



# Guiding Principles for Dignified Management of the Dead in Humanitarian Emergencies and to Prevent them Becoming Missing Persons



ICRC

**M** MISSING  
PERSONS  
A GLOBAL RESPONSE

**Cover image:**

Haiti, prison in Port-au-Prince. After distributing 100 body bags, an ICRC forensic expert and morgue staff recover four bodies from the prison and deliver them to the University Hospital morgue.

# Introduction

When large numbers of people die because of humanitarian emergencies their remains are often managed with little consideration for their dignity. When this occurs, the capacity to identify the deceased and to prevent them from becoming missing persons is reduced.

Many of the existing guidelines for managing the dead in emergencies, including those published by the International Police Organization, the World Health Organization (WHO) and the International Committee of the Red Cross (ICRC), are technically robust, but do not specifically address the need to treat the deceased and their remains with respect.

In 2018, the ICRC's Missing Persons Project and the organization's Forensic Unit, together with the Right to Truth, Truth(s) through Rights (RTTR) Project (Swiss National Science Foundation/Law Faculty of the University of Geneva), convened a meeting of experts from around the world in Geneva, Switzerland, to discuss the need to develop general recommendations on the dignified treatment of the dead in humanitarian emergencies.

Participants identified the global need for a set of guiding principles to assist decision-makers and practitioners in their efforts to ensure that dead persons and human remains in humanitarian emergencies are respected.

The resulting *Guiding Principles for Dignified Management of the Dead in Humanitarian Emergencies and to Prevent Them Becoming Missing Persons* (hereafter referred to as the Guiding Principles) were drafted on the basis of the recommendations from both that meeting and a series of consultations held in 2019 – one international one, in Europe, and three regional ones, in Africa, the Middle East, and Asia and the Pacific. These were followed in May 2020 by a final round of online consultations, which included participants from the 2018 meeting.

The Guiding Principles aim to remind decision-makers, managers and practitioners responding to humanitarian emergencies of the importance of dignified management of the dead, including respect for their families, and complying with applicable law. The Guiding Principles also complement and underpin existing technical guidelines and manuals on the management of the dead. Implementing them effectively will help decision-makers, managers and practitioners achieve the reliable identification of large numbers of fatalities in humanitarian emergencies, including to prevent them from becoming missing persons.

# Preamble

Considering that:

1. humanitarian emergencies occur in socially, culturally, politically and geographically diverse contexts, as well as in the context of migration, and result from events such as international and non-international armed conflict, other situations of violence, disasters and epidemics
2. humanitarian emergencies often result in large numbers of dead persons who remain unidentified as a result of their improper or undignified management
3. management of the dead is a key component of the response to humanitarian emergencies, together with the search for, recovery and care of survivors and the supply of basic services
4. respect due to a human being does not cease with death
5. for legal, religious, cultural and other reasons, a human being's identity needs to be preserved after death
6. under international humanitarian law (IHL), families have the right to know the fate and whereabouts of relatives reported missing as a result of armed conflict, including victims of enforced disappearance. When persons go missing as a result of enforced disappearance, each victim, i.e. the disappeared person and any individual who has suffered harm as the direct result of an enforced disappearance, has the right to know the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation, and the fate of the disappeared persons. In cases of gross human rights violations and serious violations of IHL, it is important that the truth about the facts surrounding such violations be made known to the victims and their relatives, and to the communities concerned, as appropriate. Forms of mourning and honouring the dead in accordance with their own religion, culture and customs must be respected. Under international law, there are relevant obligations on the authorities, including to undertake action with regard to unidentified bodies
7. until identified, dead persons are likely to be missing persons whose fate and whereabouts remain unknown to their families and communities
8. all members of the human family possess inherent dignity and equal and inalienable rights, as recognized by the 1948 Universal Declaration of Human Rights
9. the authorities must respect, protect and guarantee the dignity of the dead, including by preventing their mistreatment or despoliation, in accordance with international law, including IHL, international human rights law (IHRL) and international criminal law (ICL). International law obligations must be reflected under domestic law,

the following principles, based on international obligations and internationally recognized standards, are relevant for all those addressing the consequences of humanitarian emergencies resulting in fatalities. Implementing these principles will help ensure the dignified management of the dead and help prevent them becoming missing persons.

