A GLIMPSE OF HUMANITARIAN FORENSIC MEDICINE IN MILANO:
FROM THE ARDUOUS TASK OF IDENTIFYING THE VICTIMS OF THE MEDITERRANEAN TO ASSISTING ASYLUM SEEKERS AND UNACCOMPANIED MINORS

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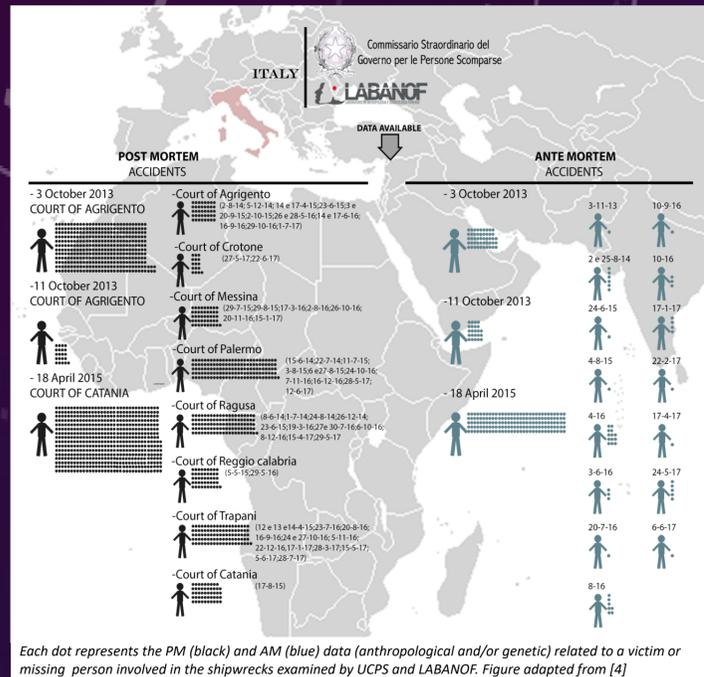[4] Ufficio del Commissario Straordinario per le Persone Scomparse

Introduction

Forensic medicine and forensic sciences are becoming more and more involved (and challenged) in the current migration crises, with the growing need to identify the hundreds of thousands of unidentified bodies and to provide forensic expertise to aid asylum seekers and unaccompanied minors. Whereas some needs (and rights) – for example identification of the dead - are incredibly difficult to sustain due to a large disinterest on behalf of politics and the public opinion in general, others more easily find approval and support, depending on the country, region or municipality. The following paragraphs aim to provide a quick glimpse on how these issues are tackled in Italy, and in particular in Milano, through collaboration with the Government offices or local Municipalities, and how forensic academic units may have an important role in revealing legal and administrative voids or violations as well as in providing support to and solutions for institutions and society in general.

The ongoing plight of (not) identifying the dead

Each dot represents the PM (black) and AM (blue) data (anthropological and/or genetic) related to a victim or missing person involved in the shipwrecks examined by UCPS and LABANOF. Figure adapted from [4].
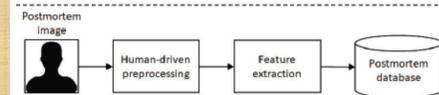
Deaths related to forced migrations are among the most urgent issues of the current humanitarian crisis, yet they are poorly addressed. The Mediterranean Sea represents the deadliest route, causing 50-60% of migration fatalities worldwide [1]. Since 2014, Italy has been striving to identify the victims of such disasters, trying to respect the fundamental right to identity of the victims and the right to know of the families of the missing [2, 3]. In particular, the Italian governmental office of the Commissioner for Missing Persons (*Ufficio del Commissario Straordinario per le Persone Scomparse*- UCPS) and the University of Milano have launched several humanitarian operations to collect postmortem (PM) and antemortem (AM) data for the identification of the victims of 68 shipwrecks which occurred between 2013 and 2017. Whereas postmortem data needs to be sought through the various Prosecutors' offices across the south of Italy, antemortem data is collected with great difficulty through interviews carried out by LABANOF, UCPS, and other agencies and NGOs such as the Italian Red Cross (CRI), International Committee of the Red Cross (ICRC) and *Comitato 3 Ottobre*. Over the years, since 2014, PM data related to 68 different shipwrecks concerning over 2000 victims have been collected and over 400 antemortem files have been opened from interviews with relatives in Europe and in countries of origin: regardless, due to lack of funding and limited access to families only 50 victims have been identified. This experience has led to the following suggestions for the European scenario: POSTMORTEM AND ANTEMORTEM DATA COLLECTION HUBS SHOULD BE OPENED IN EACH COUNTRY; SUCH DATA MUST BE SHARED AND CROSS MATCHED BETWEEN COUNTRIES BY GOVERNMENTAL AGENCIES, PROVIDED THAT REPOSITORIES OF HUMANITARIAN DATA ARE DISCONNECTED FROM CRIMINAL DATABASES; SPECIFIC STRATEGIES FOR REACHING AND INTERVIEWING RELATIVES IN THE COUNTRIES OF ORIGIN NEED TO BE DEVISED; DATA PROTECTION ISSUES NEED TO BE ADDRESSED AND ADAPTED; IDENTIFICATION OF DEAD MIGRANTS SHOULD BE CONSIDERED OBLIGATORY ACTION FOR THE APPROPRIATE GOVERNMENTAL OFFICES (AND NOT PRO BONO ACTIVITY); RESEARCH NEEDS TO BE PERFORMED CONCERNING IDENTIFICATION METHODS WHICH COMBINE DNA AND ANTHROPOLOGICAL STRATEGIES GIVEN THE PECULIAR AND SOMETIMES POOR QUALITY OF ANTEMORTEM DATA PROVIDED BY SUCH SCENARIOS WHICH IS SEVERELY CHALLENGING GENETIC AND ODONTOLOGICAL STANDARD IDENTIFICATION PROCEDURES.
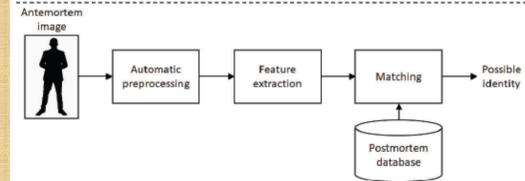
Novel perspectives

