



Edited by Paolo Cuttitta and Tamara Last

Border Deaths

Causes, Dynamics and Consequences
of Migration-related Mortality

Amsterdam
University
Press

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AMSTERDAM UNIVERSITY PRESS

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Cover illustration: Mural painting in Dakar, Senegal, depicting a boat heading for Spain and the Wolof motto “Barça wala barsakh” (“Barcelona or the afterlife”), underlined by the question “Tekki?” (“Succeed?”)

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Preface: The Increasing Focus on Border Deaths

Paolo Cuttitta

A 2018 report by two non-governmental organizations (NGOs) revealed that US Border Patrol agents ‘routinely intimidate, harass, and surveil humanitarian-aid volunteers, thus impeding the administration of humanitarian aid’ along the US-Mexico border. Furthermore, they ‘stab, stomp, kick, drain, and confiscate the bottles of water that humanitarian-aid volunteers leave along known migrant routes’ (La Coalición de Derechos Humanos and No More Deaths 2018). More broadly, through the criminalization of humanitarian assistance and the ‘weaponization’ of the terrain, US authorities make themselves responsible for the suffering, death and disappearance of many people (Morgan-Olsen 2018; Osuna 2018). On the other hand, Border Patrol agents often carry out rescue operations to save migrants, which – they argue – demonstrates ‘their dedication in protecting human life’ (U.S. Customs and Border Protection 2019). They are presented as true humanitarians (Price 2018). According to US President Donald Trump, the problem of border deaths can only be solved with more border control. ‘Border Patrol needs the Wall and it will all end’ was his comment on the death of two children occurred short after their crossing from Mexico (Tatum 2018).

On the other side of the Atlantic, the two most recent Italian ministers of interior, Marco Minniti and Matteo Salvini, have launched an offensive against NGOs engaged with search and rescue (SAR) in the Central Mediterranean (Cuttitta 2018a; 2018b; 2018d) in order to facilitate forced returns by the Libyan Coast Guard and Navy. This resulted in reduced SAR capacities and increased risk to life between Libya and Italy. Moreover, while the people intercepted by NGO vessels are brought to a port of safety in Europe, many of those returned to Libya ‘die of lack of medical care in detention centres’ (Hadj-Sahrawi 2018). However, the Italian authorities claim their ‘commitment in rescuing people cannot be questioned’ (Tondini 2018), and Italy, by stopping NGOs and allowing push-backs to Libya, is ‘only trying to assist the

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Libyan government to address the problem of the smugglers' (ibid), because Salvini is 'sick of seeing children dying in the Mediterranean' (RaiNews 2018), and it is smugglers who are responsible for border deaths (Il Tempo 2018).

Exceptionalization

We may call it hypocrisy, or even organized hypocrisy (Cusumano 2019), but there is no doubt that the global rise of the phenomenon of border deaths has resulted in a shift: while the issue of border deaths (and the resulting need to rescue migrants) was previously used only or mainly by those who wanted to criticise restrictive migration and border policies, now it is used also by policymakers to justify these.

More generally, the increasing relevance of death has resulted in a process of humanitarianization of the border (Walters 2011), which runs in parallel to that of securitization. Scholars have shown how humanitarianism – materializing in the action of subjects as varied as border patrol agents, the Red Cross or politically motivated NGO – is inherently and intimately connected with security logics and practices (Cuttitta 2018c; Pallister-Wilkins 2015).

Two of the main characters of the border spectacle (De Genova 2002) are the victim (the poor migrant, whose life is put at risk) and the perpetrator (the callous smuggler or heinous trafficker). Border deaths are thus presented as both a security and a humanitarian crisis or emergency, which requires immediate and exceptional action (to rescue the victims and prosecute the perpetrators) – an action that can hardly be contested, exactly because of its exceptional nature. Through the focus on border deaths, the entire social phenomenon of migration runs the risk of becoming increasingly exceptionalized.

Normalization

However, and paradoxically, by perpetuating the current state of things, with the continuation of border deaths, death ends up being normalized: the extraordinary stops being extraordinary if we get used to it. Indeed, while border deaths should be the exception, they have become 'a norm through which migration is governed' (Squire 2017: 514). Through processes of spatial distancing (Fekete 2003) and symbolic dehumanization (Weber 2010) of people on the move, restrictive migration and border policies result in a growing collective indifference towards border deaths (Basaran 2015), which

makes the ‘norm’ increasingly accepted. Importantly, such normalization takes place within a context of exceptionalization of migration as such: migration, which could well be seen as a normal social phenomenon, is turned into an exceptional one. The normalization of death and the a-normalization of migration then appear as mirror processes. From this perspective, what is left is just the need to fight irregular migration and smuggling.