Nothing in these Guiding Principles shall be interpreted as restricting, modifying or impairing the provisions of any international law instrument or the rules of customary international law, or as derogating from the obligations of states and the rights of victims, including with regard to truth, justice, reparations and guarantees of non-recurrence, in the aftermath of crimes under international law, including gross human rights violations or serious violations of IHL. Nothing in these Guiding Principles shall affect any rules that are more conducive to the identification and dignified management of the dead, and which may be contained in domestic law or applicable international law.

# Guiding principles

- 1.** For the purpose of these Guiding Principles, a humanitarian emergency includes its aftermath; a dead person includes all or any part of the deceased person's body, irrespective of the state of preservation; and identification is individualization by the attribution of the birth name or other appropriate name to a dead person.
- 2.** The dignity of the dead, their families and communities should be respected at all stages and at all times: while searching for the dead; after they are found; during their recovery, analysis and related documentation; during the storage of the remains, their return and the return of personal effects; and during the final disposition of the dead.
- 3.** Respecting the dignity of dead persons in humanitarian emergencies entails putting in place all feasible measures before, during and in the aftermath of the events to ensure their identification as soon as possible. This enables their families, and communities as appropriate, to obtain information about their fate and whereabouts, contributes to reducing the number of persons unaccounted for and facilitates their return for final burial or disposition.
- 4.** Inappropriate handling of the dead and their belongings, or inappropriate interactions with their families and communities, which can make identification of the dead impossible, more difficult or unjustifiably prolonged, must be avoided, as this conduct is undignified and may be contrary to the law.
- 5.** The authorities must at all times respect the families, and communities as relevant, and actively encourage and enable their participation in the processes required to manage and identify the dead, including to ensure that their religious and cultural practices and beliefs regarding the handling and final disposition of dead persons are respected.
- 6.** The requirements for the dignified management and reliable identification of as many dead persons as possible will vary according to the size, context and type of humanitarian emergency. Preparations, including a comprehensive strategy and planning, are needed to meet these requirements. Close communication and coordination are therefore necessary between all those agencies and stakeholders preparing, planning for, leading, managing and delivering the response, as is constructive engagement with families and communities. The implementation of these plans should, as far as feasible, be organized, coordinated, effective and efficient.
- 7.** In particular, authorities must, irrespective of the imminence of humanitarian emergencies, adopt relevant domestic measures, including laws, policies, regulations, protocols, guidelines and other national measures of a legal, institutional and technical nature, including practical ones, to ensure respect for, and protection and guarantee of, the dignity of the dead. These measures must be in line with international law and should take into account these Guiding Principles and applicable best practices, including those recommended by the United Nations (UN), the ICRC, the WHO and Interpol.
- 8.** All necessary information sources, such as registries and databases – including those containing data relevant to the identification of dead persons – must be gathered, managed, made available, accessed, used and preserved with appropriate regard to data protection and in accordance with international law and internationally recognized standards.

