

DIRECT

Discrimination and Inequalities Research Strategic Team

18 Maggio 2015

Discriminazioni, Persecuzioni e le «Humanitarian Forensic Sciences»

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Sezione di Medicina Legale

Laboratorio di Antropologia e Odontologia Forense

Forensic Advisory Board ICRC – International Committee of the Red Cross



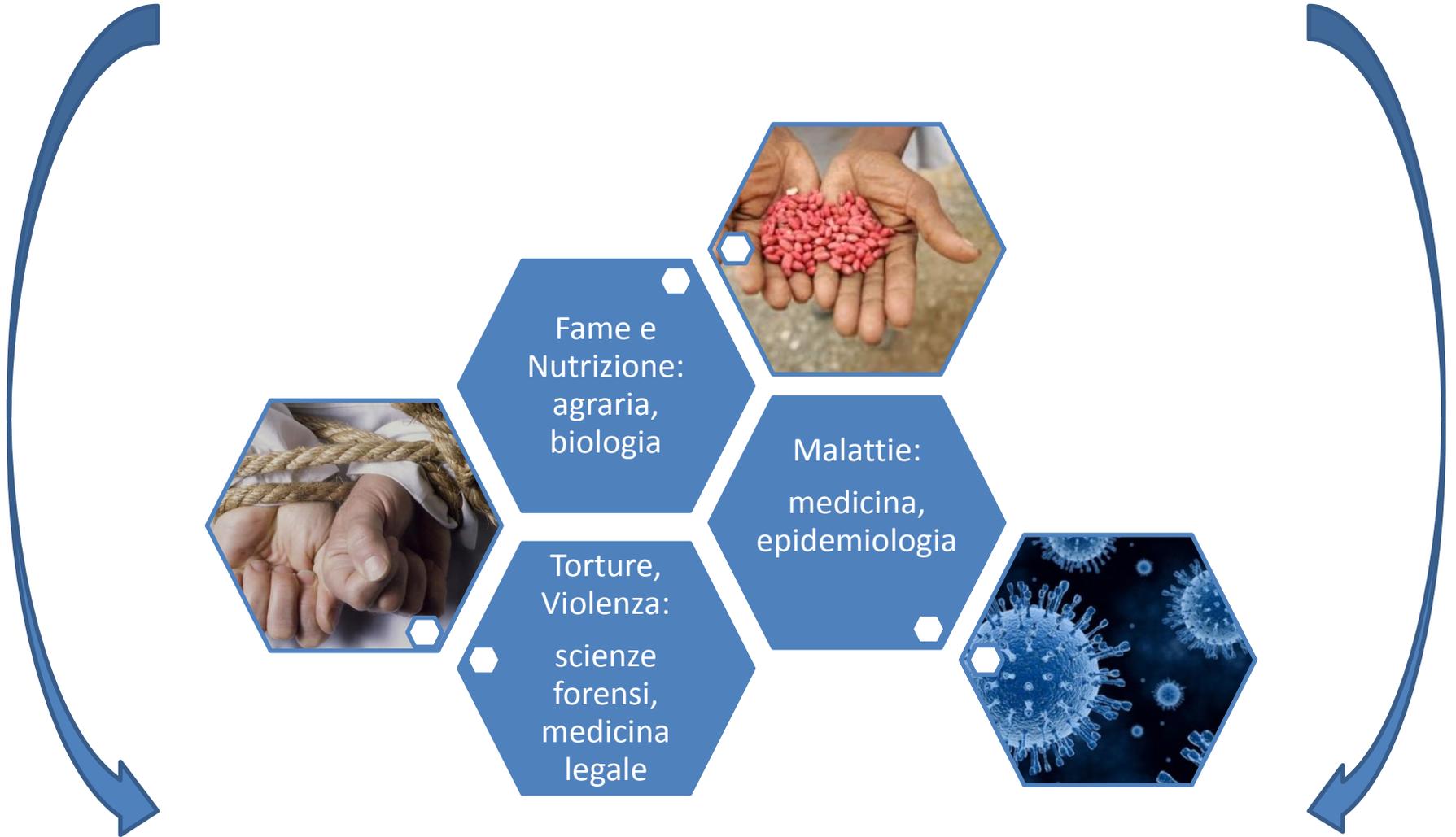
UNIVERSITÀ DEGLI STUDI DI MILANO

DIPARTIMENTO DI SCIENZE BIOMEDICHE PER LA SALUTE



ICRC

Medicina e Scienze



Violazione dei Diritti Umani - Discriminazione

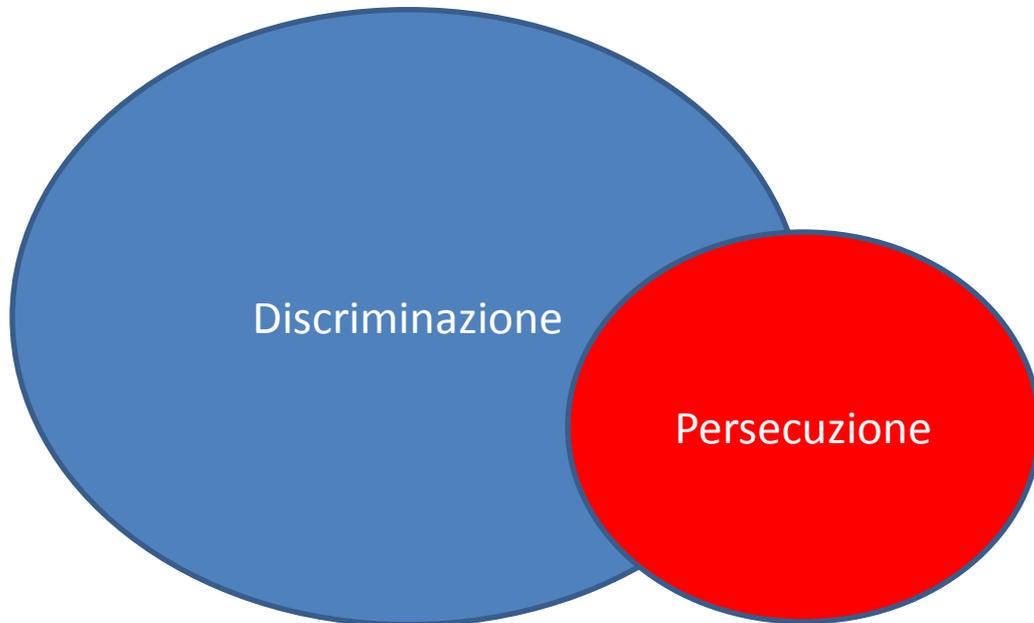
Convenzione di Ginevra (relativa allo status di rifugiato politico)

Persecuzione: art. 9 direttiva qualifiche, art. 7 D.lgs 251/2007

Persecuzione: gravi violazioni di diritti umani fondamentali;
pluralità di misure discriminatorie o altrimenti pregiudizievoli per la
persona che se sommate o protrate nel tempo rendono la vita
intollerabile

Motivi della persecuzione

- «Razza», Etnia
- Nazionalità
- Religione
- Opinione politica
- Appartenenza a gruppo sociale





United Nations

General Assembly

