrants', *Aljazeera*, 10 June 2015, available at: <www.aljazeera.com/news/2015/06/tunisia-rescues-hundreds-boat-migrants-150610141525239.html>; 'Migrants drown as Libya boat to Italy sinks', *BBC News*, 12 May 2014, available at: <www.bbc.com/news/world-europe-27379493>; H Yan and K Morgan, '300 migrants feared dead after boats sink in the Mediterranean Sea', *CNN*, 11 February 2015, available at: <edition.cnn.com/2015/02/11/europe/italy-missing-migrants/>.

to provide information about the persons on board a particular migrant boat are the smugglers (which is unlikely) or those who survive the journey.

However, survivors are quickly segregated from the dead, not only physically, but also in terms of the authorities charged with investigating, identifying, recording and processing them. As will be explained in more detail below, the dead are the responsibility of local authorities, while the living are the 'illegal immigrants' of interest to national and European authorities (Zagaria 2011). Although some identifications are made with the help of survivors, there are no standard measures taken to request the living to recognise the dead. Some pathologists and activists interviewed during the pilot studies told of incidents in which information volunteered by survivors was ignored by the authorities and of cases in which relatives were prevented from filing missing person reports or making formal identifications due to their own precarious status and bureaucratic obstacles. Similar anecdotes have been recorded by NGOs working along the borders (see e.g. Tsapopoulou et al 2012).

Most irregular border crossers do not cross the border alone. The *Deaths at the Borders Database* records 1,851 people as being part of 290 'incidents' from which at least 2 bodies were recovered, which means that their body was found with, or close to, others who are believed to have died in the same group crossing (e.g. the same shipwreck). In 226 of these incidents, the identification rate is either 0% (in 148 incidents) or 100% (in 78 incidents). In the 78 incidents in which all bodies recovered were identified, survivors may well have played a role in the identification. This theory is supported by the 13 incidents in which some of the bodies recovered remain unidentified, but first names, or 'possible' identities,[55] have been recorded for them by the authorities. In the 148 incidents from which none of the bodies recovered were identified, there are three possible explanations: either there were no survivors, or the survivors were unable or unwilling to offer useful information about the deceased, or they were not provided an opportunity to assist with identification. The latter is based on the assumption that most – if not all – survivors are willing to cooperate in the identification process. In many of the pilot studies anecdotes were recounted by local officials and citizens, of irregular border crossers who notified authorities of missing or injured travel companions and who took part in properly burying and notifying the families of their deceased travel companions.

This section has explored whether the *Deaths at the Borders Database* shows a relation between rates of identification and certain 'inherent' aspects of irregular border crossing, namely, where and how irregular border crossing occurs. The *Deaths at the Borders Database* reveals that different irregular migration routes across the Southern EU external borders have varying identification rates. The variation does not follow a distinction between land and sea routes. From the available data, the variation does not appear to be explained by the condition that bodies are recovered in either (measured by the length of time between death and recovery of the body or by cause of death). These findings suggest that, while there is a variation in identification between routes, it is not a result of *where* people cross the border. Can low

[55] In a few locations in Greece and Italy death records stated that the deceased was 'possibly' a person whose identity was known (full name, nationality, age, etc.), but the records did not make clear where this information had come from or why they were only 'possibly' the people whose information was provided.

identification rates be explained by *how* people cross the border? As there are no passenger lists on irregular transport, it is logical that identification is somewhat dependent on the opportunities for survivors to recognize their dead travel companions. This is supported by data regarding the incidents captured by the Database that involve the death of more than one person, including 13 incidents in which first names and possible identities were recorded by the authorities. The pilot studies also pointed towards the importance of survivors for identification processes. Thus, *how* people cross the border is significant for identification, in terms of the unregulated transport and the risk of death for all passengers that this entails. However, it can be argued that the opportunities available for survivors and others who search for dead and missing irregular border crossers has more to do with protocols of the local authorities than the means of border crossing itself. The pilot studies showed considerable variation in practices of identification between different municipalities, which may also offer an explanation for the variation in identification rates between different irregular border crossing routes (as explored in section 5 below).

Characteristics of irregular border crossers

During data collection for the *Deaths at the Borders Database*, it was very rare to come across death records of unidentified persons who could not possibly have died border deaths. Often it was the circumstances and places in which bodies were found (in migrant boats, in the water among survivors, washed up on the coast in the days following a shipwreck, etc.) that made it clear that the person was an irregular border crosser. In Spain, 78% of all unidentified corpses were found on the coast,[56] which suggests that a considerable proportion of all unidentified corpses found in Spain are likely to be of migrants. During pilot studies, informants often referred to the difficulties of knowing where to start looking for the families of irregular border crossers, because they could come from anywhere and relatives were unlikely to come looking for them. Grant also mentions characteristics in her explanation of the challenges of identifying the dead, including loss of identity common to irregular travellers, no ties to the place where their bodies are found, and that the deaths occur far from the individual's country of nationality (Grant 2011: 147-149). There appears, at least, to be a presumption that there is something about irregular border crossers themselves that contributes to low identification rates.

It is common for the unidentified dead to be assigned labels to describe them in the official records pertaining to their death; 2,093 individuals in the Database were assigned such labels.[57] Usually, these labels refer to the fact that the person is unidentified, sometimes accompanied by descriptive words (e.g. sex, age, place of death, presumed ethnicity) or reference numbers. Table 3.3 below shows how often terms such as 'undocumented', 'illegal immigrant', 'extracomunitario' (non-EU), and others that refer to a presumed immigration status, were used.

[56] Email from Jose Carlos Beltrán, Personas Desaparecidas y Cadáveres sin identificar, CNP (25 May 2015).
[57] The number of persons with labels is larger than the total number of unidentified persons recorded in the Database, because some were subsequently identified.

Table 3.3 Count of terms used in official death records to label unidentified cadavers presumed to be irregular border crossers.

Terms	Count
immigrant	137
illegal	76
undocumented	47
non-EU (extracomunitario)	46
foreigner	5
clandestino	1
refugee	1

It has been suggested that the low chance of being identified among deceased irregular migrants is somehow related to an inherent loss of identity when one enters a state of irregularity (Grant 2011). But it is difficult to see how their immigration status and lack of legal documents authorizing entry and residence in the EU could be related to the chances of identification. It is, in fact, not unusual for people to die without identification documents on their person. Moreover, the kind of documents that aid in the forensic identification of a body (photographs, notes, SIM cards, anything that provides a clue) are sometimes found on migrants. Therefore, this section will focus on comparing characteristics such as sex, age, and origin of identified and unidentified people recorded in the *Deaths at the Borders Database*.

Origin and family

Facial recognition by a relative or friend is by far the most successful method of identification of the dead in any situation. Where facial recognition is not a possibility due to the condition of the body, relatives can provide precise ante mortem data to be compared with post mortem data (e.g. tattoos, scars, healed injuries, past pregnancies, birth marks, etc.) and DNA samples to compare with the DNA profile of the deceased. But not all irregular border crossers travel with family members and, if they do, they may not survive the journey either. A greater distance between the place of death and the country of origin (where the relatives of the deceased are presumed to live) may therefore reduce the possibilities for utilising these most successful methods of identification.

The *Deaths at the Borders Database* records the known nationalities of 964 persons and the race, ethnicity or guessed nationality of 887 unidentified persons from which the author has assigned a presumed region of origin. Table 3.4 below presents the identification rates per known/presumed region of origin for these 1,851 cases. While no hard conclusions about migrant bodies in general can be drawn from these figures, considering that there is no known/presumed region of origin for 42% of those recorded in the Database, there are some interesting observations to be made about the stark differences in identification rates between the origin groups.

Table 3.4 Identification rates by known/presumed region of origin, 1990-2013

Region of known/presumed origin[58]	Total Count (n=1851)	% of All Deceased Recorded (N=3,188)	Identified Count (n=964)	% Identified of Total Count
North Africa[59]	566	17.8	449	79.3
Sub-Saharan Africa[60]	774	24.3	161	20.8
Middle East[61]	158	5.0	114	72.2
Asia[62]	197	6.2	93	47.2
Balkans[63]	156	4.9	147	94.2

Following the idea that the distance between the place of death and the family in the country of origin reduces possibilities for identification, it would be expected that irregular border crossers from regions that neighbour the EU would be more likely to be identified than irregular border-crossers from regions further from the EU. Indeed, the three regions represented in Table 3.4 which neighbour the EU (North Africa, Middle East, and Balkans) have much higher identification rates than the non-neighbouring regions (Sub-Saharan Africa and Asia). However, the identification rate of Sub-Saharan Africans is less than half that of Asians, which suggests there is something more to this than proximity of the region of origin to the EU.

Table 3.5 Identification rates in Spain, Italy and Greece, by region of origin, 1990-2013.

Region of known/presumed origin	Spain		Italy		Greece	
	Count	% Identified	Count	% Identified	Count	% Identified
North Africa	362	81.5	169	77.5	29	58.6
Sub-Saharan Africa	171	40.4	560	12.3	39	53.8
Middle East	6	100	52	46.2	100	84.0
Asia	1	100	22	54.5	170	47.1
Balkans	0	-	130	96.2	26	84.6

[58] Regions were allocated according to nationality, as stated on the death records. In the case of unidentified persons, or where the nationality was not provided in the death records, the region of origin is presumed from the race, ethnicity or guessed nationality, as stated in the death records. For instance, persons of 'black race' are presumed to be from Sub-Saharan Africa. The regions were determined by the team who compiled the public version of the Database, based on the information provided in death records, basic geography, knowledge of irregular migration flows in the Mediterranean region over the relevant time period, and insights from the local death management systems (for instance, in Ceuta, Moroccans are often classified as 'white race', whereas in mainland Spain they are referred to as 'Arab' or 'Maghreb').

[59] Includes: Morocco, Algeria, Tunisia, Libya, Egypt, and variations of 'North African', 'Arab', 'Maghreb'.

[60] Includes: Senegal, Mali, Nigeria, Guinea Conakry, Cameroon, Ghana, Cote d'Ivoire, Gambia, Burkina Faso, Guinea Bissau, Sierra Leone, Zimbabwe, Mauritania, Angola, Congo, Comoros, Liberia, Sudan, Somalia, Eritrea, Ethiopia, and variations of 'African', 'black'.

[61] Includes: Iran, Iraq, Syria, Kurdish/Kurdistan, Turkey, Palestine.

[62] Includes: India, Afghanistan, Pakistan, Bangladesh, Sri Lanka, Georgia, and variations of 'Asian'.

[63] Includes: Albania, Romania, Bulgaria, Yugoslavia, Kosovo, Macedonia, Bosnia-Herzegovina.

The extremely low rate of identification of Sub-Saharan Africans is in fact attributable to Italy. Table 3.5 shows identification rates per known/presumed origin in Spain, Italy and Greece.[64] The identification rate of Sub-Saharan Africans in Italy is only 12.3%, whereas it is 40.4% in Spain and 53.8% in Greece. Sub-Saharan Africans have the lowest identification rate by far in both Italy and Spain. Although the rate for Sub-Saharan Africans is not much higher in Greece, the lowest identification rate is among people of Asian origin, which also make up the largest group (as Sub-Saharan Africans do in Italy). North Africans and people of Balkan origin have relatively high identification rates in all three countries. While none of these three countries have high identification rates for Sub-Saharan Africans, the rate in Italy clearly stands out in Table 3.5.

The current influx of Africans taking boats across the Straits of Sicily began in the late 1990s, first from Tunisia and later from Libya. But in the 1990s, the boat migrants arriving in Italy were mostly crossing the Adriatic Sea and Straits of Otranto to Puglia from the Balkans (Albahari 2006). 72.3% of Sub-Saharan Africans' and 83.3% of Balkan migrants' bodies recorded in the Database were found in Italy, but in different periods. 84.6% of people of Balkan origin died on their way to Italy between 1990 and 2001, whereas 98.8% of people of Sub-Saharan African origin died on their way to Italy between 2002 and 2013. The extremely different identification rates of these two groups (12.3% for Sub-Saharan Africans found in Italy and 96.2% for Balkans found in Italy) may therefore reflect a significant shift in the attitude towards boat migrants, related to *where* they come from, or *how* they are portrayed as a group by politicians and the media.

Sex and age

Aside from their region of origin, who irregular border crossers are may make them more or less difficult to identify. The majority of irregular border crossers attempting to enter the EU are young men, and this is reflected in the *Deaths at the Borders Database* as well. Figure 3.3 illustrates the sex and age distribution of the 1,929 persons recorded in the Database for whom both these pieces of information are available. The first population pyramid provides the overall distributions, while the second pyramid represents only identified persons with this information, and the third pyramid represents only unidentified persons with this information.

[64] Malta and Gibraltar were excluded from Table 3.5 because region of origin is only known/presumed in 10 cases from Malta (4 North Africans, 2 Sub-Saharan Africans and 4 Asians) and in 4 cases from Gibraltar (2 North Africans, 2 Sub-Saharan Africans).

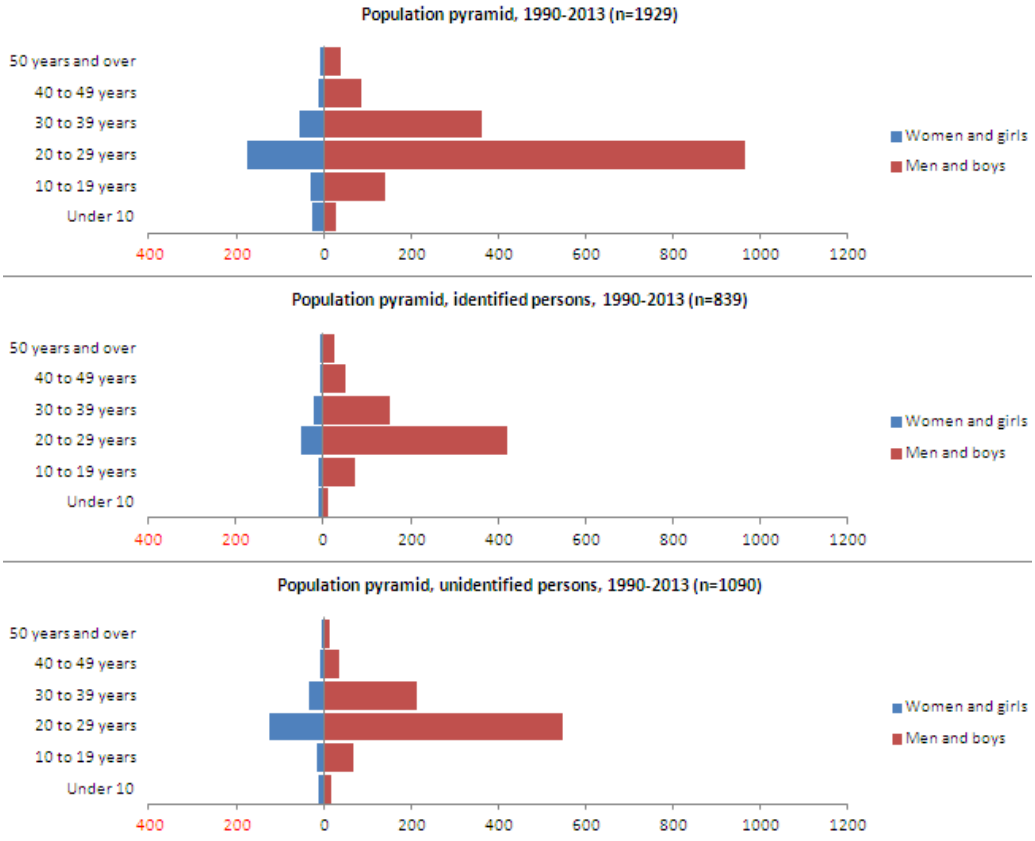

Figure 3.3 Sex and age distribution of persons recorded in the *Deaths at the Borders Database*.

Young men and women between 20-39 years old are disproportionately unidentified. They constitute the majority of people recorded in both identification categories (68% of identified persons were 20-39 years old when they died, and 83.5% of unidentified persons for whom age has been estimated were thought to fall in the same age group) and in both genders (57.1% of females and 58% of males were 20-39 years old when they died). But only 44.4% of people whose age falls in this range are identified, compared to 54.3% of people under the age of 20, and 59.3% of people 40 years and older. This could be because young adults are more likely to travel independently, whereas children and elderly persons will travel with others who may be able to identify them, assuming they survived the journey themselves and end up in the same location. For example, one of the survivors of the shipwreck of 11th October 2013 was a Syrian man who had lost his wife and three children when the boat capsized. He was able to identify two of his children whose bodies were brought to Malta as he had been, but the bodies of his wife and third child were either never found or may have been among the 21 bodies brought to Lampedusa. Another possible explanation is that the 20-39 year old age group includes more than half of the bodies of both men (58%) and women (57.1%), and therefore it may be more

difficult to select possible matches when given a description of a missing person.[65] For example, 123 (33.6%) of the victims of the 3rd of October 2013 were estimated to be between 20-35 years old, 170-175cm tall, and to weigh 70-75kg.

The labels assigned to unidentified, deceased, irregular border crossers ('illegal immigrant', 'clandestino', 'extracomunitario') promote the assumption that it matters *where* they come from and *why*, while simultaneously anonymising who they are behind generic, pejorative terms that reinforce xenophobic, if not racist, stereotypes. This section has shown that the region of origin and the age of irregular border crossers do seem to affect the chances of their identification after death. The largest groups under both categories (Sub-Saharan Africans, and 20-39 year olds) are also the least likely to be identified. However, the reasons why this is the case remain undetermined. There is no evidence to suggest these findings are a result of any inherent or voluntary loss of identity on the part of irregular border crossers themselves. Rather, the findings of the pilot studies suggest it may be a result of the way in which 'boat migrants'' deaths are managed by the local authorities along the Southern EU external borders.

Existing death management systems

When a dead body is found, the police are notified – as well as the coast guard, if the body needs to be recovered from the sea. If there is any suspicion or uncertainty about the nature of the death, the police inform a judge or public prosecutor, who opens an investigation into the cause and circumstances of death. If a person dies of 'unnatural' causes (i.e. not of old age or known illness), not in a hospital, where the doctors can immediately determine the cause of death, the same procedure is followed, as when a dead body is found. Each country has a death management system comprising of a series of procedures involving local state authorities, such as morgues, coroners, forensic investigators, funeral services, cemetery officials, and civil servants, to investigate and record the death, before the body can be buried. The judge or public prosecutor responsible for the case orders a pathologist to establish the medical cause of death, and forensic experts or police to provide insights into the circumstances of death. The investigation culminates in the legal declaration of an unnatural death as a homicide, suicide or accident,[66] and with this declaration the deceased can be recorded and buried.

Death is one of the three 'vital events' of a person's life that have been registered by states since the second half of the 19th century.[67] In general, death certificates are reliably issued by the civil registry of the municipality where the death occurred or the body was found. If the deceased person is unidentified, if no family members claim the body, or if the family cannot afford a funeral and gravesite, the local authorities are also responsible for the burial of the

[65] This theory would suggest that more women should be identified than men, as the most common description of a deceased irregular border crosser is a 20-39 year old *male*. In fact, 35.4% of the 2,292 males recorded in the Database were identified, compared to 30.9% of the 403 females recorded in the Database. The theory may not, therefore, extend to the sex of the individual. However, the difference is small and may be affected by the difference in counts (2,292 males compared with 403 females).
[66] In some systems this latter category is further sub-divided into types of accidents, such as motor accident.
[67] The other two are birth and marriage.

body. This is a general description of contemporary death management systems along the Southern EU external borders. There is, however, variation both between and within the countries concerned, as the next sub-sections will demonstrate.

Variation between countries

The pilot studies revealed that, while the general features of a death management system exist in all countries under study, the exact procedures to be followed and the actors involved vary from country to country. As identification of bodies found takes place within these death management systems, it makes sense to look to these systems for possible explanations for the low identification rate among border deaths along the Southern EU external borders.

The *Deaths at the Borders Database* reveals considerable variation in identification rates between countries where border deaths were recorded. Figure 3.4 shows the trends in identification rates of migrant bodies found in Greece, Italy and Spain, along with the number of bodies found per year in each country. The three countries all fluctuate considerably from year to year, but there are differences between the countries in the range and pattern of fluctuation over the 24-year period.

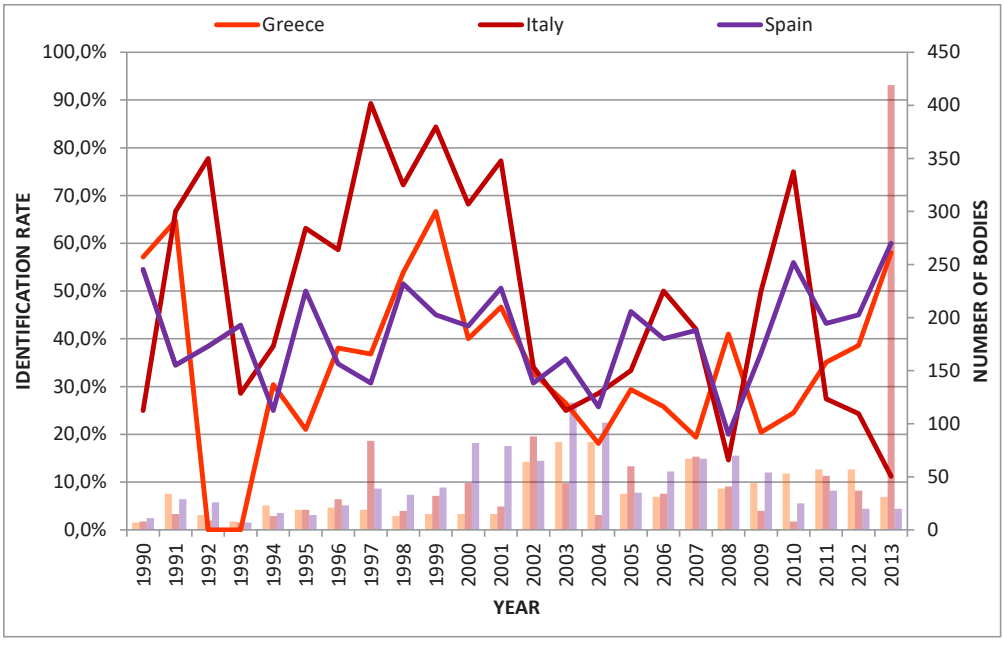

Figure 3.4 Trends in identification rates of border deaths found in Greece, Italy and Spain, 1990-2013 (n=3097).

In turn, Table 3.6, below, shows the range and overall identification rates per country. The range (the difference between the highest and lowest identification rates for each country) portrays the variability in identification, the fluctuations in the proportions of bodies found that are identified each year. Overall identification rates, instead, place the emphasis on the proportion of bodies that remain unidentified in each country, the accumulation of unidentified

migrant bodies. While the overall identification rates and cumulative totals of unidentified bodies are quite close in the three countries, the range demonstrates a clear distinction between them.

Table 3.6 Variability and overall identification rates per country, 1990-2013.

