

# **EXHUMATIONS IN SERBIA, 2001**

## **SUMMARY**

## **SUMMARY OF ICMP MONITORED EXHUMATIONS IN SERBIA 2001**

1. The following account describes in brief the results of monitoring activities by the International Commission on Missing Persons for the Former Yugoslavia (ICMP) at several mass grave sites in the Federal Republic of Yugoslavia (FRY) conducted by authorities of the Republic of Serbia in 2001. It is written to communicate to the concerned general public, including various Family Associations, the nature of these sites, their contents, the methods used to exhume human remains and other evidence, and basic findings. This is not a legal document and does not reflect the views or findings of the governmental agencies or forensic institutes involved in the exhumations who are expected to issue their own statements.

### **1. Brief Historical Background**

2. In April, 2001 accounts began to appear in the media that one or several trucks had been used to transport numerous bodies of Kosovo Albanian victims created by the conflict there in 1999 for clandestine burial at several localities in Serbia and that the authorities of the Republic of Serbia now intended to exhume these sites. ICMP was granted permission to monitor and report upon the exhumation and examination of the remains even though, at that time, ICMP was not formally registered with FRY. There are approximately 3600 reports of missing persons in Kosovo of which about 2700 are ethnic Albanians. The proportion of the latter which were transported to Serbia is currently unknown but is probably many hundreds.
3. An ICMP monitor was present from June, 2001 through September, 2001 when exhumations ceased pending further exhumations in 2002. Five sites were processed. It has been reported that about 423 sets of remains were recovered during this interval. However, it is important that this figure be understood. Most of these sites are "secondary sites"; that is, the remains were not collected and buried immediately. Rather, there was an interval during which many of the remains underwent some decomposition and other influences. Also, the processes of collecting the bodies, their transport, and ultimate burial resulted in the remains often becoming disarticulated, damaged, somewhat mixed and incomplete. This is a common, if regrettable, occurrence for victims of the conflicts which have taken place in the former Yugoslavia since 1992. These processes create a difficult forensic situation for those responsible for the exhumation and examination of the remains for purposes of personal identification. It is likely that not all individuals buried at these locations will be identified. Furthermore, not all identified remains will be complete. Also, it should be mentioned that ethnicity is not shown by biological tissues; although some objects such as clothing style or documents do bear upon this issue.

### **2. Some General Observations**

4. No remains were sufficiently unaltered to allow visual recognition; nor, with rare exceptions, were fingerprint details preserved. Also, there are few premortem records of dental work which would assist in identification. As a general statement, the bodies were quite decomposed; that is, typically, the remains were partially, or even completely, skeletalized and internal organs were not suitable for histological analysis. Nevertheless, a large amount of information could be obtained, in many cases, regarding personal characteristics and cause of death.
5. While a minority of remains bore documents (e.g., Licna karta) there is no guarantee these belonged to the individual in question. Consequently, identifications must be attempted using a combination of sources including clothing and personal possessions, classic anatomical features (e.g, surgical procedures), osteological markers of sex and age at death, and DNA. It is incumbent upon those authorities making an identification that the identity indicated by DNA is consistent with other

information as to identity such as age, sex and personal possessions, and that inconsistencies, if any, are explicable.

6. There is an ongoing revolution in the ability of forensic scientists to identify individuals from remnant DNA in tissues; typically bones and teeth. Related individuals share details of their biochemical structure which can permit unequivocal identification of remains. The scientific procedures are accepted internationally as valid. ICMP is assisting efforts to obtain blood samples from biological relatives of missing persons in the former Yugoslavia including Kosovo.

### **3. The Sites**

7. These sites are described in the order in which they were processed. There is no implication as to the order of their creation.

#### **3.1. Batajnica One**

##### **a) Location**

8. The site is situated on grounds of the SAJ (Special Anti-terrorist Unit), Ministry of the Interior (MUP) near Batajnica, a few kilometers northwest of Belgrade.

##### **b) Investigators**

9. Investigation was conducted by the Belgrade District Court, with the assistance of an expert team from the Institute of Forensic Medicine in Belgrade. Further assistance was provided by staff from the University of Belgrade Medical School and the Petnica Science Center. There was a police car near access to the site which maintained 24-hour security.
10. Observers from various organizations also attended the exhumations although not always on a daily basis: viz., International Criminal Tribunal for the Former Yugoslavia (ICTY), Humanitarian Law Center (HLC) and Organization for Security and Cooperation in Europe (OSCE).