- The Special Rapporteur acknowledges that there are **credible and human rights-friendly forensic and other scientific alternatives** which have been proven to achieve the desired results in law enforcement and crime prevention than torture and cruel, inhuman and degrading treatment. Scientific advances have made possible the provision of evidence to corroborate evidence that torture has been administered; hence these new techniques are important tools for achieving accountability. The Special Rapporteur wishes to **further develop linkages between science and forensics** as an effective alternative to be employed in law enforcement, countering terrorism and effective criminal prosecution.

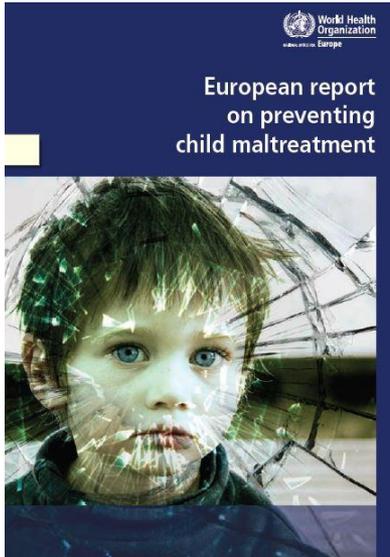


- we need to establish the highest possible standards for expert forensic testimony to be used in such proceedings, including procedural guarantees but also knowledge and sharing of scientific and technological state of the art

Juan E. Méndez

Special Rapporteur on the question of torture and other cruel, inhuman or degrading treatment or punishment

Prospettiva scientifica + giuridica + politica + sociologica + culturale.....



