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A psychosocial approach in humanitarian forensic action
The Latin American perspective

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ABSTRACT

Forensic humanitarian action is aimed at alleviating suffering and maintaining human dignity, with the victims and their families at the core. International recommendations emphasize the importance of psychological support and psychosocial work as an integral part of forensic investigations into missing persons.

Psychosocial action does not simply refer to emotional support but is based on the idea of the individual being the holder of rights, encouraging decision taking, affirming actions, and elaborating personal and collective histories. In this framework, forensics and psychosocial sciences need to work in complementary and coordinated interaction for the benefit of the families and communities.

For forensic investigations to be restorative – their ultimate humanitarian objective – there are certain additional conditions apart from those of scientific quality and ethics: respect, information and coordination are among the main pillars for forensic action with a psychosocial approach, taking into account the need to treat on an individual and collective level the continuous psychological affectations caused by the disappearance of a loved one. On this basis, psychological and psychosocial accompaniment of the victims can contribute to the victims' healing process and also improve the forensic investigations themselves.

This article, which is based on the experience of two decades of practical forensic and psychosocial work in the field, explains the main psychological effects of disappearances and the resulting needs. It gives a short historical overview of the origins and developments in psychosocial support and a perspective in relation to the search for missing persons and forensic interventions in Latin America. It goes on to demonstrate how coordinated interaction among the forensic and psychosocial fields strengthens both of them to the benefit of the affected families, groups and communities. Finally, it takes up some of the international recommendations of best practices with particular significance for the implementation of a psychosocial approach in forensic investigations.

They could be, at first glance, only bones,
rickety bones
buried by the roadside.
Abandoned bones, not caressed bones
a pain not shrouded.

But they are not, at first glance, only bones,
rickety bones.
In the calcium of the bone there is a story:
desperate story, sprawling story
of premeditated terror.

And we must tell,
unearth, match,
take the bone into the clean air of life.
Pending hug,
farewell, kiss, flower,
in the right place
of the scar.

Podrían ser, a simple vista, sólo huesos,
desvencijados huesos
enterrados al borde del camino.
Abandonados huesos, no acariciados huesos
de un dolor no amortajado.

Pero no son, a simple vista, sólo huesos,
desvencijados huesos.
En el calcio del hueso hay una historia:
desesperada historia, desmadejada
historia
de terror premeditado.

Y habrá que contar,
desenterrar, emparejar,
sacar el hueso al aire puro de vivir.
Pendiente abrazo,
despedida, beso, flor,
en el lugar preciso
de la cicatriz.
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1. Introduction

As in Pedro Guerras song *Huesos* (Bones), the bones uncovered in forensic investigations "could be, at first glance, only bones, rickety bones, buried by the roadside", not worth being-remembered. The imperative of *me mnesikakein*, the prohibition of remembering the bad, the misfortunes of a previous civil war in ancient Athens [1] is often, to this day, invoked as an argument for oblivion, for letting the past be the past for the sake of national reconciliation.

But these bones are not the past: For the families of missing persons, the past is still part of the present, of their every day. Memories, pain, the marks of suffering, the frequent social negation of the events or even of the person him or herself, stigmatization. Yearning to find the person alive, fearing for what they may have suffered, the fear of the confirmation of death. All these come to play when talking about these bones.

They are not only "rickety bones" to be forgotten. These bones have a history, persons, families, waiting to know what happened to them, to know where they are. They need to know, in order to understand, and forensic sciences can provide some of these necessary answers. This article discusses the encounter of forensic investigations with the families' needs, as expressed in a psychosocial approach to forensic action.

International recommendations such as the ones stemming from the International Committee of the Red Cross (ICRC)'s campaign and conference on The Missing [37,38], resolutions from the UN General Assembly (1985) [2], and the OAS resolutions which a have been successively approved since 2005, emphasize the importance of psychological support and psychosocial work as an integral part of forensic investigations into missing persons and attention to their families [3].

In traditional domestic settings of ordinary criminal cases, forensic investigations are mainly oriented towards providing information for the criminal justice system. Only in a lesser degree are they geared towards the families of the victims. Forensic humanitarian action, on the other hand, is aimed at alleviating suffering and maintaining human dignity. In this sense, in contexts of widespread violence, war, and violations of human rights and humanitarian law, forensic investigations take on more social implications. It is the victims and their families who are at the core of the efforts. The victims are embedded in society, and more than in other contexts much of their suffering, their affectations, and ways of alleviating them, are all rooted in society, having both psychological and social causes and effects. A psychosocial approach takes into account the need of treating the continuous psychological affectations caused by the disappearance of a loved one — on an individual and collective level. Affectations caused by a disappearance have been equaled by international jurisdiction to inhumane treatment — as indicated by the Inter-American Court of Human Rights in the Blake case, in the reparations judgment of January 22, 1999, in where the suffering of the family members is considered a violation of Article 5 of the American Convention on Human Rights, which defines the right to humane treatment [4].