Surely, the role of smugglers in causing border deaths should not be underestimated (Horwood 2018b). However, state-centric processes of criminalization of smugglers indiscriminately affect the entire category: for example, the Migrant Smuggling Protocol supplementing the United Nations Convention against Transnational Organized Crime linked people smuggling at large directly with transnational organized crime, blurring the distinction between organized and non-organized smuggling (Oldfield 2018). This contributed to the legal and symbolic criminalization of any activity related to the facilitation of irregularized migration, also including non-lethal and non-violent forms of smuggling as well as humanitarian assistance (Fekete, Webber and Edmond-Pettitt 2017, 2019; Vosyliūtė and Conte 2018). Such indiscriminate criminalization of migrant support may also contribute to perpetuating border deaths.

In sum, talking about border deaths lends itself to being used to normalize the current state of things, thus depoliticizing (Cuttitta 2018d; Pécoud 2015) migration and border policies, insofar as these are presented as politically neutral, as based on technical measures aimed at reaching goals – such as security and humanitarian ones (saving lives; fighting organized crime) – that can hardly be disputed. Thus, the entire – and highly political – policy framework remains unquestioned. The risk is losing sight of the connection between border policies and border deaths, and of the difference between what is (or should be) normal and natural – migration – and what is (or should be) exceptional and unnatural – dying of migration.

Policies

Even when border deaths appear (or are presented) as ‘natural’ or ‘accidental’, they are in fact the result of the structural violence of migration policies (Reineke 2018; Schindel 2018a, 2018b; Weber and Pickering 2011: 93–118). Structural violence is linked with physical violence, but it also goes hand in hand with cultural violence (Ochoa O’Leary and Soto 2018), because borders have a sort of ‘racial filter’ (Reineke 2018: 11). Indeed, border policies play a role in determining not just fatalities in general, but also who dies (the composition

of the border dead population in terms of origin, age, gender, social condition, etc. is largely under-researched), where and how (Weber 2018).

However, states prefer to put the blame elsewhere, be it on criminal groups or on natural conditions, or even on the hazard-taking migrants – on what Horwood (2018a) calls their aspirations and risk-taking behaviour. If even they look at the relationship between border deaths and their policies, states tend to see deaths as ‘collateral damage’ (Ferrer-Gallardo and van Houtum 2014: 299), as the ‘unavoidable consequence of legal constraints’ (Fine and Lindemann 2018). At best, they then decide to launch SAR operations for people in distress (Cuttitta 2018c) – but some governments refuse to do so even in cases of enduring emergency (Shum 2018) – or establish regional migrant search protocols for the missing (Medrano 2018).

Presenting border deaths as ‘natural’ or ‘accidental’, or as the result of criminal activities, or of the irresponsible action of migrants, means diverting the attention from the direct or indirect impact of migration and border policies on migrant mortality (Weber and Pickering 2011), by uncritically reproducing the given policy framework, hardly leaving any room for debate about different political options to approach human mobility and thus prevent border deaths.

Post-mortem

Besides discourses about causes of death, also the way we deal with post-mortem issues – such as counting, mourning, and engaging dead bodies – deserves critical reflection.

Counting can be done and used in different ways, and it’s up to us to collect and use data in one way or the other (Laczko 2018). Statistics can be used to support different ways of representing border deaths, as well as of addressing the problem in practice. Therefore, while it is important to insist that states take over the task to produce official data on border deaths, and that national death management systems adopt common standards in data collection (Last et al 2017), data may result in naturalized and dehumanized representations of border deaths. Aggregations of numbers should not be allowed to obscure the significance of each death and the processes that lead to border deaths: ‘the problem lies in employing fatality metrics as the central way of engaging with fatality’, insofar as this may contribute to ‘distancing these events of death from a geography of accountability’ (Dickson 2018: 5).

Mourning sometimes materializes in state ceremonies which raise the impression of being formal gestures aimed at clearing the collective

conscience of a political community (Ritaine 2015: 124-125), rather than fostering solidarity with the deceased and their families. Indeed, people are exposed to discrimination even when they die (Horsti 2017). Depending on who they are, people can be more or less grievable, and some are not grievable at all, because their bodies are never found or identified. Interestingly, local communities mourning unknown dead migrants may make up for the lack of mourning from the actual relatives, in what might be seen as an example of spontaneous, popular active solidarity (Mirto 2018).

Rights

When it comes to border deaths, rights are often confused with charity (Zerai 2018). Respectful engagement with bodies could be seen as the fulfilment of a legal obligation instead (Grant 2011; Jarvis et al 2018). ‘The dead cannot be rights claimers, [but] they can be rights holders insofar as the living behave as if they have obligations towards the dead, treat them as if they have rights, and confer rights upon them in practice’ (Moon 2018: 5). Importantly, these rights should be extended to the families of the dead, as well as to the families of the missing (Pando 2018; Zerguine 2018). Indeed, ‘people are missing, because they are missed’ (Robins 2018: 3).

