



Physical Anthropology Section – 2005

H52 Commingled Skeletonized Remains in Forensic Cases: Considerations for Methodological Treatment

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After attending this presentation, attendees will understand some of the considerations on the application of standard forensic anthropology procedures to investigations of human rights violations involving the commingling issues of skeletonized remains.

This presentation will impact the forensic community and/or humanity by contributing to the discussion, development, and dissemination of the best forensic anthropological practices for the treatment of commingled skeletonized remains in the investigation of human rights violations.

Based on the Argentine Forensic Anthropology Team's (EAAF) experience in forensic investigation, the scope and limitations related to recovery procedures, osteological analysis, and use of historical documentation with skeletonized commingled remains will be addressed.

In forensic cases, the methodological treatment of commingled skeletonized remains presents specific challenges that need to be discussed in order to reach a consensus on the best guidelines for their anthropological treatment. These guidelines should fall within the framework of general forensic principles. The cases evaluated were carried out in the context of forensic investigation of human rights violations in Argentina and El Salvador which presented different conditions for the burial and recovery of human remains. The cases in which the remains were recovered by personnel without training in forensic techniques are differentiated from those in which the EAAF participated in the exhumation and analysis.

In both cases, the impact of the recovery procedure is considered to be particularly relevant. In addition, the burial context in both cases was different: in one case from Argentina there were mostly single burials in cemeteries; in the second case from El Salvador, there were partially or completely disarticulated remains which were buried after having been exposed on the surface for several weeks.

In the case from Argentina, several exhumations were ordered by the Federal Tribunals at the beginning of 1984 after the return to a democratic government. Because the exhumations and analyses were conducted by personnel without training in forensic anthropological and archaeological techniques in the early cases, there was minimal possibility of identifying the remains and contributing substantive information to the judicial investigation. The majority of these exhumations took place in the Province of Buenos Aires, and most of the remains were sent to the Medical Legal Institute of the La Plata Department of Justice (*Asesoría Pericial*). In addition, inadequate storage conditions led to the loss of reference labels, the jumbling of remains, and the damage and loss of bones, thus making their analysis even more difficult.

At the same time, the historical background research that EAAF carried out in Argentina led to the presumption of the identity of missing persons whose remains could be found among the *Asesoría Pericial* cases, making their analysis an increasingly pressing issue. Finally, at the end of 2002, a judicial order enabled EAAF to retrieve 91 containers with skeletal material, clothing, ballistic evidence, documents, and labels with partially legible references for analysis. Because they were exhumed in an unscientific manner, these skeletal remains and the associated evidence, which originally came from single graves of articulated individual found in cemeteries, were commingled when EAAF retrieved them twenty years later.

In the case from El Salvador, commingled skeletal remains in different degrees of articulation were exhumed from graves after having been exposed to natural elements on the surface during different periods of time. This case reflects the EAAF's experience in the investigation at El Mozote, the largest massacre in El Salvador's 12-year civil war. In December 1981 the Salvadorian armed forces conducted a large-scale operation in the northeastern region of the country, during which they allegedly massacred approximately 800 civilians in six neighboring villages. Over 40% of the victims were children under ten years of age. Most of the victims' bodies were buried in clandestine graves or left where they had been killed.

Because the troops returned to their temporary camp each night, the surviving residents of the other villages were able to sneak into the massacre sites after dark to inter as many of the victims as they could in common graves. For a variety of reasons, however, they could not bury many of the victims, whose bodies remained where they had been killed. After remaining on the surface for more than three weeks, these remains were eventually interred by the villagers.

Based on the experiences in these two cases, the goal of this presentation is to present the scope and limitations related to the recovery procedures, osteological analysis, and use of historical documental sources with skeletonized commingled remains.

Forensic Anthropology, Commingled Remains, Methodological Procedures