Country	Range[68]	Overall identification rate[69]	Cumulative total of unidentified bodies
Spain	20.0 – 60.0%	38.4%	658
Italy	11.2 – 89.3%	35.4%	764
Greece	0 – 66.7%	31.8%	577

The results in Table 3.6 reflect what is illustrated in Figure 3.4, namely that identification rates among border deaths are far more stable on a year-to-year basis in Spain, as compared to Italy, where the annual identification rates fluctuate dramatically. While Greece also has a large range, this is mostly attributable to 1992 and 1993, when none of the 22 bodies (14 and 8, respectively) were successfully identified. Excluding these outlying years, the range for Greece would be 48.6%, closer to that of Spain than Italy. While the previous section considered explanations relating to variations between different groups of irregular border crossers (e.g. the range of identification rates of North Africans compared with that of Sub-Saharan Africans), the difference between countries may also be explained by differences in how death management systems are structured.

In Spain, a series of procedures set at the national level requires the involvement of a particular group of actors each time a body is found. Spain's hierarchical system achieves standardization through effective regulation and financial support from the centralized judicial system.[70] Gibraltar and Malta have a similarly standardized procedure, because they are small and so a limited group of individuals are involved each time there is an incident.[71] In Malta, steps are being taken by this group to improve the system with the aim of identifying more of the bodies brought to the island from Malta's large Search and Rescue (SAR) zone.[72] There are not enough bodies recorded in Malta or Gibraltar to include their annual identification rates in Figure 3.4, but Spain's standardised death management system may partly explain the low variability of identification rates from 1990-2013.

In contrast, administrative regions in Greece and Italy have established their own procedures, creating significant variation between places – within these countries – in how dead bodies are investigated, registered and buried, and the degree to which different actors are involved in

[68] The lowest and highest rates of identification.
[69] The total number of identified bodies divided by the total number of bodies found in that country.
[70] Finding of a case study conducted in Malaga and Valencia regions of Spain in February 2014 (Last and Pérez 2014).
[71] Finding of case studies conducted in Malta in March 2014 (field notes on file with author) and in Gibraltar in February 2015 (Last and Macias Delgado 2015).
[72] Interview with Dr David Grima, Administrator of the Mortuary and Anatomic Pathology Department of the Mater Dei Hospital (Malta, March 2014) (on file with author).

these processes.[73] In Greece, this appears to be the result of repeated restructuring of administrative regions, decentralization, and a lack of national attention for local (mainly, island) authorities, who are generally left to their own devices (Tselepi et al 2016). In Italy, provincial authorities actively exercise their discretion to create their own procedures to enforce national regulations (Tapella et al 2016). The variability in identification rates in these countries may be an effect of decentralised death management systems, in that the fluctuations in identification rates are partly due to where the bodies are found, reflecting shifts in irregular migration routes. The variation in identification rates within countries will be explored further in the next section.

The overall identification rates do not vary between the three countries as dramatically as the ranges, although the cumulative totals of unidentified bodies are high. It also must be noted that the overall identification rate in Italy is strongly influenced by the great number of bodies that were successfully recovered after the shipwreck of 3rd October 2013,[74] just off Lampedusa. Because the incident happened so close to Lampedusa, and because specialised divers and forensic teams were sent to support the recovery efforts, 364 bodies were recovered from the sea in the days following the shipwreck. However, administrative obstacles that led to a very low number of the bodies being formally identified, despite the numerous families who came forward to recognise their relatives among the victims.[75] This single shipwreck accounts for a drop of 13.2% in the overall identification rate for Italy, and 44.9% of the accumulated unidentified bodies of boat migrants in Italy. Thus, the variations between countries is worth exploring.

One possible explanation for the difference in the accumulation of unidentified bodies could be the differences between countries in recording and storing information about unidentified cadavers. If thorough post mortem reports are prepared, personal items found with the body are collected and recorded, DNA profiles made, and all of this information is archived in a traceable and accessible way, there is no time limit as to when a body could be identified. Data collection for the *Deaths at the Borders Database* revealed considerable variation in the kind of information available in the death records of unidentified cadavers (ranging from detailed descriptions of what the deceased looked like and was wearing, to nothing but 'unknown, found at sea' or even just a date). Personal items such as SIM cards that are found on or near the body

[73] Finding of case studies conducted in Greece (in the North Aegean and Evros regions in October 2013 and in northwestern Greece along the Albanian border in October 2014) and in Italy (in Puglia in June 2014 and in Lampedusa in September 2014) (Last and Bami 2014; Last, Mirto and Vaccaro 2014; Last, Mirto, Tapella and Spijkerboer 2014). Field notes from North Aegean and Evros (on file with author).

[74] See e.g. 'Death toll of African migrants rises after boat disaster near Lampedusa', *The Guardian*, 12 October 2013, available at: <www.theguardian.com/world/2013/oct/12/african-migrants-boat-lampedusa-capsizes-mediterranean>; '2013 Lampedusa migrant shipwreck', *Wikipedia*, available at: <en.wikipedia.org/wiki/2013_Lampedusa_migrant_shipwreck>.

[75] Recognition usually leads to formal identification by the legal authorities responsible for the unidentified person, but in the case of the 3rd of October 2013 shipwreck, for procedural and administrative reasons that remain unclear, the many recognitions that were made never resulted in formal identification by the Procura of Agrigento. Interviews with Dr. Cristina Cattaneo, director of the Laboratorio di Antropologia e Odontologia Forense, Università degli Studi di Milano, and consulting expert for the Commissario Straordinario per le persone scomparse (Special Commissioner for missing persons), of the Italian Ministry of Internal Affairs (Milan, May 2014, and Geneva, March 2015) (on file with author).

are not always collected or investigated for clues as to the identity of the deceased;[76] and in many places it was completely unclear which local authority had responsibility for recording and storing personal items found on or with the body and whether, in fact, this was being done reliably (Last, Mirto and Vaccaro 2014; Last and Bami 2014; Last and Pérez Pérez 2014).[77] Finally, the information that is collected is not consistently archived. Pathologists, police, coast guards, and cemetery officials may keep the reports they make or receive (cadaver reports, operational reports, burial permits, etc.), but they are not in any way obliged to maintain archives, and their files are considered confidential. Courts are required to archive their case files for reference purposes, but only for a fixed period of time (usually somewhere between 5-15 years), after which they are destroyed. In fact, the only long-term archives that exist in the death management system are those of death certificates, stored by civil registries.

The pilot studies revealed three problems with death certificates in Southern EU Member States that, if remedied, might improve opportunities for identification. First, in Malta and Gibraltar, internal guidelines of the Public Registries only allow death certificates to be issued, if the person was a Maltese/Gibraltar national or if the person died within the territory (including only 12 nautical miles off the coasts of Malta and 3 nautical miles off the coasts of Gibraltar).[78] This means that information about bodies that wash up on the coast, but were estimated to have died out at sea, or bodies brought back to Malta from patrols or rescue operations in the enormous Maltese SAR zone, is not archived in an accessible, traceable way.[79] Second, national regulations are not properly applied in all municipalities along the Southern EU external borders. In Spain, Italy and Greece, deaths should be registered where the person died or where their body was found. However, in the province of Agrigento (Italy) and in a few municipalities in Greece, civil registries have failed to register migrant deaths because (a) they were never notified of the deaths by the police or pathologist; (b) the civil servants erroneously interpreted the rules to exclude such 'abnormal' cases; (c) the civil servants did not feel they had sufficient information to complete a death certificate; or (d) they refused to do so on political grounds (Last, Mirto, Tapella and Spijkerboer 2014; Tselepi et al 2016; Tapella et al 2016).[80] Third, and finally, there are significant variations in the content of death certificates, both in the information requested by the form and the information entered. For instance, cause of death is not recorded in Italy, and nationality is not recorded in Malta. While unidentified

[76] Closed roundtable discussion, 1st meeting of the Dead and Missing Migrants Network, 27-28 November 2014, Amsterdam.

[77] This was a finding common among all pilot studies conducted for the *Deaths at the Borders Database*.

[78] Interviews with the Maltese Director of the Public Registry of Malta (March 2014), the Registrar of the Public Registry of Malta (June 2014), and the Registrar of the Death Registry of Gibraltar (February 2015), as well as informal conversations with several employees in both registries. Pilot reports and field notes (on file with author).

[79] For instance, the following 26 cases recorded in the Database were not found in the death registry of Malta, only in the database for labelling unidentified migrants' bodies maintained by Dr David Grima (Administrator of the Mortuary and Anatomic Pathology Department of the Mater Dei Hospital): MT001/005, MT001/012, MT001/013, MT001/015, MT001/016, MT001/032, MT001/033, MT001/036, MT001/041, MT001/042, MT001/047, MT001/058, MT001/059, MT001/060, MT001/061, MT001/062, MT001/063, MT001/071, MT001/074, MT001/079, MT001/080, MT001/081, MT001/082, MT001/083, MT001/084, and MT001/085.

[80] For example, in Kymi, Evia, the victims of a shipwreck in 2002 were not registered or permitted to be buried in the municipality in which their bodies were found, because the mayor did not want to commemorate them in any way in his municipality. Field researcher's notes, based on interviews with the Mayor, the Registrar and other officials of Kymi and neighbouring towns (September 2014, on file with author).

persons are supposed to be issued death certificates in all countries under study – which can be amended if and when the person is later identified – there does not seem to be any guidance as to what information or how it should be recorded in a death certificate, which are clearly not designed with unidentified people in mind.[81] Instead, civil registrars are left to their own devices to decide what information to record. In this vacuum, local expertise is developing. The registrar of Mytilini, for example, has become known in the North Aegean as somewhat of an expert in completing death certificates for irregular migrants.[82]

Differences in identification rates between countries may also be related to differences in national regulations pertaining to forensic practices, such as medical examinations and DNA sample collection and profiling. In Spain, Malta, and Gibraltar, both internal and external examinations are done in each and every case of an unnatural death.[83] In Italy and Greece, only external examinations are compulsory and internal examinations are done at the request of the public prosecutor.[84] While in Greece it seems to be standard practice for the public prosecutor to direct the pathologist to do an internal examination, even though it is not compulsory, in Italy many migrant bodies never get an autopsy.[85] Instead, the cause of death is determined from the external examination (cadaver inspection) and reports by the coast guards and/or police of the incident. According to the acting pathologist of Lampedusa, it is usually clear from where the body was recovered, forensic clues found on the body, and the accounts of survivors and the coast guards, whether the person drowned or died of dehydration, starvation or hypothermia.[86] If the body is very decomposed, if there are any signs of violence, or if the usual tell-tale signs of drowning or dehydration/ starvation/hypothermia are not present, it is then recommended in the cadaver inspection report that the public prosecutor should order an autopsy. According to the pathologists of Melilla, however, in Spain it is compulsory in every case of an unnatural death to conduct a full internal examination, because the external examination can be misleading as to the cause of death, especially if the body spent any time in the sea.[87]

These differences in opinion reflect the differences in national legislation, but an autopsy leads to other important findings that an external examination cannot always reveal. For example, when a body has been in the sea for days, the genitals are among the first body parts to fall off

[81] This was a common finding in all pilot studies, and observed by the author and field researchers when searching through death registry books during data collection.
[82] Interview with the Registrar of the Civil Registry of Mytilini (October 2014), field notes on file with the author. Supported by information shared in informal conversations between field researchers and registrars during data collection (October 2014).
[83] Interviews with pathologists, coroners and other forensic experts during pilot studies conducted in Malaga and Valencia (February 2014), in Malta (March 2014), in Ceuta (June 2014), in Melilla (September 2014), and in Gibraltar (February 2015). Pilot study reports and field notes (on file with author).
[84] Interviews with pathologists, coroners and other forensic experts during pilot studies conducted in Lesbos and Thrace (October 2013), in Puglia (June 2014), in Lampedusa (September 2014), and in northwest Greece (October 2014). Pilot study reports and field notes (on file with author).
[85] Documents found in Lampedusa civil registry, and the files of the acting pathologist for Lampedusa, Dr. Bartolo. Interviews with Dr. Cristina Cattaneo (Milan, May 2014, and Geneva, March 2015) (on file with author). Pilot study report and field notes (on file with author).
[86] Interview with Dr Bartolo, acting pathologist for Lampedusa (October 2014).
[87] A body pulled from the water can give tell-tale signs of drowning, when in fact the person was already dead when he fell in the water. Interview with pathologists of the Legal Medical Institute of Melilla (September 2014).

the body and the body becomes bloated and therefore the face becomes disfigured, which means that an autopsy may be the only chance to determine the sex, race and estimated age of the corpse – important post mortem details for identification purposes. A leading pathologist in Italy who disagrees with the optional nature of autopsies in Italian national regulations, for exactly this reason, insists that every pathologist conducting a cadaver inspection should automatically include a recommendation to the public prosecutor to do a full internal examination.[88]

The second example of how national forensic standards can influence identification is DNA sample collection and profiling. A DNA sample can be taken from even very decomposed bodies and can provide a definitive means of identifying a person so long as a relative (or better two) come forward for DNA profile matching. But several problems emerge with DNA sample collection and profiling as a result of national practices and regulations. Two examples include problems of access and enforcement. DNA profiling is a quickly evolving science that can provide a considerable amount of personal, medical information, and for that reason DNA profiling has been accompanied by strict regulation, which in turn creates many problems of access. For instance, in Italy, legislation has banned all but one centralised DNA databank and only a special unit of the police has the authority to conduct DNA matching using this databank.[89] This means that relatives of shipwreck victims must be willing to enter their DNA sample into the Italian national databank in order to see whether their relative was among those dead in a particular shipwreck. The other obstacle relating to DNA sample collection and profiling, as aforementioned, is enforcement. In Greece, for example, DNA samples are compulsory when the body is not immediately identified. Samples are supposed to be taken during medical examinations and sent to a centralised DNA laboratory in Athens for profiling. However, there have been considerable problems enforcing this new procedure among the many pathologists in the country.[90]

The differences in identification rates among irregular border crossers between Spain, Italy and Greece are illustrated by Figure 3.4 and Table 3.6. This section has presented possible explanations for the variation, ranging from the overall structure of the death management systems of these countries, to the ways in which post mortem data about unidentified bodies is collected, recorded and stored. The next section will explore problems that exist at the local level, rather than the national level. However, improvements in the area of identification may well involve more comprehensive national – or even EU – regulation on the obligations of local authorities, or a more direct role for national – or EU – authorities in identifying the bodies of those who die attempting to cross borders.[91]

[88] Interviews with Dr. Cristina Cattaneo (Milan, May 2014, and Geneva, March 2015) (on file with author).
[89] Italian Law 85/2009, which ratifies the Prum Treaty. Presentation by Captain Gasparollo (RACIS, Carabinieri) at the 1st Conference on the management and identification of unidentified decedents, with an emphasis on deceased migrants in the European Mediterranean region (hosted by International Committee of the Red Cross (ICRC) and Laboratorio di Antropologia e Odontologia Forense, Università degli Studi di Milano, Milan, 22-23 November 2013). Conference notes (on file with author).
[90] Interview with Dr Penelope Miniatti, Hellinic Police and Athens DNA Laboratory (Milan, November 2013).
[91] A pilot led by the Laboratorio di Antropologia e Odontologia Forense, Università degli Studi di Milano, under the auspices of the Commissario Straordinario per le persone scomparse, of the Italian Ministry of Internal Affairs,

Variation within countries

As described above, the responsibility for investigating and recording information about deaths – including the identity of the deceased person – lies with the local authorities of the particular municipality in which the person died or their body was found. This creates the potential for variation in practices *within* countries as well as between them.

In particular, provincial authorities in Italy have considerable discretion to design their own systems and procedures in accordance with the needs and capabilities of their province. In practice, this means that national regulations about investigating and recording unnatural deaths are implemented differently by different actors, in different provinces, often depending on the working relationships that exist between local authorities from province to province. In the section on characteristics of irregular border crossers, a stark contrast in identification rates was observed between peoples of Sub-Saharan African and of Balkan origin in Italy (see discussion of Table 3.4); another explanation for the difference could be the particularities in the operation of the death management systems in Puglia (where persons of Balkan origin were found) and Sicily (where persons of Sub-Saharan African origin were found). For instance, in the province of Lecce, the *Procura* established a special unit comprising representatives from the different police sections and the coast guard who meet every time there was a boat incident in their jurisdiction, in order to exchange information about the living and the dead and coordinate their response (Last, Mirto and Vaccaro 2014). Accordingly, the overall identification rate of migrant bodies in Lecce is 76.3%. In contrast, in the province of Agrigento, the *Procura* often concedes powers to the coast guard or the police, taking an elusive role in the investigation of fatal shipwrecks in the seas around Lampedusa (Last, Mirto, Tapella and Spijkerboer 2014). The resulting overall identification rate of migrant bodies in Agrigento is 10.1%. Further research is needed to investigate how such approaches evolved and whether they reflect the province's general approach to death management or their specific approach to the handling of incidents involving irregular border crossers.

is currently underway to formally identify the victims of the 3rd of October 2013 shipwreck, with the aim of determining best practices that might be applied across the country to improve identification rates of unidentified cadavers and human remains in Italy.

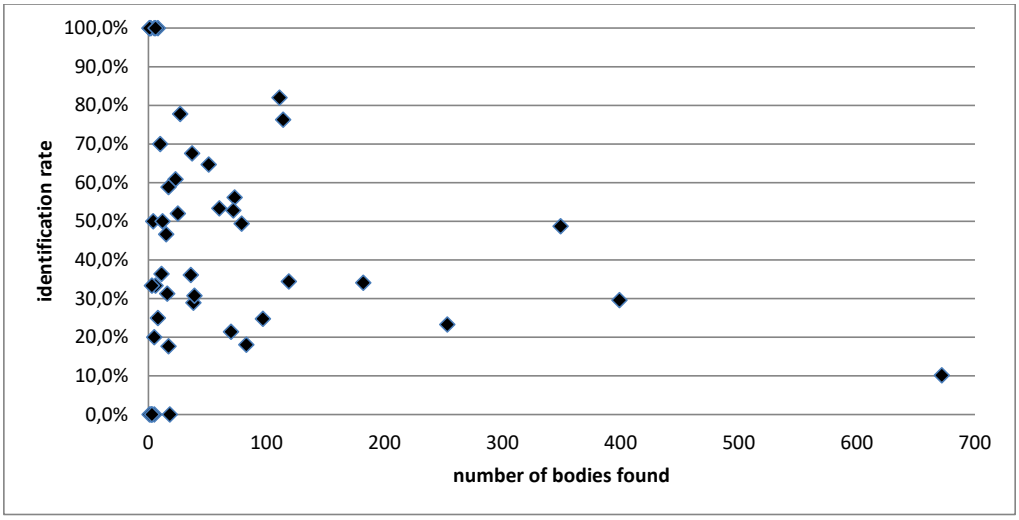

Figure 3.5 Relationship between number of bodies found and identification rates of different administrative regions along the southern EU external borders, 1990-2013.

The *Deaths at the Borders Database* shows an important difference in the number of migrant bodies that the provinces of Lecce and Agrigento have had to deal with over the years (114 in Lecce compared to 672 in Agrigento), which could suggest that the identification rate is related to workload. Figure 3.5 shows that identification rates are never high in places where there are large numbers of migrant bodies found. But the range among identification rates increases where the number of dead found decreases, because in places where there are few bodies found, the identification of one person has a bigger impact on the overall identification rate for that place. Therefore, Table 3.7 presents the identification rates of administrative regions with more than 100 dead bodies found.[92] But the variation in identification rates between these provinces does not appear to be explained – at least not solely – by the workload associated with investigating and identifying many migrant bodies. In sum, quantitative analysis is not conclusive on the influence of the number of bodies on the capacity of local authorities to identify deceased irregular border crossers.

[92] In places with more than 100 dead found, the identification of one individual changes the overall identification rate by less than 1%.

Table 3.7 Number of bodies and identification rates in the administrative regions with more than 100 bodies found, 1990-2013.

	Count (n=2379)	% Identified
Sicily, Agrigento	672	10.1
Evros/Thrace	399	29.6
Cadiz	349	48.7
Las Palmas	253	23.3
North Aegean	182	34.1
Ceuta	119	34.5
Puglia, Lecce	114	76.3
Puglia, Brindisi	111	82.0

Rather, the results in Table 3.7 point back to the observation from Table 3.1, that the variation exists between *routes* (Brindisi and Lecce are both on the Adriatic Sea route and have high identification rates compared with that of Agrigento, on the Central Mediterranean Sea route), and the observation from Table 3.4, that the variation exists between *different origin groups* of irregular migrants (there are mostly bodies of people of Balkan origin in Puglia, and bodies of people of Sub-Saharan origin in Sicily). Qualitative analysis of the differences between places where migrants' bodies are processed may shed more light.

There are many differences in the practices of municipalities that require further research and analysis to determine their potential influence on identification rates. Many of the places where border deaths are found in the Mediterranean are small municipalities, often islands. Their local facilities and resident State actors are appropriate for their residents, but not for dealing with dead irregular border crossers. For instance, there may not be a resident pathologist, which means that medical examinations are conducted by doctors who are specialised in other fields than determining cause of death. Even in Lampedusa, which has seen the most border deaths of any European municipality, there is no resident pathologist and cadaver inspections are mostly carried out by the head of the island's clinic, who is trained as a gynaecologist. When a full autopsy is needed, the body must be transported to Porto Empedocle or Agrigento (Last, Mirto, Tapella and Spijkerboer 2014).

Another limitation that is common is a lack of adequate facilities; Lampedusa does not have any facilities for storing bodies (fridges, morgue, etc.), which means the only option for slowing decomposition is to temporarily bury the bodies (Last, Mirto, Tapella and Spijkerboer 2014). Only for the 3rd of October 2013 shipwreck was a team from the Disaster Victims Identification Unit[93] sent from Rome to assist the authorities in Lampedusa with the retrieval

[93] Disaster Victims Identification (DVI) Units are teams of forensic experts who can be mobilized to deal with emergency situations involving numerous dead, such as earthquakes, plane crashes and industrial explosions. Their purpose is to provide the facilities and expertise necessary to deal with the identification of cadavers and missing persons in cases of mass casualties. All European states have DVI Units, which are sent all over the globe (Thailand, Haiti, Japan, Ukraine, Nepal), but only once – in the authors' knowledge – was a DVI Unit sent to assist with identification of boat migrants. Source: Discussions with participants during the 1st Conference on the management and identification of unidentified decedents, November 2013.

and forensic processing of cadavers.[94] Finding the space in local cemeteries to bury unclaimed and unidentified bodies is also often a problem, and the costs of funeral services and tombs fall on the municipality budget.[95] Where they have been provided, tombstones and plaques to identify the graves of migrants are usually donated, which results in a significant range of markings, even within a single cemetery, from no marking at all to detailed tombstones.[96] Small and island municipalities are not allocated any additional resources to manage dead irregular border crossers, and there are no standards to ensure their respectful treatment.[97]

Variation in identification between municipalities may also be related to networks. Death among irregular border crossers is inherently a transnational issue. Traditionally, foreign services (embassies, consulates) bridged the physical gaps created by transnational movements and activities. Thus, the country of origin may also affect chances of identification due to non-existent or difficult relations with the country in which the body was found (e.g. the absence of a representative office in the country where the body was found or sour relations in a particular political or economic arena), or because of the particular social group that the person is associated with (e.g. the Eritrean Government views people who leave the country without authorisation as traitors). Of course, it is impossible to know the country of origin of a person until they are identified, so it is impossible to test the connection when so many are still unidentified. However, along the Greek-Albanian border and in Puglia, Italy, several informants noted the role of the Albanian consulates in facilitating communication between the local authorities trying to identify bodies and the families searching for their missing relatives. It would be useful to investigate whether the participation of country of origin authorities contributes to a higher identification rate, and how.