Maltrattamento, sfruttamento e pornografia minorile

Minori non accompagnati

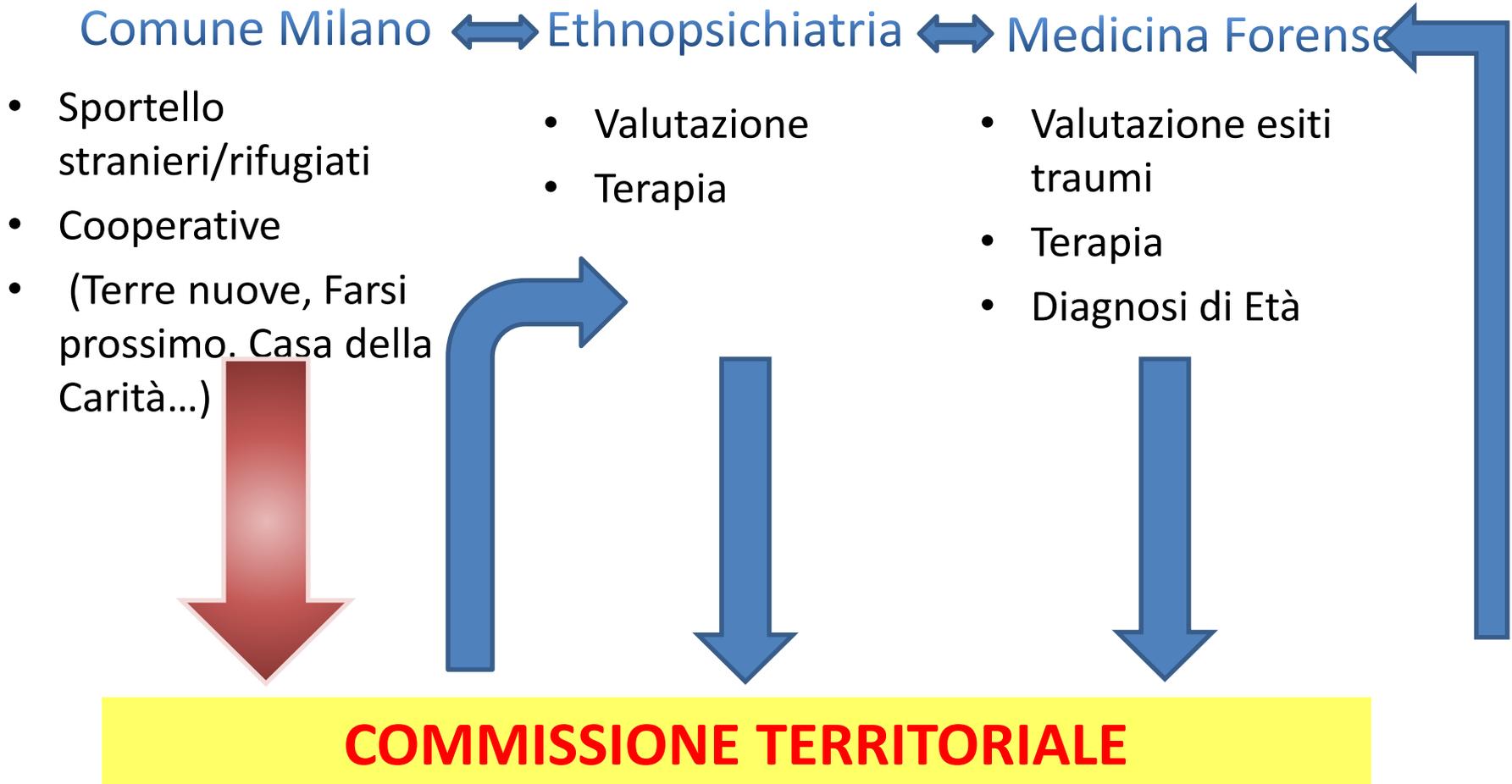
ELDER ABUSE is a violation of human rights and a significant cause of illness, injury, loss of productivity, isolation and despair.
— World Health Organization



