



D64 The Role of the State and the Clarification of Human Rights Violations in Chile

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After attending this presentation, attendees will understand the value of the forensic sciences in the investigation and prosecution of human rights violations.

This presentation will impact the forensic science community by showing how forensic science, at the service of justice within the framework of a State policy to investigate gross violations of human rights, opens a real possibility for justice, truth, and reparation. Above all, it can be seen that the constraints imposed by the circumstances of the atrocities are overcome by an adequate scientific work of humanitarian outreach. It is the obligation of states to investigate crimes against humanity, which are by nature imprescriptible.

The judicial investigation, detection, recovery and analysis of thousands of tiny and fragmented skeletal remains hidden in the desert, military compounds, illegal mass graves, cemetery for unidentified bodies, corresponding to victims of gross human rights violations that occurred during the dictatorship have been analyzed from the forensic point of view, to determine its identification, cause, manner and circumstances of death.

After 35 years, only now is it possible to respond to injunctions and families by using all currently available methods of the various forensic science disciplines, to analyze small fragments of bone remains that resulted a strategy implemented by General Augusto Pinochet, to make the bodies of victims disappear.

The political will of the Chilean state and the provision of the necessary resources gave origin to set up the Human Rights Program in the Servicio Médico Legal, devoted to perform expert analyses of the recovered remains, with the participation of the international scientific community, the creation of a family members genetic bank, the implementation of all forensic disciplines, continuous education, and ongoing communication with family members. The team has worked closely with investigators and judges.

Physical evidence recovered is extremely scarce and fragmented, with taphonomic changes left by the passage of more than 17 years before recovering. This has imposed the need to use everything that is within reach of science and to interpret and integrate all the information in understandable language single report with the judge and other parts of the judicial process.

At present, Chile has incorporated the international protocols to the analysis processes such as Istanbul, Minnesota, Missing ICRC, and genetic analysis in accredited laboratories using the three markers. The techniques of forensic archeology, anthropology, medicine, dentistry, ballistics, associated evidence analysis, chemistry and other areas of forensic interest are also used in the resolution of cases. From the humanitarian point of view, close ties with the families involved in this painful process have been developed.

In addition and pursuant to the complexity of the cases, an international committee of experts including leading forensic medicine, anthropology, and genetics, scientists made recommendations for each case to ensure transparency and credibility to the actions undertaken by the program.

Human Rights, Forensic Science, Commingled Remains