The relationship between rights and border deaths is no less problematic in the case of the rights of the living. From this perspective, the major issue is the relationship between the human right to mobility and the right of states to decide whom to deny and whom to allow entry into their territories, and according to which criteria. Should the aspiration of human beings to mobility or that of states to control their borders be taken ‘as the constitutive phenomenon which does not need a legitimation in order to be legitimate’ (Spijkerboer 2018: 20)? Even if one gives states priority, human rights law could be interpreted more creatively (Spijkerboer 2017) to trigger obligations for states to prevent border deaths (Spijkerboer 2007). For example, states may be legally obliged to issue humanitarian visas under certain conditions (Spijkerboer 2018).

Ideas

Ideas proposed to limit or put an end to border deaths often throw up other problems. Humanitarian corridors (Palm 2018), for example, create

new distinctions, new categories of people, new hierarchies. They end up representing an opportunity for rich destination countries to select migrants based on paternalistic or utilitarian criteria. Useful as they may be for the few beneficiaries, they fail to address the issue of border deaths for those who do not fall into the right categories, thus strengthening the principle that human beings are not equal in their right to mobility.

Cyrus (2018) and Bauder (2018) invite us to critically reflect on whether the right of states to restrict migration and control borders – only to protect their own privileges – is ethically justifiable, and whether open borders could be a feasible response. While open borders would prevent border deaths, they alone would not automatically put an end to human inequality, exploitation, and violence in general. More broadly, ‘the right to freedom of movement is currently perceived as a utopian idea’ (Cyrus 2018: 14). However, it could become reality if ‘coordinated with corresponding developments’ (Bauder 2018: 5) in the political sphere.

This may require – like in the case of human rights law – some creative-ness. Redondo Ibarrondo (2018), for example, suggests that the EU principle of solidarity, enshrined in the Treaty on the Functioning of the European Union, should be externalized: it should be legally binding not only for member states among each other but also towards external partners of the EU, including states as well as refugees and migrants. Similarly, Squire (2018) and Zeraï (2018) have stressed the need to foster solidarity not only between societies but also with individuals on the move, so that these are no longer seen as objects of concern (as objects of either suspicion or pity, as either victims or threats) but as subjects of rights, as subjects who can also speak themselves, rather than only being spoken about (Pando 2018; Zerguine 2018). This solidarity should extend to the dead, the missing, and their families.

Contradictions

Policymakers of the ‘global North’ put forward the idea that ‘we should help them in their home countries’ to ‘tackle the root causes of migration’, so people will not have to leave. In fact, rich destination countries seem to pursue the opposite course (Zeraï 2018). Far from helping the populations of countries of origin, they often make themselves responsible for wars in these countries, either directly or indirectly (e.g. by exporting arms to armies and militias). In so doing, they cause large numbers of people to flee, while not allowing them to travel safely to safer territories.

Moreover, 'helping them in their home countries' and 'tackling the root causes' often means helping undemocratic regimes in controlling their borders and preventing their citizens from leaving. These deals only make it harder and more dangerous for people to travel, and expose them to higher risks.

Finally, 'helping them in their home countries' and 'tackling the root causes' often means funding schemes that end up feeding the border industry¹ in the first place, perpetuating the vicious cycle (Albahari 2006) that doesn't put an end to border deaths because migrants and smugglers will always find alternative (and possibly even more dangerous) ways.

Addressing these contradictions would mean re-politicizing the contemporary framing of migration issues in general, and that of border deaths in particular. It would also mean addressing the entire set of inequalities, unbalances and exploitations between rich and poor countries, and between the global elites and the global pariahs of the world – those whom Bauman (1998) called the tourists and the vagabonds of the age of globalization.

The challenge

In sum, the increasing attention devoted to border deaths in the last two decades should be welcomed, but with an important *caveat*. Border deaths are but the tip of the iceberg of violence and discrimination permeating the current global migration regime. Suffering and injustice do not only materialize in death; they can also be expressed in many other ways. Unjust and violent migration and border policies would remain unjust and violent even if border deaths decreased or zeroed.

Meanwhile, border deaths do not cease, nor do they stop migration. Instead, they keep contributing to the process of turning the act of moving from one place to another from something natural to something extraordinary; individual and collective tragedies from the exception to the norm; migrants from normal people to heroes or desperados, at best, or to ghosts who lost their bodies on the ocean's ground, at worst. The challenge for those working on and with border deaths – researchers, practitioners and policymakers alike – is exactly to counter this process.