##### **c) Date(s)**

11. Work at the site commenced on June 1, 2001. Remains and other evidence were placed in a secure facility on July 18, 2001.

##### **d) Observations**

12. Remains had been buried in a mass grave measuring approximately 3 X 3 meters X 2 meters deep. The recovery operation was complicated by a number of factors. Firstly, there was significant commingling of bodies, with some dislocation of body parts. The central part of the body mass was discontinuously burned *in situ*, with subsequent fragmentation and compression. The area of burnt soil extended to 3 X 4 meters.

#### **Exhumation**

13. Archaeologists were present to map the original excavation and to remove the overburden systematically in preparation for the team of forensic pathologists. Large tents were erected over the site itself as well as the autopsy facility where remains were examined. Remains were exposed with the use of small hand tools. Despite the commingling, burning, and fragmentation of remains great care was taken to isolate bodies and body parts including clothing and personal effects. A videographic and photographic record was made throughout the operation. It should be noted that photographs were not

allowed to be taken by observers (in accordance with the Decision of the Judge based on the Law on Criminal Procedure).

### Examination

14. The majority of remains were sufficiently intact to warrant a traditional autopsy, with the potential for histological examination of organs, whereas others were subject to what could more properly be called simple postmortem examination. The pathologists followed their standard postmortem protocol. Any clothing was removed, handwashed, described and photographed. An anthropologist examined select bones to determine sex and age at death. Dental observations were made. Some remains were radiographed in Belgrade.
15. It has been reported in the media that a minimum number of 36 individuals was recovered from this site, including 13 men, 14 women and nine children. In addition there was an eight-month fetus. Although the bone samples for DNA testing were taken, this process was not observed by ICMP. Several documents bearing personal names were recovered.
16. Forensic evidence was seized, described and photographed. Specific observations are the responsibility of the forensic pathologists. Considering the number of remains there was remarkably little evidence of how these individuals died.

### **3.2. Petrovo Selo One and Two**

17. These sites are close together and were processed sequentially by the same team; hence they are described together. It is unknown whether the sites were created at the same time.

#### **a) Location**

18. The sites are named after a nearby village about a half hour drive west of Kladovo in eastern Serbia. Adjacent to the sites are grounds of what the media have described as a former training camp of the Special Operations Unit of the Police. Both sites, which are about 150 meters apart, are situated in secluded, woody areas. Petrovo Selo One is the smaller of the two sites.

#### **b) Investigators**

19. Investigation was conducted by the Negotin District Court with the assistance of an expert team from the Institute of Forensic Medicine in Nis. Observers from various organizations also attended the exhumations, although not always on a daily basis; viz., International Criminal Tribunal for the Former Yugoslavia (ICTY) and the Humanitarian Law Center (HLC). There was a police car on site at all times, maintaining 24-hour security.

#### **c) Date(s)**

20. Work at Petrovo Selo One had started prior to our initial visit on June 25, 2001. Exhumation was completed on June 26. Late on the same day, exhumation began at Petrovo Selo Two and was completed on June 28. Autopsies on remains from Petrovo Selo One were underway on June 25 and finished on June 27. Autopsies on remains from Petrovo Selo Two commenced on June 27 and were completed on July 1, although dealing with the clothing lasted through July 4.

#### **d) Observations**

21. Field structures included a personnel station as well as an autopsy tent and a temporary body storage tent. An open area for boiling, rinsing and hanging clothing was maintained.

### Exhumation (with reburial)

22. Several large earthmoving machines were brought to the area to remove overburden and backfill the sites as well as to excavate and refill a temporary cemetery. This was necessitated because the team could not obtain a refrigerator truck.
23. Exhumation of the bodies at Petrovo Selo One and the uppermost layer of Petrovo Selo Two were not monitored. It was stated that, at Petrovo Selo One, there were 13 massed bodies in the lowermost layer and a separate deposit of three bodies in the upper layer.
24. At Petrovo Selo Two, the well-preserved bodies formed a compact mass about 3 X 3 meters and 1.5 meters deep. With the overburden removed exhumation was straightforward. Small excavation tools were limited to several shovels, a pickax, and one trowel. Over the course of three days, 59 bodies (but see below), numbered 1-8 and 8a-58) were removed from a small but very deep pit with estimated dimensions of approximately 3 X 3 meters by 3.5 meters deep.