A recent study by the Department of Computer Science and the Department of Biomedical Science for Health of the University of Milano research groups has proposed a recognition methodology through biometric methods based on deep learning, for such humanitarian emergencies [5]. The research units cooperated in collecting datasets of face images from the deceased and living (missing) individuals and they are currently validating the software and methodological approaches. Researchers performed tests for a dataset of real images related to recent deaths of migrants in the Mediterranean Sea. The obtained results are satisfactory and suggest that specifically designed recognition methods based on deep learning strategies could be effectively adopted to forensic scenarios.
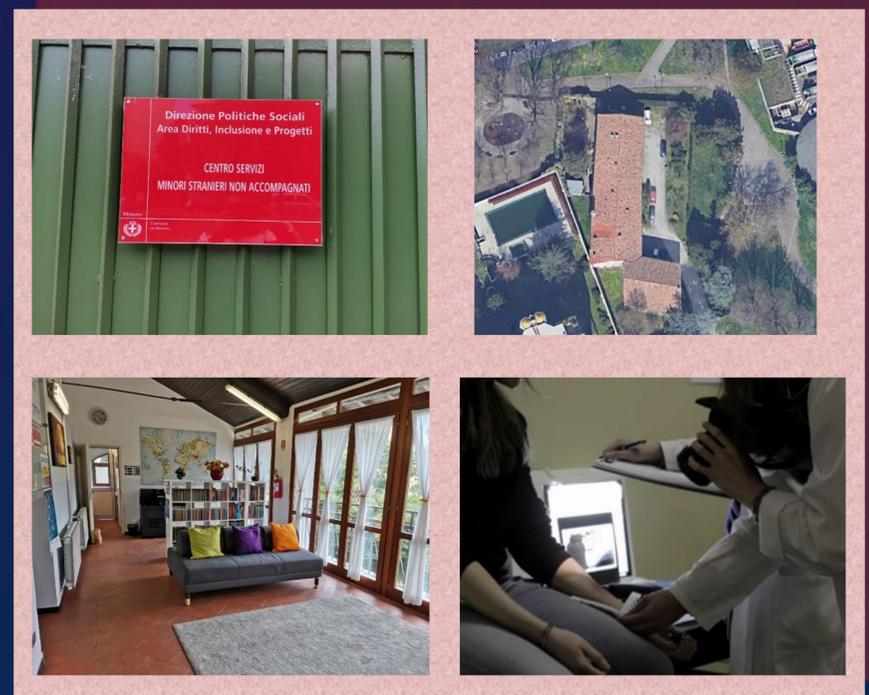

Medico-legal assessment in cases of tortures and for aging unaccompanied minors are being more and more supported by the Institutions

In the constant increase of migratory flows, the Metropolitan City of Milano, together with the Institute of Legal Medicine, have put the field of humanitarian and clinical forensic medicine at a central role among medical and social services, both for the evaluation of signs of torture and for the assessment of the age of unaccompanied minors. All in all, this traces a different model of forensic medicine, which is not only at the service of justice, but also of health, protection, and well-being of the vulnerable.

Since 2013, the Municipality of Milan, the University of Milan as well as other institutions have assembled a team, composed of experts in clinical forensic medicine, ethno-psychiatry, anthropology, psychology, and social workers with the task of examining vulnerable asylum seekers in order to assist them in their application for protection [6]. This type of protocol is still not common in Italy as the presence of clinical forensic medicine has only been recently encouraged with the Ministerial Decree of April 3rd, 2017, which enshrines guidelines for the assistance and the rehabilitation as well as the treatment of psychiatric disorders in refugees and asylum seekers who have undergone torture, rape, and other severe forms of psychological, physical, or sexual violence. By the end of 2021, 316 asylum seekers were examined in the Institute of Legal Medicine, and an equal number of detailed reports were passed on to the Prefecture in order to assist such refugees.

Similarly, the Metropolitan City of Milan has assigned a leading role to forensic medicine evaluation for age assessment, with a protocol involving the University, the Prefecture, Juvenile Courts and the National Police [7]. In addition, the multifunctional centre "Centro Servizi Zendrini", inaugurated at the end of May 2019, represents an *unicum* in Italy, sustaining accommodation, education and integration of unaccompanied foreign minors. Zendrini operates as a reception centre and a hub for the accomplishment of all the legal and bureaucratic procedures required by the new Italian law on unaccompanied foreign minors. And clinical forensic medicine is at its core.

References