A similar connection may exist between identification rates and the presence or active participation of well-connected national or international organisations such as the Red Cross/Crescent Societies, NGOs, and migrant communities. It is possible that the lower identification rate in Evros (29.6%) than in North Aegean (34.1%) be partly due to the presence of strong migrant solidarity networks in the North Aegean, in particular in Lesvos, Chios and Samos, which take action when there is a shipwreck to assist the living and commemorate the dead. Robins and Kovras (2016) have also observed a humanitarian civil society in the North Aegean that fills the gaps left by the local and national authorities in dealing with dead and missing migrants (Robins and Kovras 2017). Unlike many officials working in local authorities, activists and humanitarian workers do not see it as a hopeless task to attempt to identify the body and notify the family. They also have more flexibility to adjust the ways in which they attempt to do this. For instance, one man was identified by photographs on

[94] Presentation by Dr Antonio Grande (Medico Capo della Polizia di Stato and head of the DVI unit that was dispatched to Lampedusa on 3rd October 2013), at the 1st Conference on the management and identification of unidentified decedents, November 2013.
[95] This was a common complaint aired during interviews with civil servants of the municipalities visited during pilot studies and during data collection.
[96] Observations of author and field researchers from cemeteries visited during pilot studies and during data collection (June – December 2014). Notes and pictures (on file with author). For further discussion of the project's findings vis-à-vis burial practices see: Tapella et al (2016).
[97] This was a common finding of all the pilot studies, and the many conversations that field researchers had with local state officials during data collection never suggested evidence to the contrary.

Facebook, in particular of his tattoo. The activist who made the identification also used Facebook to make contact with his family who were then able to formally recognise the body and arrange for his body to be transported home for burial.[98]

Despite dealing with border deaths for more than two and a half decades, there has been little-to-no adaptation of judicial investigations into migrant deaths and no collection of data by states or the EU that might provide a centralised point for families to begin their search for missing relatives. This is particularly important, as families may not know exactly which route their relative took, and even if they do, bodies may end up far from the location of death. At the moment, places like Lesvos and Lampedusa are also well-connected to activist and migrant community networks across the EU, which may facilitate recognitions and notifications of families outside of official channels, through extended relatives and friends.

The systems in place in all countries along the Southern EU external borders for investigating, recording and burying dead bodies are not designed with border deaths in mind, nor have they been formally adapted to the reality of this phenomenon. To what degree this is a result of indifference, prejudicial neglect or wilful denial of policy-makers and administrators is unclear. The results of this research show that systems are regulated at the national level, resulting in slight differences in their overall structures and the actors and procedures involved. In practice, further differences exist between municipalities within countries, especially in Italy and Greece, as death management is the responsibility of municipal and provincial authorities. While differences in regulations and practices are not inherently problematic, bad practices that fail to meet national and international forensic standards exacerbate the challenges of identifying irregular border crossers.

Pilot studies and data collection for the *Deaths at the Borders Database* provided preliminary insights into a range of factors related to the death management systems and limitations at the local level that may explain why so few deceased irregular border crossers are identified. More research is needed to stop bad practices that reduce the chances of identification and to promote best practices and appropriate reforms.

Conclusions

This chapter introduces issues surrounding the identification of migrants who have died attempting to cross the Southern EU external borders. The *Deaths at the Borders Database* for the Southern EU has revealed that a majority of migrant bodies found on or brought to EU shores are unidentified to the authorities responsible for investigating their deaths. Using initial results of the Database and qualitative material gathered during pilot studies and data collection for the Database on issues of identification, the chapter makes preliminary explorations into answering the question: why are so few deceased irregular border crossers identified? While border deaths, by definition, only occur among irregular border crossers, it is difficult to draw

[98] Informal conversations with Efi Latsoudi, solidarity leader and activist in Mytilini, Lesbos, and field researcher for the *Deaths at the Borders Database* (April 2014 – February 2015).

explanations for their low chances of identification solely from inherent aspects of irregular border crossing or the characteristics of irregular border crossers. The finding that stands out is the significance of the place of origin; in particular, that Sub-Saharan Africans have a severely low identification rate as compared with other regions of origin. The reasons for this elude this chapter and deserve investigation.

In general, it seems that there are thousands of unidentified migrants buried along the Southern EU external borders, unbeknown to their families and friends, because the death management systems responsible for investigating and recording their deaths are inadequate. Despite close to three decades of border deaths and with no clear end to the phenomenon in sight, no developments have been made to adapt forensic protocols and death management practices in EU border regions to the transnational and clandestine aspects of the circumstances surrounding border deaths in order to achieve higher rates of identification. Comparative research is needed in order to fully understand variations in national death management systems and local forensic practices, as well as the particular limitations of their facilities and resources. Having full and reliable data is key for comprehensive, knowledge-based policy reform to emerge.

There is a need to evaluate whether differences in capabilities and practices have negative implications for identification and whether basic international forensic standards are being met. What are the existing standards and protocols and where are they disregarded? Could more be done to retrieve bodies so that it is possible for families to receive confirmation of death? Is every lead to identify a person pursued? Are survivors provided the opportunity to recognise or offer information about the dead? Is post mortem information adequately recorded, archived, and accessible for those representing the families searching for their relatives?

While the responsibility does lie with local State authorities, solutions will inevitably involve national and EU action. Local authorities are not adequately equipped to manage these deaths alone. Indeed, the transnational nature of the phenomenon of border deaths requires expansive networks and cooperation with country of origin and non-State actors, as well as a centralised platform where relatives can turn in their search. Most importantly, states need to prevent prejudiced indifference to this particular group of dead by insisting on respect for the deceased and their families, in line with their positive obligations stemming from the rights to life and dignity of those lost at sea (Grant 2011; Komp 2016). Without national or EU concern or support, there is a real danger that bad practices become the norm at the local level, leading to even lower identification rates and the disappearance of bodies, silencing an EU-wide phenomenon that brings into question the policy rationale underpinning current border and migration control mechanisms. Thus, it is in the interests of both states and migrants to design policies and develop good practices that will result in more identification of bodies, enabling compliance with human rights obligations and the dutiful recognition of the dignity of the deceased. While the nature of irregular border crossing may create unique challenges for death management systems, there is no reason to accept anonymity as an inherent consequence of death by border-sea.

Chapter 4

Data on border deaths along southern EU external borders[99]

People have been dying while trying to cross the external borders of the European Union (EU) for three decades. However, exactly how many have died and how dangerous irregular border crossing routes are is unknown. Quantitative data on border deaths is notoriously poor (Weber and Pickering 2011; Brian 2014; Last and Spijkerboer 2014; Heller 2015; Williams and Mountz 2016), in part due to the circumstances in which irregularised border-crossers die or disappear (Grant 2011; Tazzioli 2015), in part due to the lack of official reporting of these deaths (Chapter 2). Moreover, there are significant differences in trends between existing datasets of EU border deaths (Chapter 2: Figure 2.4).

This chapter presents a two-staged research into EU border death data. The first study investigates: What are the main sources of border death data in academic literature? The second investigates: How reliable is this data for assessing mortality among irregularised border crossers along the southern external borders of the EU? This chapter is organised as follows: First, the methodology and findings of each study are presented in turn. Then, in the subsequent section, the findings are discussed and the question whether more reliable estimates are attainable is also explored. These questions are particularly poignant when death data is used to assess the impact of existing policies.

[99] Co-authored with Joke Harte.

Study 1: What are the main sources of border death data in academic literature?

Method

To discover the sources of quantitative data used in academic literature concerned with EU border deaths, relevant academic works were searched for border death data. These works were selected from an exhaustive search (no temporal filters) of major publishers of English-language, peer-reviewed journals and academic volumes for literature concerned with EU border deaths, as well as a number of unpublished works attained by the author via email and ad hoc online searches between 2013-2016. A detailed description of the selection is provided in Chapter 5). In short, works were selected for inclusion in the study if they sought to explain the phenomenon, in particular, the relation between deaths and policy. The search and selection process elicited 39 works relevant to the study. The results of the search for border death data in these 39 works were examined on the original source and use of data.

Findings

There are important empirical contributions among the literature studied, based on qualitative field work among local, national and European authorities and other actors in border communities, as well as desk-based analytical research. The intensity of field work varies but tends to be single-sited, incident-focused, and/or short term (Albahari 2006; Carling 2007; Klepp 2011; Spijkerboer 2013; Topak 2014; Heller 2015; Kovras and Robins 2016; Squire 2016; Oliveri 2016). Desk-based research includes gathering information for a comprehensive overview (Kiza 2008; Weber and Pickering 2011; Weinzierl and Lisson 2007; Spijkerboer 2007, 2013; Grant 2011; Basaran 2014; Albahari 2006; Cuttitta 2004) and complex, technical analyses (Pickering and Cochrane 2012; Williams and Mountz 2016; Blanchard, Clochard and Rodier 2012; Heller and Pezzani 2016; Heller 2015). The remaining works are theoretical in the sense that they do not question or explore the data that they reference. Overall, death data is chiefly used to illustrate arguments that are based on theoretical constructions of the situation.

Figure 4.1 illustrates the referenced and original sources of border death data in academic literature. Sources were included in Figure 4.1 if they were cited by 3 or more reviewed works. Where there were several citations for essentially the same source, these were combined. For example, Brian (2014) and Brian and Lazcko (2014) are publications linked to the International Organisation for Migration's (IOM) Missing Migrants Project, with which UNHCR corroborates its aggregated data (Al Tamimi et al 2017). Scholars marked in boxes are also frequently cited as sources of quantitative data.

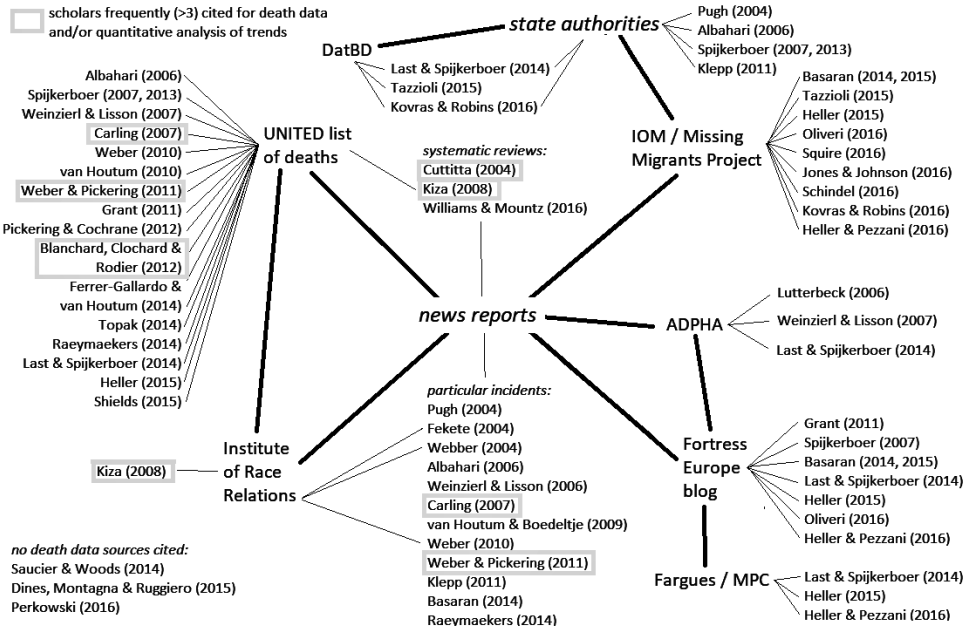

Figure 4.1 Sources of EU border death data in academic literature

As Figure 4.1 shows, most death data in the literature comes from one original source – news reports. There is a small group of academics who have used official aggregated statistics – which are published by national authorities on an ad hoc basis (Last & Spijkerboer 2014) – or death registries (Spijkerboer 2013). The *Deaths at the Borders Database* (DatBD) is the first and only dataset sourced from state authorities, providing a vital alternative to news media-sourced data (Chapter 2); however, it was only published open source in 2015 and is not kept up-to-date. The IOM's Missing Migrants Project also corroborates their primary source (news reports) with local officials whenever possible. Some academics use news reports directly for data on particular incidents, while others use news reports to build datasets themselves (Cuttitta 2004; Kiza 2008; Williams and Mountz 2016). Most works, however, reference available datasets that compile news reports on deaths: UNITED, the Fortress Europe blog by Italian journalist Gabriele del Grande, the collections of Institute of Race Relations (IRR) or Asociación Pro Derechos Humanos de Andalucía (APDHA), and IOM's Missing Migrants Project. Fargues and his colleagues at the Migration Policy Center in Florence are also frequently referenced, not as a source of data but for the mortality trends they have published in policy briefs, which are derived from the Fortress Europe blog data. In addition, as shown in Table 4.1, for the period 2000-2016, a team of journalists merged UNITED and the Fortress Europe blog into a sixth dataset, the Migrant Files, which was not included in Figure 4.1 because it was only cited by two reviewed works. As there are a number of datasets and empirical academic contributions, it appears as though there is a wide array of sources of data on EU border deaths. However, ultimately, almost all descriptive statistics, quantitative analyses and narrative details of incidents are sourced primarily – if not exclusively – from news reports.

Table 4.1 Publically available datasets on EU border deaths

	UNITED[100]	**FEblog**[101]	**Migrants Files**[102]	**IOM MMP**[103]	**DatBD**[104]
year data collection commenced	1993	2006 (TBC)	2013	2013	2014
period covered	1993-present	1988-2016	2000-2015	2014-present	1990-2013
geographical scope	EU and neighbouring countries	EU and neighbouring countries	EU and neighbouring countries	global	southern EU Member States
frequency updated	annually	irregularly, last updated February 2016	N/A	weekly	N/A
primary source	news reports	news reports	UNITED & Feblog	news reports	death certificates
other sources	Feblog, organisations in the network, researchers	NGOs	Puls (University of Helsinki)	local officials, IOM field staff, IOs, NGOs, survivors	cadaver inspection/ autopsy reports, burial permits, cemetery registers, coast guard operation reports
working definition of border death	deaths attributable to the policies of Fortress Europe, on the way, after arrival, during deportation or after repatriation	irregular migrants who do not survive the journey to Europe	refugees and migrants who died in their attempt to reach or stay in Europe	deaths that occur at physical borders and while en route to an international destination	people who died attempting to cross the southern EU external borders

Although the literature recognises the lack of (official) data (Fekete 2004; Weinzierl and Lisson 2006; Kiza 2008; Weber and Pickering 2011; Pickering and Cochrane 2012; Saucier and Woods 2014; Shields 2015; Kovras and Robins 2016) and the unreliability of news-sourced data (Webber 2004; Albahari 2006; Carling 2007; Grant 2011; Weber and Pickering 2011; Pickering and Cochrane 2012; Oliveri 2016; Topak 2014), the specific limitations and weaknesses of death data are rarely discussed in any detail (cf Last and Spijkerboer 2014; Tazzioli 2015; Williams and Mountz 2016). There is little done to scrutinize the effects of

[100] http://unitedagainstrefugeedeaths.eu/about-the-campaign/about-the-united-list-of-deaths/
[101] http://fortresseurope.blogspot.nl/p/la-strage.html
[102] http://www.themigrantsfiles.com/
[103] https://missingmigrants.iom.int/
[104] http://www.borderdeaths.org

unreliable media reporting of facts, aside from citing corroborating references, which often rely on the same data. Even Carling (2007), who models different scenarios reflecting the possible biases of reported numbers, assumes that if bodies are found or people reported missing by survivors this information is accurately and consistently reported in the news. Academics who are aware of and acknowledge the problems of the available data, nonetheless draw policy-relevant conclusions from that data.

On a related note, studies and statistics from other border regions marking fault lines between the Global North and Global South – especially the US-Mexico border – are frequently cited as evidence supporting claims about deaths along the EU external borders. This occurs both in literature that takes a comparative perspective, looking at more than one border region in which deaths-during-border-crossing occur (Mountz and Loyd 2013; Weber and Pickering 2011; Pickering and Cochrane 2012; Squire 2016; Jones and Johnson 2016), and also in literature that aims to explore only the European region or even a particular national context within that region (Fekete 2004; Webber 2004; Lutterbeck 2006; Albahari 2006; Kiza 2008).

Study 2: How reliable is existing border death data?

Method

As shown in Figure 4.1, academic literature relies heavily on news reports as the original source of data for EU border deaths. This second study aims to investigate the reliability of this main source by comparing news-sourced data with another source. The only database of border deaths not sourced primarily from news reports is DatBD. Sourced from death management systems, DatBD records deceased irregularised border-crossers whose bodies were found or brought to municipalities of Member States along the southern EU external borders between 1990-2013. The data collection process, compilation of the Database and its limitations are published in detail elsewhere (Chapter 2). For the purposes of this study, due to the nature of its source, DatBD does not cover all EU border death cases but it represents a baseline for the minimum number of deaths because there is no chance that a death certificate is issued without evidence of a death. UNITED's list of deaths was selected to represent news-sourced data in the comparison for a number of reasons. It is the longest-standing dataset of border deaths,[105] covering much of the same period as DatBD (see Table 4.1). It is also the most commonly cited dataset in academic literature.[106] Finally, UNITED compiles its data in an accessible format, coded according to the date of the incident, the number of deceased and missing persons, the personal information of deceased and missing persons, the circumstances and place of death and the source of data. Both datasets are ordered chronologically. This study consists of

[105] Although the earliest death recorded by FEblog is dated in 1988, this was the result of a historical search conducted by the author of the blog, Gabriele del Grande, when he first began compiling news reports on deaths online in 2006.

[106] There has been a shift in sources of data in academic literature. Since 2015, IOM's MMP appears to be succeeding as the primary reference for border death data. However, IOM's MMP only began recording deaths at the end of 2013 so it is not useful for analysis of long-term trends over the three decades that border deaths have been occurring at the EU's southern borders.

matching records between UNITED and DatBD and analysing the overlap between them and gaps in each.

The two datasets cover different deaths related to their primary sources, temporal coverage and their working definitions of 'border death' (see Table 4.1). To enable comparison, records were selected from UNITED in accordance with the narrower working definition of DatBD: people who died attempting to cross the southern EU external borders. In addition, UNITED records were coded according to whether bodies had been found or not and whether they had been found in/near or brought to an EU member state or not. These variables were used to interpret the results. DatBD and UNITED cover slightly different periods (1990-2013 versus 1993-2017), so only records from 1993-2013 were selected from each dataset for comparison. In sum, 3,030 death records from DatBD were compared (manually, following a Protocol) with 13,397 death reports from UNITED.

Perfect matching between UNITED and DatBD is impossible primarily because the majority of deceased persons remain unidentified (see Chapters 2 and 3). However, for the purposes of assessing the reliability of news-sourced data for analysing EU border mortality, perfect record matching is unnecessary. It is not important whether the news reports the same individual whose body was found; it is important whether the news reports the story of a body being found (as recorded in DatBD), including the right number of bodies and the right information about those bodies. In other words, the aim was not to test whether UNITED has 'recaptured' the same *deceased individuals* 'captured' by DatBD, but whether UNITED has 'recaptured' the *news* of individuals 'captured' by DatBD. To this end, the system dependence between UNITED and DatBD (a body being found increases the chances of that death being reported in the news) was exploited in order to match records. For example, the news may report a body being found of North African origin on a given date, while the DatBD records an identified man from Morocco dying on the same date. It can be assumed that the journalist reported the story before the identity of the man was known and guessed his region of origin based on his appearance or the origin of his survived fellow passengers. For another example, the news may report bodies of Sub-Saharan Africans washing up on the beach on a given date, believed to be 3 of 6 missing from an earlier shipwreck, while the DatBD records 4 decomposed bodies of black men who died between a week and 2 weeks before. In this case, it can be assumed that the death management system records physical description while the journalist uses these details to guess the region of origin, and that the journalist reported the dates relevant to the story of the body being found while the death management system records the date of death estimated by the pathologist conducting the cadaver examination. It can also be assumed that the journalist reported the story before the fourth body was found. Thus, system dependence between UNITED and DatBD was integrated into the Protocol used to match records between the datasets.

The datasets were divided into three sub-sets based on country for ease of comparison: (1) Greece, (2) Italy and Malta, and (3) Spain and Gibraltar. The Protocol set the criteria and procedure for matching. Records were linked on the basis of the 'best fit' of the following information:

- Date of death / date found / date registered
- Place (town/small island) / region / location (e.g. hospital/beach/boat)
- Number of bodies found
- Personal details (sex/age/origin)
- Description of circumstances/cause of death

This information is not available for all UNITED or DatBD records and differences are common between details of the two datasets as a result of their different sources. Four classifications were available as shown in Table 4.2. For the purposes of analysis, definitive matches, partial matches and possible matches were all treated as matched records. The difference in the number of bodies found among partial matches were taken into account in all calculations.

Table 4.2 Classifications for comparison of records between UNITED and DatBD records

Category	Description
Definitive match	All available data is the same or very similar and the difference easily explainable (e.g. 1/2 days difference in date, North African and Moroccan, etc), no conflicting data, same number of bodies Exception can be made for records with conflicting data if an unusual detail is the same in both records (e.g. name, particular circumstance of death or discovery of the body)
Partial match	Definitive match except different number of bodies reported by UNITED and recorded by DatBD
Possible match	Some conflicting data Insufficient data to determine match definitively (e.g. if DatBD does not record date died or date found, or if UNITED does not report any personal details with a vague description of cause of death) When a DatBD case could match with more than one UNITED record (e.g. because of possible double-counting in UNITED). However, a UNITED record should never be matched with more than one DatBD case unless they are part of the same incident.
No match	No corresponding record or conflicting data too significant or better fit with another case

The procedure established by the Protocol begins by filtering records in a sub-set by year. This reduces the number of cases being compared at any given time to a manageable number and was intended to reduce the likelihood of human error. In a first round of comparison, UNITED records were searched for potential matches with a particular DatBD record based on the information listed above; then in a second round, all DatBD records for that year were searched for potential matches with remaining unmatched UNITED records. In this second round, UNITED records with dates close to the beginning or end of the year were also compared with DatBD records from the previous or next year, respectively. In this way, it was possible to determine whether each DatBD was matched according to the principle of 'best fit'. After the second round, remaining unmatched DatBD records were recorded as no match. Results were recorded in a table. Once a potential match was identified, the UNITED record number was entered into the column next to the corresponding DatBD case number(s), all similarities and differences in the information recorded in the matched records from each dataset were listed in a third column, and the category of match was coded in a fourth column. The corresponding records were also colour-coded according to the category of match in each dataset.

