A. INTRODUCTION

Forensic anthropology used in the context of human rights cases has come to the forefront in the past two decades as an essential part of peace support operations (PSOs), international and national tribunals and of special commissions of inquiry and other types of investigations following large-scale human rights abuses. Framed within the fundamental right to truth and justice of victims of human rights violations, their families and societies at large to know what happened to their loved ones, the missing and the disappeared, this application continues to develop. Forensic anthropology has now been used in the investigation of human rights violations in more than 50 countries in Latin America, Africa, Asia and Europe, often following requests from local and international human rights organizations, local judiciaries, government and/or UN-sponsored truth commissions, the offices of special prosecutors and international tribunals, among others. This chapter will focus on what forensic anthropology is, how it has developed and how it can contribute to peace support efforts relative to its application in the investigation of human rights abuses, using the Argentine case as an example.

Forensic science deals with the recovery and analysis of physical evidence and refers to biological and non-biological evidence. Biological evidence includes skeletal remains, body parts, bloodstains, other bodily fluids, fingerprints and so forth. Non-biological evidence related to a crime includes items associated with remains or relevant to the case, such as bullets, personal belongings, weapons and other objects that can potentially provide information in a criminal investigation. Forensic anthropology can be defined as the application of knowledge and techniques from physical or biological anthropology and foren-
sic medicine to the study of skeletal or almost skeletonized remains within the context of a legal investigation. When remains and associated evidence are retrieved, criminalistic and archaeological techniques are also used. Anthropologists working in forensics often also work on the recovery, preservation and analysis of the crime scene as well as site-finding efforts.

Unlike non-politically motivated criminal cases where investigations usually occur almost immediately, in human rights cases governments or accused parties often deny or impede access to remains of alleged victims or permission to conduct full investigations. In the interval, remains may decompose and become skeletonized. Therefore, the combination of techniques and knowledge used in such forensic investigations may include interventions from forensic anthropology along with forensic pathology, physical anthropology, archaeology, cultural anthropology, ballistics crime scene investigation, genetics and others. This inter-disciplinary effort, together with genetic analysis for identification purposes, often allows for the skeletonized remains of victims to be identified through a pooling of expertise that also maximizes the information obtained from the evidence. Specialists in these disciplines work as expert witnesses, technical consultants, and foreign experts for judiciaries, commissions of inquiries or other bodies that have the mandate and authorization to conduct such investigations.

In order to address all these aspects, this chapter will be structured as follows. After this brief introduction, Section B will illustrate the Argentine case and the work of the Argentine Forensic Anthropology Team (EAAF). Section C will explain the strategies adopted to conduct the investigations and, therefore, provide some guidelines that may be adopted during investigations conducted in PSOs, whereas the fourth and final section will draw the conclusions and give some recommendations based on the experiences of EAAF and the authors.

B. THE ARGENTINE CASE AND THE FORMATION OF EAAF

In the summer of 1984, democracy returned to Argentina after eight long years of dictatorship. As many as 9,000 people were disappeared by the state during that time, and no official in-depth investigation had been allowed. It was generally known (although not officially acknowledged until years later) that many disappeared people had been thrown from airplanes into the Argentine Sea, and therefore in most cases, their remains would probably not be retrievable.¹ But many others were buried in anonymous graves, in the “John Doe” areas² of ceme-

¹ An exception to this are the several dozen bodies discovered washed ashore on the Uruguayan and Argentinean coasts. For more information, see the annual reports of the Argentine Forensic Anthropology Team (2003, 2004 and 2005).
² “John Doe” areas are sections where unidentified remains are buried.