

Tunisian diary

In the coming months, *borderline-europe* will publish a Tunisian diary by our volunteer Ludovica Gualandi, who is on site and shares her impressions on various migration issues.

26 September 2023 – 4 –

Mr Waffo's story: an example of the struggle for truth and justice

Mr Waffo Soh Devo Leandry, a 33-year-old Cameroonian, is now calling me from Rome, where he has been living in an Extraordinary Reception Centre (CAS) for several months. His "journey" began in Cameroon, where he and his wife lived until around three years ago. He decided to leave his country and head to Tunisia: that's where I met him. When we first meet on 15 April 2023, he tells me his story. It is important for me to share with you his words not only for their power, but also for



The sea near Monastir on the way to Sfax. Photo by Judith Gleitze

them to become a testimony to the many, too many people who leave their homes every day in the hope of a better life - but who are suddenly catapulted into a turmoil of abuse and violence. As I said, I meet Mr Waffo on 15 April 2023, a warm spring day, near Beb Jibli, in the centre of Sfax (Tunisia).

When we meet, Mr Waffo is worried, confused and terrified. He asks me for help and I try to comfort him and understand what his needs are. At the moment, in Tunisia, it is not easy for a Black person to get help. For months, the government, police authorities and citizens have not only been conducting a campaign of intimidation and expulsion of Black people from Tunisia - regardless of whether they are in the country regularly or irregularly - but also de facto prevent any form of solidarity and support. He tells me in great pain about the violence he suffered a few days ago in the middle of the sea off the coast of Sfax. Mr Waffo had set off in a wooden boat towards Lampedusa with his wife, his three-year-old son and 120 other people, including many women and children. I ask him why he decided to leave Tunisia.

"I am a trained plumber and came to Tunisia in 2020 with my wife because there is no freedom in our countries. We decided to come to Tunisia. Everyone in our country said to us that Tunisia was a good place, that there were more job opportunities and that it was a democracy. When our son was born, my wife decided to work as a beautician. But after the president's speech, we started to feel in danger. And we had left our countries to feel safe. Of course, life here in Tunisia was not easy, not even before. But now I am afraid. I have a small child, I am afraid to go out in the street, my wife and my child are not safe. In the salon we were intimidated, in the street we are afraid. We decided to leave. We had no other choice."

Mr Waffo arrived in Tunisia in 2020, where he was granted status as an asylum-seeker through the UNHCR. By early 2023, he and his family had managed to settle into the Tunisian environment, work and live a dignified life. After President Saïed's speech on 21 February, their lives changed, as did those of thousands of Black people in Tunisia. The escalation of violence has indeed created a situation of fear and terror for Black people, who in many cases are forced to flee the country. And for many, crossing the Mediterranean is the only way to leave Tunisia. So, Mr Waffo decided to set off. After another episode of intimidation in his own home, Mr Waffo left Tunisia with his family on 11 April 2023 and set off in a wooden boat. At sea, on board of small iron and wooden boats, people are degraded to "illegal immigrants" to be detained at all costs. The security imperative imposed by Europe seems to take precedence over the protection of human life, especially when the people involved are Black. The boat was pursued by the National Guard for kilometres at sea. After a collision between the National Guard's boat and the migrants' boat, the latter capsized. At that moment, Mr. Waffo's wife and son died, as many other people on board of the boat.