Record matching was done manually due to the considerable nuance in the data, the fact that UNITED records incidents while DatBD records individuals, and because the task was not overwhelming given the relatively small size of the datasets. The disadvantage is that no sensitivity analysis was possible. Instead interrater reliability of the matching Protocol was established by a second matcher (Korhonen 2017) who independently scored a sample of the cases (n=303, Kappa=0.848, percentage agreement=89.4%). The sample was drawn from each sub-set by selecting every 10th case, starting from a row number between 1-9 randomly generated at www.graphpad.com/quickcalcs/randomN2/. The sample contains 10% of DatBD cases: 79 cases from Greece, 123 cases from Italy/Malta, and 101 cases from Spain/Gibraltar. Most of the disagreement in results between the original and second matchers concerned the assignment of categories 1-3 (see Table 4.2). For the purposes of further analysis, however, categories 1-3 are grouped as 'match'. In terms of the classification of match/no match, only 3 cases (<1%) were coded differently between the test sample and the original comparison. This means that even the low level of subjectivity in implementing the Protocol has no impact on the findings presented below.

Findings

Table 4.3 and Figure 4.2 show the results of the comparison between DatBD and UNITED. Each dataset has gaps reflecting their limitations (see Table 4.3). DatBD only records deceased bodies found or brought to southern EU Member States; it does not record missing persons or bodies found or brought to non-EU Member States. UNITED only records those deaths and disappearances reported in the news. The 11,568 missing from DatBD are largely a result of the transparent systematic bias of its original source (for details, see Chapter 2). The 1,201 deaths missing from UNITED provide evidence, for the first time, of the limitations resulting from the unpredictable bias of news-sourced data on EU border deaths. The total number of deaths missing from both datasets remains unknown.

Table 4.3. Overlap between and gaps in UNITED and DatBD, 1993-2013

	Recorded in DatBD	Missing from DatBD
Recorded in UNITED	1,829	11,568
Missing from UNITED	1,201	unknown

The shaded area in Figure 4.2 shows the matched records that appear in both datasets per year, while the lines show the remaining unmatched records from each dataset, illustrating the under-counting summarised in Table 4.3. The average proportion of bodies found that were reported by the news per year is 50.6% (σ=18.8%, min 0.0%, max 86.2%, n=21). UNITED and DatBD show different trends over the 21 years in which they are comparable. The overall increase in deaths is significantly more gradual in DatBD than in UNITED and, in general, the number of deaths per year captured by DatBD are more stable than those captured by UNITED. Although many of the peaks and dips occur in the same years, demonstrating some consistency between the two datasets, there are two periods in which opposite trends can be observed: 1996-1998 and 2004-2007. This demonstrates the significance of better understanding the bias inherent to news-sourced data.

While Table 4.3 and Figure 4.2 reveal that both datasets under-count border deaths, Figure 4.3 shows the proportion of DatBD cases matched in UNITED over time. There has been a general upward trend, an improvement in UNITED's coverage of EU border deaths. It is possible that the persons responsible for collecting news reports and compiling UNITED improved their methodology with experience, or that discovery of news reports has become easier with the development of online search engines. However, the general upward trend could also reflect an increase in coverage of border deaths by news media, perhaps related to an increase in public/political attention to the phenomenon. Either way, despite the general upward trend, Figure 4.3 shows that the proportion of bodies found that are reported in the news varies considerably from year to year and can drop (e.g. between 2004-2008 and 2010-2012). The drop in proportion of matches from 66.4% in 2009 to 42.0% in 2010 is particularly interesting as it partially explains the dramatic drop in the number of deaths in UNITED over the same years, as shown in Figure 4.2.

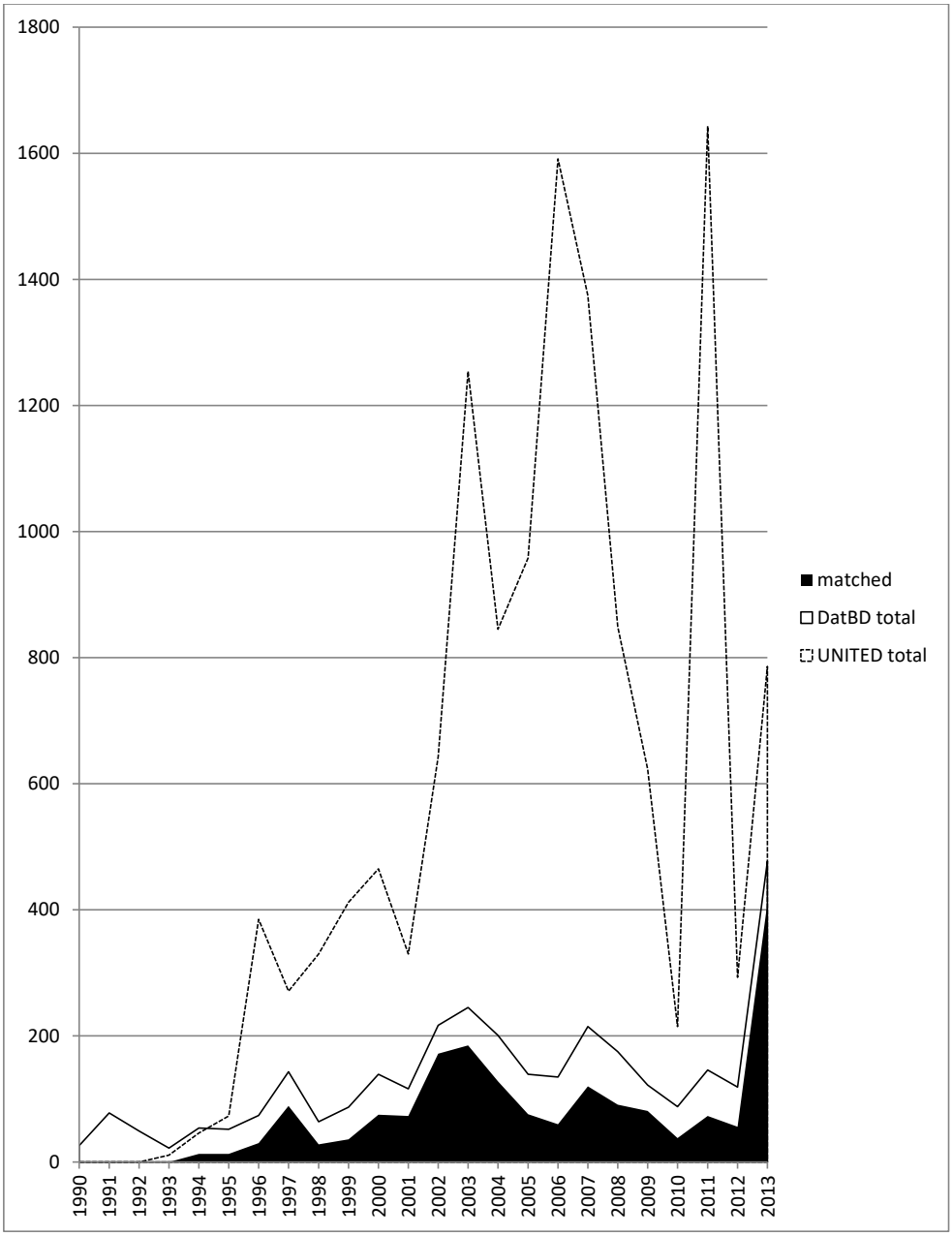

Figure 4.2 The overlap between UNITED and DatBD

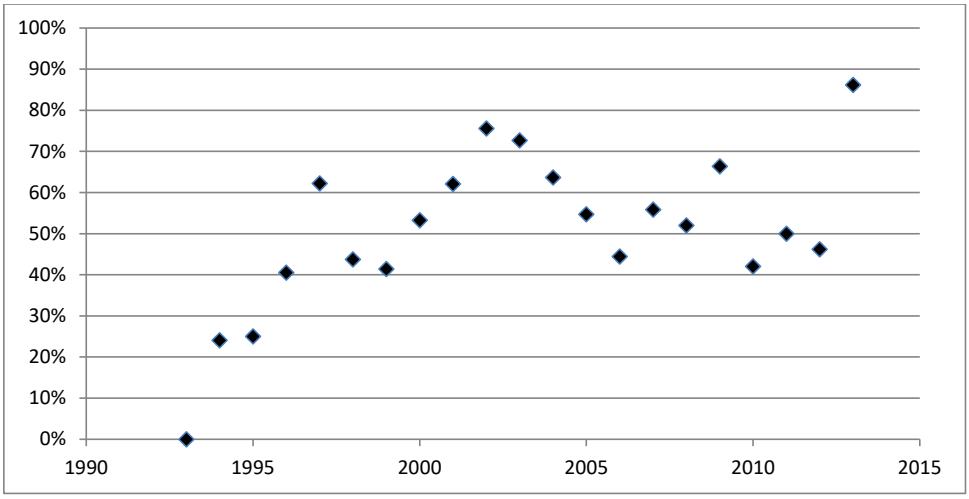

Figure 4.3 Scatterplot of the percentage of bodies found (DatBD) that were reported in the news (UNITED)

The under-counting of bodies managed by European authorities varies not only per year but also notably from route to route. Figure 4.4 maps the proportion of bodies managed by local authorities in southern EU member states that were reported in the news according to route. The Atlantic route (between West Africa and the Canary Islands) has by far the highest proportion of matches (81.7%). This was even higher during the peak years of the Atlantic route; between 1999-2009, 85.4% of the 308 bodies managed by local authorities in the Canary Islands were reported by the news. The Central Mediterranean route has the second highest proportion of matches (72.2% of 710 bodies). However, there is more variation in the proportion of bodies found and reported in the news over the years on the Central Mediterranean route than on the Atlantic route.[107]

In contrast, as Figure 4.4 shows, comparison of the Adriatic land route resulted in no matches. But there were relatively few deaths recorded on this route in both datasets. The proportion of bodies found reported in the news on the remaining routes varies from 38.6% along the Greek-Turkish land border and 54.9% in the Aegean Sea, to 47.3% in the Adriatic Sea, to 45.0% on the Western Mediterranean sea route between Morocco and mainland Spain and 44.4% in Ceuta and Melilla, the Spanish enclaves in Morocco.

[107] For Atlantic route, 1993-2013, σ=39.8% (min 0.0%, max 100%, n=21) but for the peak years, 1999-2009, σ=17.0% (min 44.4%, max 100%, n=11). The difference between the overall standard deviation and that of the peak years is explainable by the low number of bodies found on this route outside of the peak years and thus the sensitivity of the percentage to whether or not these few records were matched. For Central Mediterranean route, 1993-2013, σ=29.2% (min 0.0%, max 92.2%, n=21). The Central Mediterranean route does not have one clear peak period like the Atlantic route but if you take the same years, 1999-2009, σ=22.9% (min 12.5%, max 87.0%, n=11).

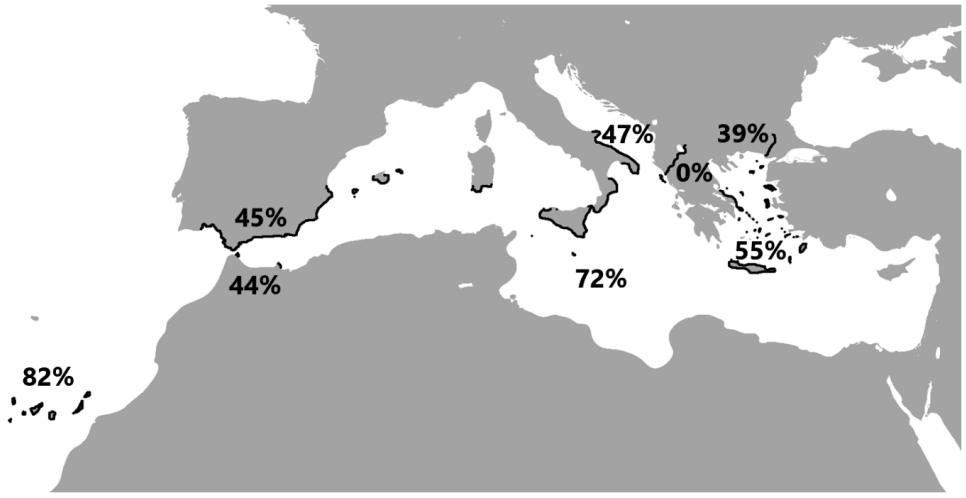

Figure 4.4 Map showing municipalities where official data was collected for DatBD and the proportion of bodies found reported in UNITED according to irregular border-crossing route

The proportion of bodies found reported by the news does not appear to be related to the country in which the body was found or brought to shore, indicating that it is unrelated to national language, press, or death management systems. Rather, the chance that bodies found are reported by the news appear to be related to characteristics of the route. The three routes with the lowest proportion of DatBD records 'captured' by UNITED are the three land routes across the southern EU external borders. The average for land routes (27.7%) is well below that of sea routes (60.2%). There are two irregular migration routes between Turkey and Greece: the land route across the Evros/Meric river and the sea route across the Aegean to the Greek islands. On the land route, 55.0% of UNITED records were matched with DatBD records, while 61.0% of DatBD records were not reported in the news. In contrast, on the sea route, 19.7% of UNITED records were matched with DatBD records, and 38.7% of DatBD-recorded deaths were unreported in the news. These differences between land and sea routes mirrors the tendency in policy documents concerning border deaths to focus on the 'loss of life *at sea*' (see Chapter 5). The results of the comparison indicate that the dangers of sea routes claim more public attention than those associated with land routes.

The two routes with the highest proportion of DatBD records matched in UNITED are the longest sea routes, famous for shipwrecks of boats carrying dozens (Atlantic), hundreds (Central Mediterranean) of people. On these longer routes traversed by bigger boats carrying many passengers, a report of one fatal incident in UNITED often matches with many individual death records in DatBD. For example, the high proportion of bodies found reported by the news in 2013 (see Figure 4.2) is to a large extent attributable to a shipwreck that occurred on 3rd October within the territorial waters of Lampedusa. Due to the proximity of the shipwreck to the island and the provision of national support in the form of personnel, equipment and expertise, 364 dead bodies of victims were recovered from this shipwreck. These factors, among other things, also contributed to the 3rd of October 2013 becoming arguably the most

famous shipwreck of a migrant boat in the Mediterranean. As a result, these deaths are found in both DatBD and UNITED.

The proportion of deceased bodies reported in the news could be related to peaks in the use of a particular route. Sharp increases in irregular arrivals by land or sea tend to draw public and political attention and attract journalists, in the same way that shipwrecks with hundreds of fatalities do. However, it is not possible to determine a relation between the proportion of bodies reported by the news and peaks in the use of an irregular migration route across the southern EU external borders because there is insufficient data available on arrivals per route over the same period as investigated in this study. Frontex provides interception data on various routes but only for the period 2008-2013 (or 2006-2013 in the case of the Atlantic route to the Canary Islands). This period excludes the peaks in use of Western Mediterranean and Adriatic routes, undermining any conclusions drawn. Data for earlier periods is available from some national authorities but this data is aggregated, so routes cannot be compared. Also, lack of standardisation undermines comparison on the basis of this data (Takle 2017).

Among the matched records, there are differences between the two datasets in details such as the number of bodies found per incident, time and place of death and personal information about the deceased (origin, sex, age). These differences not only made the matching process more challenging, they also demonstrate the unreliability of the details reported by the news. The differences in time of death were usually minor, especially for analysis of trends in aggregated numbers of border deaths (e.g. per year or per route). However, the differences in the number of bodies found per incident demonstrate further potential for under-counting deaths, as well as potential for over-counting deaths following a particular incident. For instance, among matched incidents (where at least one body was recorded in DatBD that matched an incident recorded in UNITED), UNITED recorded 13 more dead bodies found in Greece than were recorded in DatBD, 11 more in Italy and Malta and 36 more in Spain. Meanwhile, the differences in personal information – already limited to a minority of records in UNITED – demonstrate news-sourced data's unreliability for comparative analysis of different groups of people based on sex, age or origin.

A substantial difference in Figure 4.2 between the shaded area (representing matched records) and the dotted line (representing total UNITED records) was expected because records could only be matched of deceased persons' whose bodies were found in or brought within the jurisdiction of local authorities of southern EU member states (DatBD's limitation). Due to the parameters of their primary sources, UNITED can capture disappearances and bodies that wash up on beaches in Morocco, Libya and Turkey, while DatBD cannot.[108] The comparison enables the calculation of the proportion of bodies found in the EU among reported border deaths. The average proportion of UNITED records 'captured' in DatBD over the period 1993-2013 is 15.9% with a standard deviation of 11.5% (min 0.0%, max 52.3%, n=21); in other words, quite consistently low. This finding is relevant to arguments that Search and Rescue (SAR) policies (Heller and Pezzani 2016) or externalisation of border controls (Albahari 2006; Zagaria 2011; Williams and Mountz 2016) have contributed to keeping deaths out of sight of the European

[108] If no body is found, there is no paper trail in the death management system (the source of data in DatBD).

public (Weber 2010; Grant 2011; Weber and Pickering 2011). Of course, one has to keep in mind that is not possible to test the reliability of reporting in UNITED of missing persons or bodies found in non-EU countries.

Interestingly, missing persons and bodies managed by non-EU authorities do not account for all records in UNITED that are missing in DatBD. The comparison revealed that UNITED records bodies found in EU territory which do not match any DatBD record. There are a few geographical gaps in DatBD relating to the few archives researchers did not gain access to, or to places that fell outside the data collection catchment area (e.g. stowaways discovered in vehicles inland or in major ports such as Patras in Greece, Genova in Italy and A Coruña in Spain). These gaps are laid out clearly in Chapter 2; the total number of deaths missing from the DatBD as a result of these gaps is estimated to be less than 100. Another explanation for the records in UNITED missing from DatBD is over-counting: matching records between the two datasets revealed double-counting in UNITED (represented in grey in Figure 4.5).

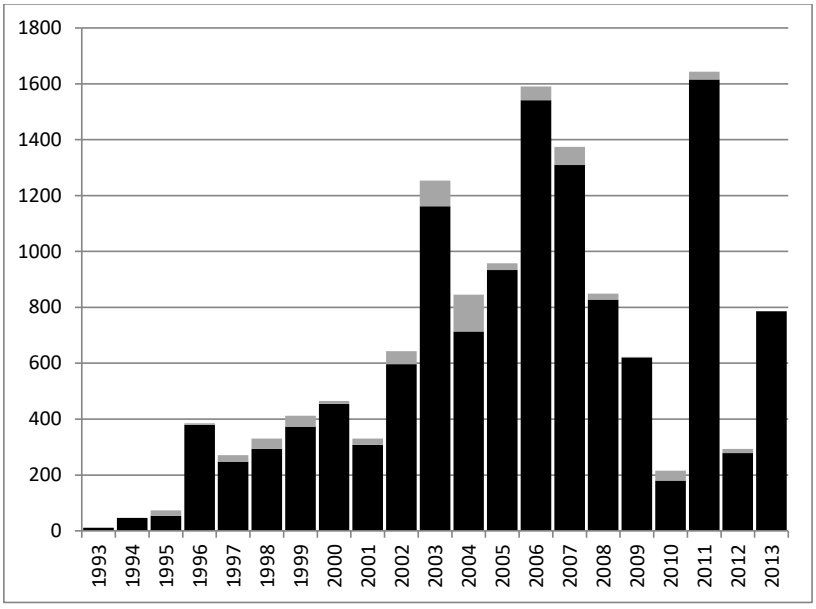

Figure 4.5 Double-counts in UNITED per year

Figure 4.5 shows the proportion of double counts discovered during the comparison of DatBD and UNITED. The columns show the number of deaths per year reported in UNITED; the grey sections represent double-counts. 4.9% of UNITED records (1993-2013) were found to be double counts. The potential for over-counting in news-sourced data was recognised by Last and Spijkerboer (2014). Records of incidents in UNITED are often vague, lacking details about the precise place and circumstances of the incident or who the victims were. If a shipwreck happens during the night – which many do – one journalist may report the shipwreck as occurring on one date and another journalist reports the shipwreck as occurring the following day. Given the difference in date provided in the two news reports, it is understandable that UNITED might record them as two separate incidents, especially if the two news stories focus

on different details (e.g. one mentions the number of women and children on board while the other shares the passengers' nationalities, or one describes the events leading up to the shipwreck while the other reports on the rescue operation). At what point the journalist reports the news story can also lead to double counting in UNITED. For instance, one journalist reports the breaking news of a distress call while another journalist reports on the whole incident a few days later. Within those few days, many of the details in the initial news report may have been corrected, leading the two reports to be recorded in UNITED as separate incidents. Finally, and most predictably, UNITED double counts when it records both a new report of a shipwreck and a news report of bodies washing up on the beach days or weeks or months later. The 663 double counts shown in Figure 4.5 were revealed by the comparison because they were related to the same DatBD records. Therefore, the grey sections in Figure 4.5 represent the minimum over-count, as it is possible that there are more double counts in UNITED concerning incidents not recorded in DatBD (i.e. incidents in which no bodies were found and managed by local authorities in southern EU member states).

To sum up the findings of Study 2, the comparison of UNITED and DatBD revealed that each dataset has gaps (Table 4.3) determined by their particular methodological limitations and that the proportion of matched records between the datasets varies over time (Figures 4.2 and 4.3) and between routes (Figure 4.4). News-sourced data both under- and over-counts deaths (Table 4.3 and Figure 4.5). The comparison of the two datasets also enables a better understanding of the trends in each (Figure 4.2): there has been a general increase in the proportion of bodies found that are reported in the news (Figure 4.3), while the proportion of reported border deaths where a body is found in the EU has been quite consistently low.

Discussion

The findings of Study 1 reveal a dependence on news reports as the main source of data on EU border deaths. The availability of collections of news reports for advocacy purposes by NGOs and journalists has somehow dissuaded academic researchers from addressing the absence of official mortality statistics despite 30 years of EU border deaths. There is awareness in the literature of the problems associated with news-sourced data but this does not deter academics from drawing conclusions about trends in deaths and their relation with policy. Moreover, chain citations (citing another academic work rather than the dataset they used) lend a false sense of credibility and obscure the original source of data. The lack of reliable data is also implicated in the use of analyses from other border regions to support arguments concerning the EU external borders. It is reasonable to assume that this dependence on news-sourced death data extends to NGOs, journalists and government and EU offices.

The dependence on news reports as the primary source of border death data is especially worrying given the findings of the comparison of news-sourced data with data sourced from death management systems (Study 2). News-sourced data is not reliable for studying trends in absolute deaths or mortality because news-sourced data over-counts and under-counts deaths

in unpredictable proportions over space and time.[109] The few details that UNITED reports concerning age, sex and origin of deceased persons are also unreliable for comparative analysis between groups.