This article explains the main psychological effects of disappearances and resulting needs, gives a short historical overview of origins and developments in psychosocial support and perspective in relation to the search for missing persons and forensic interventions in Latin America. It goes on to demonstrate how coordinated interaction among the forensic and psychosocial fields strengthens both of them to the benefit of the affected families, groups and communities. Finally, it takes up some of the international recommendations of best practices with particular significance for the implementation of a psychosocial approach in forensic investigations.

2. Missing persons — the psychological and psychosocial impact of disappearances

The disappearance of a person is defined by the lack of information of the fate and whereabouts of this person, and the main emotional impact of the disappearance of a loved one is the uncertainty and ambiguity that it creates. In cases of enforced disappearance, the State's role (and by extension, society's role) is a prominent one, both in the disappearance itself, as well as in the effects the disappearance produces. Societies' action or inaction in terms of documentation, sanction and prevention of disappearance have profound effects on psychological and psychosocial suffering and healing. Based on in depth analyses, the field of psychology has produced both a theoretical framework and concrete actions addressing this phenomenon.

The United Nations General Assembly defines "victim" as persons that, individually or collectively, have suffered harm, including physical or mental trauma, emotional distress, financial losses or substantial impairment of their fundamental rights, as a consequence of actions or omissions that violate the criminal code currently in force in all Member States, including the one that proscribes the abuse of power [5]. A person can be considered a "victim", in compliance with this Declaration, without regard to the identification, apprehension, prosecution or conviction of the perpetrator and independently of the family link between the perpetrator and the victim. The term "victim" comprises, in addition and where appropriate, the relatives or persons in charge that have an immediate relationship with the direct victim, as well as with the persons that have suffered harm while trying to intervene to assist the imperiled victim or to prevent victimization.

All definitions of victimhood have two things in common: on the one hand, the image of someone who has suffered some damage and injury from forces beyond his control, and on the other, the idea of the victim as being in a state of weakness and defenselessness, needing protection. As Robins [6] points out: "Discourse also constructs the victim identity, with victimhood not emerging naturally from the experience of being harmed but arising socially and subjectively, with a range of factors determining who will be accorded victim status" (p. 314). Such social perception of a victim does not include the potential for agency, understood as "the capacity that the persons have to build their own life and influence social processes in which they participate interacting with others" [7] p. 44. Victims are expected to act their role, to suffer psychologically and physically. The victims that do not comply with that role, are seen not so much as victims; their victimhood is questioned by society.

Whatever it may be, the stigma of being a victim soon sets in. For psychosocial healing processes, it is important to go beyond such perceptions of victimhood and replace the idea of damage, or being marked inalterably by the events, with the realization that the pain and experiences gone through in the present are not permanent and can be modified, and the experience given a new meaning. From this point of view we see the victim in a constant process of constructing anew his or her condition.

The psychosocial effects of a disappearance are diverse and vary in intensity and complexity. They may affect different aspects of a person, and transcend the individual, affecting families and communities.

Disappearance generates an ambiguous reality and a bigger concern and impact than other types of loss. The uncertainty about the fate of their loved ones that many people go through, particularly in cases of forced disappearances, can leave a permanent open wound [8,6]. Pauline Boss defines this loss as physical ambiguous loss. "With physical ambiguous loss, families do not know where their loved ones are or whether they are dead or alive. A person is physically absent, yet kept psychologically

present because there is no proof of death or permanent loss" [9] p. 270. Ambiguity is the core of the experience, uncertainty related to not knowing if the person is alive or dead. "To disappear means not being alive nor dead. There are no explanations or legal processes. It is the same as to be and not to be. It implies being permanently present in the family and with close friends, and being nonexistent for society" (Traverso, 1989. Taken from Ref. [10] p. 255. Translated from Spanish) The reality of a disappearance makes it impossible to verify what happened, because disappearance in many cases is not officially recognized as a fact. As it has been stated before, it is a permanently lived experience, in which "there is no closure with ambiguous loss. Closure is a good term for real estate and business deals in which there are true absolutes and clear conclusions, but it is not a valid term for human relationships" [9] p. 280.

The absence of a body and burial place where to perform the necessary funeral rites makes it more difficult to confront and come to terms with the loss. Some people, however, find ways of symbolizing the absence of the missing persons and/or construct their own references or alternatives for remembrance. Justice can also be an important factor in order to move the mourning process further [11].

Disappearances generate profound longterm effects, such as anguish, uncertainty, hopelessness, sorrow, fears and trepidation, mistrust, guilt, intrusive recollections, phobic ideas, nightmares, recurrent memories, impotence, nostalgia, despair, frustration and the rupture of life projects [12]. In addition to other symptoms common to various kinds of traumatic experiences are the following: (1) a feeling of distress, of being at the mercy of others, of having lost control of life itself; (2) a rupture of existence itself, a breakdown of a vital feeling of continuity; and (3) an extremely negative stress [13] (Taken from Ref. [14]).

Numerous authors state that the paradox of the absence and presence of the disappeared in the life of their loved ones makes it more difficult to go through the mourning process, understanding the latter as " . . . the sequence of subjective states that follow the loss and that tend to make it acceptable and to readapt the individual to a reality that does not include the loved one anymore" [15]. It is important to keep in mind that the objective of the mourning process is not to forget, but to remember the missing or dead person in a way that is less painful. In cases of disappearance, the elaboration of a mourning process is a very difficult goal to achieve, because of the constant hope that the missing person may have managed to escape and be alive some place, waiting for the right time to rejoin his or her family [16].