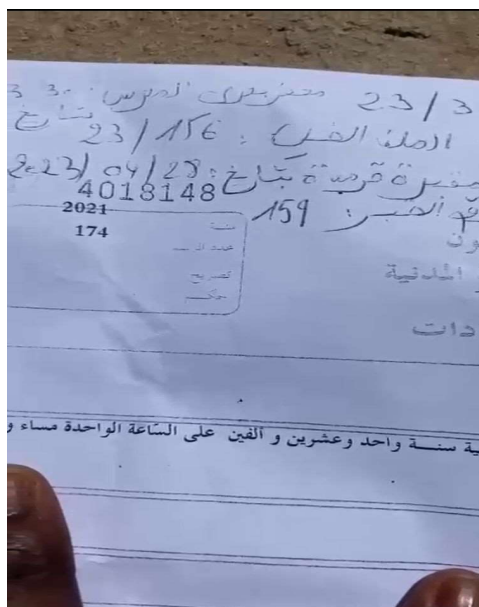
"I personally had to take the body [of my wife] out of the water and bring it to the National Guard boat. Then I took the body from the boat and brought it back to the dock of the port of Sfax. [...] So I took my wife's body from the boat, brought it back to the dock, I also took photos of her body, then they [the Tunisian National Guard] asked us to leave. So, I left the body there, there was an officer to whom I told that this was my wife's body and that I had not yet found my son's body. He asked me to leave. I then left, leaving my wife's body there. We were told that an ambulance would come to take the body to the hospital. But I was not there when the body was taken out of the ambulance."



The anonymous grave where Mr Waffo's son was buried

When I met Mr Waffo four days after the event that led to the death of his wife and son, he asked for help in identifying his wife's body, which he had personally brought to the port of Sfax. Mr Waffo was the victim of a double violence: the political and social conditions in Tunisia forced him to flee from the discrimination that was spreading in the country. At sea, he was stopped by the Tunisian authorities, who capsized the boat, leading to the death of many people. But the violence and dehumanisation that migrants suffer both at sea and on land continues even at the moment of death. The bodies of dead migrants are usually left in the water because there is a lack of capacity and will to secure migrants and to treat their deaths with dignity. Mr. Waffo himself had to retrieve his wife's body from the water and bring it to the port of Sfax until the body was taken from his hands and taken over by the National Guard. At the port, he was not informed of the procedure that the relevant authorities would follow in dealing with his wife's body. Mr Waffo was left in the dark and in uncertainty and had to try on his own to get answers from a dysfunctional and closed system. The system set up by the Habib Bourguiba hospital in Sfax and the relevant authorities to deal with deaths is presented as a "pilot project" in the Tunisian context. In both Tunisia and Italy, there is no coherent national system that guarantees the dignified treatment of migrants' deaths. Although a comprehensive system for the control and monitoring of migrants from Africa to Europe has been established by Euro-African cooperation, there are no financial resources for dealing with deaths of migrants: No unified and effective system has been set up to deal with the bodies of migrants. In Tunisia, each region or governorate has different procedures, which are very fragmented and opaque, making it difficult for families to trace them. In Sfax, as in the rest of the territory, the National Guard is not only involved in interception operations at sea, but also in the search and identification of bodies. In the absence of a mandate requiring the National Guard to systematically pull dead bodies from the water and search for missing persons

at sea, many bodies are permanently under sea, while others are sometimes brought back from the sea, bringing to light the deadly effects of border policies. Unlike many other regions of Tunisia, where superficial and arbitrary search and identification procedures prevail, a document from the Sfax medical examiners and forensic services establishes an "official" and scheduled procedure for the treatment of anonymous bodies. According to the document "Disaster management in the context of boat accidents involving irregular immigrants: Experience of the Forensic Service of Sfax"¹, and according to the stakeholders involved with whom



The post-mortem file issued by the Sfax mortuary and given to Mr Waffo when he met with forensics.

I had several exchanges, the identification procedure is regularly applied in the morgue of Sfax. A team of forensic doctors and medical staff take care of the bodies, perform the autopsies and collect data in the post-mortem card to identify the victims. If possible, fingerprints and DNA samples are taken to facilitate identification. In addition to this card, there is also the ante-mortem card in the mortuary, where already existing information on missing persons is compiled. In this, the families are involved. This data is then compared with information from the autopsy. The International Committee of the Red Cross (ICRC) plays a crucial role in this process by supporting the collection of information from relatives and the identification of family members. The "official" procedure is initiated by relatives reporting the disappearance or death of a person to the ICRC hotline. The hotline then collects the most important information. The ICRC will then carry out an initial data cross-check between the information provided and that collected by the forensic experts. Forensics organise appointments for family members to view photos of the

