



## A85 Empathy and the Identification of Missing Migrants

Cate E. Bird, PhD\*, *International Committee of the Red Cross, Washington, DC 20036*; Jason D.P. Bird, PhD, *Rutgers University, Newark, NJ 07102*; Jose P. Baraybar, MSc, PhD, *International Committee for the Red Cross, Paris, Ile de France 75014, FRANCE*; Derek C. Benedix, PhD, *Nicosia 2039, CYPRUS*

**Learning Overview:** After attending this presentation, attendees will understand the importance of applying an empathetic approach in forensic casework, particularly when attempting to identify missing migrants.

**Impact on the Forensic Science Community:** This presentation will impact the forensic science community by providing an overview of empathy as a tool for emotional regulation and as an investigative mechanism for identification.

As previous research has demonstrated, assertions of pure objectivity in forensic anthropology are problematic. Forensic practitioners are shaped by their environments, which results in degrees of implicit bias. The lack of acknowledgement of subjectivity is problematic as it can unknowingly guide forensic analyses and interpretations. One aspect of subjectivity that is largely neglected in the forensic sciences is that of emotions, particularly when working with unidentified remains. The prevailing paradigm mandates that forensic practitioners be guided solely by “logic,” but neglects to acknowledge that practitioners are humans who feel emotions, such as anger, fear, disdain, and grief. Strategies to curtail emotion often revolve around desensitization tactics, construction of emotional barriers, and/or the objectification of deceased persons (e.g., not analyzing a human but a bone). The dismissal of one’s emotion may provide the practitioner with a feeling of distance and control, but its efficacy as a mode of objectivity is questionable. It is argued that engaging empathetic processes is one way in which forensic scientists can become more aware of their internal emotional states, better informed of the populations they serve, and more cognizant of novel investigative mechanisms to facilitate identification.

As demonstrated by the Latin American experience beginning in 1983, empathy can lead to *holistic* approaches in forensic science. Empathy refers to a process by which one comes to understand the perspectives of people who are different. Empathy represents a first step in navigating one’s own emotions in order to pursue “mitigated objectivity.” The forensic science community has been slow to understand, embrace, and apply empathetic approaches given the perceived contradiction to scientific “objectivity.” To those unfamiliar with empathy, it is often conflated with sympathy or pity, and viewed as the shedding of detached analyses in favor of unhinged emotion, which is fallacious. In actuality, empathy can contribute to knowledge production and problem-solving through emotional regulation and recognition/interpretation of key features pertinent to the identification process.

This presentation outlines key components of empathy that forensic practitioners should consider in their casework. Components include: acknowledging one’s own involuntary affective responses; recognizing a separation between oneself and others; exposing oneself to the experiences/perspectives of others; cognitively assessing differences/similarities between oneself and others; and regulating one’s emotions. Social science research has demonstrated that effectively engaging empathy provides a mechanism to explore implicit biases and assumptions, and a means to successfully manage one’s own emotional responses (a.k.a. emotional regulation). This process can also provide an overall strategy in the attempt to identify the remains of vulnerable or at-risk groups, such as migrants.

Those who engage in irregular migration represent highly stigmatized and marginalized groups, not only in countries of destination, but also in countries of origin and transit. Migrants are also particularly vulnerable for going missing at various points along their journey and for remaining unidentified even when medicolegal structures are well developed. Drawing on case studies, this presentation demonstrates how an overall lack of empathy toward migrants affects the ability to identify their remains and return them to families. If personal identification is the ultimate objective of analyses, forensic scientists can contribute to this goal and reduce the further devaluing of migrants by becoming familiar with their perspectives in life, by recognizing their group affiliation in death, and by devising effective strategies for their identification (e.g., consultation with community partners).

Applying biocultural profiles for decedents, especially for unknown persons, represents a first step in empathetic engagement. The biocultural approach consists of analyzing material culture, scene context, and biological indicators in a thoughtful manner to develop hypotheses of group affiliation of decedents (e.g., migrants). While employing empathy may elevate the pursuit of justice in clarifying the fate of the missing, it does not decrease objectivity. Rather, the recognition of deceased persons as once-living individuals who belonged to particular communities permits forensic practitioners to better account for mortality trends in certain communities and to investigate appropriate routes for identification.

---

### Empathy, Identification, Missing Migrants