Basic beliefs such as the perception that the world is fundamentally benevolent or makes sense, and at least in some parts is manageable or controllable, a fundamental sense of security, is affected or put into question, as is the basic trust in relationships with others or oneself [14]. In general, traumatic events such as a disappearance result in a more negative view of the world, and a diminished trust in human relationships.

Within families an interruption of life projects, the reorganization of the family structure, the investment of all resources into the search efforts while neglecting other needs, economic difficulties, etc., often result in a deterioration of relationships, in disruptions, separations and isolation. In cases of enforced disappearances, social stigmatization is an additional factor. There is no support from the surrounding society and the suffering remains hidden in the private sphere of the individual or family, without the support of the usual social coping mechanisms. All this leads to a to a deterioration or fragmentation of the social fabric [17–19] p. 21.

Reflections in the 1970s on what produces victimhood, which events should be considered victimizing, what perpetuates the situation of victimhood and what helps overcome victimhood and trauma, have led to the distinction of different levels of victimization: Primary victimization is the effect of suffering a criminal act with effects at physical, psychological economic and social levels extended in time [20,21]. Secondary victimization derives from the victim's relationship with institutions. By a depersonalized treatment, lack of information, absence of protection, exaggerated technicalities, slow processes or by casting doubt on the victims' narrative, the system that the victim turns to for support and answers may create a secondary victimization. Secondary victimization constitutes an aggravation of the victims' original situation through the lack of reaction or negative reactions towards their needs [22] p. 332.

In cases of disappearance, secondary victimization is common. In the relationship with the State frequently a chain of shortcomings and refusals is set in motion in systems which in general do not take into consideration the suffering of the victims. In combination with the lack of answers and often unclear information, these easily constitute a revictimizing interaction [19]. The victims see themselves isolated, threatened, stranded, misunderstood, and facing a situation that they do not know how to solve. Their relationship with the State is therefore often based on fear, mistrust, vulnerability, despair and little credibility.

When the perpetrator is a State agent, the response, in general, is social denial and a lack of support for those affected, a situation that increases the impact generated by the events themselves. Agger demonstrates this in a very clear way "The mere modality of making members of the opposition disappear, the constant denial and the distortion of these acts, was in fact a procedure to induce psychosis. If you witness the arrest of your husband and he has not been seen again since. All the authorities deny that he is dead and deny knowing where he is and they confront you with a possible perturbation of your own reality [. . .] If you insist on an experience that your social environment negates, then the message you recive is that your experience is unreal, a product of your imagination" ([10] p. 252 translated from Spanish).

By providing information and thus ending the uncertainty and ambiguity, forensic investigations can play a fundamental role in the healing process of persons affected by disappearances. Nevertheless, not all forensic investigations are reparatory per se. There are certain conditions for this to be possible, which is why it is important that forensic processes be set up and carried out with a psychosocial perspective.

3. Psychosocial action, a definition

As shown above, the disappearance of a person impacts on both a psychological and social level, so both spheres also need to be addressed when trying to alleviate the impact and the suffering caused.

Psychosocial work is defined as processes of accompaniment on an individual, family, community and social level, aimed at preventing, addressing and confronting the consequences of the impact of a specific event, in this case the death or disappearance of a loved one. These processes promote well-being, social and emotional support for the victims and contribute to reestablishing their integrity, strengthening their dignity and stimulating them in their own actions in the search of truth, justice and integral reparation [23] p. 14.

Psychosocial work also considers the reconstruction of those social support networks which have been damaged as a consequence of violations of human rights or similar situations. Psychosocial support is indispensable for integral reparation, as it contributes to the visibilization of the psychological and social damage and to restoring the dignity of the victims and their families in society. It also enables families of the victims to continue or recreate their life projects. The IACHR has repeatedly recognized the impact on the individual, family, as well as life projects starting with the 2004 Case: 19 Tradesmen vs. Colombia

and decreeing the medical and psychological treatment for the families of the victims as a reparation measure [24]. Working with directly affected individuals and families, as well as with persons that are not directly afflicted parts of society, provides the social support needed for comprehensive reparation [23] p. 10.

The psychosocial sphere is understood as the comprehension of behaviors, attitudes, emotions and thoughts of individuals or groups, taking into account their historical, social and ideological environment and background in order to explain them. In this regard, a psychosocial effect is the way in which a phenomenon such as armed conflict, situations of violence or disasters affects relationships, behavior and ways of understanding and incorporating the surrounding reality on the part of individuals, groups and communities [19].