Border mortality is a valuable indicator of the suffering of irregularised border crossers and the negative impacts of border enforcement. If existing sources of data are unreliable for studying EU border deaths, what can be done to advance knowledge in this field? During the course of this research, available options for calculating a more reliable estimate of deaths were explored. For instance, Patrick Ball and his colleagues at the Human Rights Data Analysis Group (HRDAG)[110] have developed capture-recapture techniques to provide reliable estimates from existing, problematic datasets in the context of human rights violations. In particular, they use Multiple Systems Estimation (MSE), which involves matching records between datasets, merging the datasets by excluding double records, and modelling an estimate of the number of records missing from the merged dataset based on the particular context and nature of each contributing dataset. Heller (2015: 204) has suggested that these techniques could also be employed to produce the reliable estimates of EU border deaths necessary for calculation of mortality trends. Unfortunately, MSE is not applicable to EU border deaths for two reasons:

1. The high proportion of unidentified among the dead (Chapter 3; Grant 2016; Kovras and Robins 2016) makes it impossible to achieve perfect matching of records necessary for employing capture-recapture techniques. Perfect matching is one of the four assumptions on which MSE depends, and the only one that cannot be compensated through modelling.
2. A second important assumption underpinning MSE is system independence: that the possibility of being 'captured' in one dataset is independent of the possibility of being 'captured' in another. As Figure 4.1 shows, there are only 2 primary sources of death data – news reports and local authorities – and they are not independent. The discovery of dead bodies increases the newsworthiness of shipwrecks or arrivals, making it more likely that such cases will be reported in the news. It requires 3 or more sources of data to adjust the model to overcome such system dependence.[111]

It was initially hoped that linking records between UNITED and DatBD could inform a correction of the UNITED estimates per year and per route. However, the irregularity of under- and over-counting in news-sourced data exclude the possibility of using the DatBD and the analysis presented in this chapter to produce more accurate estimates of EU border deaths for the period 1993-2013. Moreover, due to the geographical limitations of DatBD, it fell outside

[109] Conclusions about trends in deaths are based on whether there has been an increase or decrease between time A and time B. If UNITED records more deaths in B than in A, the conclusion would be that there has been an increase in deaths, that route has become more dangerous. However, because UNITED is based on news reports, there is an unknown probability of both under- and over-counting in any given period of time. Count A may be a net under-count, count B may be a net over-count, and thus there has in fact been a decrease in deaths over time.
[110] https://hrdag.org/
[111] Some might argue that IOM's MMP could count as a third Mediterranean-wide source of data on deaths, but (1) their data collection only began towards the end of 2013, and (2) they also rely heavily on news reports. It might be possible to 'zoom in' on one particular area where a third source of data on deaths might be available (e.g. Coast Guards in the North Aegean have recorded the dead and missing from boat incidents they responded to for many years).

the scope of Study 2 to ascertain the reliability of reporting of missing persons and bodies found in non-EU countries recorded in UNITED. Therefore, the overall bias of news reports as a source of data for EU border deaths remains unknown.

Thus, the options for producing more accurate estimates of EU border deaths from existing sources have been exhausted. The search for more reliable sources has also been exhausted (Chapter 2). The reality that it is the only EU border death data available does not change the fact that news-sourced data is unreliable for the purposes of analysing trends in mortality over time. Figure 4.1 reveals a growing trend in academic literature on the subject in recent years to rely on IOM's Missing Migrants Project (MMP) rather than UNITED or the Fortress Europe blog. But as Table 4.1 shows, IOM's MMP is based on the same primary source of data – news reports – and therefore is inflicted by the same biases revealed in Study 2. Data generated by a project of an intergovernmental organisation and UN agency may appear official and, therefore, reliable, but IOM's Missing Migrants Project is not proven to be more reliable than any other news-sourced dataset (Al Tamimi et al 2017). Thus, scientific claims and policy impact assessments should not depend on quantitative border death data.

Finally, for the quantitatively-inclined, a potential source of death data exists that has not been explored: survivors of border crossings and families of missing persons know who has been lost. However, survivors have precarious legal status in the EU or transit countries, are usually restricted to detention or reception facilities, and receive little – if any – mental health assistance to process the traumas they experienced during their journey. Survivors are interviewed for immigration processing and for smuggling intelligence, but not for the purpose of identifying the dead or naming the missing (Chapter 3; Zagaria 2011). Family members often face the same constraints on their international mobility that led their missing relatives to cross the southern EU external borders irregularly, and there is no independent platform or agency to whom they can turn to aide them in their search (Chapter 3; Kovras and Robins 2016). These issues must be dealt with if survivors and families are to be provided the opportunity, support and security necessary to exchange information (and it must be a genuine exchange, see Grant 2016) on their fellow travellers and missing relatives.

Conclusions

Nothing in this chapter should be construed as undermining the integrity of the List of Deaths maintained by UNITED for Intercultural Action or any of the datasets shown in Figure 4.1 and Table 4.1. News-sourced border death data has considerable value (1) in advocacy and raising awareness of border deaths, and (2) as an indication of fatal incidents among irregularised travellers. Where states have failed to document the lives lost crossing their borders, journalists, international organisations and NGOs have not.

Nonetheless, news-sourced death data is not reliable when used to calculate mortality rates or assess trends in deaths over time or space (e.g. for the purposes of determining whether a given policy has made irregular migration more or less dangerous in general or on a given route). Yet, academic research has presented this data as though it were reliable, giving the misguiding

impression that collecting more and better data is unnecessary and that findings of analyses of such data are conclusive. Repeated use and chain citations of news-sourced data lends these sources a false sense of credibility and reinforces assumptions as to the quantitative value of available data.

Given the absence of reliable data on deaths, trends in absolute numbers of EU border deaths or border mortality cannot be analysed quantitatively. Instead, debates surrounding irregularised travel and policy interventions should derive their empirical elements from qualitative data gathered by academic and civil society researchers, including interviews with survivors, families and rescuers, and ethnographic studies of border control. In short, as many others have argued (e.g. Tazzioli 2015), we need to stop relying on numbers to discuss the impact of current migration and border policy.

Chapter 5

What is the relationship between EU border deaths and policy? Conflicting hypotheses in academia and policy-making

Predominantly young and healthy people have been dying while attempting to enter the European Union (EU) for three decades (Chapter 2). As indicated by the words used to describe the phenomenon, 'migrant mortality' and 'border deaths' are presumed to be related to migration and border policies. Policy is also generally seen as an important tool to resolve the phenomenon. As Basaran (2014: 366) comments, "there is wide-spread consensus that these are preventable deaths".

The phenomenon of EU border deaths first appeared in academic scholarship in the early 2000s, introduced by sociologists and lawyers concerned with race relations, peace studies and human rights. Over the last decade, as public interest in the situation increased, academic research on EU border deaths grew substantially, and diversified in terms of disciplinary, methodological and theoretical approaches. A lot of academic literature on EU border deaths attempts to explain its relationship to policy and indicate solutions. Meanwhile, border deaths have prompted a new EU border policy objective, variously stated as 'saving lives', 'reducing' or 'preventing deaths'. This humanitarian objective has been assimilated into measures to enhance national security and prevent crime by preventing illegal immigration and disrupting smuggling networks (e.g. EUROSUR, EUNAVFOR MED).

Although it is generally accepted among policy-makers and academics that there is a connection, *how* EU border deaths are related to policy is still debateable. How the relationship is conceived informs political responses to border deaths. To provide clarity, this chapter unpacks academic literature and EU policy documents. What is the relationship between EU

border deaths and policy? How do academic and policy-makers' understandings of this relationship compare?

The chapter presents the methodology and findings of two studies. The first study investigates common understandings of the relationship between EU border deaths and policy among academics through an exhaustive review of academic literature. The second study investigates EU policy documents that mention border deaths to tease out the rationale behind the policy objective to prevent these deaths and to identify how policy-makers understand border deaths to be related to policy. These studies are followed by a discussion comparing their findings and the implications of their differences for the phenomenon and its political solution.

Study 1: How does academic literature present the relationship between EU border deaths and policy?

Method

The search for relevant academic literature built on an initial, unpublished review by the author from 2014. This review, conducted of 18 academic documents attained by the author via email and ad hoc online searches, included a few Italian (Cuttitta 2004), French (Blanchard, Clochard and Rodier 2008, 2012) and German (Kiza 2008) contributions as well as non-peer reviewed working papers (Albahari 2006), master theses (Zagaria 2011) and reports (Weinzierl and Lisson 2007, Last and Spijkerboer 2014, Heller and Pezzani n.d.). This initial list was extended for the purposes of this study to include all published scholarship discovered through a thorough search[112] of major publishers of English-language peer-review journals and academic volumes. Articles were selected if they mentioned national or EU policy and deaths during migration across EU external borders in the title, abstract or introduction. This produced a bibliography of more than 80 works from a wide range of disciplines.

The list was then narrowed down by excluding those that did not contribute to exploring the relationship between deaths and policy. This excluded literature that dealt exclusively with how the dead and missing are memorialized and mourned (Zagaria 2011; Stierl 2016a; Perl 2016), how the bodies of deceased travellers are identified and treated (Zagaria 2011; Cattaneo et al 2010, 2015; Introna, Di Vella and Campobasso 2013; Last 2016 (Chapter 3 of this book); Perl 2016; Pavlidis 2016), the impact of deaths on policy, discourse and institutional responses (Zagaria 2011; Rijpma and Vermeulen 2015; Follis 2015), how these deaths have inspired solidarity and political activism (Rygiel 2016; Puggioni 2015; Stierl 2016a, 2016b) or how they affect the spaces that witness them (Pugliese 2009; Zagaria 2011). It also excluded literature on EU or national border policy that mentions border deaths only in passing, featuring as one example of many negative characteristics of irregularised migration (Andersson 2015; Monzini 2007; Carter and Merill 2007; Brigden and Mainwaring 2016; Guild and Bigo 2010; Kassar

[112] Conducted in July and August 2016 of Web of Science and major journal publishers (Sage/Taylor&Francis/Brill/Wiley) for all articles relating to "Europe" "border"/"migrant" "deaths".

and Dourgnon 2014; Cuttitta 2006; Hamood 2006; Tondini 2010; Lemberg-Pedersen 2015; Rijpma and Vermeulen 2015). These are all important contributions to the field of knowledge about EU border deaths and the ramifications of EU border policy, but those that do not (also) specifically address how policy and border deaths are related, fall outside the scope of this study. Finally, a few contributions were dropped for the sake of repetition: the same author(s) presented the same ideas in multiple publications (e.g. Spijkerboer 2013b; Heller and Pezzani n.d., 2016b; Fekete 2003; Blanchard, Clochard and Rodier 2008).

The 39 academic works finally included in the study were analysed for theoretical frameworks, disciplines, terminology, data sources and use, geographical limitations, temporal limitations, type of relationship between deaths and policy, assumptions, and hypotheses about how policy and deaths were/are/could be related. Discipline-specific language was preserved, but concepts and ideas were 'translated' to identify commonalities across the various disciplines of the works included in the study. The results concerning the relationship between deaths and policy are presented in the next section; the results concerning data are presented in Chapter 4).

Findings

Academic publications on EU border deaths have multiplied in the last few years. In the final selection of literature, there are 20 works published between 2004-2013 and 19 works published between 2014-2016.[113] Despite the wide range of disciplinary approaches and focus points of the works studied, the study found several points of consensus across the literature that suggest a common academic understanding of the relationship between EU border deaths and policy.

There is very little questioning of the existence of a relationship between EU border deaths and policy in academic literature; a relationship is generally presumed, resulting in very little exploration of what *type* of relationship it is. In some literature it is unclear, while others allude to several different types of relationship without explanation. The study identified seven types of relationships in the literature, which are presented in Table 5.1. Most authors implicitly refer to more than one type in their explanation of the phenomenon. Some types (e.g. temporal, spatial) serve to map the relationship in much the same way that border deaths have been mapped (Kiza 2008; Blanchard, Rodier and Clochard 2012; Heller 2015). Other types (e.g. unidirectional/causal, remedial, reciprocal/cyclical) emphasize state responsibility (Weinzierl and Lisson 2007; Spijkerboer 2013, 2017). Finally, targeted and structural types of relationship highlight the harm done on a human or social level and tie it to exclusion.

[113] This could reflect greater general interest and funding opportunities following the international growth in public awareness of EU border deaths sparked by the infamous 3rd October 2013 shipwreck next to Lampedusa.

Table 5.1 Types of relationship between EU border deaths and policy identified in academic literature (continues on next page)

Type of relationship	Brief description	Examples from the literature
Temporal	Deaths occur or increase when policy is introduced, suspended or otherwise changes.	Kiza (2008: 310) claims "die zeitliche Koinzidenz" (the temporal coincidence) between increase in border mortality and the creation of the Area of Freedom, Security and Justice means "wichtige Zusammenhänge zwischen beiden Entwicklung bestehen müssen" (important connections must exist between the two). Williams and Mountz (2016) conclude there is a "temporal positive correlation" between policies and their enforcement, on the one hand, and deaths, on the other.
Targeted	The population at risk of border death are the target of migration and border policies.	"the group facing the greatest concentrations of death at the physical frontiers come from countries most likely rejected for lawful entry as part of pre-departure visa regimes governing lawful arrival (and in many cases most likely to gain refugee status post arrival)" (Pickering and Cochrane 2013: 38) Lutterbeck (2006) and van Houtum (2010) describe deceased irregularised travellers as "would-be immigrants"
Spatial	*Border* policies and *border* deaths both occur in *border* regions.	"we may be able to locate borders firmly by tracing where border deaths occur" (Pickering and Cochrane 2013: 45)
Unidirectional, causal	Policies cause deaths, directly and/or indirectly.	Deaths are the "result" or "effect" or "collateral damage" or "product" or "outcome" of policies. Policies are the "cause" or a significant or decisive "contributing factor" of border deaths.
Structural	Policies create conditions for deaths, reinforcing existing inequalities.	Migration and border policies reflect and reinforce structural inequalities through violence against non-privileged groups. Migration and border policies negatively affect the safe functioning of other systems, such as Search and Rescue and the Law of the Sea, Human Rights Law, democratic law-making, International Humanitarian Law and humanitarian relief efforts, the international refugee regime, and even people smuggling.
Remedial	The right policies can reduce or prevent deaths.	States are obliged to act to reduce or prevent deaths (Spijkerboer 2007; Weinzierl and Lisson 2007; Grant 2011) Harmful policies need to be reformed Protective policies (e.g. search and rescue, asylum, human rights) need to be strengthened

Cyclical /reciprocal	Policies and deaths evolve in relation to each other.	The argument that border controls protect migrants "becomes self-reinforcing – justifying even stronger measures" (Weber and Pickering 2011: 163) "spectacle of bare life is... instrumental to the functioning of migration management at Europe's southern border" (Dines, Montagna and Ruggiero 2015: 431) "deadly cycle of deviancy amplification" (Weber 2010:37-38) "off beam and increasingly mechanic external border choreography", "vicious cycle" (Van Houtum (2010: 959, 965)

Underlying arguments about the relationship between EU border deaths and policy, is a common assumption that states' attempts to select a particular group of people for *physical* exclusion from their territory materialise as *social* exclusion or even preclusion. Exclusion is discussed in the literature in various frames, including living death or bare life (e.g. Dines, Montagna and Ruggiero 2015; Schindel 2016; Squire 2017), biopolitics (e.g. Kiza 2008; Topak 2014; Squire 2017), racial discrimination and racism (e.g. Saucier and Woods 2014; Fekete 2004; Shields 2015), dehumanisation (e.g. Pugh 2004; Weber and Pickering 2011; Shields 2015), indifference (e.g. van Houtum and Boedeltje 2009; Weber 2010; Basaran 2014, 2015), inequality (e.g. van Houtum 2010; Heller 2015; Oliveri 2016), economic value (e.g. Ferrer-Gallardo and van Houtum 2014; Heller and Pezzani 2016; Kovras and Robins 2016), and crimmigration (e.g. Webber 2004; Spijkerboer 2007; Weinzierl and Lisson 2007). Migration policies classify would-be travellers (including one-time and regular visitors, and residents) and assign different entry conditions to each category. Entry requirements for international travellers range from open-border conditions to absolute prohibition, via various degrees of restriction.[114] If a traveller does not meet the requirements of his or her category then he or she will generally be denied entry. As categories are primarily based on nationality, socio-economic and labour market indicators, nationality law, class and bureaucratic obstacles such as quotas have serious implications for individual travellers (Weber 2010: 38, 43), even before they have themselves taken the decision to travel (Saucier and Woods 2014: 70). This is especially the case for people in need of international protection (Fekete 2004: 75; Tazzioli 2015: 3; Pickering and Cochrane 2013: 38; Webber 2004: 136) and for racialized people (Fekete 2004) whose criminality is "presupposed, prior to any action or non-action" (Saucier and Woods 2014: 70) because they are classified by European migration policies as high-risk travellers (Pickering and Cochrane 2013: 40). The migration policies of the EU and its Member States reflect which travellers policy-makers in these states consider to be desirable and which not, establishing an inherently discriminatory, hierarchical, "moral distinction between the value of human beings" (Ferrer-Gallardo and van

[114] Entry requirements can include identity documents, visas, a standing offer for a job or placement at an educational institution, financial statements, sponsors, language requirements, vaccinations, and medical tests and examinations. Entry for certain categories of would-be traveller is conditional on their ability to produce evidence satisfying these requirements, as well as on their savings, specific familial relations, criminal record, qualifications, or whether they applied to enter before the quota for their category was met.

Houtum 2014: 299; similar arguments: van Houtum and Boedeltje 2009: 226; Shields 2015: 83; Squire 2017: 3). The enforcement of this distinction before and at borders cannot physically preclude the presence of those the EU has deemed undesirable. The emergence and continuation of irregular migration is widely considered to be evidence that cross-border movement is a given fact (e.g. Spijkerboer 2007: 131; Grant 2011: 140). "Surveillance systems cannot establish total control over border regions" (Topak 2014: 822). As Ferrer-Gallardo and van Houtum (2014: 297) put it: "Migrants will still come, no matter how high the fence is". Instead, the enforcement of migration categories determines whether travellers are socially acceptable or excludable. Only socially excludable groups face the risk of border death.

Immigration policies classify which travellers have access to international travel and EU territories (Schindel 2016: 5; van Houtum and Boedeltje 2009: 229; Pickering and Cochrane 2013: 32). Enforcement of these policies at designated departure and entry points (e.g. through carrier sanctions, cooperation with third countries and technological advancements in border controls) determine access to safe and legal means of international transport (Heller 2015: 205; Weber 2010: 36). The significance of the EU external borders for border deaths is the concentration of enforcement of EUropean migration policies (Spijkerboer 2007: 136). Half the works reviewed in this study tie EU border deaths to policies that determine and enforce the accessibility of safe international travel. As Heller (2015: 192) notes, "the high level of risk experienced by illegalised migrants as they cross the sea is the exception in a time of generally safe maritime transport". According to a third of the works reviewed, such policies are responsible for the very existence of irregular migration, especially by sea, and/or the informal economies and criminalised enterprises that have grown to meet the demand for irregular travel services ("traders in the commerce of illegalised passage", Heller and Pezzani 2016: 17). These phenomena are states' own making (Lutterbeck 2006: 78). For example, Dines et al (2015: 432) attributes "the metamorphosis of Lampedusa into a destination for irregular migrants" as a result of the Italian 'Martelli Law' that increased visa requirements and imposed carrier sanctions in accordance with EU law: "before this law… there were no 'illegal' crossings of the Mediterranean Sea". As Pugh (2004: 58) describes, "boat owners, pilots and crews do not create the demand for their services". By restricting legal migration pathways, states do not reduce migration but expand irregular migration pathways (van Houtum 2010: 973; Ferrer-Gallardo and van Houtum 2014: 297; Schindel 2016: 4; Pickering and Cochrane 2013: 31). In this way, the border is not only a barrier but also a filter that defines and decelerates movements (Tazzioli 2015: 5; Spijkerboer 2013: 214) and turns certain travellers into a cheap and exploitable labour force (Heller and Pezzani 2016: 5).

Some people selectively excluded by migration policies use irregular entry routes and cross-border transport to enter the EU. Descriptions vary as to whether this is by choice, or if people are provoked or forced into irregular migration. Some academics bypass the agency-structure nexus; for example, Topak (2014: 817) describes migrants as "end[ing] up at the border zones where they encounter diverse surveillance practices". Nonetheless, in most works in this study, irregular migration is presented as the only possibility for travellers officially excluded from EU territory. For instance, Oliveri (2016: 19*) describes how "[f]amilies of missing

Tunisians… stress the lack of alternatives their sons face when deciding to leave and accept the risks of the journey: 'they left crossing the Mediterranean in the only way allowed to them'". Families of the dead and missing also often travel with no legal status and pay excessive amounts to expedite the process of finding or repatriating or burying their relatives (Kovras and Robins 2016: 45). Certainly, it is generally understood that "those who cross irregularly do so because they are unable to enter 'lawfully'" (Pickering and Cochrane 2013: 40).

Irregular migration initially employed deception, either to obtain a valid visa or by using false documents (Webber 2004: 136), to gain access to regular international transport (Last and Spijkerboer 2014: 88). As technological advancements made these strategies more difficult and expensive, irregular migration emerged predominantly as clandestine crossings between designated border points to avoid officials enforcing immigration rules (Spijkerboer 2007: 128). These in-between spaces are considered to be hazardous (Shields 2015: 89) and journeys across them precarious (Heller and Pezzani 2016: 10). As Pugh (2004: 56) writes, "[e]ven if lives are not lost, disease, severe debilitation and sometimes psychological distress attend many voyages". For Mountz and Loyd (2013: 178), "the accumulation of bodies – both the living and dead – attest to the difficulty of crossing". For some, this is the natural state of migration (especially across the sea) when developments that keep travellers safe are absent. Irregularised travellers are locked out of safe passages ("le cadenassage des routes sures", Blanchard et al 2012: 136), abandoned to deserts and seas (Squire 2017: 5), "pushed into the realm of mere survival, a life reduced to its biological existence" on routes "where they are exposed to death by 'natural' or organic factors" (Schindel 2016: 4-5) or death by "the criminal or negligent actions of smugglers and traffickers" (Grant 2011: 136). For others, irregular migration is dangerous when it has been irregularised, and its facilitation criminalised. Irregularised travellers are targets of military and police, and of smugglers and traffickers (Shields 2015: 86). Man-made obstacles such as minefields, razor wire fences and border patrols are placed between regular border-crossing points making crossing there dangerous (Topak 2014: 827; Last and Spijkerboer 2014: 91) and suffocation is a known risk of stowing away in containers or on ships (Carling 2007: 330). As Topak (2014: 817) claims: "Migrants experience the most extreme effects of othering and abjection in the border zone space". Either way, irregular entry routes and cross-border transport are dangerous, carrying risks not associated with regular entry routes and cross-border transport, including death.