### Examination

25. Preservation of the remains at both sites was quite good, due probably to the depth of the graves, which enabled customary autopsy procedures to be applied. This step was done in the field. No radiographic or metal detecting equipment was present at the site. All autopsy observations and clothing descriptions were hand recorded or typewritten from dictation. A physical anthropologist was not present. As noted the remains were reasonably well-fleshed and osteological expertise not applicable. Prior to commencement of autopsy, the photographer recorded the state of the remains with a label in plain view. Similarly, a photographic and videotape record was maintained throughout the process. Tissue samples were taken for histological analysis; as were bone samples for DNA analysis.
26. Considerable time was taken to clean, describe and record clothing which was plentiful at both sites. Distinctive dental restorations, bridges and removable prostheses were described and photographed, with the latter seized as evidence. The pathologists stated that based on soft tissue and clothing all 16 individuals from Petrovo Selo One were male whereas 52 out of 59 individuals from Petrovo Selo Two were male. There were no children. A recent media report indicates that 61 bodies were recovered at Petrovo Selo Two. A document bearing personal names was recovered from the uppermost layer of bodies at Petrovo Selo One and several personal documents were found at Petrovo Selo Two.
27. Forensic evidence was seized, described and photographed. Most of the bodies exhibited serious perimortem damage to both heads and the rest of the body. Specific observations are the responsibility of the forensic pathologists. A media report, issued by the Institute of Forensic Medicine in Nis states that in 60 cases death was due to gunshot wound while 9 others had died from blunt trauma; in 8 cases cause of death is unknown.
28. At the end of the project, the team planted wooden grave markers with numbers, corresponding to the numbered body bags, into the temporary cemetery.

### **3.3. Batajnica Two**

#### **a) Location**

29. This mass grave is situated on grounds of the SAJ (Special Anti-terrorist Unit), Ministry of the Interior (MUP) near Batajnica, a few kilometers northwest of Belgrade. The site is only 100 meters or so south of Batajnica One. The whole area is a firing range. It is alleged that there are more sites in the immediate area which measures about 70 meters north-south and 50 meters east-west.

**b) Investigators**

30. The investigation was conducted by the Belgrade District Court, with the assistance of an expert team from the Institute of Forensic Medicine in Belgrade. Further assistance was provided by staff from the University of Belgrade Medical School.
31. Observers from various organizations also attended the exhumations on a daily basis, although not all of them every day: International Criminal Tribunal for the Former Yugoslavia (ICTY), Humanitarian Law Center (HLC) and Organization for Security and Cooperation in Europe (OSCE). A representative of FRY Committee for Compiling Data on Crimes Against Humanity and International Law as well as the Institute of Forensic Medicine and Science, Pristina also attended on one occasion. Security was provided by virtue of the site being on SAJ grounds. Only court-approved individuals were permitted through the gates.

**c) Date(s)**

32. Work at the site commenced on July 10, 2001 and lasted until Sept. 21. An ICMP observer was present from July 10 to August 10 and from Sept. 17 to Sept. 21.

**d) Observations**

33. An operation of this magnitude involves significant logistical requirements including heavy equipment, transport, supporting structures and routine supplies. The heavy equipment used at this site included earth-moving equipment (small and large back-hoe) and a water truck for washing clothing and for personal hygiene. A series of temporary structures were created including a tent to cover the site, an autopsy tent and two temporary storage tents. Small hand tools (e.g., trowels) were used to expose the bodies. The team was at the site virtually continuously for ten weeks.
34. The recovery operation was complicated by a number of factors. Firstly, some remains were incomplete; secondly, the remains were badly contorted and commingled making the tracing of arms and legs very difficult; thirdly, a large number of vehicle tires with their constituent wire reinforcing had been burned in a vain attempt to destroy the remains; fourthly, this was a large site containing more than 250 sets of remains. This mass grave was among the most difficult sites to exhume ever monitored by staff from ICMP. The Court did not permit the international observers to record any of the site's contents or forensic team's activities photographically.

