



### A68 Complexities in Transporting Human Remains Across International Borders

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**Learning Overview:** After attending this presentation, attendees will better understand: (1) the complexities and regulations of conducting forensic anthropology in international jurisdictions; and (2) the importance of understanding local cultural and federal specificity.

**Impact on the Forensic Science Community:** This presentation will impact the forensic science community by providing examples of how regulatory legislation pertaining to transporting remains can vary greatly from country to country and by demonstrating how complex the process can be when physically transporting human remains across international borders.

With an increasing global trend of interaction between disparate societies, successful navigation of these complications can serve to improve international relations for all dedicated forensic anthropologists in the future.

Forensic anthropological work is conducted throughout the world and often at the request for international assistance. Organizations often call upon the forensic community to assist outside their respective countries when they encounter human remains as a result of armed conflicts, human rights violations and war crimes, past conflict accounting, terrorist events, natural disasters, and inadvertent exposure; however, a key concept in working internationally is having a solid foundation and firm understanding of foreign legislation pertaining to human remains. This presentation focuses on one of these aspects: transporting human remains across international borders.

The Defense POW/MIA Accounting Agency (DPAA) Laboratory specializes, in part, in recovering, collecting, analyzing, stabilizing, and transporting human remains in the international setting. DPAA investigation areas and recovery sites are located across the globe, and the movement of human remains oftentimes involves multiple international jurisdictions, as well as interlocking Department of Defense (DoD) agency responsibilities. In addition, due to the historical development of the accounting effort of missing United States servicemen, DPAA conducts forensic reviews with local federal scientists in numerous countries.

Regulatory statutes for processing archaeological remains is usually limited to within the country but can be complex as the policies of the local, state, and federal Historic Preservation Offices must successfully commingle with various First Peoples and Indigenous groups. However, comparatively speaking, the regulatory statutes for processing and transporting current-day death remains within and between countries is significantly more complex. Additionally, remains are oftentimes unilaterally offered to the DPAA from local nationals, and steps to ensure that local and indigenous remains are not being transported out of the country must be taken.

At the DPAA, the determination by any of their forensic archaeologists and/or forensic anthropologists that skeletal remains in their custody might be those of an American serviceman triggers a series of medicolegal steps that must be taken to transport those remains out of the country and bring them back to one of the DPAA laboratories. Considerations include: interest and involvement from local/state government, federal/host-nation officials, and United States State Department; local religious groups with vested interest; forensic and legal *laissez passer* requirements for human remains (or from local historic preservation and/or medicolegal offices), scientific review with local forensic scientists, biohazard and customs issues, death certificates, chain of custody documents; and even optics and media issues. The complexity of those steps varies greatly from country to country and even state to state. Some countries (e.g., Poland) place greater concern over the joint scientific review and less on optics and media, while other countries (e.g., Laos) are less concerned with permitting and paperwork and focus more on visibility and politics. Transportation of human remains through certain countries, such as Australia, requires emphasis on biohazard issues, while the transportation of human remains out of the Democratic People's Republic of Korea is at a complexity of the highest levels.

As a federal agency, the DPAA cannot afford any missteps in any part of these processes, as their actions in other countries have long-term implications. As forensic anthropologists, it is our responsibility to be diligent in navigating through these legal regulations as we assist and collaborate with forensic scientists beyond our borders.

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#### Forensic Anthropology, Transporting Remains, International