There is a general impression that irregular migration has become *more* dangerous and that deaths are *increasing*. With the emergence of irregular migration came the state objective to prevent illegal immigration. According to academic literature, measures to prevent irregular entry and disrupt the businesses/networks that operate irregular transport have made irregular migration more dangerous and deadly. Some associate the increase in danger for irregularised travellers with the intensity of border control measures. For instance, in their analysis of the relationship between border deaths and border policies, Williams and Mountz (2016: 43) found "strong, positive correlations between the intensity of operations, as measured by their real budgets and days active, and most measures of migrant/boat losses". Of course, it matters what kind of measures are being intensified: according to Topak (2014: 827), "the biggest threats

now are the pushback, interception, and diversion operations". Others attribute dangers for irregularised travellers to the securitisation or militarisation of border control. For example, van Houtum (2010: 968) claims that "the detection phase of the border machine…has increasingly become a lethal phase" as securitisation has grown. In 2007, Spijkerboer predicted that deaths would increase "because of the intensified security and surveillance orientation" of the European Council's proposals (Spijkerboer 2007: 132). Jones and Johnson (2016: 196) argue that, from a military perspective, making irregular journeys more dangerous for migrants increases the chances of defeat. Pickering and Cochrane (2013: 29) also noticed that "governments have promoted border protection as a means of decreasing the number of deaths that occur at or near their borders, ironically often by enhancing the risk of death posed by crossing them". Generally, border policies have made irregular migration more dangerous by changing and multiplying the risks faced by irregularised travellers (Weber 2010: 41).

Several academics stop their argument there, satisfied with the salience of the claim that irregular migration is more dangerous, deadly or perilous, having identified the problematic policy or practice responsible for this increased danger. Some go further to explain *how* irregular migration has become more dangerous.

One of the dominant explanations is that easier routes are "seal[ed] off" by border control (Fekete 2004: 75), surveillance (Weber 2010: 36) or bilateral agreements between departure and arrival countries (Grant 2011: 138), displacing the smuggling networks that facilitate irregularised travellers to routes that are more dangerous. Certainly in the literature, the multiple routes into an EU member state are presumed to be related: academics typically describe "shifts", "diversion" or "displacement" from the Strait of Gibraltar to the Alboran Sea and Atlantic Ocean (entry point: Spain) (e.g. Carling 2007; Weber 2010), from the Adriatic Sea to the Strait of Sicily (entry point: Italy) (e.g. Albahari 2006; Lutterbeck 2006), and back and forth between the Evros region and the Aegean Sea (entry point: Greece) (e.g. Topak 2014). It appears that academic understanding of the relationship between irregular migration routes is restricted by methodological nationalism, reflecting nationalised data production. However, in recent literature, associations have been made across the Mediterranean: for example, Mountz and Loyd (2013: 186) relate the (re)emergence of the land route between Turkey and Greece to the intensification of maritime enforcement in the Strait of Sicily and the Atlantic Ocean. Similarly, Oliveri (2016: 6*) attributes the increase in popularity of the Central Mediterranean route in part to "stronger militarisation at land borders". The newer routes are considered to be more dangerous because they are "convoluted" (Weber 2010: 37) or less "direct" (Klepp 2011: 5). More dangerous routes may involve crossing more difficult terrain or geological obstacles, such as fast-flowing rivers, open seas, or mountains (Last and Spijkerboer 2014). Routes are also considered to be more dangerous if they are substantially longer, partly because this increases the time that travellers are exposed to the risks of the journey (Fekete 2004: 76; Weber 2010: 37; Weinzierl and Lisson 2007: 18) and partly because long journeys open up new risks (Fekete 2004: 78), such as being "away from areas where there is an established humanitarian infrastructure to receive them" (Carling 2007: 327).

The general thesis is that making one route more difficult to cross leads irregularised travellers to use 'alternative' routes that are more dangerous (Spijkerboer 2007: 127). For some, the

formation of new routes is steered by the smugglers who "move elsewhere in search of entry points with less policing" (Mountz and Loyd 2013: 178), usually points which are "harder to control" (Topak 2014: 821). For others, diversion is an intended or foreseeable outcome of enforcing restrictive policy. Schindel (2015: 5) describes this as a "strategy [of] deterring potential immigrants or refugees by deflecting them into dangerous zones and hence to bigger risk of death". In constructing this relation between irregular routes, death and policy, parallels are often drawn with border deaths in other regions of the world. In particular, arguments reflect research on the US-Mexican border where an increase in deaths were a foreseen, deliberate outcome of the US Border Patrol strategy in the 1990s, pertinently named "Prevention Through Deterrence" (Weber and Pickering 2011). For instance, Carling (2007: 326-327) describes the shift in numbers of travellers using the Strait of Gibraltar route to the Atlantic route but references Cornelius' (2001) research on the US-Mexico border as evidence of the increased risk associated with diversion. While the in-depth comparative work of Weber and Pickering (2011) demonstrated the many parallels between "migratory fault lines" along which deaths occur (Grant 2011), Williams and Mountz (2016: 43-44) found there to be insufficient data to determine whether diversion of routes is related to an increase in loss of life in the Mediterranean specifically. Thus, the understanding that irregular migration has become more dangerous because easier routes have been shut down remains hypothetical in the EU context, albeit common to academic literature.

Table 5.2 High-risk strategies for border-crossing and border control that can result in death of travellers

***Actors* and their aims**	**High-risk strategies**
Smugglers and migrants	
Avoid arrest	Dangerous maneuvering at sea
	Offloading passengers at sea
	Inexperienced drivers
Enhance profitability	Overcrowding
	Lack of supplies/equipment
	Disposable boats
Increase chances of entry to EU	Unsafe boats (undetectable or intended to force rescue)
	Concealment
	Travelling in bad weather/at night
	Waiting
	Coordinated mass arrivals
State and non-state patrol/rescue actors	
Ensure interception/rescue	Dangerous maneuvering and pursuit at sea
Avoid responsibility	Ill-equipped or inappropriate operations
	Avoiding rescue
	Preventing disembarkation
	Pushbacks
	Keeping deaths out of sight

A second explanation presented in the literature of how irregular migration has become more dangerous is that escalation of the struggle between law enforcement, irregularised travellers and smugglers has led all parties involved to adopt high-risk strategies to achieve their particular goals: law enforcement aims to prevent illegal cross-border activity, travellers seek

to enter the EU and smugglers are trying to make money. These strategies, all associated with border deaths, are presented in Table 5.2.

Smugglers and migrants adopt high-risk strategies to avoid arrest, enhance profitability and increase the chances of border-crossers entering the EU (e.g. Last and Spijkerboer 2014; Weber 2010: 37). Smugglers deliberately organise departures during bad weather or coordinate mass departures to reduce the chances of interception and increase the likelihood of entry for their clients (e.g. Carling 2007: 324; Topak 2014: 815, 827). Migrants may be required to wait for long periods of time for an opportune moment to depart or conceal themselves in places that expose them to the risk of suffocation (e.g. Weber and Pickering 2011: 27; Spijkerboer 2013: 231; Topak 2014: 827). If smugglers are on board vessels, to avoid arrest they may offload passengers before reaching the shore so that they can make a quick getaway (e.g. Lutterbeck 2006: 69; Fekete 2004: 79). As Weber (2010: 37) describes, illegalised travellers are "incriminating evidence, at risk of being disposed of at the sight of approaching patrols". Another way for the smuggler to avoid arrest is not to be on board at all, but leave inexperienced migrants to drive the boats (e.g. Carling 2007: 328; Kiza 2008: 228, 233, 326). The quality of vessels used in irregular migration is often poor even though they may be purpose-built, at least in part because most vessels will only make one journey as they are routinely confiscated or destroyed after interception (e.g. Cuttitta 2004: 9-10). Some vessels are small, which increases the chances of not being spotted by border surveillance but also increases the risks of being on the high seas (e.g. Cuttitta 2004: 9-10; Klepp 2011: 6). Vessels are also made unsafe by taking on board too many passengers (e.g. Cuttitta 2004: 9-10; Carling 2007: 327; Topak 2014: 823) or by damage during the journey, sometimes inflicted deliberately to force European authorities to allow passengers to enter the EU (e.g. Carling 2007: 321). Risks are also incurred because vessels are not properly equipped for the journey, having insufficient fuel, water, food or safety equipment (life jackets, flares, etc) on board (e.g. Klepp 2011: 6; Weber and Pickering 2011: 27, 165; Heller 2015: 210).

State actors and (potential) rescuers also take risks associated with border deaths, including strategies to ensure interception/rescue and to avoid responsibility for irregular border-crossers (Basaran 2014). Border patrols seeking to intercept and merchant crews attempting rescues have been known to manoeuvre dangerously and – in the case of border patrols – pursue vessels carrying irregularised travellers (e.g. Lutterbeck 2006: 68; Heller and Pezzani 2016: 1). Strategies to prevent illegal entry that impose high risks on irregularised travellers include being pushed back to no-man's land or the high seas by border guards (e.g. Topak 2014: 815, 824, 827; Schindel 2016: 5). Several of the high-risk strategies of smugglers and migrants outlined above, developed in response to direct violence and pushbacks by state officials operating along the border (e.g. Topak 2014: 827-828). For Mountz and Loyd (2013: 178), the escalation between border enforcement and smugglers increase collateral risks for migrants. Weber (2010: 37-38) describes this relationship between law enforcement and criminalised border-crossing as "a deadly cycle of deviancy amplification".

The remaining strategies in Table 5.2 associated with avoiding responsibility can be grouped under 'rescue politics'. Search and rescue has become a major aspect of the relationship between border deaths and policy. Under international law, states are obliged to coordinate

responses to distress calls in designated search and rescue areas which include their territorial waters and delineated stretches of the high seas (Pugh 2004). Southern EU member states have taken remarkable measures to rescue people in distress at sea, but they have also fallen short of their international obligations (Weinzierl and Lisson 2007). In short, there are two issues associated with rescue of irregularised travellers: first, that irregular migration by sea has dramatically increased the search and rescue operations and coordination in southern EU Member States, and second, that rescued migrants are likely to be brought to the state of the search and rescue area where they can claim asylum and other forms of protection. States want neither the (sole) responsibility of coordinating so many rescue operations, nor that of processing claims for international protection (e.g. on Malta: Klepp 2011). Strategies employed to avoid these responsibilities include preventing disembarkation of rescued migrants in EU member state ports and various methods to pass these responsibilities to departure countries (e.g. joint operations, patrolling just on the edge of third countries' territorial waters) (e.g. Weinzierl and Lisson 2007: 13; Klepp 2011: 6-20; Mountz and Loyd 2013: 182). In addition, anti-smuggling measures have discouraged rescue by non-state seafarers (fishermen, merchant ships) (e.g. Blanchard, Clochard and Rodier 2012: 135; Raeymaekers 2014: 164; Basaran 2014, 2015), and retrieval of dead bodies found in fishing nets or floating at sea along major irregular migration routes (Albahari 2006). In combination with the externalisation of patrol and rescue, states have sought to avoid responsibility by keeping border deaths out of sight (e.g. Cuttitta 2004: 12; Albahari 2006: 20; Weber 2010: 43-44; Grant 2011: 139).

A third common explanation for the increase in danger faced by irregularised travellers is that the escalation of efforts to combat illegal immigration and smuggling has undermined existing protection mechanisms. The law of the sea is a prime example. In Pugh's (2004: 58) words: "coastal destination states have exposed uncertainties, gaps and room for discretion that relate to distress and safety at sea, disembarkation, interception and search and rescue". Although law enforcement authorities engage in search and rescue, political pressure is focused on enforcement of national and EU law (Klepp 2011) and "surveillance is expressly stated as being the main mission, saving lives being of only secondary concern" (Spijkerboer 2007: 135). In fact, there are no concrete policy measures that protect the lives or rights of irregularised travellers (Spijkerboer 2007; Weinzierl and Lisson 2007). Instead, "human rights are suspended in favour of sovereign practices, and migrants are left to die" (Topak 2014: 816).

Two common hypotheses about how EU border deaths are related to policy emerge from academic literature. First, deaths occur because migration policies irregularise travel for certain people (hypothesis 1: irregularisation). Second, deaths continue, or increase, because border policies make irregular travel more dangerous by diverting routes, prompting high-risk strategies and undermining protection mechanisms (hypothesis 2: endangerment). Weinzierl and Lisson (2007), Klepp (2011), Basaran (2014, 2015), Williams and Mountz (2015) and Jones and Johnson (2016) do not contribute explicitly to hypothesis 1 (irregularisation) because their contributions do not question the emergence of irregular migration. Meanwhile, van Houtum and Boedeltje (2009), van Houtum (2010), Saucier and Woods (2014), Dines, Montagna and Ruggiero (2015), Tazzioli (2015), Squire (2017) and Kovras and Robins (2016) do not contribute explicitly to hypothesis 2 (endangerment) because their contributions do not

address particular border control practices. Only one of the works included in the study contributes to neither hypothesis (Perkowski 2016). Nonetheless, as Figure 5.1 shows, where the scope of their research is appropriate – and occasionally even where it is not – most scholars have presented ideas that can be grouped under each hypothesis.

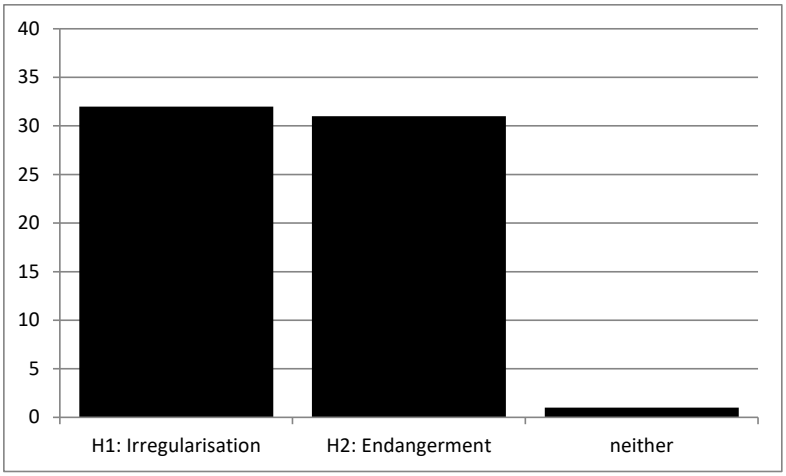

Figure 5.1. Number of reviewed works contributing to common hypotheses about the relationship between border deaths and policy

In sum, it is unclear what type of relationship exists between EU border deaths and policy because a relationship is presumed and therefore not thoroughly discussed. Types of relationship emerge from the literature, justifying assumptions about the capacity for states to physically exclude particular people from their territories and about the consequences of states' attempts to do so. However, scholars have been quite consistent and precise in their ideas about *how* policies relate to border deaths in practice. The study found two hypotheses common to the majority (see Figure 5.1) of academic literature: that deaths occur because migration policies irregularise travel for certain people (irregularisation), and that deaths continue, or increase, because border policies make irregular travel more dangerous (endangerment).

Study 2: How do policy-makers understand the relationship between EU border deaths and policy?

Method

Policy documents present objectives and operational measures, from which a particular rationale for a topic can be interpreted. Thus, EU policy documents reveal how policy-makers understand the relation between EU border deaths and policy.

The search for relevant policy documents was conducted via EUR-Lex in December 2017 using the search terms "loss of life", "tragedy", "death" and "saving lives" along with "external

borders". The results of these searches were filtered according to the relevance of their subject area. No temporal or document type filters were imposed.

The final selection consists of 27 EU policy documents, including the Hague Programme, legislation, communications and opinions from the Commission and the European Economic and Social Committee (EESC), European Parliament resolutions, statements from the European Council and EU Presidency, and the European Agenda on Migration, covering the period 2005-2017.

Data on the phrasing of the objective to prevent deaths, operational measures presented to meet the objective, the relation with other policy objectives, and explanations of border deaths was gathered from these EU policy documents.

Findings

In 2005, the Hague Programme introduced a new policy objective to "prevent further loss of life" along the EU external borders. In subsequent EU policy documents, the phrasing of the objective diversified, including "reducing loss of life" and "protecting and saving lives". While similar, these are not synonymous. "Prevent" is more ambitious than "reduce" and "protect" defines the effort rather than the outcome. These variations suggest that EU policy-makers were exploring the appropriate actions or goals, suggesting uncertainty concerning how border deaths were related to (EU) policy. "Reducing" deaths was dropped in 2013, last seen in the EUROSUR Regulation. "Preventing" deaths and "saving" lives have been used interchangeably but there seems to be a divergence in the use of these terms between EU institutions. The European Parliament has consistently stated the overarching objective as "preventing further loss of life", presenting "saving lives" as one of the means of achieving this goal. Meanwhile, EU Regulations have only ever utilised the phrase "saving lives"; whereas this was stated as a formal objective of EUROSUR,[115] Regulation 656/2014 (laying down the operational rules of Frontex) makes it explicitly clear that border surveillance does not *purport* to save lives although it may contribute to this objective.[116] The European Commission has also, since 2014, consistently preferred the phrase "saving lives" as an EU objective; distancing the EU from the – arguably more ambitious – objective to prevent deaths by designating this as a commitment of Member States.[117] In 2013, the European Commission introduced a new variation of the objective, "to prevent migrants from undertaking dangerous journeys"; in 2016 this evolved to discouraging refugees, specifically, from dangerous journeys. In sum, while the phrasing has evolved over the last decade, and different EU institutions have demonstrated different commitments, the policy objective has stuck. In 2015, the European Parliament called for the EU and Member States to do "everything possible" and the European Council promised to "mobilise all efforts at its disposal" to prevent deaths (Statement of 23 April 2015; EP Resolution of 29 April 2015).

[115] COM(2008) 68; Regulation 1052/2013, Art.1
[116] Regulation 656/2014, Preamble (1)
[117] "Member States have also committed to concrete steps, notably to avert further loss of life" (COM(2015) 240)

From its inception, the objective was intertwined with that of preventing illegal entry into the EU, seen as a threat to the credibility of the common immigration policy under construction in Europe (COM(2006) 402 final, para 5). Border deaths are consistently recognised as a phenomenon that only affects people who attempt to enter the EU irregularly; for instance, the European Parliament notes "the risks and fatal consequences of *this type* of immigration" (EP Resolution of 18 December 2008, my italics). The Global Approach to Migration annexed to the Presidency Conclusions of December 2005 merged the two objectives: "Action must be taken to reduce illegal migration flows and the loss of lives". The European Commission's objective to prevent migrants and discourage refugees from undertaking dangerous or perilous journeys fuses these two objectives (COM(2013) 869, section 1; COM(2016) 85, section III.6). Other EU institutions maintain a distinction between preventing deaths and preventing illegal immigration (e.g. in European Parliament resolutions). Nonetheless, the European Parliament has recalled a commitment to preventing illegal immigration in every resolution issued on preventing deaths, and the European Council presents preventing illegal immigration as contributing to preventing deaths. The association between these two objectives reflects how border deaths were initially explained in policy documents. For instance, in the Hague Programme (2005: para 1.6.1), these "human tragedies" were introduced as "a result of attempts to enter the EU illegally", and migrants have been described as "taking great personal risks in their attempts to enter the EU illegally" (SEC(2008) 151, para 2.2.2; COM(2008) 68, para 2.2.3). In this manner, these documents related deaths not to European policies, but to the risk-taking behaviour of migrants. Preventing illegal immigration is presented as a way of saving migrants from themselves: As the European Commission stated in 2013, cooperation with third countries is needed "to prevent persons from attempting to enter the EU through irregular channels, and put their life at risk by undertaking dangerous journeys towards Europe" (COM(2013) 869, para 3.1). "Saving lives" was formalised as one of EUROSUR's general objectives (COM(2008) 68; Regulation 1052/2013, Art.1), but EUROSUR had initially been envisioned to improve border surveillance for the purpose of monitoring irregular routes across the Mediterranean with a view to closing them down (Rijpma and Vermeulen 2014).

Similar connections have also been made between the objective to prevent deaths and the objective to combat cross-border crime, often described as an international obligation because all EU Member States are signatories to the Convention Against Transnational Organised Crime and the Smuggling and Trafficking Protocols. Smugglers and traffickers have consistently been held responsible for "putting lives at risk" and the deaths that result from dangerous journeys across the Mediterranean, but since 2013 their responsibility for deaths has been stated more explicitly in EU policy documents. Resolution 1872 (2012), passed by the Parliamentary Assembly of the Council of Europe, which presented the conclusions of an investigation into the "left-to-die boat",[118] was cited by the EESC in their 2014 Opinion on Irregular Immigration by Sea as describing "the role played by migrant smugglers in organising dangerous crossings" and stated that this "should be taken into consideration for the purposes

[118] The so-called "left-to-die boat" drifted at sea for 14 days, the distress calls of its passengers largely ignored, before drifting ashore in Libya. 9 of 72 passengers survived. In addition to describing the role of smugglers in the situation that led to the deaths of 63 people, Resolution 1872 (2012) concluded that the tragedy was the result of numerous failures by various states and intergovernmental organisations, including several EU Member States.

of understanding the gravity of the matter". The EESC goes on to "stress that the EU must act in the most forceful way possible to stop people smugglers from operating and putting lives in danger", thereby merging the objective of preventing deaths with that of combatting cross-border crime. In their 2014 and 2015 Resolutions, the European Parliament explicitly holds smugglers and traffickers responsible for border deaths in light of the risk their businesses pose to migrants' lives.[119] The focus of recent Regulations and Council Decisions mentioning border deaths have been on combatting smugglers and traffickers through intensified policing and military actions (Council Decision (CFSP) 2015/778 establishing EUNAVFOR MED; Regulation 2016/1624 establishing the European Border and Coast Guard).

Overall, there appears to be a shift in policy documents and EU legislation from preventing or reducing deaths by combatting illegal immigration, toward saving lives by combatting smugglers. Combatting smugglers is an important way of combatting illegal immigration, but the focus of blame shifts from the migrant to the smuggler and the migrant is victimised. Thus, this trend appears to be related to a noticeable shift in understanding of deaths as the consequence of migrants taking risks, to one of smugglers taking risks. This understanding is sometimes explicit, as described above. On other occasions, it is demonstrated through the operational measures proposed to meet the objective of preventing deaths. In particular, one of the original measures proposed was to campaign in origin and transit countries to inform potential migrants of the risks of illegal immigration and to raise awareness of legal migration options (e.g. Hague Programme, paras 1.6.1 and 1.7.1; Presidency Conclusions 2005; EP Resolution of 18 December 2008; SEC(2010) 535). More recently, campaigns are proposed to inform migrants of threats posed by smugglers and traffickers (e.g. COM(2013) 869; EP Resolution of 17 December 2014). There has also been increasing recognition of the necessity of improving legal pathways to the EU, such as resettlement and humanitarian visas for asylum seekers, family reunification for relatives of EU residents and expanded labour and educational migration opportunities to meet the growing demographic demand (e.g. COM(2013) 869; EP Resolutions of 29 April 2015 and 10 September 2015; COM(2015) 240; COM(2016) 85; COM(2017) 558). Migrant blaming still continues,[120] but smugglers now appear to be primarily responsible for border deaths according to policy-makers.