9. Forensic sciences and medico-legal systems play an increasingly important part in the dignified management of the dead, their reliable identification and uncovering the cause and circumstances of their death. Thus, forensic experts and leadership from, wherever possible, the country or region in which the death occurred, should be involved in the planning for the dignified management of the dead and in the implementation of those plans in humanitarian emergencies.
10. A feature of humanitarian emergencies is that forensic experts may be in short supply or not able to access the areas in need. Thus, first responders are often relied on instead to recover, examine, document and arrange storage of the dead in humanitarian emergencies. With appropriate training and guidance from forensic experts and if provided with the necessary resources and supervision, first responders should be relied upon to help protect the dignity of the dead and improve the chances of their identification.
11. The dignified management of the dead entails that they be treated without discrimination on any grounds and that they are not stigmatized. Thus, for example, acting on wrong claims that dead bodies cause epidemics should be avoided.
12. Dead persons and their belongings should be searched for, recovered, examined, documented and stored in compliance with international law and applicable best practice, using standardized procedures such as those recommended by the UN, ICRC, WHO and Interpol. Examination, in particular, should be consistent with forensic best practice and the need for reliable identification of the deceased, and should take into account cultural, religious and community beliefs.
13. Families, and communities as appropriate, should be actively involved, consulted and informed at all stages of the response to the humanitarian emergency. They are the source of essential information to identify their dead, including the names of those missing, their physical description, and biological samples that will assist in the identification process.
14. The active involvement of appropriately trained forensic experts in the interactions with relatives and communities should be encouraged. This is likely to help engender trust with families and communities, including to make the collection and provision of relevant information more effective.
15. The availability of unique methods of identification, such as fingerprinting, DNA analysis or dental examination, strengthens conclusions of identity, but such methods do not replace the need for an integrated identification process as recommended by Interpol and the ICRC, nor do they reduce the importance of any of the above principles, nor allow them to be bypassed.
16. Psychosocial support for affected families and communities, as well as first responders and forensic personnel, is necessary and should be an integral part of the overall response to humanitarian emergencies, while acknowledging and respecting local resources to deal with trauma.
17. If dead persons cannot be identified or returned to their families – for example, because the families cannot be identified or contacted – they should be documented, safely stored or buried temporarily in a manner that facilitates their traceability, future identification and return to families, or communities as appropriate. Cremation of unidentified and unclaimed bodies should therefore be avoided.

- 18.** Dignified management of the dead includes guarantees of an honourable funeral and/or resting place that accords with family, cultural and religious preferences. Resting places, including temporary burials and memorials, should be properly recorded, marked, maintained and protected, and be accessible to the families, and communities as appropriate.
- 19.** Final disposition of dead persons should be undertaken in a manner that respects their dignity and privacy, and that of their family members and communities. Measures should be taken to protect funerary sites and monuments from desecration or disturbance, and to maintain them.
- 20.** Family members, and communities as appropriate, should be fully informed about and have full access to grave sites or places where the bodies of their dead have been laid to rest. The authorities should take all appropriate measures to return the remains and the belongings of the deceased under dignified conditions and in accordance with the wishes of the relatives. Where exhumations are needed, the procedures should be undertaken in compliance with applicable best practice and must be in line with international law. Family members, and communities as appropriate, should be given the opportunity and the necessary support from the authorities to re-bury or cremate the dead according to their own religious and cultural beliefs and practices.
- 21.** Where necessary, international cooperation, including forensic assistance, capacity-building and training, should be called upon by those concerned for the purpose of responding to humanitarian emergencies, to ensure the proper and dignified management and identification of the dead, to prevent them becoming missing persons.

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<sup>1</sup> Including a November 2018 workshop in Geneva, a May 2019 online meeting and the 1st International Symposium on Forensic Humanitarian Action, held in Coimbra, Portugal in November 2019; as well as meetings held with regional forensic networks in Africa, Asia, the Americas and the Middle East.

## About the ICRC Missing Persons Project

The Central Tracing Agency of the International Committee of the Red Cross (ICRC) has a long-standing mandate and 150 years of operational experience in tracing missing persons and reconnecting separated families. In the belief that a worldwide joining of forces is required to improve the global response to the tragedy of missing persons and the uncertainty endured by their relatives, the ICRC launched the Missing Persons Project in 2018. In partnership with other actors, the ICRC, through this initiative, seeks to bring together experts, family representatives and other key stakeholders from around the world in order to build consensus on best practices, promote existing technical standards and develop new ones, where needed. For more information on the project, see this [booklet](#) and [video](#).





# **Missing Persons A Global Response**

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