1 By 'border industry' I mean the entire range of activities related to the control and management of irregular migration: from the private security industry to the engagement of the military; from the smuggling industry to the provision of care for migrants through state and non-state actors – what Andersson (2014) calls the 'illegality industry'.

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Introduction: A State-of-the-Art Exposition on Border Deaths

Tamara Last

Abstract

This chapter introduces the edited volume, *Border Deaths: Causes, dynamics and consequences of migration-related mortality*, a timely state-of-the-art exposition of a field that emerged two decades ago but has grown exponentially in the last few years. After introducing the origins and aims of the edited volume, the author presents the emergent and interrelated themes of mobility politics, race and decolonization, data, positionality and centralizing the afflicted, which – she claims – offer direction for opening up and moving forward discussions on border deaths.

Keywords: Migrant deaths, irregularized migration, state-made boundaries, survivors, immigration policy, migration law

As the various chapters in this volume illustrate, there is no fixed definition of ‘border deaths’. What groups definitions together are, firstly, that border deaths are associated with the political structures and legal rules that determine who is allowed to be where and, secondly, that they could have been avoided. In the broadest sense, ‘border deaths’ or ‘migrant deaths’ describe the premature deaths of persons whose movement or presence has been unauthorized and irregularized as they navigate or interact with state-made boundaries.

Much of the variation between definitions comes down to the interpretation of state-made boundaries: a narrow definition of border deaths includes only those deaths that occur during the crossing of borderlines that demarcate geographical perimeters of states or supranational territories such as the European Union (EU); a wide definition includes deaths that can be tied to any manifestation of state-made boundaries in any space.

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Definitions also vary according to whether they include – in addition to dead bodies – persons who are missing, disappeared or who are believed to be dead (e.g. because they were reportedly on a boat that was shipwrecked) but their body is never recovered.

To reflect the variation in the field, this volume does not subscribe to a single definition. Different chapters adopt different understandings of border deaths depending on their choice of analytical lens, issues and the perspectives of the authors. As Gombeer, Ulusoy and Basilien-Gainche demonstrate in Chapter 7, differences in approaches to border deaths help to focus on particular challenges and to illuminate the phenomenon as a whole.

Knowledge production

The phenomenon of border deaths first appeared in academic scholarship in the late 1990s, when forensic anthropologists and migration experts began to document deaths taking place along the US-Mexican border in response to tightened border restrictions (Eschbach et al 1999; Cornelisse 2001). A few years later, the phenomenon was picked up in Europe by sociologists and lawyers concerned with race relations, peace studies and human rights (Fekete 2003, 2004; Webber 2004; Pugh 2004).¹ As is often the case, academic research followed in the trails of the advocacy, campaign and humanitarian work of civil society groups and NGOs such as UNITED for Intercultural Action, who began their list of ‘deaths associated with Fortress Europe’ in 1997.

Death has become increasingly relevant in the daily practices of border workers and in the discourses of policy makers. Over the last decade, as awareness of the global scope of the phenomenon and public interest in its effects have increased, research and reporting on border deaths has grown substantially, and diversified in terms of disciplinary, methodological and theoretical approaches as well as the actors involved in producing knowledge.

A collaborative approach is needed to bridge the myriad of insights about and perspectives on border deaths between researchers from across the disciplines, policymakers, international organizations, non-governmental organizations, activists and practitioners from around the world.

1 For a detailed analysis of literature on EU border deaths until 2016 see Chapter 5 in Last (2018).

The Amsterdam border deaths conference

An opportunity for diverse engagement and collaboration materialized at a conference on 14-15 June 2018 held by Vrije Universiteit Amsterdam in collaboration with the International Organization for Migration (IOM), *Médecins Sans Frontières* (MSF) and the United Nations (UN) Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions.²

The chapters of this volume are based on the rapports of the thematic working groups at the conference. In reflecting the ideas and perspectives of conference participants, as captured and represented by the authors, they demonstrate the coherence and richness that can be achieved through dialogue across different perspectives and approaches. Indeed, the Vrije Universiteit Amsterdam conference attracted participants from diverse institutions and organizations by inviting a wide spectrum of speakers and by collaborating with an intergovernmental organization, a humanitarian NGO and a UN Rapporteur.

As Thomas Spijkerboer points out in the Afterword to this volume, university-hosted conferences do not attract the same participants as other border death-related events (e.g. border security fairs), and vice-versa. Thus, some perspectives are missing or under-represented, most notably the private security industry, law enforcement, journalists and irregularized migrants themselves.

