Border Deaths

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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.
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; Cornelis 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), Medicins Sans Frontiers (MSF) and the United Nations (UN) Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions.  

The chapters of this volume are based on the rapport 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

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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 Dijstelbloem, 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, Dijstelbloem, 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, Härberlein 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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