Tortura



Milano protocol

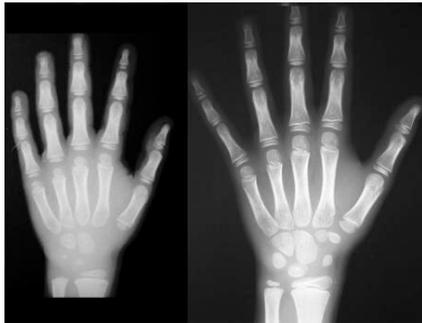


MINORI NON ACCOMPAGNATI

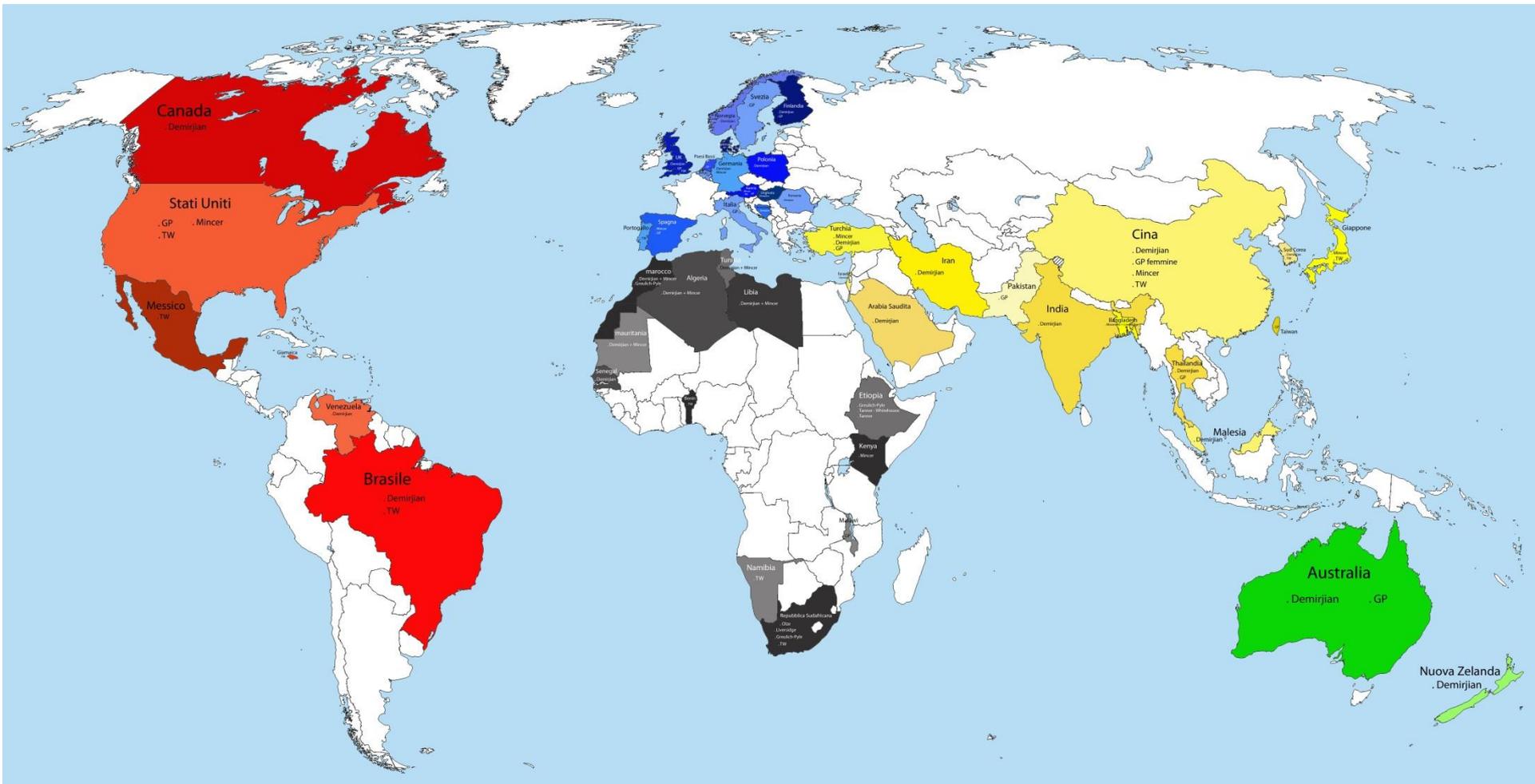
MEDICINA
UNIVERSITA''

COMUNE
PREFETTURA

TRIBUNALE
UNHCR



antropologia culturale, etnologia, demografia, geografia





Fosse comuni in Bosnia

I DIRITTI DEI MORTI



Sud America, «Desaparecidos»



I comuni 'eserciti di senza nome'



I barconi del Mediterraneo

Identification of the unidentified deceased: turnaround times, methods, and demographics in Fulton County, Georgia.

Hanzlick R, Smith GP.

Emory University School of Medicine, Atlanta, Georgia 30312, USA. Randy.hanzlick@co.fulton.ga.us

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J Forensic Sci, July 2008, Vol. 53, No. 4
doi: 10.1111/j.1556-4029.2008.00769.x
Available online at: www.blackwell-synergy.com

Leonard J. Paulozzi,¹ M.D., M.P.H.; Christine S. Cox,² M.A.; Dionne D. Williams,³ M.S.;
and Kurt B. Nolte,⁴ M.D.

John and Jane Doe: The Epidemiology of Unidentified Decedents

Forensic Science International 195 (2010) 167.e1–167.e6

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Forensic anthropology population data

Unidentified bodies and human remains: An Italian glimpse through a European problem

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CHI SE NE OCCUPA (SE NE DEVE OCCUPARE) ?