However, while the involvement of IOM, MSF and the UN Rapporteur as collaborating agencies surely helped reaching wider and more diversified audiences, it also discouraged potential participants. For example, given IOM's reputation for facilitating border violence and appropriating border deaths to increase their own influence in global migration governance (see e.g. Georgi 2010; Georgi and Schatral 2012; Lavenex 2016; Pécoud 2018, Al Tamimi et al forthcoming), their role in the conference reportedly dissuaded some experts from participating. While it can be difficult for critical migration scholars and activists to work with actors that are directly implicated in the migration and border regimes they critique, and practitioners, in turn, can be frustrated by academics' disregard for practical and political restraints, we believe that creating space for confrontation and exchange can be fruitful for either side. Expressing criticism not only towards the current state of things, but towards specific actors as well, as some authors

² The program for the conference can be found at: <http://www.borderdeaths.org/wp-content/uploads/Border-Deaths-Conference-Program-final.pdf>

do in this volume (among others, see Chapter 2 and Chapter 6), does not exclude – and, to some extent, even requires – contact and discussion.

A further limitation of this volume is that, despite our best efforts, it is Euro-centric, because the conference from which it derives was held in the Netherlands, enabling and attracting a greater participation from people working in Europe than those working elsewhere in the world, especially nationals subject to restrictive visa requirements and unaffordable travel costs (i.e. from the ‘global South’). More broadly, the chapters inevitably reflect the fact that the overwhelming majority of research is conducted at institutions in the ‘global North’, mostly by researchers trained in the ‘global North’, and funded by institutions in the ‘global North’. Nonetheless, scholars and practitioners from North and Central America, from North and Sub-Saharan Africa, and from South Asia and Australia contribute to the discussions presented, directly and indirectly. Moreover, we believe that the arguments and issues are largely relevant to any context in which border deaths occur, although they are positioned here from a ‘global North’ or ‘Western’ perspective.

In sum, the resulting compilation could benefit both researchers and practitioners situated in, or stepping into, the growing field of border deaths, and policymakers and members of the public who wish to be informed of current thinking on the subject. The dead, the missing and their families were at the forefront of many of the discussions presented in the volume and we hope that it will also benefit them in one way or another.

Overview of chapters

As a state-of-the-art exposition on border deaths, the volume scopes out the field through fundamental questions: Who is implicated in the border death regime? How many die and how do we gather that information? How are border deaths represented? In what ways do people engage with the dead? How are families affected? What are the politics of border deaths? Why do they happen? How do, and should, actors respond? The volume maps relevant actors and ways of measuring border deaths, reflects on representation of and engagement with the dead and the missing, and explores contrasting political perspectives surrounding the meaning, causes and viable solutions for the phenomenon.

All chapters in this volume introduce a multiplicity of actors who are engaged, in one way or another, with border deaths. Some are implicated in the causes of border deaths, others in contributing toward a solution; some

are involved in the lead up to and the act of dying itself, and others step in only at the post mortem stage. In Chapter 1, *Various Actors: The Border Death Regime*, Paolo Cuttitta, Jana Häberlein and Polly Pallister-Wilkins ask who these actors are, and what their role is vis-à-vis border deaths. The chapter provides an overview of the various actors, as well as of their intentions, ideas and actions or inactions. Altogether, as Cuttitta, Häberlein and Pallister-Wilkins argue, the emergence of the issue of border deaths has transformed 'the composition and dynamics of the border regime by creating the conditions for new actors to step in [...] as well as by transforming the position of other actors and the way they relate their activities to border deaths'. Therefore, the authors propose the concept of a 'border death regime' to make sense of this multiplicity of subjects.

One of the actions that academics, NGOs and policymakers share an interest in is the demand for and generation of data on border deaths. Statistics on border deaths have permeated public discourse over the last few years, in part due to the increased efforts of academics, journalists, NGOs and international organizations to document these deaths. In Chapter 2, *Mortality and Border Deaths Data: Key Challenges and Ways Forward*, Kate Dearden, Tamara Last and Craig Spencer reflect on the pitfalls and limitations of statistics in this field and what kind of data they would like to see collected in the future, how and what for. The chapter is organized around the main challenges associated with quantitative border death data collection and dissemination, outlining both what is known and where there is space for innovation. For instance, there is a heavy dependence still on data sourced from news reports, whereas families and survivors are an under-appreciated source of information about border deaths and their impact. Impacts of the phenomenon of border deaths also need to diversify beyond aggregated death tolls and unreliable mortality rates, to demonstrate the variety of ways in which many different people are afflicted.

Dearden, Last and Spencer argue that quantitative researchers are 'motivated to use statistics to advocate an end to border deaths and to inform policy to this end', but that they are often not given the opportunity by disseminating actors (journalists, news agencies, social media) to disseminate their complex, nuanced findings. Research is often catered to policy-makers' interests, through funding and the time-sensitive demands of policy-makers, rather than the issues demonstrated by the data itself or people directly afflicted by border deaths. The authors call for researchers to 'take charge of how we produce and disseminate data', rather than catering to policy-makers' and news outlets' momentary interests. While the field is small, there has been good communication and exchange of information

between different researchers collecting border death data. However, the field is growing and such a cooperative approach will not always be possible. It becomes, therefore, more and more important for border death data to be produced along with a clear methodology and for border death statistics to be properly explained and contextualized.