Exhumation

35. No archaeologists were involved in the mapping or exhumation of this site. A large-bladed machine was used to scrape the upper ground surface which yielded cloth and bone fragments of uncertain provenience. Their distribution was used to locate the edges of a deep linear pit filled with bodies and soil. The westerly extent of the evidence was not established until late in the operation. Exhumation of the westerly half of the mass grave was not monitored. The final dimensions of the excavated area were approximately 15x10 m by about 2,80 meters deep throughout.
36. Care was taken by the forensic pathologists to isolate individual sets of remains whenever possible prior to lifting. However, there was a persistent problem with extricating complete and unequivocal sets of remains. Body parts that could not be construed as an individual were collected as isolated elements within a sector; there were 16 one-meter units (rather roughly defined and maintained as the exhumation continued). The contents of each sector were examined later as part of the process for estimating the minimum number of individuals. There was no order or particular orientation of the bodies; they seem simply to have been dumped as a jumbled mass. Each labeled set of remains was photographed from far and near before removal (still photographs and video recording).
37. Approximately half the site was excavated from the east end approaching the body mass both from the

side and from above and slowly progressing westward. This departure from the usual practice of working one's way down from above was necessitated by the oddly interwoven nature of the remains on the north margin.

38. Adding to the difficulties was the clothing which was pulled partially off the bodies. This combined with the burnt tire wire made trowel work frustrating. Deeper in the site, body completeness increased but was negatively impacted by concentrated areas of burning which on occasion had burned completely through limb bones leaving only stumps. Skulls were often smashed and at odd angles so they were not as useful as one might have thought in isolating a body. Most useful were hips and spines; from these areas the rest of the body would be traced. Sometimes a body part or personal effect would be encountered and marked but up to one or two weeks would pass before the rest of the body could be extricated.
39. When a body was sufficiently isolated for removal, it was given the next available number and the photographer called to record the body's location and appearance as well as notable features like jewelry. The photographer also made numerous videotape recordings with sound throughout the exhumation. Each set of remains was placed in a labeled new body bag and carried to the storage tent to await examination.

### Examination

40. Batajnica Two was the second site processed this season by the Institute of Forensic Medicine Belgrade. Consequently, the same procedures were used as described above for Batajnica One. A minority of remains were sufficiently intact to warrant a traditional autopsy. More skeletalized remains were cleaned and the bones laid out in anatomical order for evaluation and photography.
41. Any clothing was removed, handwashed, described and photographed. An anthropologist examined select bones to determine sex and age at death. Dental observations were made. Some remains were radiographed in Belgrade.
42. It has been reported that a minimum number of 269 individuals was recovered from this site. The number is approximate for reasons discussed at the beginning of this document. Remains which received labels at the time of exhumation were 253; this number was augmented by an anthropological examination of isolated bones from the grid sectors yielding an additional 16 "individuals". A computer-based spreadsheet was maintained by the team to keep track of bodies and associated evidence. It seemed that all individuals from this site were civilian males which ranged in age from adolescent to middle-aged adults. The forensic pathologists will issue a final diagnosis. Bone tissue samples were harvested from all 269 individuals for DNA analysis.
43. There was a lot of clothing (somewhat burnt) and personal possessions. More than ten pieces of personal identification were found.
44. Unlike Batajnica One, there was considerable evidence available to the pathologists from examination of the human tissues that would indicate how many of these individuals died. Most of this consisted of ballistic evidence.
45. At the end of the process, the remains were placed in a numbered body bag and removed to the storage tent. At the end of the operation, remains were transferred to a secure facility.

### **3.4. Derventa Canyon, Lake Perucac**

#### **a) Location**

46. The exhumation was conducted on the north bank of Derventa River close to its junction with Lake

Perucac, 13 km from Bajina Basta in western Serbia. Rastiste Village is located a further 2 km up the canyon road.

**b) Investigators**

47. The investigation at the site was conducted by the Uzice District Court, with the assistance of an expert team led by a military pathologist from Belgrade Military Medical Academy, Institute for Pathology and Legal Medicine. Further assistance was provided by staff from the University of Belgrade Medical School.
48. Observers from various other organizations also attended the exhumations although not always on a daily basis: viz., International Criminal Tribunal for the Former Yugoslavia (ICTY), Humanitarian Law Center (HLC) and Organization for Security and Cooperation in Europe (OSCE).

