



A83 Crossing Borders and Conflict: The Complex Circumstances of Those Who Disappear in Armed Conflict and the Simple Duty of Care to Bring Them Home

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Learning Overview: After attending this presentation, attendees will better understand how cases from different past and contemporary conflicts can address questions of how, why, and when to seek out the remains of the “military” dead and how they ought to be treated. Attendees may also understand how modern borders are reconciled to ensure that different forms of care for the dead (identification, commemoration, repatriation), without making judgements about their motives for, or agency in, crossing borders is both respectful and sustainable.

Impact on the Forensic Science Community: This presentation will impact the forensic science community by reexamining the treatment of military dead through the lens of migration and uses several cases: a woman who longs to give dignified burial to her family that was killed in conflict in their homeland; a mother who clandestinely recovered the remains of her soldier son buried abroad; and the ramifications of nationality and place of death on how governments and families commemorate their dead. This report will present solutions to ethical and sustainable management of those dead due to armed conflict.

While the scale of recent migration and subsequent deaths in places such as the Mediterranean Sea and the United States-Mexico border has been shocking, the death of large numbers of foreign nationals en route to another place or while in another country is nothing new. We do not always see armed actors as migrants, but indeed, the challenges of managing their deaths overseas, the circumstances of their deaths, and the sociopolitical policies that impact whether they are sought and repatriated present some similarities as well as stark contrasts to those communities currently faced with the care of the marked and unmarked graves of the migrant dead. Even many years after the end of a conflict, the bodies of armed actors are discovered by happenstance or even actively sought, and how these remains are managed is a story of nationality and place of remains, a story of where “home” and family are for those remains.

This presentation will examine the distinct circumstances that illustrate the fate of those who take up arms, die, and disappear in a place that is not their home. Some choose to take up arms, later dying in countries that are not their own, while others are conscripted to military service and forced to fight, die, and disappear in a foreign land. Others still are forced to flee one type of violence and, being in an extremely vulnerable position, are recruited into armed conflict in their new “home.” This creates a stark contrast—perhaps no less tragic—with those who die while fleeing their home to escape violence.

Often, at the time of death and burial in armed conflict contexts, identification techniques of the dead and the ability to trace surviving families is limited by resources and the exigencies of war. Sometime afterward; however, there are considerable opportunities to seek out the missing dead, identify them, and return their bodies to their communities and families. This presentation will use concrete cases to illustrate the existing legal, technical, and ethical challenges faced by governments, scientists, communities, and most importantly, aging families in the conflicting borders of managing those who bear arms, die, and disappear in armed conflicts.

Borders, Armed Conflict, Repatriation