In Chapter 3, *Representations of Border Deaths and the Making and Unmaking of Borders*, Giulia Sinatti and Renske Vos show that what is counted as a 'border death' reveals the counter's perspective and politics: an excellent point that should be borne in mind when reading any of the other chapters of this volume. Drawing on Rumford's (2008) concept of 'borderwork', Sinatti and Vos argue that representations of border deaths are expressions of borderwork by state and non-state actors. Representing border deaths in certain ways and different moments produces specific meanings that de-territorialize the space in which bordering processes are understood to occur. Certain issues and certain deaths are rendered (more) visible, while others are rendered invisible. Thus, as Chapter 3 convincingly shows, it is necessary to question who is representing what, why, how and for what audience. Sinatti and Vos argue that unveiling different underlying agendas of the multitude of actors engaged with border deaths that were outlined in Chapter 1, will lead to a deeper understanding of how borderwork contributes to producing, reproducing and transforming the border and its violence.

The variation in representations and knowledge production also reflect the different ways that actors engage with border deaths. In Chapter 4, *Engaging Bodies as Matters of Care: Accounting for Death During Migration*, Amade M'charek and Julia Black address counting and identification of the dead bodies of migrants as practices of accounting, proximity and care. Most bodies of people who die a border death are never found; even those whose bodies are found are often never identified or reunited with their families. Instead, data is mined from these bodies for advocacy and forensic purposes: They are counted in numbers, disaggregated by sex, their age and origins estimated from their appearance or medical examination. Depending on the practices adopted in the specific country or place where bodies are found, fingerprints and DNA samples may be taken from them and DNA profiles generated and stored. Descriptions and labels are assigned with dramatically varying detail. Extracted data are retained to varying degrees in various places – some public, some protected, some purely bureaucratic – and represented in different ways, such as through maps and lists. Meanwhile, the bodies are attended to according to layered practices involving local authorities and a range of initiatives that have emerged specifically to

address missing migrants to fill gaps in state care. M'charek and Black argue that attending to dead bodies, through practices of counting, recovering, registering, identifying and burying *with care*, elicits novel ways of knowing about and accounting for border deaths.

Engaging with families of missing migrants produces different knowledge and representations of border deaths. In Chapter 5, *Mourning Missing Migrants: Ambiguous Loss and the Grief of Strangers*, Giorgia Mirto, Simon Robins, Karina Horsti, Pamela Prickett, Deborah Ruiz Verduzco and Victor Toom reflect together on the theme of mourning, deconstructing its various components and illustrating the different ways in which border deaths are mourned by familiars and strangers. The chapter focuses on missing migrants, exploring the implications for mourning based on the fact that most people who die border deaths remain missing either because their bodies are never retrieved or because they are never identified. The authors employ the notion of 'ambiguous loss' and ethnographic fragments from the Central Mediterranean to demonstrate how missing migrants and their bodies are mourned in multiplicity.

In a similar vein to Chapter 4, the authors highlight the care and sense of brotherhood that border deaths have awakened among various communities, from residents of localities where the unknown border dead are buried to communities of migrants, their relatives and activists. As Chapter 5 reflects, the missing attract particular concern given the dehumanizing effects of very low recovery and identification rates and a growing recognition that this has added to the exclusion of families from debates around border deaths. The authors demonstrate that missing migrants are complicated deaths, although any border death is complicated owing to its political nature.

It is the political nature of border deaths, which encompasses the missing or *desaparecidos*, with which Chapter 6, *Enforced Disappearances and Border Deaths Along the Migrant Trail*, is preoccupied. As Emilio Distretti suggests, some border deaths may be framed as enforced disappearances, highlighting the political nature of such deaths and arguably triggering legal obligations of the states involved. The association of border deaths with enforced disappearances may provide a legal basis for claims against a state before the UN Working Group on Enforced or Involuntary Disappearances, the UN Committee on Enforced Disappearances, or against representatives of state authorities before the International Criminal Court. Politically, it could also be a powerful manoeuvre. As Distretti describes, there is an important history behind *desaparecidos*, especially in the Americas, that would lend weight to the campaigns of those who claim migration policies and border control are responsible for border deaths.

