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## **WORKING DOCUMENT**

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| From:    | Presidency   |
| To:      | Working Party on External Aspects of Asylum and Migration (EMWP) |
| Subject: | Missing migrants<br>- Presidency discussion paper                |

In view of the EMWP meeting of 6 June 2024, and following the discussion on 14 March 2024 at EMWP and based on the subsequent comments from delegations as set out in 9067/24, delegations will find attached a written proposal for discussion on two texts recognizing the importance of tackling the issue of Missing migrants along all the migratory routes to the EU.

In the first text, the Presidency suggests a standard paragraph, which would be included as such in all EMWP actions plans when updated. In the second text, the Presidency suggests a guidance paragraph, which puts forward measures or areas of actions in a more detailed manner.

The guidance text will serve as an inspiration when further elaborating in each Action plan the approach to be adopted depending on the country and its specificities, and will therefore not be included in its entirety.

## Standard paragraph

The EU recognizes the political commitments at global and regional level on the issue of missing migrants and the urgency to address it along all migration routes to the EU. The EU also recognizes the importance to address the issue of missing migrants among areas of cooperation on migration with the “Name of the country”, maintaining a route-based approach, and focusing on the four areas identified, namely (I) *Prevention*, (II) *Search and identification*, (III) *Support to families*, (IV) and *Data*.

## Guidance paragraph

- Migrants disappear in a variety of circumstances. Many of them go missing during dangerous journeys by land or sea, either because their remains are never recovered or because they are not properly identified or documented, or because families are not informed of their death. Some may be alive without access to means of communication, for example in a place of detention. Missing migrants also include individuals who choose not to stay in contact with their families for fear of detection by the authorities or the ones who become victims of human trafficking.
- The EU recognizes the growing momentum of political commitments at global and regional level on the issue of missing migrants and the urgency to address it along all migration routes to the EU. The EU is committed to including the issue of missing migrants among areas of cooperation on migration with the “Name of the country”, maintaining a route-based approach.
- The EU will step up its efforts, and support activities in the four pillars identified, namely (I) *Prevention*, (II) *Search and identification*, (III) *Support to families*, (IV) and *Data*.
- **To prevent risk factors leading to migrants going missing** along the migration routes to the EU, the EU along with its Member States is committed to supporting “country” on improving its border management practices, to better address children’s rights and needs and to increase the provision of humanitarian services, following a route-based approach. The EU will regularly assess whether its cooperation agreement with “country” creates or exacerbates the risk of migrants going missing and adopt mitigation measures accordingly.

- **To improve search and identification**, the EU is committed to supporting “country” in strengthening its national capacities for the recovery, humane management and adequate forensic documentation of deceased migrants, the registration of missing migrants’ cases and the collection of antemortem data and DNA from families. The EU will also support “country” in the systematization, centralisation, and exchange of relevant data, including across national jurisdictions, in line with international and EU data governance and protection standards.
  - **To support the families of missing migrants**, the EU along with EU Member states is ready to collaborate with “country” in strengthening its legislative and policy frameworks to address the needs of affected families (e.g. issuing certificates of absence/presumed death, designing dedicated support and referral programs for the most vulnerable), and to facilitate humanitarian visas for families from “country” to participate in the search and identification processes in the EU.
  - **To understand the scale and dimension of the problem, as well as identify areas for action**, the EU commits to collaborate with “country” to strengthen its capacity to collect and disseminate anonymised data on migrant deaths and disappearances within their jurisdictions (e.g. by standardising criteria to categorise migrants in transit in mortality records, engaging in cross-border information sharing), following data protection standards and introducing firewalls to safeguard the rights of migrants and their families. The EU will take into account best practices developed in the past years, such as IOM’s Missing Migrants Project, and build upon them considering also a Team Europe approach.
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