bodies and their personal belongings. The relatives are accompanied by members of the Sfax Red Cross appointed by the ICRC. If an identification is made, a DNA sample is taken for confirmation. This can be done directly if the relative is a family member, otherwise the ICRC establishes communication with relatives in the country of origin. If the DNA match is positive and the body is still in the mortuary, the families can decide whether to bury the deceased in Tunisia or return him or her to the country of origin. The repatriation of the body is not taken care of by the ICRC or the countries of origin. If the body is already buried, the family receives a set of data to locate the burial place. Although exhumation for repatriation is possible, it is very time-consuming and expensive. Due to the limited capacity of the Sfax mortuary, it does not have enough cold rooms to store bodies. Most of the dead brought there are buried before they are identified. The burial order, issued by the municipal prosecutor's office, follows long administrative and bureaucratic procedures, depending on the availability of the municipalities and the cemeteries. Other stakeholders can also intervene in the identification of the bodies, including the Red Cross, forensic medicines and forensic investigation, the municipalities, as well as researchers, activists and families. Despite this system, the reality on the ground is that access to the bodies for identification has been blocked since February 2023. The families of migrants who lost their loved ones in a shipwreck in the Mediterranean Sea have problems obtaining information about the location of the bodies and the identification process. Mr Waffo has tried several times to obtain information about the fate of the bodies of his wife and son.

¹ Ben Amar, W., Siala, H., Dhoubi, H., Karray, N., Daoud, F., Lebke, H., Hammami, Z., Zribi, M., & Maatoug, S. (Service de médecine légale, Hôpital Habib Bourguiba, Sfax (Tunisie)). Gestion des catastrophes de masse liées au naufrage de bateaux d'immigrés clandestins : expérience du service de médecine légale de Sfax (Tunisie). Online access: <https://www.emro.who.int/emhj-volume-28-2022/volume-28-issue-12/gestion-des-catastrophes-de-masse-liees-au-naufrage-de-bateaux-dimmigres-clandestins-experience-du-service-de-medecine-legale-de-sfax-tunisie.html#:~:text=Bilan%20du%20service%20de%20m%C3%A9decine,de%20l%27activit%C3%A9%20du%20service>

The day after the shipwreck (12 April 2023) I went to the National Guard. There they asked me to go to the mortuary. So, I went to the mortuary and there they told me to go to the National Guard. There they told me again that there was nothing they could do for me. [...] They sent us to the technical service for visual identification. It was practically impossible, totally impossible, to get access unless through an appointment with a responsible person from the Red Cross or the Red Crescent. [...] There the visual identification can be done and the number of the body in the morgue is determined [...] for that you have to go to the technical service of visual identification first. The person in charge said that they can only accept us if a Red Cross officer or person in charge makes an appointment with the number of the body for identification. So I went to Tunis, only to be told that it was false information. The Red Cross cannot intervene directly. A two-to-three-month procedure has to be gone through, only then we will be contacted [...] It takes a very long time.²

Mr Waffo's narration shows that he went through a complicated process involving the National Guard, the morgue, the Red Cross, the ICRC and other agencies. That said, it was a confusing process at every stage, and it was impossible to get clear answers. The testimonies of several other migrant families confirm the same difficulties and procedure that Mr Waffo described. Families are sent from one place to another without receiving concrete results on the identification of the deceased. The International Committee of the Red Cross (ICRC), which is supposed to support the families in this process, has not been able to provide the expected assistance. On 26 May 2023, ICRC officials met at the Tunis office and tried to justify themselves: the high number of deaths as well as missing persons, the overload of the Sfax mortuary and the lack of hospital staff. However, these justifications are not sufficient to explain the extent of the difficulties. According to ICRC staff, the Sfax forensic office has stopped providing access to the post-mortem files of sub-Saharan migrants since President Saïed's speech in February 2023.

