

**FORENSIC ARCHAEOLOGY
AND HUMAN RIGHTS
VIOLATIONS**

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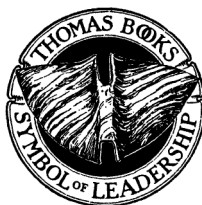
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To

Mark Goode for his never-ending support.

To

Professor Emeritus C. Melvin Aikens

of the University of Oregon

**whose teaching and guidance gave me the opportunity
to discover the wonderful world of archaeology.**

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PREFACE

The investigation of human rights abuses is currently becoming a more public and current issue on a global basis. Never before in recent memory has such a cross section of the world population been abused physically, emotionally, economically and militarily. Resultantly, huge areas of concern have been raised on the part of governmental and non-governmental agencies, human rights organizations, and also increasingly, interested members of the general public.

Open and rampant abuses directed against humanity fill our television screens and newspapers, and cross our daily thoughts and conversations. On a professional level, human rights workers and investigators have never been more necessary. As events unfold across the world, dedicated and often courageous professionals give of their time and expertise, in order to investigate such atrocities. This may place such individuals at odds with the motivations of the parties responsible for the issues that they are asked to analyze, often placing them at great personal risk.

There is also a higher purpose at stake with such work, which resides beyond the world of political and public opinion; the simple need for justice, healing and closure on the part of those who still remain after the fact, to mourn the needless loss of their loved ones. Human rights work in such circumstances should transcend the boundaries of mere conjecture and opinion. In its proper context and purest essence, such work should be intended to instil and nurture the healing process.

Forensic archaeology and forensic anthropology are now accepted as vital mechanisms in the machinery of investigating international human rights violations. It was with a wider perspective in mind that I decided to embark upon the production of this volume. I considered sincerely that there was, and still remains, a need for such issues to be brought into a more focused global context, in order to foster greater general understanding about the work that such professionals engage in, and

the positive effect that their work can engender if approached with professionalism, and also the most vital element, personal sensitivity.

All the contributors to this volume live, or have worked in, areas of the world within situations that most individuals can scarcely imagine. The insights and work that they offer within this book is a testament to their skill, tenacity and courage. Progress, and working against the norms that we are often dealt with, does not come without risk. It is my sincere hope that those who learn and are inspired by the work of such individuals, contained within these pages, will take this to heart. Positive change truly does begin with understanding.

Roxana Ferllini
2006

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**FORENSIC ARCHAEOLOGY
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Chapter 1

HUMAN RIGHTS VIOLATIONS, PAST AND PRESENT: CONSEQUENCES AND INTERVENTIONS

ROXANA FERLLINI

BACKGROUND

On a global basis, contempt or violence has been directed, at one time or another, against civilian populations residing in many different countries and regions. Such behavior manifests itself in a variety of manners, and to different degrees, in part depending upon socio-cultural practices, political agendas and the interventions, or lack of, on the part of other nations. Such violations of human rights are varied in nature and occurrence, being evident under times of war, and also in periods of internal social turmoil. Resultantly, the methods by which such issues are investigated must be necessarily diverse, with a multi-disciplinary approach often being required in order to effectively complete the tasks at hand to the satisfaction of all parties. Such work may take place within the scope of a small community, involve a specific ethnic group or relatively few individuals, or be required on national scale. The consequences under investigation may be due to direct attacks against a specifically targeted group, or conversely, abuses meted out against innocent bystanders who may not be directly involved in such conflicts, but who still suffer as a result of the greater consequences, during or after the fact.

Perpetrators may choose to employ a variety of tactics in order to terrorize civilian populations; sexual assault is a common strategy (Zakir, 2003), involving the purposeful denigration of women by the means of

rape. In many cases, the method of gang rape is chosen, and is often manifested in the unwilling presence of family members. Forced pregnancies are another tactic, resulting in the victims of such acts being shunned and stigmatized by their social group. Other consequences include the destruction of infrastructure and of private property, thereby effectively halting any possibility of continuing a meaningful daily existence. This latter tactic may compel those who are affected to be forced to survive under often protractedly extreme conditions. Such victims may suffer over considerable periods of time without adequate food, water, shelter, and also without the recourse of any manner of medical attention. In many cases, the injured may have survived initial abuses; however, for one reason or another after the fact, they subsequently succumb to starvation, disease, or from a lack of treatment to injuries that they may have sustained, creating in the process, a considerable pool of indirect deaths, separate from the initial event (Sandford, 2003). Such circumstances also serve to directly, or indirectly, cause the displacement of certain groups to different geographical areas, creating serious issues, not only for the refugees, but also creating turmoil and added pressures to host nations, many of which may also be experiencing their own internal problems, and often ill-equipped, or reluctant to deal with such added stresses. A case in point would be the massive exodus of refugees towards Goma in the Democratic Republic of the Congo (DRC), following the Rwandan genocide of 1994, which resulted in additional misery and suffering for those who had fled, and again, pressure on the part of the host nation. In the latter case, famine and disease resulted in the loss of approximately 30,000 lives, many of whom were buried en masse (Prunier, 2002).

Disappearances, forced detention, interrogation, torture, and summary executions that bypass any manner of legitimate judiciary procedure, may often be employed by the State against those considered to be its "enemies."

The deliberate displacement of children from their parents and common social group, or forcing that element of the population into armed conflict is another common type of human rights violation. As of 2004, it was estimated that approximately 30,000 children were involved within armed conflicts globally; many of them without recourse to any other option (Youth Advocate Programme International, 2004).

Armed conflicts take a toll not only on the targeted populations in question, but also create supplementary issues after the fact, such as

residual land mines and other unexploded ordnance that remain in place across the territories in question. Such hazards must then be contended with long after former events have concluded, consequently causing the death or mutilation of innocent victims in times of “peace,” and often rendering areas normally utilized for agriculture and other necessary activities to be highly reduced in scope. Contending with terror, intimidation and death casts a long shadow upon cultural, social and economic continuation. This often creates long-term psychological effects for those who were able to survive the initial process (Sack et al., 1999). As presented by Gómez López and Patiño Umaña in Chapter 8 of this volume, such persons, whether individual survivors or entire families, require much needed psychological assistance and sustained support in order to cope with the emotional scars left by the pain and suffering that they have sustained; however, some will continue to live in perpetual fear, often not being able to repair bonds of trust with respect to dealing with those in authority. The reconstruction of their lives becomes extremely challenging, due in part to the lack of the social and family network that they are accustomed to, and to the reduction of the community that they previously existed within.

When mass scale events transpire, a variety of changes will occur within affected communities, and also, in many cases, much farther afield. According to Sandford (2003) such modifications may be appreciated when conducting interviews with survivors, providing insights as to how the past and present are currently being perceived by a given population. Additionally, as a ramification of traumatic events, the language utilized to express their situation at any given moment in time is subject to change, that is, the language chosen may pass through a series of shifts with reference to the use of descriptive narrative that is chosen to describe and encode past events and present circumstances. Perceptions of self, family, community, and also future outlook are modified and expressed through such communication. New terms are often introduced, or the application of existing words or expressions, selected exclusively to express what has transpired by individuals who may have either suffered directly during possible atrocities, those who were indirectly affected, or persons who were relatively detached and distant observers to the events in question.

Some of the issues presented in this chapter may not pertain directly to those working in the field of forensic archaeology, or for other forensic specialists that become part of international missions that are convened