A traumatic event is usually defined as an extreme human experience that poses a serious threat to the physical or psychological integrity of an individual and to which the person has responded with intense fear, despair or horror. After having gone through, witnessed or heard a situation of this kind, a series of symptoms may appear and the survivor will not be able to control them and they will generate deep psychological suffering. Damage caused by potential traumatic experiences profoundly affects different realms of people's lives, such as individual, family, professional, communal, political, relational, among others. It affects direct victims, their families, organizations and social processes in which they participate. In this sense, psychosocial work must keep close to the concept of subject of rights, encouraging decision making and action geared towards self-assertion, together with the elaboration of personal stories, collective history and history of the society as a whole. All effects must be considered logical manifestations, although some of them are experienced in an adverse way by the subject, from normal persons facing an abnormal situation like the murder or the disappearance of a loved one. When working with victims of armed conflict is important to remember that not all «traumatic events» generate a trauma, that not all "critical" situations that are considered as such by some individuals, must necessarily be the same for others, that not all crises are pathological and that not all persons have the same needs when confronting the same critical situation.

In this respect, activities developed in humanitarian action with victims of violence must be carried out with a psychosocial perspective. Action based on a psychosocial perspective refers to the set of actions that must be considered and developed at an individual, family, community and social level by all institutions, teams and professionals involved in order to guarantee the repairing/healing character of these processes, both for direct and indirect victims as well as for society as a whole [23] p. 14.

In this sense, it is important to take into account those elements that ensure that all work with families of missing persons within the framework of humanitarian action be of a reparatory nature and based on the principles of *Do No Harm* [5,40], meaning that all intervening actors need, above all, to guarantee that their actions do no further damage to the victims but rather embark on those activities which have a reparatory effect on them. An important factor in this regard is to establish a relationship with the victims as subjects of their own rights, of persons with the capacity and possibilities for agency and not dependent on those supporting them in the sense of the weak victim vs. the strong helpers, thus enhancing the dignity, autonomy and liberty of the victims, and avoiding any re-victimization at all times. All this in view of making the process of searching for the missing person itself into a reparatory and healing process for the affected persons and communities, and enabling to understand what happened and giving them the possibility to make sense of it [25,26].

4. Historical outline of psychosocial action in forensics

Just as in forensic investigations into human rights violations, Latin America has pioneered psychosocial action and accompaniment in this field. The origins are twofold: On the one hand, there is the therapeutic and individualistic approach developed in the *Cono Sur* or Southern Cone, mainly Argentina and Chile, and on the other hand, the more social and community based work in Central America, based on the principles of *Psicologia de la Liberation* – Liberation Social Psychology [27–31].

In the early days of psychological support to families of the missing, professionals coming from an individual and psychotherapeutic, psychoanalytical approach had to start immersing themselves in a cultural and socio-political context so far unknown to them. When families of victims of enforced disappearance in Latin America in the 70s and 80s – and similarly in Asia today – first sought out support from psychologists, they were confronted with the fact that these were not able to relate to the situation the families had to deal with. There was no experience regarding the effects that such a disappearance could have on a social level and inside the families themselves. On the contrary: not being able to accept the fact of such atrocities happening in supposedly sane societies, many of them rather treated their patients as delusional individuals or as people with symptoms of a disorder, rather than people dealing with facts that individuals and society as a whole had to cope with. The most well-known example of labeling the suffering of those searching for their loved ones as psychological illness – *locura* (craziness/insanity/madness) – is Argentina, where the mothers of the Plaza de Mayo were labeled by some sectors of society as locas, crazy/insane women.

This issue was taken up in the Third Psychosocial Conference in the Search for Truth and Justice for Victims of Enforced Disappearance, Torture and Extrajudicial Execution, that took place in 2014 in Manila, Phillipines through the recognition of the need to analyze the socio-political factors that caused the disappearances and shaped the victims' experience, in order to create the necessary understanding on the part of the mental health professionals of the cognitive and emotional content processed by the victims and adapt the psychological support to these very specific situations and challenges.

The individual approach, stemming from mental health needs felt by the families themselves in cultures where psychological support was socially accepted, was later complemented by calls for support to families by investigators and forensic teams in other contexts.

While psychological support for families in Chile and Argentina was not connected or integrated to any forensic search processes, in Guatemala, from 1997 onwards, psychosocial work, based on social community psychology, was systematically integrated into the search and identification processes. In Peru, with the Comisión de la Verdad y Reconciliación — CVR (Truth and Reconciliation Commission), in the early 2000s, the need for psychological assistance became evident during the collection of testimonies, as well as during exhumations.

In Colombia assistance for families had originated from psychological support for individual persons or families affected by the disappearance of a loved one, mainly in urban centers, and on the other hand, from psychosocial accompaniment of some of the big established family associations [32]. For the large number of victims who are not part of the bigger associations or who are living in remote rural areas, access to psychological or psychosocial support is more difficult. Some of them take part in self-help/therapeutic groups not specifically dealing with disappearance, but rather with the death of a relative, violence, torture or displacement. In the last decade, numerous legal provisions have expressly recognized the families' need for and their right to

psychosocial support (e.g. Ley 1408). The implementation of such support is still pending. So far, limited psychological interventions are being implemented systematically only in the restitution of identified remains in the framework of the "*Justicia y Paz*" process. There are clear guidelines and specialized teams of psychologists intervening in preparation for this particular event, but not for the previous steps of the process. The new investigations, processes and institutions to be created in the wake of the peace accord with the Revolutionary Armed Forces of Colombia (FARC, Spanish acronym) are hoped to include a more ample implementation of the psychosocial approach in Colombia.