Much of the existing literature on border deaths has grappled with the question ‘why are there border deaths?’, and although there are definite commonalities in the multidisciplinary answers to variants of this question, the studies do not tend to speak to – or even acknowledge – one another (Last 2018: 77-86). In Chapter 7, *Understanding the Causes of Border Deaths: A Mapping Exercise*, Kristof Gombeer, Orçun Ulusoy and Marie-Laure Basilien-Gainche argue that some of the incomprehensiveness of the field is due to the fact that experts on border deaths are speaking from different perspectives across different dimensions without compensating for this. To help address coherence between the multiplicity of perspectives and analytical lenses, the authors offer a multi-dimensional model for thinking about all the different elements that explain border deaths and their effects. They identify five dimensions: effects (i.e. the kind of death/harm done), analytical lens, the actors involved, geo-spatial context and level of manifestation. The authors illustrate the use of this framework model with three examples, demonstrating how particular approaches from each dimension interact to form a particular perspective on border deaths.

In Chapter 8, *Moving Forward: Between Utopian and Dystopian Visions of Migration Politics*, Huub Dijkstra, Carolyn Horn and Catriona Jarvis present their assessment of politically feasible solutions inspired by pragmatic humanitarianism – ‘pragmatic, not in the sense of some diminution of fundamental rights, but in the intellectual tradition of pragmatism, namely “oriented at action”’. They highlight some of the practical, legal and technological initiatives that have emerged to contribute to preventing border deaths or dealing respectfully with the effects of border deaths. For instance, the Last Rights Project has compiled relevant existing human rights and humanitarian law, which imposes obligations on states to, among other things, protect the right to life of all persons, including at sea, and respect the dead and their families. In the long term, Dijkstra, Horn and Jarvis recognize the need for the development of a new migration framework in which border deaths would not happen. While addressing some proposals put forward by practitioners and scholars alike (e.g. humanitarian corridors and open borders), the chapter does not articulate criteria for this alternative migration framework, reflecting the current lack of vision that they recognize is missing from migration politics. Instead, they claim the most viable option is to ‘muddle through’ toward an overarching vision, facilitated by more and better data that would enable the evaluation of competing migration policies.

Themes and directions

Several themes materialize in the chapters of this volume: Border deaths are inherently tied to *mobility politics* and ongoing processes of *decolonization*. The development of a de-colonialized framework for trans-border movement is both enabled and stalled by demands for and production of (especially quantitative) border death *data*. This tension emerges in part from a very narrow understanding of 'data' that is severely lacking reflection on *positionality* and the inclusion of people who are directly *afflicted* by border deaths, including the families of the deceased and disappeared.

The contributors to this volume are, in Cuttitta, Häberlein and Pallister-Wilkins' terms (Chapter 1), 'non-accidental actors' whose role is not to control or facilitate migration, but who are nonetheless engaged in the 'border death regime': the multiplicity of actors and interactions surrounding border deaths. One of the roles that emerges from the chapter is to illuminate the mobility politics in which border deaths occur. As a collection of representations of border deaths, this volume has itself become an 'instance for the contested politics of mobility' (Chapter 3). Several chapters seek to re-politicize the figure of the migrant who faces border death as a 'symbol of injustice' (Chapter 5), as *desaparecido* (Chapter 6) and as holder of rights (Chapters 4, 7 and 8). Moreover, most contributors are openly motivated to hold states responsible for past and future border deaths through legal (Chapter 6, Afterword) and practical initiatives (Chapters 2, 4 and 8). Mobility politics are evident in the way data is mobilized to 'normalize death as a "fact" of migration' (Preface, Chapter 2) and in the imbalance in perspectives and origins of participants of the workshops on which the chapters of this volume are based that resulted from (a) selectively restrictive access to an 'international' conference in the Netherlands and (b) the reputations and networks of the actors who organized the conference. As Sinatti and Vos (Chapter 3) remind us, our representations of border deaths themselves contribute to the political practices of enforcing, questioning and renegotiating the borders that determine access to resources through mobility.

Building on Reineke's (2018) concept of the border as a 'racial filter' and taking a step further in his critique of mobility politics, Distretti (Chapter 6) frames his discussion of border deaths as enforced disappearances 'within the broader context (temporally and spatially) of colonial history and legacies'. The proliferation of such disappearances, he argues, is evidence of the inability of former colonizing states to deal with the collapse of their Empires and the global mobility, autonomy of migration, global inequality and ongoing displacement that followed. Reading international law through

insights from Mbembe and Perugini and Gordon, Distretti argues that racist discourses and policies turn migrants into ‘necro-figures’ and *desaparecidos* by placing them outside the protection of the law. By addressing migrant deaths as ‘matters of care’, M’Charek and Black (Chapter 4) also acknowledge the relation with colonial legacies and postcolonial conditions and aim to underline the ‘entangled nature’ of worlds that tend to be treated as distinct. The racialization of irregular migration and border deaths and the continuities between colonial and migration policies were raised and discussed at greater length during the conference, but did not materialize explicitly in most of the chapters of the volume. Nonetheless, in related literature (see e.g. Saucier and Woods 2014; Mbembe 2018; Perugini and Gordon 2018; Achiume 2019; Owen 2019), race and decolonization are emerging as critical lenses for understanding mobility politics, and further engagement with this theme is expected in future research, debate and initiatives around border deaths.