The objective to prevent deaths has also been associated in policy documents with EU development objectives for third countries, especially in Africa. For instance, there are standard references to the need to deal with "root causes" of migration, including war, terror, underdevelopment and poverty (e.g. EP Resolution of 23 April 2015; COM(2016) 85), and the need to help refugees "closer to home", in the sense of providing financial and other forms of support to transit countries (e.g. Niger) and third countries hosting large numbers of refugees (e.g. Turkey). However, most measures focusing on third countries, boil down to capacity building in the area of border control and migration management, i.e. contributing to preventing illegal immigration to the EU and combatting cross-border crime.

[119] EP Resolution 2907 of 17 December 2014, Preamble B; EP Resolution 2660 of 29 April 2015, Preamble G; EP Resolution 2833 of 10 September 2015, Preamble C.
[120] E.g. "The plight of thousands of migrants *putting their lives in peril* to cross the Mediterranean has shocked us all." (COM(2015) 240, my italics)

Various operational measures proposed to meet the objective of preventing deaths have already been mentioned: border surveillance, cooperation with third countries, information campaigns, and intensification and militarisation of border policing. One operational measure specific to the objective of preventing deaths, especially in terms of "saving lives", is search and rescue. Improving search and rescue has been a focus of calls for cooperation and solidarity between Member States, cooperation with neighbouring countries, capacity building in Member States and third countries, border surveillance, Frontex expansion, and military operations in almost all policy documents reviewed in this study. Search and rescue is recognised both as an international obligation and as an emergency response to crises. It is the measure most explicitly related to the objective of "saving lives".

In sum, in EU policy documents, the policy objective of preventing further loss of life along the EU external borders is premised on a relationship between policy and border death. This relationship is presumed and never clearly explained. However, studying the policy documents that make reference to this objective and the measures proposed to meet the objective has revealed something of why border deaths occur according to policy-makers. Policy documents inevitably reflect a medley of opinions and perspectives, but the findings presented in this section point towards two dominant hypotheses: first, that deaths occur because people travel illegally, and second, that deaths continue because smugglers act ruthlessly. There is some recognition of the differences in living standards between origin and transit countries and the EU, and of the role of EU migration policy in restricting legal channels, but these are not dominant and are not (yet) reflected in the operational measures implemented to meet the objective to prevent deaths.

Discussion

A relationship between EU border deaths and policy is generally presumed. However, it is remarkable how divergent the understandings of the nature of that relationship are between academics and policy-makers. This discussion section compares the two sets of hypotheses and their underlying rationales found in the studies presented above, with the aim of identifying major differences and the implications of these differences. To illustrate exactly where the divergence lies, the section also presents a model in which irregular migration and smuggling mediate the relationship between policies and deaths.

A minority of border deaths result directly from specific state acts (Spijkerboer 2007; Kiza 2008; Weber 2010), establishing a direct relationship between policy and deaths. However, the process of the relationship between policy and the *majority* of border deaths is determined by irregular migration and smuggling. Border deaths occur during irregular migration and often during smuggling operations. The studies presented in this chapter indicate that policy-makers and academics understand irregular migration and smuggling to result in deaths for largely the same reasons. Irregular migration attracts attention from law enforcement, involves exposure to dangers that no longer affect regular migration and falls outside the scope of many legal protection mechanisms. Smugglers have considerable control over irregular migrants, which

they may or may not exploit, sometimes employing dangerous strategies and means of facilitating irregular migration to profit from evading law enforcement. Natural elements, such as weather conditions, darkness, the sea or terrain, can influence the risk of death or numbers of fatalities. But these do not determine the nature of the relationship between policy and deaths in the same way as irregular migration and smuggling are understood to do by both policy-makers and academics. Policy-makers and academics also acknowledge (implicitly or explicitly) a range of external factors that influence the relationship between policy and irregular migration/smuggling. For instance, political/economic instability in third countries and politics within the EU can affect the proportion of unwanted immigrants who desire to enter the EU but are excluded from regular entry routes and cross-border transport. Politics within the EU and which state actors are involved in making policy in this field affect the relationship through different political and practical approaches to irregular migration and smuggling. Politicians may be more or less concerned with preventing illegal immigration in their elected term, public opinion may be swayed by events such as the shipwrecks of October 2013 or April 2015, and the military take a different approach to combatting smugglers than customs police or coast guards. In general terms, policy-makers and academics would agree on these aspects of the presumed relationship. Most points of contention arise concerning the nature of the relationship between policy and irregular migration/smuggling, which will be discussed shortly.

The model presented in Figure 5.2 illustrates the relationship between EU border deaths and policy as described. In this model, irregular migration and smuggling are behaviours determining the process that occurs to create the relationship between policies and deaths, also known as mediating variables. Irregular migration and smuggling are also closely related to each other, as indicated by the arrows between them. Factors affecting the relationship between policy and irregular migration/smuggling or between irregular migration/smuggling and deaths are shown in the model as moderating variables, variables that influence the strength or direction of an existing relationship by influencing when and under what conditions a certain effect (increase/decrease) may occur in the relationship. The moderating variables included in Figure 5.2 are not exhaustive, rather they are meant to indicate the distinction between mediating and moderating variables in the relationship between EU border deaths and policy. The model shown in Figure 5.2 is unidirectional, with policy as the independent variable and deaths the dependent variable, because this aspect of the relationship is more widely accepted. However, the model could arguably be adapted to show a cyclical or reciprocal relationship (see Table 5.1) between policies and deaths. In addition to the arguments presented in the literature that lend themselves to a cyclical or reciprocal relationship, the high number of policy documents prompted by particular incidents along the EU external border (especially the shipwrecks of October 2013 and April 2015) would support such an adaptation.

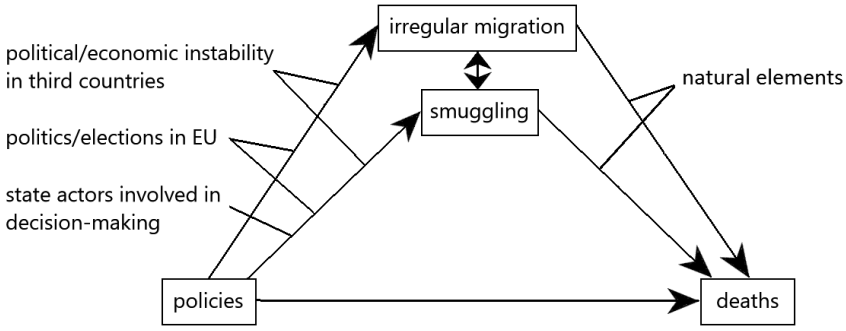

Figure 5.2 Model of the relationship between EU border deaths and policy

Returning to the points of contention between policy-makers and academics, the differences in their understandings relate primarily to state control over the mediating variables; the relationship between policies and irregular migration/smuggling. These differences are presented in Table 5.3 and explained in the following paragraphs.

Table 5.3 Contrasting hypotheses on how EU border deaths are related to policy

	Academic literature	**Policy documents**
Hypothesis	Deaths because people forced into irregular travel by restrictive policies	Deaths because people try to enter without authorisation
Policy solution	Less restrictive policies, mobility equality	Stronger enforcement of policies
Hypothesis	More deaths because border control forces people to take more risks and more dangerous irregular routes and cross-border transport	More deaths because smugglers act ruthlessly
Policy solution	Less border control, more humanitarian measures	Stronger policing of smuggling

Academics hypothesise that policies (such as the visa regime and its enforcement before and at the border) irregularise a certain population of international traveller, while policy-makers hypothesise that people who do not meet the requirements for legal travel can migrate illegally because border policies have not (yet) managed to prevent them from doing so. As a result of this difference in understanding of how the relationship works, policy-makers seek to strengthen measures aimed at preventing illegal immigration, including by influencing the situation in third countries, while academics recommend (re-)regularising this section of international travel by adopting less selectively restrictive migration and/or enforcement policies. As presented in the findings of study 2, it appears that this latter idea has been transmitted into policy-making in theory but not in practice. It has not yet displaced the idea of

preventing illegal immigration by enforcing restrictive policies, an idea that academics claim created and sustains irregular migration.

Interestingly, research suggests that those who enforce the objective to prevent illegal immigration on the ground share the same belief as academics that it cannot work. For instance, Andersson (2015: 96) writes: "'Migration is something that will never stop,' said Comendante Francisco, echoing a sentiment often repeated by border officials". Border officials recognise that the different routes across the external borders are related, and that preventing irregular border-crossing at one point will not prevent irregular border-crossing altogether (Spijkerboer 2007: 130). Others who operate along the border also express the concern that efforts at the border are a futile solution to irregular migration: "MSF took it upon itself to intervene…, all the while (like Seawatch) reiterating that saving migrants in distress at sea could not put an end to deaths as long as the exclusionary EU migration policy remained in place" (Heller and Pezzani 2016: 19). International organisations have also recognised the problematic nature of borders; for example, in 2004 ILO research showed that "smuggling occurs because borders have become barriers between job seekers and job offers" (ILO 2004, cited in Grant 2011). Correlation between academic perspectives and those working along the border is not surprising considering that researchers who conduct field work commonly interview border officials and humanitarian workers.

Regarding the relationship between policies and smuggling, academics hypothesise that policies establish a dependence on smugglers by certain travellers and that border control provokes particular strategies and behaviours from smugglers; for instance, police presence changes routes, destroying boats deceases the incentive for smugglers to invest in seaworthy boats, and arresting smugglers deters them from getting on the boat, leaving inexperienced migrants at the helm. Meanwhile policy-makers hypothesise that people profit from cross-border criminal enterprises because they can and law enforcement has not (yet) been able to stop them. Academics, like policy-makers, would like to see abusive smugglers brought to justice for their treatment of migrants. However, where policy-makers envision this being achieved through harsher measures against all smugglers (irrespective of their specific role or treatment of the people whose migration they facilitate) and intensified, militarised border policing, academics recommend measures that focus on protecting migrants. Many academics primarily relate the power of smugglers to the creation of a market for irregular entry and cross-border transport by exclusionary policies and argue that regularising migration, or using different enforcement methods, would undermine this market. Study 2 revealed similar thinking in more recent EU policy documents, but only in relation to particular categories of travellers created and deemed acceptable by migration policies (e.g. limited numbers of pre-selected refugees, high-skilled workers, prospective students). Moreover, the law enforcement approach to smuggling is still dominant in policy documents and operational measures in this field.

Thus, although the structure of the relationship between EU border deaths and policy envisioned by policy-makers and academics follows the same model (Figure 5.2), their understandings of how this relationship works is significantly different. This explains the

divergence between academic policy recommendations and actual policy measures taken to address border deaths. The differences are particularly clear when one focuses on the relationships between policy (the independent variable in the model presented in Figure 5.2) and irregular migration/smuggling (the mediating variables in the model). Unfortunately, the paucity of data on EU border deaths (reference redacted), human smuggling (Baird and van Liempt 2016) and migration flows (Takle 2017; Singleton 2016) reduces the possibility of testing, quantitatively and longitudinally, which set of hypotheses is a better fit with reality.

One could argue that the EU's policy responses to border deaths comprise a natural experiment. For the first two decades, there was no public response to border deaths at the EU policy level. The crisis at "the EU's border" between West Africa and the Canary Islands and the "mass assault" of the border fences of Ceuta and Melilla in 2005 incited a policy-response from the EU. Since the adoption of a policy objective specifically addressing border deaths in 2005, the EU has pursued measures based on dominant understandings of the relationship between policy and deaths among policy-makers. In this natural experiment, deaths have continued and – based on the merging of search and rescue with border control as illustrated by the conversion of Frontex into the European Border and Coast Guard Agency – are expected to continue indefinitely. The result of this natural experiment, therefore, is that the policy objective to prevent deaths remains unmet. This result suggests that policy-makers understanding of the relationship between EU border deaths and policy is not a good fit for reality.

Conclusions

This chapter has unpacked the relationship between EU border deaths and policy as it is conceived in academic literature and EU policy documents and compared these two perspectives. While a relationship is generally presumed to exist, there are significant differences between academics and policy-makers in *how* EU border deaths are understood to be related to policy. Resolving this debate is important because how the relationship is conceived informs political responses to border deaths.

Given that the majority of measures taken to address border deaths are no different from those intended to address prevention of illegal immigration or cross-border crime, some have argued that preventing deaths is not a serious objective of the EU but intended to give a humanitarian spin to a security agenda and soothe the European public's shock in the aftermath of a particularly visible shipwreck (see, for instance, on EUROSUR, Rijpma and Vermeulen 2014). However, policy is not written by one individual, but by many; for some, at least, this is a genuine aim. Regardless of motivation, preventing deaths along the external borders of the EU is a formalised policy objective, and one that is not being met.

The two studies presented in the chapter demonstrate that academics and policy-makers have distinct hypotheses about how the relationship works, resulting in divergent ideas about what measures are needed to meet the objective of preventing deaths. It should be of urgent concern to both academics and policy-makers as it indicates malfunctioning communication between

two sectors that should be working together to ensure that policies are evidence-based (see e.g. Geddes and Achtnich 2015; Geddes 2014). In general terms, policy-makers see weakness in the enforcement of the law where academics see the substance of the law and the method of enforcement as problematic. Unfortunately, the quantitative data does not exist to test which hypotheses are correct. However, considering that available evidence – not least, the ongoing phenomenon of border deaths – points towards policy-makers' understanding of the relationship between EU border deaths and policy not being a good fit for reality, it may be time to test the common hypotheses of the relationship argued by academics for the past 14 years.

“Sitting with death”, 2014

A Research Note on Secondary Traumatic Stress (STS)

The research presented in this book and my experience of doing it, have been shaped by nightmares, anxiety, hopelessness and a painful awakening. There are many lessons to be learned in academia regarding the impact that traumatogenic research environments can have on (especially young, especially empirical) scholars. Therefore, I share my reflections on what I went through, with the aim of raising awareness of Secondary Traumatic Stress (STS) and its variables – e.g. compassion fatigue, burn out, vicarious trauma – for future research projects.

I developed an intimate relationship with the thousands of deceased women, men, children, mothers, fathers, sons, daughters, sisters, brothers, aunts, uncles, grandparents, cousins, partners and friends recorded in the Deaths at the Borders Database. They stood out from among the millions of death records we searched for two reasons: lack of information about who they were and the untimely and unusual nature of their death. My imagination completed the scant personal information available, building fantasised histories and relationships from first names, ages or descriptions of tattoos. This habit became a coping mechanism for the haunting descriptions of fatal incidents and circumstances and conditions in which bodies were found, which I read in cadaver inspection and autopsy reports, death certificates, burial permits and many other official death management-related records. I was in the field as much as possible to satisfy the urge to do something to help, or at least to keep moving as standing still long enough to feel the suffering I was collecting and absorbing became increasingly painful. I witnessed blatant, sometimes shameless racism from civil servants and law enforcement officers. I also learned to recognise the agony of trauma in the faces of many local residents and state officials whose presence in border regions forced them to witness preventable and pointless deaths of mostly young, strong, resourceful people.

Even when I was physically in Amsterdam, my mind was always with the field researchers collecting data; we were in daily contact. I encouraged them to share their experiences and challenges with me, to ensure methodological consistency and to offer support as they were often working alone, away from their personal support networks. I designed the data collection and hired and supervised the field researchers, so I felt responsible for their challenges and their well-being and internalised their frustrations and confronting experiences along with my own. The data collection benefited from the intensity with which it was conducted, but stress was normalised, infusing the methods and conduct of field work as well as the experiences we were left with. Further up the chain, my regular supervisor and the financial coordinator of the project were also increasingly affected by the trauma and stress of the research, while distance from colleagues not directly involved in the creation of the Database grew. Communication breakdowns were common, both within the project and with other actors, and behaviour and decision-making became reactive and avoidant. Thus, the organisation behind the Database was affected by the stress and traumatic subject of the research. Moreover, insulation obscured the monitoring of STS dynamics, the development of prevention strategies and the identification of remedies to reduce stress in the project.

15 months into my doctoral research, I was diagnosed with symptoms of post-traumatic stress disorder and depression. I had become aware of the symptoms gradually and reluctantly. I had needed assistance to get to the airport in between two multi-sited, 'travelling' field trips to Puglia-and-Malta and Tangier-and-Ceuta. By the time I conducted field work in Lampedusa and Melilla, two of the most disturbing sites of research on border deaths, every day had become an emotional rollercoaster and dissociations were becoming more frequent and inconvenient for my research. A family tragedy a few weeks later internally embedded the trauma I had witnessed relentlessly for the past year. Yet, six hours after the funeral, I was on my way to the Greek-Albanian border. Then I got pregnant. It was at this point that it was suggested I visit the university welfare counsellor, who referred me to a psychotherapist specialised in trauma.

I was able to function in my work throughout the burn-out as a result of coping mechanisms developed in response to childhood traumas and self-medication. Instead, my STS manifested in anxiety, compassion fatigue and vicarious trauma. Panic attacks became an almost-daily occurrence. I withdrew from my family and friends, I became unable to empathise with them or show sympathy for their struggles. The suffering associated with border deaths exhausted my faith in humanity, my sense of security and hope. I became engulfed and enraged by guilt, a sense of responsibility for border deaths – and any associated wrongs – stemming from my privilege.[121] I struggled to integrate into the department where I worked or the city where I lived. Outside the group of researchers who worked with me on the Database, I avoided social

[121] "Feelings of guilt and shame, often to do with injustice and Western privilege" are among the recognisable symptoms of vicarious traumatisation in the guide written for researchers and supervisors by the Social Science Division of the University of Oxford and the Centre for Criminology. Available here: https://www.socsci.ox.ac.uk/files/services/secondary-trauma-for-researchers-and-supervisors-18-jan-16.docx. See also: Bosworth, Mary. 'Secondary Trauma and Research'. (16 October 2017, *Border Criminologies blog*, University of Oxford). https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2017/10/secondary-trauma

interactions as I felt confined to share only a superficial amount of the experiences I was preoccupied with. I disconnected from the news and other research topics completely. My perspective became unforgivingly cynical and suspicious, which made interactions difficult and undoubtedly affected my thought process. I was unable to engage in purely theoretical debates in my field, and focused instead on empirical study. At the same time, this alert, hyper-aroused state of mind also drove me to be meticulous, extremely productive and adamantly transparent in data collection and analysis.

We had been alerted to the risks of traumatogenic research by a colleague at Oxford University when she heard us present the project at a conference soon after we began the research. We cannot claim we went into the research unaware; rather, that there was no established way or wisdom to incorporate this issue into the research process or academic supervision. Instead, it was expected that I would suffer from studying border deaths; I have received empathy and often understanding from audiences I presented my research to, but rarely any advice, as if absorbing suffering was an inevitable and unavoidable aspect of conducting research on this subject.

Looking back, it would have been simple to integrate into the research design effective monitoring and early interventions for the prevention and identification of STS. Health and care professionals particularly, have knowledge and mechanisms to keep workers safe that should be integrated into the practice and culture of academia, especially among empirical researchers.[122] At an individual level, healthy coping mechanisms and self-care can go a long way to reducing the impact of traumatogenic research. Psychotherapy can assist in the development of healthy habits as well as exploring underlying vulnerabilities. Good training, collaborative reflection, consistent supervision (if needed, also from persons outside the traumatogenic environment) and the application of resilience skills would help to mitigate the effects of STS at an organisational level. Raising awareness of who is at risk and normalising STS would ultimately aide in producing high-quality research and resilient researchers. Research boards and ethical committees also have a role to play in promoting best practices in this regard by including in their assessments of research proposals considerations of the mental health of the researchers involved in the project, including research assistants, especially those involved in field work.

[122] See e.g. The National Child Traumatic Stress Network. 2016. 'Secondary Trauma and Child Welfare Staff: Guidance for Supervisors and Administrators', NCTSN Factsheet, available at: www.nctsn.org/resources/secondary-trauma-and-child-welfare-staff-guidance-supervisors-and-administrators

Bibliography

References included in the literature study (see Chapters 4 and 5)

Albahari, Maurizio. 2006. "Death and the Moral State: Making Borders and Sovereignty at the Southern Edges of Europe." *CCIS Working Paper* 136 (June). San Diego: University of California.

Basaran, T. 2015. "The saved and the drowned: Governing indifference in the name of security." *Security Dialogue*, 46 (3): 205-220.

Basaran, T. 2014. "Saving Lives at Sea: Security, Law and Adverse Effects." *European Journal of Migration and Law* 16 (3): 365-387.

Blanchard, Emmanuel, Olivier Clochard and Claire Rodier. 2012. "Compter les morts en migration." In *Atlas de Migrants en Europe*, edited by Armand Colin, pp.134-137. Paris: Migreurop.

Carling, Jorgen. 2007. "Migration Control and Migrant Fatalities at the Spanish-African Borders." International Migration Review 41 (2): 316-343.

Cuttitta, Paolo. 2004. "Morti nel canale di Sicilia 2003." *Segno-mensile* 257-258 (Luglio-Agosto). Palermo: Segno-mensile.

Dines, Nick, Nicola Montagna and Vincenzo Ruggiero. 2015. "Thinking Lampedusa: border construction, the spectacle of bare life and the productivity of migrants." *Ethnic and Racial Studies*, 38 (3): 430-445.

Fekete, Liz. 2004. "Commentary: Deaths at Europe's borders." *Race & Class* 45 (4): 75-83.

Ferrer-Gallardo, Xavier and Henk van Houtum. 2014. "The Not so Collateral Damage Politics of Deadly EU Border Control." *ACME: An International E-Journal for Critical Geographies* 13 (2): 295-304.

Grant, Stefanie. 2011. "Recording and identifying European frontier deaths." *European Journal of Migration and Law* 13 (2): 135-156.

Heller, Charles, and Lorenzo Pezzani. 2016. *Death by Rescue: The Lethal Effects of the EU's Policies of Non-Assistance*. http://deathbyrescue.org: Forensic Oceanography.

Heller, Charles. 2015. *Liquid Trajectories: Documenting Illegalised Migration and the Violence of Borders*. PhD thesis, Goldsmiths, London. http://research.gold.ac.uk/15069/

van Houtum, Henk, and Freerk Boedeltje. 2009. "Europe's Shame: Death at the Borders of the EU." *Antipode* 41 (2): 226-230.

van Houtum, Henk. 2010. "Human Blacklisting: The Global Apartheid of the EU's External Border Regime." *Environment & Planning D: Society and Space* 28 (6): 957–976.

Jones, Reece and Corey Johnson. 2016. "Border militarisation and the re-articulation of sovereignty." *Transactions of the Institute of British Geographers* 41 (2): 187-200.

Kiza, Ernesto. 2008. *Tödliche Grenzen – Die fatalen Auswirkungen europäischer Zuwanderungspolitik.* Münster: Lit Verlag.

Klepp, Silja. 2011. "A Double Bind: Malta and the Rescue of Unwanted Migrants at Sea, a Legal Anthropological Perspective on the Humanitarian Law of the Sea." *International Journal of Refugee Law* 23 (3): 538-557.

Kovras, Iosif, and Simon Robins. 2016. "Death as the border: Managing missing migrants and unidentified bodies at the EU's Mediterranean frontier." *Political Geography* 55 (November): 40-49.