In Europe, the large exhumation projects by ICTY in Bosnia in the late 90s, with large mass graves being exhumed by international teams and exclusively focused on criminal justice, were largely carried out without involving the families. But many of the exhumations in Kosovo in the following years, took place in village cemeteries on victims that had been buried by their own families. This brought the forensic teams closer to the families, and, just as in Guatemala, the rising awareness of affectations and intra-familiar conflicts arising during exhumations brought to attention the need for psychological interventions.

Initially, the psychological work in exhumation processes was mainly called for by the forensic teams, who hoped that psychological interventions would help minimize the families' emotional manifestations, and prevent them from entering into crisis during what they considered the most traumatic part of the process, exhumations and/or notification of identifications. Forensic experts and investigators often fear that family members might collapse, or break down crying uncontrollably or become aggressive. This fear led to a strong demand for psychologists' presence particularly during exhumations. Nevertheless, it soon became clear that forensic and psychosocial work each had their own rhythm and timing, requiring coordination in consideration of the families' needs, apart from the specific forensic experts needs. Psychologists stressed that families needed more than these limited interventions of, as some perceived it: "holding peoples' hands and telling them 'don't cry, don't be sad', and they soon developed a more comprehensive approach regarding objective and timing of the interventions". Isolated activities of crisis intervention turned into sustainable processes of psychosocial accompaniment aimed at strengthening the families coping strategies and reconstructing the social fabric [39].

The perception of psychological and psychosocial interventions has also changed: In the early years, the idea of seeing a psychologist often carried a certain fear of stigmatization. Nowadays, the victims themselves express the need for psychological and psychosocial support. Particularly after disasters, psychological support is now a standard, if not a main component of emergency interventions and recovery projects. At the same time, public perception has also changed, with psychological and psychosocial interventions being seen less and less as purely individual sessions in a clinic, but as a wider range of interventions.

Finally, it became clear that from a psychosocial point of view the needs of the families went beyond specific psychological and psychosocial interventions. What was needed was that the investigations themselves create a dignifying, non-victimizing and constructive setting, which would permit families to advance in their recovery process. This idea was taken up in the *First World Congress on Psychosocial Work in Exhumation Processes, Enforced Disappearance, Justice and Truth* in 2007, and lead to the elaboration of a set of international recommendations, the *Consenso Mundial de Principios y Normas Mínimas sobre trabajo psicosocial en procesos de búsqueda e investigaciones forenses para casos de Desapariciones Forzadas, Ejecuciones Arbitrarias y Extrajudiciales* (International Consensus on Principles and Minimum Standards for Psychosocial Work in Search Processes and Forensic Investigations in Cases of Enforced Disappearances, Arbitrary or Extrajudicial Executions), finalized in 2010.

More than four years of constructive dialogue among the various disciplines involved in the search and identification of missing persons, family associations, authorities and civil society organizations resulted in a consensus of minimum standards necessary for forensic investigations to be restorative for families and communities. Stemming from a need for international guidelines regarding psychosocial work in forensic processes, rather than describing the therapeutic interventions required, the final document lays out how to incorporate a psychosocial approach in all aspects of a forensic investigation, not just by psychologists, but by all actors involved.

The whole process of developing these guidelines, contributed greatly to an improved articulation between forensics and psychosocial work. The minimum standards in psychosocial support are now part of international recommendations, such as the Organization of American States (OAS) resolution on Missing Persons AG/RES. 2717 (XLII-O/12).

All in all, it can be said that in humanitarian contexts nowadays, there is ample understanding of the need to articulate forensic and psychosocial work, based on the needs and realities of the families and calls for such articulated work are more and more common, both in armed conflict or other violent contexts, the issue of missing and deceased migrants, as well as in disasters.

5. Forensic contributions to psychosocial processes

Seeing that the main psychological effects of a disappearance are uncertainty and ambiguity, the most important contribution of forensic sciences to a psychosocial healing process is the information it can provide. Information can be provided in several respects: firstly and most obviously, in the sense of answers which forensic investigations can provide about the fate and whereabouts of a missing person, by providing a forensic identification and information on the cause and manner of death. This information can help resolve ambiguous grief and mourning processes as well as coming to terms with traumatic experiences. The other more obvious contribution of forensics is enabling the reunification with the remains of the missing persons, the possibility to find a certain point of closure with a funeral ceremony and having a grave, a specific place where to remember and perform rituals depending on cultural, religious or personal needs. In absence of the missing person's remains, justice implementation that recognizes and punishes the responsible of the disappearance is suggested, and it constitutes another possible way of mobilizing the mourning process against this type of loss [11].

Another aspect in which forensic experts can also contribute to healing processes is often overlooked: Information is control, and by providing information on the search and identification processes itself, regardless of the outcome, families are enabled to take back some control, to demand their rights, to take action, to take their fate back into their hands. Being informed, taking part in decision making processes, and being able to actively and very concretely contribute in the search process puts the affected persons and communities in a position of agency. Agency is an important element in the psychosocial recovery as it enables persons and communities whom the traumatic events of violence, disappearance etc., have put in the position of helplessness and loss of control, to influence processes which affect them and to recover confidence in themselves, their environment and their future.