- ✓ Stato
- ✓ Interpol
- ✓ ICRC
International Committee of the Red Cross
- ✓ ICMP
International Committee for Missing Persons
- ✓ IOM
International Organisation for Migration
- ✓ Altre NGO

Vuoti normativi



November 22-23, 2013



Croce Rossa Italiana

ICRC

FIRST CONFERENCE ON THE MANAGEMENT AND IDENTIFICATION OF UNIDENTIFIED DECEDENTS, WITH AN EMPHASIS ON DEAD MIGRANTS: THE EXPERIENCE OF EUROPEAN MEDITERRANEAN COUNTRIES

Aula Magna, Sezione di Medicina Legale
Dipartimento di Scienze Biomediche per la Salute
Università degli Studi di Milano
Via Mangiagalli, 37 - Milano



- increasing the necessary political and institutional awareness and support, at national, regional and international levels, required for preventing and resolving the tragedy of unidentified dead migrants recovered from the Mediterranean Sea
- improving the communication, coordination and cooperation of forensic and investigative agencies involved in the recovery, analysis, documentation and management of decedent migrants
- ensuring the use of standardized procedures for the forensic analysis and documentation of the dead by all forensic and investigative agencies and practitioners involved in the management of dead migrants
- creating centralized data bases with information on unidentified dead and the missing reported in the region. These data bases should be searchable and accessible by various agencies, including humanitarian organisations, for servicing the humanitarian plight of bereaved families (6)
- involving Governments and institutions of countries of origin of migrants in the efforts to identify and repatriate their dead nationals

[The forgotten tragedy of unidentified dead in the Mediterranean.](#)

Cattaneo C, Tidball Binz M, Penados L, Prieto J, Finegan O, Grandi M.

Forensic Sci Int. 2015 May;250:e1-2. doi: 10.1016/j.forsciint.2015.02.007. Epub 2015 Feb 12

Paragraph 6.8 in: *The "left-to-die boat": actions and reactions*. Doc. 13532, 9 June 2014, Adopted by the Parliamentary Assembly of the Council of Europe on 24 June 2014 (accessed 1 September 2014

<http://assembly.coe.int/nw/xml/XRef/X2H-Xref-ViewPDF.asp?FileID=21024&lang=en>)

FIRST ITALIAN/EUROPEAN EXPERIMENT

ROMA 1-2 OCTOBER 2014

LAMPEDUSA OCTOBER 3 2013 366 victims

LAMPEDUSA OCTOBER 11 2013 21 victims

PROTOCOLLO D'INTESA TRA

GOVERNO ITALIANO

Commissario Straordinario
per le Persone Scomparse
Libertà Civili



IL COMMISSARIO STRAORDINARIO DEL GOVERNO
PER LE PERSONE SCOMPARSE

UNIVERSITA' DEGLI STUDI
DI MILANO

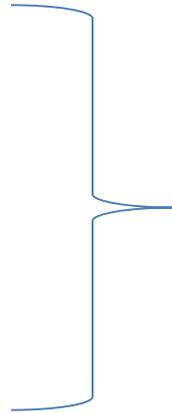


UNIVERSITÀ DEGLI STUDI DI MILANO

DIPARTIMENTO DI SCIENZE BIOMEDICHE PER LA SALUTE

- a. Organisation of PM data collected by the Polizia Scientifica DVI team for viewing and quick matching
- b. Calls to relatives through National Red Cross, ICRC, OIM, Amnesty International, CEI-Fondazione Migrantes, Borderline Europe, Comitato 3 Ottobre
- c. Interviews and data collection at set dates in Rome and then Milano – October 1 / 2 2014; December 4 / 5 2014; February 4 2015; April 23 / 24 2015

pathologist
odontologist
geneticist
anthropologist
psychologist
police expert
interpreter



AM DATA COLLECTION

(personal descriptors, photos (social networks), videos, xrays, dental and clinical documentation, samples for DNA analysis, etc.)

- d. AM data on **54 missing** related to the incidents of October 2013 collected from relatives coming from 7 different countries: Italy, Switzerland, Sweden, Norway, Denmark, Germany, Canada
- e. **10 matches/IDs** so far through primary (dental) and secondary methods; DNA in progress; 9 other possible matches

DIReCT

Discrimination and Inequalities Research Strategic Team

Soluzioni, anche con l'integrazione delle scienze biomediche, alle problematiche di discriminazione e persecuzione per

- ✓ «Razza» o Etnia
- ✓ Nazionalità
- ✓ Religione
- ✓ Opinione politica
- ✓ Appartenenza a gruppo sociale
- ✓ Specie