Last, Tamara, and Thomas Spijkerboer. 2014. "Tracking Deaths in the Mediterranean." In Fatal Journeys, edited by Tara Brian and Frank Laczko, pp.85-106. Geneva: International Organisation for Migration.

Lutterbeck, Derek. 2006. "Policing Migration in the Mediterranean." *Mediterranean Politics* 11 (1): 59-82.

Mountz, Alison and Jenna Loyd. 2013. "Constructing the Mediterranean Region: Obscuring Violence in the Bordering of Europe's Migration 'Crises'." *ACME: An International Journal for Critical Geographies* 13 (2): 173-195.

Oliveri, Federico. 2016. "'Where are Our Sons?' Tunisian Families and the Repolitization of Deadly Migration Across the Mediterranean by Boat." In: *Migration by Boat: Discourses of Trauma, Exclusion and Survival*, edited by Lynda Mannik. New York, London: Berghahn. *page numbers are according to the pdf copy of the author.

Perkowski, Nina. 2016. "Deaths, Interventions, Humanitarianism and Human Rights in the Mediterranean 'Migration Crisis'." *Mediterranean Politics* 21 (2): 331-335.

Pickering, Sharon, and Brandy Cochrane. 2013. "Irregular Border-Crossing Deaths and Gender: Where, How and Why Women Die Crossing Borders." *Theoretical Criminology* 17 (1): 27–48. First published online 26 November 2012.

Pugh, M. 2004. "Drowning not Waving: Boat People and Humanitarianism at Sea." *Journal of Refugee Studies* 17 (1): 50-69.

Raeymaekers, Timothy. 2014. "Europe's Bleeding Border and the Mediterranean as a Relational Space" *ACME: An International E-Journal for Critical Geographies* 13 (2): 163-172.

Saucier, P. Khalil and Tryon P. Woods. 2014. "Ex Aqua: The Mediterranean Basin, Africans on the Move and the Politics of Policing." *Theoria* 61 (141): 55-75.

Schindel, Estela. 2016. "Bare life at the European borders. Entanglements of technology, society and nature." *Journal of Borderlands Studies* 31 (2): 219-234.

Shields, Peter. 2015. "The Human Cost of the European Union's External Border Regime." *Peace Review* 27 (1): 82-90.

Spijkerboer, Thomas. 2007. "Human Costs of Border Control." *European Journal of Migration and Law* 9 (1): 127–139.

Spijkerboer, Thomas. 2013. "Moving Migrants, States and Rights: Human Rights and Border Deaths." *Law and Ethics of Human Rights* 7 (2): 213–242.

Squire, Vicki. 2017. "Governing migration through death in Europe and the US: Identification, burial and the crisis of modern humanism." *European Journal of International Relations* 23 (3): 513-532. First published online 16 September 2016.

Tazzioli, Martina. 2015. "The politics of counting and the scene of rescue: Border deaths in the Mediterranean." *Radical Philosophy* 192 (July/August): 2-6.

Topak, Özgün E. 2014. "The biopolitical border in practice: surveillance and death at the Greece-Turkey border zones." *Environment and Planning D: Society and Space* 32 (5): 815-833.

Webber, Frances. 2004. "The war on migration." In *Beyond Criminology: Taking Harm Seriously*, edited by P Hillyard, C Pantazis, S Tombs and D Gordon, pp.133-155. London: Pluto Press.

Weber, Leanne and Sharon Pickering. 2011. *Globalization and Borders: Death at the Global Frontier*. London: Palgrave Macmillan.

Weber, Leanne. 2010. "Knowing-and-yet-not-knowing about European border deaths." *Australian Journal of Human Rights* 15 (2): 35-57.

Weinzierl, Ruth and Urszula Lisson. 2007. *Border Management and Human Rights: A study of EU Law and the Law of the Sea*. Berlin: German Institute for Human Rights.

Williams, Keegan, and Alison Mountz. 2016. "Rising Tide: Analyzing the Relationship Between Externalisation and Migrant Deaths and Boat Losses." In Externalizing Migration Management, edited by Ruben Zaiotti, pp.31-50. Abingdon: Routledge.

References included in the policy study (in chronological order) (see Chapter 5)

European Union. Council. 2005. The Hague Programme: Strengthening Freedom, Security and Justice in the European Union. (2005/C 53/01).

European Union. Commission. 2005. Presidency Conclusions, European Council Brussels, 15 and 16 December 2005. (Doc. 15914/05).

European Union. Commission. 2006. Communication from the Commission on Policy priorities in the fight against illegal immigration of third-country nationals. Brussels, 19 July 2006. (COM(2006) 402 final).

European Union. Commission. 2008. Impact assessment. Accompanying document to the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions Examining the creation of a European Border Surveillance System (EUROSUR). Brussels, 13 February 2008. (SEC(2008) 151).

European Union. Commission. 2008. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions Examining the creation of a European Border Surveillance System (EUROSUR). Brussels, 13 February 2008. (COM(2008) 68 final)

European Union. European Economic and Social Committee. 2008. Opinion of the European Economic and Social Committee on the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — Policy plan on asylum: an integrated approach to protection across the EU. (COM(2008) 360 final). (OJ 2009/C 218/16).

European Union. European Parliament resolution of 18 December 2008 on the evaluation and future development of the Frontex Agency and of the European Border Surveillance System (EUROSUR). (2008/2157(INI)). (OJ 2010/C 45 E/08).

European Union. Commission. 2010. First Annual Report on Immigration and Asylum (2009). Accompanying the Report from the Commission to the European Parliament and the Council. Brussels, 6 May 2010. (SEC(2010) 535 final).

European Union. Commission. 2011. Proposal for a Regulation of the European Parliament and of the Council Establishing the European Border Surveillance System (EUROSUR). Brussels, 12 December 2011. (2011/0427(COD)). (COM(2011) 873 final).

European Union. Commission. 2011. Impact Assessment accompanying the Proposal for a Regulation of the European Parliament and of the Council establishing the European Border Surveillance System (EUROSUR). Brussels, 12 December 2011. (SEC(2011) 1536 final).

European Union. Regulation No.1052/2013 of the European Parliament and of the Council of 22 October 2013 establishing the European Border Surveillance System (EUROSUR). (OJ L295/11).

European Union. European Parliament resolution of 23 October 2013 on migratory flows in the Mediterranean, with particular attention to the tragic events off Lampedusa. (2013/2827(RSP)). (OJ 2016/C 208/13).

European Union. Commission. Communication from the Commission to the European Parliament and the Council on the work of the Task Force Mediterranean. Brussels, 4 December 2013. (COM(2013) 869 final).

European Union. Regulation No.515/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for external borders and visa and repealing Decision No 574/2007/EC. (OJ L 150/143).

European Union. Regulation No.656/2014 of the European Parliament and of the Council of 15 May 2014 establishing rules for the surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union. (OJ L 189/93).

Gkofas, Panagiotis and Stefano Mallia. 2014. Opinion of the European Economic and Social Committee on 'Irregular immigration by sea in the Euromed region' (own-initiative opinion). (OJ 2014/C 67/07).

Gkofas, Panagiotis and Luis Miguel Pariza Castaños. 2014. Opinion of the European Economic and Social Committee on 'European immigration policy and relations with third countries' (exploratory opinion). (OJ 2014/C 451/01).

European Union. European Parliament resolution of 17 December 2014 on the situation in the Mediterranean and the need for a holistic EU approach to migration (2014/2907(RSP)). (OJ 2016/C 294/05).

European Union. Council of the EU. 2015. Special meeting of the European Council, 23 April 2015 – statement. Press Release 204/15 of 23 April 2015.

European Union. European Parliament. 2015. Resolution of 10 September 2015 on migration and refugees in Europe (2015/2833(RSP)). (OJ 2017/C 316/23).

European Union. Commission. 2015. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, A European Agenda on Migration. Brussels, 13 May 2015. (COM(2015) 240 final).

European Union. Council Decision (CFSP) 2015/778 of 18 May 2015 on a European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED). (OJ L 122/31).

European Union. European Parliament resolution of 10 September 2015 on migration and refugees in Europe (2015/2833(RSP)). (OJ 2017/C 316/23).

European Union. Regulation No.1624/2016 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC. (OJ L 251/1).

European Union. Commission. 2016. Communication from the Commission to the European Parliament and the Council on the State of Play of Implementation of the Priority Actions under the European Agenda on Migration. Brussels, 10 February 2016. (COM(2016) 85 final).

European Union. Commission and the High Representative of the Union for Foreign Affairs and Security Policy. 2017. Joint Communication to the European Parliament, the European Council and the Council, Migration on the Central Mediterranean route: Managing flows, saving lives. Brussels, 25 January 2017. (JOIN(2017) 4 final).

European Union. Commission. 2017. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the Delivery of the European Agenda on Migration. Brussels, 27 September 2017. (COM(2017) 558 final).

Other references

Al Tamimi, Yussef, Paolo Cuttitta and Tamara Last. 2017. "The Missing Migrants Project: the global authority on border deaths data." Draft chapter for forthcoming edited volume about IOM, edited by Martin Geiger and Antoine Pécoud. On file with authors.

Andersson, Ruben. 2015. *Illegality Inc.: Clandestine Migration and the Business of Bordering Europe.* Oakland: University of California Press.

Baird, Theodore and Ilse van Liempt. 2016. "Scrutinising the Double Disadvantage: Knowledge Production in the Messy Field of Migrant Smuggling." *Journal of Ethnic and Migration Studies* 42 (3): 400-417.

Balibar, Étienne. 2004. *We, the People of Europe? Reflections on Transnational Citizenship.* Princeton, NJ: Princeton University Press.

Blanchard, Emmanuel, Olivier Clochard and Claire Rodier. 2008. "Compter les morts." *Plein droit* 77 (2) : 30-34.

Brian, Tara and Frank Laczko (eds). 2014. *Fatal Journeys: Tracking Lives Lost during Migration*. Geneva: International Organization for Migration (IOM).

Brian, Tara. 2014. "Death at the border: The challenge of documenting lives lost during migration", *Migration Policy Practice* 3 (6): 22-25.

Brigden, Noelle and Ċetta Mainwaring. 2016. "Matryoshka Journeys: Im/mobility During Migration." *Geopolitics* 21 (2): 407-434.

Carter, Donald and Heather Merrill. 2007. "Bordering Humanism: Life and Death on the Margins of Europe." *Geopolitics* 12 (2): 248-264.

Cattaneo C., Tidball Binz M, Penados L, Prieto J, Finegan O, Grandi M. 2015. "The forgotten tragedy of unidentified dead in the Mediterranean." *Forensic Science International* 250 (May): e1–e2.

Cattaneo, C., D. Porta, D. De Angelis, D. Gibelli, P. Poppa, and M. Grandi. 2010. "Unidentified bodies and human remains: An Italian glimpse through a European problem." *Forensic Science International* 195 (1-3): 167.e1-167.e6.

Cornelius, Wayne. A. 2005. "Controlling 'unwanted" immigration: Lessons from the United States, 1993-2004." *Journal of Ethnic and Migration Studies* 31 (4): 775-794.

Cornelius, Wayne A. 2001. "Deaths at the Border: Efficacy and Unintended Consequences of US Immigration Control Policy." *Population and Development Review* 27 (4): 661-685.

Cuttitta, Paolo. 2014. "Borderizing the Island. Setting and Narratives of the Lampedusa Border Play." *ACME: An International E-Journal for Critical Geographies* 13 (2): 196–219.

Cuttitta, Paolo. 2006. "Il controllo dell'immigrazione tra Nordafrica e Italia." Reprinted in *Libro Bianco*, edited by Nicoletta Dentico and Maurizio Gressi, 169. Rome.

Düvell, Frank, ed. 2006. *Illegal Immigration in Europe. Beyond Control?* London: Palgrave.

Fekete, Liz. 2003. "Death at the Border – Who is to Blame?" *Institute of Race Relations European Race Bulletin* 44: 1-12.

Follis, K. S. 2015. "Responsibility, Emergency, Blame: Reporting on Migrant Deaths on the Mediterranean in the Council of Europe." *Journal of Human Rights* 14 (1): 41-62.

FRA (European Union Agency for Fundamental Rights). 2013. *Fundamental Rights at Europe's Southern Sea Borders*. Luxembourg, Vienna: FRA.

Geddes, Andrew. 2014. *Relationships between Research and Policy on Migration in the European Union: A Practice-Based Analysis*. *EUI Working Papers* RSCAS 2014/06. Badia Fiesolana: Robert Schuman Centre for Advanced Studies and Migration Policy Centre. http://hdl.handle.net/1814/29519

Geddes, Andrew and Marthe Achtnich. 2015. "Research-Policy Dialogues in the European Union." In *Integrating Immigrants in Europe*, edited by P. Scholten, H. Entzinger, R. Penninx, and S. Verbeek, pp.293-311. Cham: Springer, IMISCOE Research Series.

Gammeltoft-Hansen, Thomas. 2011. *Access to Asylum*. Cambridge: Cambridge University Press.

Grant, Stefanie. 2016. "Chapter 2. Identification and Tracing." In *Fatal Journeys II: Identification and Tracing of Dead and Missing Migrants,* edited by Tara Brian and Frank Laczko, pp.37-74. Geneva: International Organisation for Migration.

Guild, Elspeth and Didier Bigo. 2010. "The Transformation of European Border Controls." In *Extraterritorial Immigration Control: Legal Challenges*, edited by Bernard Ryan and Valsamis Mitsilegas, pp.252-273. Leiden: Brill.

de Haas, Hein. 2008. "The Myth of Invasion: The Inconvenient Realities of African Migration to Europe." *Third World Quarterly* 29 (7): 1305–1322.

Hamood, Sara. 2006. *African Transit Migration Through Libya to Europe: The Human Cost*. Cairo: Forced Migration and Refugee Studies, American University of Cairo. http://schools.aucegypt.edu/GAPP/cmrs/reports/Documents/African_Transit_Migration_through_Libya_-_Jan_2006_000.pdf

den Heijer, Maarten. 2012. *Europe and Extraterritorial Asylum*. Oxford: Hart Publishing.

Heller, Charles, and Lorenzo Pezzani. 2016b. *Ebbing and Flowing: The EU's Shifting Practices of (Non-) Assistance and Bordering in a Time of Crisis*. http://nearfuturesonline.org/ebbing-and-flowing-the-eus-shifting-practices-of-non-assistance-and-bordering-in-a-time-of-crisis/: Zone Books near futures.

Heller, Charles and Lorenzo Pezzani. n.d. "The Left-to-Die Boat: The deadly drift of a migrants' boat in the Central Mediterranean." http://www.forensic-architecture.org/case/left-die-boat/: Forensic Architecture, Goldsmiths.

Introna, F., Di Vella, G., and C.P. Campobasso. 2013. "Migrant deaths and the Kater Radez I wreck: from recovery of the relict to marine taphonomic findings and identification of the victims." *International Journal of Legal Medicine* 127 (4): 871-879.

Kassar, Hassene and Paul Dourgnon. 2014. "The big crossing: illegal boat migrants in the Mediterranean." *European Journal of Public Health* 24 (suppl 1): 11-15.

Komp, Lisa-Marie. 2016. "The Duty to Assist Persons in Distress: An Alternative Source of Protection against the Return of Migrants and Asylum Seekers to the High Seas?" In *Boat Refugees and Migrants at Sea: A Comprehensive Approach*, edited by Violeta Moreno-Lax and Efthymios Papastavridis, pp.222-247. Leiden: Brill.

Korhonen, Armi. 2017. Logbook and results, submitted 12 December 2017. Unpublished, on file with the author.

Last, Tamara. 2015. *Deaths at the Borders: Database for the Southern EU*. http://www.borderdeaths.org/: Vrije Universiteit Amsterdam.

Last, Tamara and Nefeli Bami. *Migrant Mortality and Border Policies: Albanian-Greek Pilot Report*. Unpublished report, *Human Costs of Border Control* project, Vrije Universiteit Amsterdam (November 2014). On file with author.

Last, Tamara and Flor Macias Delgado. 2015. *Migrant Mortality and Border Policies: Gibraltar Pilot Report*. Unpublished report, *Human Costs of Border Control* project, Vrije Universiteit Amsterdam (March 2015). On file with author.

Last, Tamara, Giorgia Mirto, Amélie Tapella and Thomas Spijkerboer. 2014. *Migrant Mortality and Border Policies: Lampedusa Pilot Report*. Unpublished report, *Human Costs of Border Control* project, Vrije Universiteit Amsterdam (October 2014). On file with author.

Last, Tamara, Giorgia Mirto and Giovanna Vaccaro. 2014. *Migrant Mortality and Border Policies: Italian Pilot Report*. Unpublished report, *Human Costs of Border Control* project, Vrije Universiteit Amsterdam (July 2014). On file with author.

Last, Tamara and Marta Pérez Pérez. 2014. *Migrant Mortality and Border Policies: Spanish Pilot Report.* Unpublished report, *Human Costs of Border Control* project, Vrije Universiteit Amsterdam (March 2014). On file with author.

Last, Tamara, and Thomas Spijkerboer. 2014. "Tracking Deaths in the Mediterranean." In *Fatal Journeys: Tracking Lives Lost During Migration*, edited by Tara Brian and Frank Laczko, pp.85-106. Geneva: International Organisation for Migration.

Last, Tamara, Thomas Spijkerboer, and Orçun Ulusoy. 2016. "Deaths at the Borders: Evidence From the Southern External Borders of the EU." *Revue Hijra* 1: 5–23.

Lemberg-Pedersen, Martin. 2015. "Losing the Right to Have Rights: EU Externalization of Border Control." In *Europe and the Americas: Transatlantic Approaches to Human Rights*, edited by Erik André Andersen and Eva Maria Lassen, pp.393-417. Leiden: Brill.

Lum, Kristian, Megan Emily Price and David Banks. 2013. "Applications of Multiple Systems Estimation in Human Rights Research", *The American Statistician* 67(4): 191-200.

Mathers, Colin D., Doris Mafat, Mie Inoue, Chalapati Rao, and Alan D. Lopez. 2005. "Counting the Dead and What They Died From: An Assessment of the Global Status of Cause of Death Data." *Bulletin of the World Health Organisation* 83 (3): 171–177.

Monzini, Paola. 2007. "Sea-Border Crossings: The Organization of Irregular Migration to Italy." *Mediterranean Politics* 12 (2): 163-184.

Moreno-Lax, Violeta. 2008. "Must EU Borders Have Doors for Refugees? On the Compatibility of Schengen Visas and Carrier Sanctions with EU Member States' Obligations to Provide International Protection to Refugees." *European Journal of Migration and Law* 10 (3): 315-364.

Pavlidis, Pavlos and Valeria Karakasi. 2016. "A Retrospective Demographic and Clinicopathologic Review of Deaths Resulting from Minefield Explosions During Migrants' Attempts to Enter Greece from Turkey Between 1997 and 2008." *Journal of Forensic Science* 61 (3): 656-660.

Pérez, Marta, Ignacio Urquijo, and Tamara Last. 2016. "Deaths at the Borders: Gaining Access to Civil Registries. Research Notes From Spain." *Intraformazione* 5 (1): 65–73.

Perl, Gerhild. 2016. "Uncertain Belongings: Absent Mourning, Burial, and Post-mortem Repatriations at the External Border of the EU in Spain." *Journal of Intercultural Studies* 37 (2): 195-209.

Pugliese, Joseph. 2009. "Crisis heterotopias and border zones of the dead." *Continuum: Journal of Media & Cultural Studies* 23 (5): 663-679.

Puggioni, Raffaela. 2015. "Rights, states, borders: Border politics, right to life and acts of dissensus: voices from the Lampedusa borderland." *Third World Quarterly* 36 (6): 1145-1159.

Rijpma, Jorrit, and Mathias Vermeulen. 2015. "EUROSUR: saving lives or building borders?" *European Security* 24 (3): 454-472.

Robins, Simon and Iosif Kovras. 2017. "Missing Migrants: Deaths at Sea and Unidentified Bodies on Lesbos." In *Migrating borders and moving times: Temporality and the crossing of borders in Europe*, edited by H. Donnan, M. Hurd and C. Leutloff-Grandits, pp.157-175. Manchester: Manchester University Press.

Rygiel, Kim. 2016. "Dying to live: migrant deaths and citizenship politics along European borders: transgressions, disruptions, and mobilizations." *Citizenship Studies* 20 (5): 545-560.

Singleton, Ann. 2016. "Migration and Asylum Data for Policy-making in the European Union: The problem with numbers." *CEPS Paper in Liberty and Security in Europe* No. 89. https://www.ceps.eu/system/files/LSE%2089%20AS%20Migration%20and%20Asylum%20Data.pdf

Spijkerboer, Thomas. 2013b. "Are European States Accountable for Border Deaths?" In *Research Companion to Migration Law and Theory*, edited by Satvinder Juss, pp.61-76. Aldershot: Ashgate.

Stierl, Maurice. 2016. "A sea of struggle – activist border interventions in the Mediterranean Sea." *Citizenship Studies* 20 (5): 561-578.

Stierl, Maurice. 2016b. "Contestations in death – the role of grief in migration struggles." *Citizenship Studies* 20 (2): 173-191.

Strik, Tieneke. 2012. *Lives lost in the Mediterranean Sea: who is responsible?* Doc.12895. Strasbourg: Council of Europe, Parliamentary Assembly. http://www.refworld.org/docid/4f7be86b2.html

Takle, Marianne. 2017. "Migration and asylum statistics as a basis for European border control." *Migration Studies* 5 (2): 267-285. https://doi.org/10.1093/migration/mnx028

Tapella, Amelie, Giorgia Mirto, and Tamara Last. 2016. "Deaths at the Borders. From Institutional Carelessness to Private Concern. Research Notes From Italy." *Intraformazione* 5 (1): 57–64.

Tondini, Matteo. 2010. *Fishers of Men? The Interception of Migrants in the Mediterranean Sea and Their Forced Return to Libya*. http://ssrn.com/abstract=1873544: INEX Paper.

Triandofyllidou, Anna, ed. 2016. *Irregular Migration in Europe, Myths and Realities*. Abingdon: Routledge.

Triandafyllidou, Anna. 2009. *CLANDESTINO Project Final Report*. (European Commission, 23 November 2009). http://www.gla.ac.uk/media/media_147171_en.pdf.

Tsapopoulou, K., M Tzeferakou and S Stroux. 2012. *Walls of Shame: Accounts from the Inside: The Detention Centres of Evros*. Frankfurt: ProAsyl. http://www.proasyl.de/fileadmin/fm-dam/q_PUBLIKATIONEN/2012/Evros-Bericht_12_04_10_BHP.pdf

Tselepi, Naya, Nefeli Bami, Alexandra Michalaki, and Tamara Last. 2016. "Deaths at the Borders: The Cases of Evros and the Aegean Sea. Research Notes From Greece." *Intraformazione* 5 (1): 50–56.

Zagaria, Valentina. 2011. *Grave situations: The biopolitics and memory of the tombs of unknown migrants in the Agrigento province*. Unpublished MA dissertation, London School of Economics.