In Guatemala, families often accompany the exhumation teams, and during the exhumations they are able to provide valuable additional information by pointing out certain details, recognizing burial features or clothing or personal effects. They also contribute

in very practical ways such as bringing food, building shelter from the sun and rain, giving a hand with the digging. Such contributions should never be demanded from the affected victims and communities, as it is the responsibility of the authorities to carry out the search and provide answers. If voluntary, however, such contributions can constitute important elements in empowering the victims.

Forensic information can also help rebuild trust in society and authorities. This is of particular importance in cases where authorities were either directly responsible for the disappearances or have at least enabled them by neglect. When forensic investigations are carried out by state institutions, those institutions have the opportunity to help rebuild confidence, by providing trustworthy information and answers by representatives of the State. This is not always an easy endeavor as it does not only require forensic work of impeccable quality but also a very proactive, honest and empathic communication on the part of the forensic experts to enable families to regain trust into the institutions of the state that they hold responsible for their suffering.

6. Contributions of psychosocial work to forensic investigations

As explained above, psychosocial and forensic work are complementary in a variety of aspects: Forensic investigations aim at producing information and the restitution of the body, an important element for enabling the families mourning processes. Psychosocial work on the other hand, can contribute significantly to the forensic investigations, too.

Interviews for purposes of antemortem data (AMD) collection represent a difficult moment for families: They may be forced/asked to recall traumatic events, and to concentrate on details they may have chosen to forget. Not being able to remember some very specific details about the missing person and the circumstances of the disappearance frequently creates additional feelings of guilt on the part of families for not being able to provide the information that is expected from them. To avoid creating or reinforcing such sentiments of guilt, the interviewer should give the victim time, and try not to pressure, judge, criticize, or minimize the emotions and feelings of the interviewee. It is also important not to directly point out inconsistencies, as that may increase the interviewees feeling of guilt or perception of being judged.

If not conducted in an appropriate manner, such an AMD collection interview may result in additional stress and psychological harm and damage. In this respect, it is relevant to take into account the aforementioned elements of Do no Harm, in the sense that during the interview process it must be guaranteed that no additional harm will be caused to the victims.

If conducted with a psychosocial approach, on the other hand, such an interview becomes an empowering experience, as it will help the victims to both dig deeper in their memories and come to terms with the fact that there are details they will not be able to provide, feeling positive about the information they could share rather than to feel guilty about what they could not provide.

While a well prepared AMD interview may have a positive emotional impact, it is nevertheless important to clearly establish the difference between recovering memories for purposes of a description rather than for therapeutic ends, in which memories and emotions have to be dealt with in a different way. Psychosocial support for victims throughout a forensic process will help them cope with the emotional part of remembering in a different setting with therapeutic and preparatory sessions and thus free them in order to be able to concentrate on the necessary factual details in the AMD interview. This is an experience which was developed in Guatemala by the Equipo de Estudios Comunitarios y Acción Psicosocial — by the Community Studies and Psychosocial Action Team (ECAP, Spanish acronym) while carrying out psychosocial work related to exhumation processes. The experience of ECAP in the accompaniment of exhumations in Guatemala has shown that those persons, who have taken part in a process of prior psychosocial work can generally face an antemortem interview with better psychological resources, which can help to turn such an interview into a positive experience of self-affirmation and personal growth.

Ideally, families are prepared in a series of sessions prior to the interview, in which they work on emotional aspects of remembering, and start trying to recall the kind of details they will be asked during the interview. A good example of such prior preparations is the Colombian Forensic Anthropological Investigations Team (ECIAF, Spanish acronym) project in which family members get acquainted with the questions they will be asked, receive explanations about the purpose of certain questions and their usefulness for identification. They are told which documents to bring to the interview, which photos might be useful, and prepare albums of their missing loved ones, thus approaching the memories slowly and in a protected environment. In cases where such previous work is not possible, a psychosocial approach of the interview itself can incorporate these aspects, leading away from the emotional remembering to specific facts.

Psychosocial work can furthermore improve the quality of the antemortem information by taking into account the influence that stress, traumatic experiences and culture have on peoples' memories.

An AMD interview with a psychosocial approach will take into account the way the human memory works, particularly in situations of stress or after traumatic events, in the way people tend to idealize their loved ones in particular ways. Guiding the interviewee from general memories to details by using certain triggers (e.g. how to remember the laterality by imagining the person performing certain actions; typical gestures; comparing them with other people; questions about history of accidents or illnesses, doctors' visits), it can try to uncover the memories layer by layer in order to achieve as much detail or specificity as possible.

Psychosocial support sessions before and during forensic interventions can also help clarify specific cultural needs, such as ceremonies before or after the recovery of human remains, and to identify specific doubts the families or communities might have about the forensic process. Community and spiritual leaders can give orientation and play an important role in transmitting relevant information and help manage expectations [23] p. 50f.

