



Physical Anthropology Section – 2007

H72 Grave Problems in Iraq

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After attending this presentation, attendees will learn about the seldom talked about forensic work related to mass graves that has been performed to date in Iraq, about challenges in international forensic work and what must change for this type of work to be more effective.

This presentation will impact the forensic community and/or humanity by initiating discussion and cooperation amongst seemingly competing individuals and organizations towards unified international forensic assistance. It is also hoped that international protocols and operating procedures towards mass grave investigations will be developed.

International forensic work is a growing phenomenon- for investigations of international law violations and as a response to mass fatality incidents and mass disasters. The field and practice have continued to evolve, with anthropology and archaeology often playing a primary role, but several key problems persist. These have been seen in the ex- Yugoslavia but now affect work in Iraq. This presentation will be a brief review of what has been done, what is being done and what can be done related to forensic investigations of clandestine, largely mass, graves in Iraq and the examination and potential identification of those exhumed from them.

A primary problem with work thus far is that there is no 'international' infrastructure to support the work. There are no set rules, regulations, standard operating procedures or protocols. There is mission overlap between organizations which results in wasted resources, miscommunication, gaps in authority and confusion over liaison with families and governments. A good example of this was seen in Kosovo where the same forensic site was 'processed' by three different forensic teams over a period of two years. Many authors have talked about international standards, but despite all the rhetoric, the source and substance of such standards is unpublished and subjective at best.

Iraq has mimicked Kosovo to a degree in that many different groups, (e.g., Coalition Provisional Authority teams, Inforce [a UK-based forensic charity], Archaeologists for Human Rights, a Kuwaiti forensic team, The U.S. Armed Forces Institute for Pathology, the US government's Regime Crimes Liaison Office [RCLO], International Commission for Missing Persons [ICMP], Physicians for Human Rights) have all had a hand in some or all of site surveys/assessments, training of and liaison with Iraqis and field and laboratory operations. This is not to mention the many Iraqi non-governmental teams and personnel and Kurdish teams that have been involved in investigations and excavations of clandestine graves, with or without the knowledge and coordination of the Iraqi federal government and/or U.S. authorities in Iraq. The scale of multiple organizational efforts is unprecedented and given the lack of centralized authority, perhaps impossible to coordinate.

Taken further, different organizations are often found to behave as if they are in competition with one another. This is not unique to Iraq, of course, and can be seen at local and national levels in many places, including the United States. However, this results in lack of transparency, professional disagreements that can develop into lawsuits, and confusion for the survivors of crimes, all of which negatively affect the primary objectives of the work: the needs and concerns of the families and communities of the victims and their interests in a process of justice, identification, repatriation and the advancement of scientific knowledge via the experience.

Another problem being seen in international forensic work is that of paradigm. There is a harmful discussion in the literature of a dichotomy of 'forensic' versus 'humanitarian' work. Experience of collaboration between ICTY (the International Criminal Tribunal for the ex-Yugoslavia) and ICMP, in the ex-Yugoslavia has shown that organizations can work on sites together to accomplish seemingly independent primary objectives, despite the obvious overlap in aims of evidence collection (ICTY) and identification (ICMP). Latin American teams have demonstrated that serving both the so-called humanitarian interests of families (e.g., individual identification and repatriation) and the evidentiary requirements of courts can be accomplished by a single organization.

The most significant challenge for grave investigations in Iraq is obviously security and there is little that forensic practitioners can do about it. Nevertheless, the professional community should be prepared to assist the Iraqis when the time of safe and wide-scale investigations comes. International standards and operating procedures should be widely discussed, developed, published and distributed. Organizations and professionals must recognize that victims of war crimes or other grave violations of human rights, which include survivors such as family and community members of those killed, will only



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suffer more with a lack of organized and coordinated efforts.

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