The third theme that emerges from the volume is data. As organizations and politicians seek solutions for border deaths, public calls for more and better data abound. For Dijstelbloem, Horn and Jarvis (Chapter 8), more and better data means filling ‘fundamental gaps in knowledge in all areas relating to border deaths’ through more comprehensive sources achieved through coordination between actors and the establishment of data collection and sharing protocols. As the chapters on mourning (Chapter 5) and enforced disappearances (Chapter 6) demonstrate, calls for information about the dead and missing also resonate at the individual/personal and community/social levels. M’charek and Black (Chapter 4) argue that engaging with dead bodies by counting and presenting numbers in maps and lists can be a practice of care and a means of accounting for border deaths. However, Sinatti and Vos (Chapter 3) argue that, although data has its uses in demonstrating scale and raising public awareness, data can also have the opposite effect of rendering certain information, processes and people invisible ‘and so reduc[ing] a sense of urgency’ or exceptionalism (Preface). Although their critique targets numbers in particular, their example of the story of Josefa demonstrates that qualitative data can be equally problematic. In their chapter dedicated specifically to ‘mortality and border death data’ (Chapter 2), Dearden, Last and Spencer posit that while more data is inevitable, data generated purely to respond to public calls is likely to be poor. Better data is about developing methods, transparency, empowering those directly affected to share what they know, innovative analysis, creative and reflective presentation and careful dissemination techniques. In other words, delivering on calls for better data is not as simple as it sounds.

Bringing together actors of the border death regime with confronting insights, and making time to discuss points of agreement and disagreement

and the state of knowledge and practice of various issues surrounding border deaths, apparently provided space for self-reflection among researchers and practitioners alike. The fourth emerging theme from many of the chapters concerns positionality, the position of participants in relation to the social and political context of border deaths. This materializes in making clear the motivations behind the choice of focus (Chapters 2, 5, 7 and 8). It also materializes in entire chapters dedicated to demonstrating the value of considering which actors are involved in a particular aspect of border deaths (Chapter 1) and questioning who is representing what, when, how, why and with what effects on that which is represented (Chapter 3). Inspired by the dynamic panels of the conference that challenged participants to consider issues from different perspectives and question or situate their own perspective, the volume demonstrates the insights and progress that can be achieved by becoming more aware of what influences our understanding of border deaths and how what we are looking at, and how we look at it, affects our own perspective and our understanding of others' perspectives (Chapter 7). Our positions are fluid, emotional and susceptible to change over time and with exposure to knowledge and diverging perspectives, which is why this volume has sought to address fundamental questions concerning border deaths, rather than report the latest statistics and maps of movements which are controversially simplistic and would quickly become outdated.

Many of the chapters propose to centre debates around all those who are afflicted by border deaths, including the dead, the missing, survivors and their families and friends. As Mirto et al (Chapter 5) point out, 'the number of victims of [...] death during migration goes far beyond the anonymous bodies that can be counted'. In current debates and practices, the afflicted are neglected (Chapters 4 and 5), inferiorized (Chapter 1), disenfranchized (Chapter 3) and under-appreciated as a source of information (Chapter 2). Initiatives by non-state actors to identify missing migrants are more likely to take a family-centric approach (Chapter 4 and 5). These initiatives demonstrate the need to recognise and empower the afflicted as agents and as holders of rights whose heterogeneous concerns and interests can and should inform any 'solution' to border deaths (Chapters 3 and 5). They also demonstrate that 'caring for the dead is a layered activity', including 'a humanitarian practice that involves both the dead and their relatives, as well as a political practice that attends to the rights of the dead but also aims at engaging us as witnesses' (Chapter 4). A family-centric or afflicted-centric approach forces researchers and practitioners to be innovative and considerate in their non-accidental roles in the border death regime, and (re-)humanizes irregularized migration and border deaths. As Distretti

(Chapter 6) argues, the dead and disappeared are named, present and connected to 'the memories and struggles of their families' and stand as 'political subject[s], striving against the deprivation of [...] identity, autonomy and subjectivity and, overall, for justice'.

Together, the chapters of this volume provide a timely state-of-the-art exposition of a field that emerged two decades ago but has grown exponentially in the last few years. While the volume consciously evades definitive conclusions, the emergent and interrelated themes of mobility politics, race and decolonization, data, positionality and centralizing the afflicted, offer direction for opening up and moving forward discussions on border deaths.

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