The ICRC warned that relatives could be subjected to administrative detention due to their irregular residence status in Tunisia if they report to the authorities. The irregular status of sub-Saharan families in Tunisia prevents them from identifying and burying the bodies of their deceased. The persecution of persons with irregular status, carried out through violent measures in Tunisia, thus continues after their deaths and also affects the families of the victims. Moreover, the testimony of Mr. Waffo, who had the status of an asylum seeker, shows that identification procedures have been denied not only to persons with irregular status, but to all Black people. This situation has resulted in families being unable to obtain information about the identification of the bodies.

Faced with the inaccessibility of the identification and search system and the lengthy procedures, many families who had reported the disappearance or death of a loved one decided to abandon the search. Faced with a system that denies them the right to know and the right to grieve, many families, exhausted after months of struggle and searching, decided to break off contact with us and stop the search. Mr Waffo was the only one among the people we met who had the strength to continue. The impossibility of accessing his wife's body and giving her a dignified burial "does not allow me to go on living and accepting the pain of her death". A few months after losing his family,



Demonstration in Tunis on 6 June 2023, after the arrival of Italian Prime Minister Giorgia Meloni. Meloni met Tunisian President Kais Saïed for negotiations.

² Interview with Mr Waffo, Sfax, 25 April 2023

Mr Waffo organised a funeral service at his home to honour the memory and life of his loved ones. This gesture of great symbolic and emotional value powerfully conveyed the determination with which Mr Waffo refused to let his loved ones be forgotten, among thousands of men, women and children who die anonymously every day. In fact, as is evident from Mr Waffo's words, he had independently followed the "officially" established search and identification procedures. He had reported his loss to the emergency number of the ICRC hotline a few days after the death of his relatives but was never contacted by the hotline staff. He had reported the death of his wife and son to the National Guard brigade in the port of Sfax. After taking his statement, the staff asked him to leave the office. Mr Waffo had also informed the consular services of his country and his wife's country of the loss. However, none of these steps actually enabled him to make any progress in identifying the bodies and returning them. After numerous efforts and contacts with the hospital, the morgue, the relevant authorities and in the face of the neglect and inaction of the institutions and international organisations, Mr Waffo decided to take the last possible course of action. After a meeting with the Prosecutor General of the city of Sfax, Mr Faouzi Masmoudi, on 31 May 2023, he was advised to consult a lawyer. Mr Waffo was asked to write to him to make the events surrounding the death of his loved ones official and to request official access to the identification procedures of the bodies. Mr Waffo and I, with the support of the Mem.Med association, came into contact with the lawyer's office of Spinelli & Mechri. The lawyer's office was willing to support Mr. Waffo. The social and political environment, marked by the marginalisation of sub-Saharan Black people and an increasing criminalisation of those who help or support them, created difficult conditions to report a violation without facing consequences.



A typical iron boat used by sub-Saharan migrants to cross the Mediterranean Sea to reach the Italian coast

Thanks to the legal support and Mr Waffo's persistence, he finally succeeded in being received at the Sfax police forensics office on 20 July 2023. Accompanied by his lawyer, he was able to identify the bodies of his wife and son. Through the numbered files kept at the Sfax hospital, Mr Waffo was able to see the photographs of the bodies of his wife and son. The bodies had been buried in two different cemeteries, with only the file numbers indicating the exact grave locations. After learning where the bodies of his wife and child had been buried, Mr Waffo arrived in Lampedusa on a small iron boat on 24 July 2023.

Only an extraordinary procedure could guarantee Mr Waffo the 'normal' dignity of an honourable and recognised burial; while the border regime makes migration extraordinary and normalises the resulting death and forgetting, Mr Waffo and those who resist continue to demonstrate a tragic force in deaths at sea. A force that does not diminish and that cannot be oppressed by the migration policy between the EU and Tunisia.

Photo: Ludovica Gualandi

Translated from German by Sandra Krause