**c) Date(s)**

49. Work at the site commenced on Sept. 6, 2001. Videotaping continued through Sept. 8, 2001. It was stated the team spent three full days exhuming the site. By Sept. 10, an ICMP observer was present at the exhumation site. Autopsies were conducted at a temporary facility commencing on Sept. 9, with monitoring commencing on Sept. 10 in the afternoon, and lasting through Sept. 14 when the operation ceased.

**d) Observations**

50. This operation involved significant logistical requirements including heavy equipment, transport, supporting structures and routine supplies. However, relative to most of the other Serbian sites processed this season, the challenges were modest. The operation was well organized with ample staff for exhumation, washing clothes, and processing remains. A metal detector was used to locate the site itself since it contained parts of a truck refrigerator container that had formerly held the bodies, allegedly when it was deposited in Lake Perucac in 1999. This was a secondary burial site containing human remains which had been badly affected by their previous history of immersion in Lake Perucac, retrieval and burial. Also, the site was periodically underwater in that the level of Lake Perucac, an artificial reservoir, can be controlled. These factors combined with the well-drained, coarse gravels in which the bodies were placed probably explain why all remains were completely skeletalized.

Exhumation

51. Although this exhumation was not monitored, monitors, including ICMP, we were allowed to view the video of the exhumation. The grave had been excavated into a gravel spit at the mouth of Derventa River close under a talus slope composed of coarse cobbles with little soil. The team re-excavated an area about 4 X 6 meters. They encountered remains and metal components of the refrigerator container at a depth of about 1.5 meters. Remains and other evidence were removed thereafter by hand. Both complete and incomplete body parts in clothing were encountered as were numerous isolated bones.

Examination

52. Autopsies were performed in a large tunnel and adjacent buildings of an abandoned cement factory on Mt. Tara where 24-hour security could be maintained. International observers first appeared at the location of the autopsies late in the afternoon of Sept. 10 at which time postmortem examination of Body D.5 (of 26) had been completed. In addition there were 52 labeled partial bodies although some of the latter were simply isolated bones. Prior to examination, the contents of each bag were recorded by photograph and videotape. Incomplete body halves were held together by clothing. The latter were hand washed, described, photographed and placed into labeled containers. Both bones and clothing showed evidence of burning in isolated patches. There was no evidence that this burning occurred at the burial site.

53. Bones were laid out in approximate anatomical order and examined by a pair of forensic pathologists one of whom dictated observations to the other. Note was made of classical osteological markers of sex and age at death particularly by the physical anthropologist who was ultimately responsible for demographic analysis. It was possible to re-associate upper and lower body parts in a few cases. It was concluded that there was a minimum of 48 individuals of whom 38 were male and one was female. Age ranged from mid-adolescent to elderly. Bone samples from all 48 individuals as well as dissociated upper body parts were taken for DNA analysis.
54. Very few personal effects were recovered. Dentitions were charted and all prosthetics recorded and preserved. At least two personal documents with names were observed. The one female's skeleton possessed a distinctive surgical plate on her lower leg to repair a fracture.
55. There was considerable ballistic evidence as well as classic gunshot wounds to the head in many cases.
56. Temporary storage of the remains occurred near Bajina Basta but it was stated that they would probably be transferred to Belgrade.

#### **4. Concluding Remarks**

57. The careful exposure of clothed, decomposing masses of bodies is not a skill normally possessed by forensic pathologists. At these sites the forensic pathologists have accepted the task of excavating the bodies largely by virtue of their possessing the essential knowledge of human anatomy that enables them to trace body parts. However, the inclusion of archeologists with their skills of careful excavation and meticulous use of trowels is necessary for future exhumations. This will ensure that these regrettably incomplete remains are properly exposed and collected; also it will ensure that mapping of evidence and bodies is performed to adequate standards.
58. Despite the challenges presented at these various sites, the Serbian teams performed their tasks of evidence recovery and preservation to reasonably acceptable international standards. The teams expedited the task of the international observers' forensic monitoring with full disclosure of their methods and with frank explanations.