The acceptance of the results of an investigation on behalf of the affected families is fundamental for its success in humanitarian terms. Many factors can influence this acceptance: trust in the investigations or not, resistance to the possibility of death on the one hand, or a strong wish to find remains and end uncertainty on the other hand.

During the search and identification processes the families will go through varying emotions, fears and expectations. Psychosocial accompaniment helps them imagine different possible scenarios and verbalize their fantasies about what may have happened to their missing loved ones. Are they alive, are they dead? Are they suffering or have they suffered hunger, cold, fear? Have they been tortured? Verbalizing the various possibilities makes them more concrete and provides a degree of reality to previously abstract imaginations. Verbalized fears and expectations become more manageable and controllable and can be proven or discarded by confronting them with concrete information received from the forensic investigations.

This is of particular importance, when the remains are partial, fragmented or badly burnt. Families generally expect to receive complete bodies (imagining a fresh body as known from their everyday experience of deaths and funerals) and find it hard to accept incomplete or badly damaged and unrecognizable remains.

When the remains cannot be individualized, psychosocial support can help the families find alternative solutions for coping, such as communal memorials or symbolical burials.

Acceptance of the results of an investigation will also improve by giving the families sufficient information on the advances of the investigation, explanations of the methodologies and processes, and by integrating them into the decision making process.

Psychosocial work in affected communities can also prevent conflict inside a family when some members are in favor of exhumations and others are not.

7. Specific challenges and conditions

Psychosocial support in the search for missing persons and in forensic investigations carries a number of specific challenges:

In many cases, disappearance or loss of a loved one is only one of many traumatic events suffered by the person. Many of the families of missing persons have also endured themselves enforced displacement, physical trauma, sexual violence and other traumatic experiences. Often the search for a missing loved one becomes the first priority, whereas the own traumatic experiences (particularly sexual violence) are ignored either temporarily or permanently. It is important that this is taken into account in the interaction and psychosocial work with these persons. During the processes of search and identification, some of these other traumatic experiences may resurface and need to be incorporated into the reconstruction of events/sufferings. It is thus important, particularly in cases of torture and sexual violence, that the persons attending victims know where to refer those who need more specific treatment or support.

Another challenge in the context of exhumation processes is how to prepare for the possibility, that the sought person's remains may not be found, or that it might not be possible to identify individual remains. Families need to be ready to face both such scenarios, psychosocial support will help them develop alternative coping strategies. Experience shows that this is one of the most complex situations to treat. Families usually have put a lot of energy, resources and efforts into search for the missing loved one, so psychosocial support needs to work towards the acceptance of the fact that the remains cannot be found or identified individually, and emphasize the fact that the struggle, the long way that they have come, has not been in vain. Identifying the positive/strengthening experiences made during the search, finding alternative ways of honoring the memory of the missing person, individually or collectively, and finding answers to the big question of "What now?" by working out a new way forward are the most important elements of support in such situations.

A group that requires particular attention in the search for missing persons are children. Adults generally try to shield children from being confronted with the facts of disappearance and death. Often families of disappeared persons find excuses for the missing persons' absence or – as a consequence of terror and sadness regarding the missing loved one – surround the disappearance with a wall of silence. This silence can trigger estrangement, isolation, solitude, guilt and lead to a deterioration of family relationships.

Furthermore, psychosocial and psychological effects can be transmitted from generation to generation, passing on fear, silence and sadness. In some cases, there is also overprotection towards sons and daughters out of fear that they could also disappear like their relative. All this may lead to a deterioration in the family fabric and in a family's common memory [19]. That is why it is important for children to be informed of what has happened, and of the steps and decisions that are taken, for them to feel a part of the process. Silence and isolation towards children are the kind of reactions that may possibly generate even more suffering in them.

Working with children in schools or similar spaces is an important tool that should be applied for transmitting information and for helping children make sense out of what they are confronted with. Particularly events with high visibility or publicity, such as exhumation activities, can be good opportunities to discuss issues of disappearances, violence and the impact they have on individuals, families and communities. Explaining forensic procedures is also important as it can control and diminish possible fantasies and erroneous interpretations of this kind of work.

Likewise, it is important to include children in restitution and burials in a culturally and age-appropriate manner.

8. The consensus on minimum standards — recommendations for the implementation of a psychosocial approach

As mentioned in the historical outline, "the International Consensus on Principles and Minimum Standards for Psychosocial Work in Search Processes and Forensic Investigations in Cases of Enforced Disappearances, Arbitrary or Extrajudicial Executions" emphasizes the need for a psychosocial approach implemented by all those involved in a search process (institutions, forensic experts, investigators, social workers, psychologists, judges and prosecutors and NGOs), apart from direct psychological interventions. It delivers 16 minimum standards and recommendations on best practice. Four of these standards are exemplarily discussed below for their particular relevance to forensic humanitarian action.

8.1. Security and self-care

A psychosocial approach in forensic humanitarian action also encompasses the security and physical and psychological well-being of the intervening teams and experts, forensic, psychosocial and legal. This is important to avoid burn out and desertion, but also to enable an empathic interaction with families. Minimum Standard (MS)10 (p49f) calls for improved working conditions for experts and public servants, who are frequently overburdened by both the workload and physically and emotionally critical and stressful situations. This also includes continuous professional training to ensure that experts have the knowledge and skills required for their tasks. Furthermore, all possible measures must be taken to ensure the safety of families, communities, witnesses and investigators, and to secure the confidentiality and protection of the information collected during the investigation (MS 7, p44f).

8.2. Continuous information and transparency

As mentioned earlier, information or the lack of it is a key factor in the psychosocial effects of disappearances, as well as for the prospects of recovery. For this reason, continuous information and transparency of forensic processes are indispensable in a psychosocial approach. Minimum Standard 8 (p. 46) stresses the need to keep families informed about objectives, implications, specific steps and technical processes, advances, limitations and risks. Transparency also includes retransmitting to the families and communities the information they provided once it is systematized and integrated with other data obtained from the investigation. The transmission of results needs to be done in comprehensible and culturally appropriate terms and format, taking into account the specific needs and sociocultural context of the affected families and communities.

8.3. Coordination

A lack of coordination among the various actors involved not only is a waste of resources and will complicate forensic

investigations, it can also have a serious emotional impact on the affected families (Minimum Standard 14, p53f). In numerous contexts, uncoordinated action, particularly in antemortem data and DNA sample collection, have resulted in a retraumatization of the victims, a complete lack of trust, and opposition to further efforts of information gathering. Returning to difficult memories and giving sensitive information about the missing person and oneself is an act of trust on the part of the families. Being repeatedly asked the same information without receiving answers or feedback, will create confusion and make families lose trust. Time and time again, their emotional resources are put into to providing information, forcing them to repeatedly expose their pain without any real need. Therefore, it is the responsibility of all intervening actions to ensure coordination and avoid any unnecessary duplications.

8.4. Scientific standards in forensic work

Respectful treatment of remains and associated evidence, their appropriate storage and preservation, and the application of the required scientific standards, complying with international protocols of best practices are not only important for the criminal investigation but also have mental health/psychosocial implications (Minimum Standard 16).

The rights of the dead, no matter if identified or not, to receive dignified treatment are a widely accepted cultural constant and recognized by International Humanitarian Law in the four Geneva Conventions of 1949 (GC I–IV) [33], their Additional Protocols I and II (AP I and AP II) (ICRC, 2003) and Customary International Law rule 113–115 [34]. Undignified treatment of the dead creates additional psychological suffering of the families and communities [35,36].

Mistaken identifications, which may result from not following good practices in the application of forensic sciences also cause great distress for the affected families. Erroneous identifications generate serious effects in the families that alter the sense of the search process they have been conducting. ECAPs experience in accompanying Guatemalan families of migrants that went missing in Mexico or the US, showed that mistaken identifications are being perceived by the families as a lack of respect towards them and their suffering. They return families to the state of ambivalence and uncertainty, this time aggravated by the fact that families had already elaborated it, towards the idea of death and the possibility of a decent burial, with all the pain that this process entails. However, with misidentifications uncertainty settles in again, with the idea that the loved one may still be alive, and if dead it may never be able to find him or her. In addition, the families lose trust in any forensic expertise in general and extend this loss of trust to the organizations that have accompanied them in the first search process and tend to distance themselves from them, which reduces their circle of support.

Moreover, misidentifications obviously strongly affect the trust in any other results of the investigations, be they correct or not. In this respect, the possibility of employing independent teams of experts is also part of the recommendations for a psychosocial approach (MS 15, p. 54f). Such teams often play a pivotal role in ensuring the families trust in the results of investigations, either by carrying out the investigations themselves or by monitoring and double-checking. This is of particular importance in contexts of enforced disappearances, where families will show a strong distrust towards the authorities. Independent teams may also play an important part in the communication of results, as a link between the technical expertise and a civil society approach.

It is also important that the investigations and analyses are carried out in a speedy/timely manner, to avoid extending the period of uncertainty. If there were any external or technical reasons that delay the identification process after the recovery of the remains, particularly, when there is a hypothesis of identity or the families, for whatever reason, consider the remains as belonging to their loved one, this needs to be communicated swiftly. The lack of information will cause anguish and apprehension in the families and if it is not handled well, may be lived through by the families as a second disappearance.

9. Conclusions

Forensic humanitarian action is geared towards alleviating the suffering and maintaining human dignity, with the victims and their families at the core. Psychosocial action on the other hand does not simply refer to emotional support but is based on the idea of the individual subject to rights, encouraging decision taking, affirming actions, and the elaboration/reconstruction of personal histories and the collective history of society as a whole. In this framework, forensics and psychosocial sciences, both working towards a common objective, need to work in complementary and coordinated interaction for the benefit of the families and communities.

There are certain conditions, for forensic investigations to be restorative, the ultimate humanitarian objective. Respect, information and coordination are the main pillars for forensic action with a psychosocial approach. On this basis, psychological and psychosocial accompaniment of the victims can contribute to improve the investigations themselves, and forensic investigations will be able to contribute to the victims' healing process.

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