

# Human remains: European legislative perspective on the limit between forensic and archaeological jurisdiction with special regard to war graves

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**Abstract:** The definition of the jurisdiction of human remains from mass graves related to war crimes, committed in Europe during the two World Wars and civil wars, is to be considered a contemporary topic because of the still existing heterogeneous European legal situation and undefined delineation of pertinences. The excavation of these burial sites is complex mainly because of the ethical issues hidden behind the treatment of human remains, especially those concerning violations of human rights, and the concurrent need for both forensic competencies and archaeological-anthropological ones that result in different handling practices adopted by each country. Since there are no standardized and recognized protocols regarding the excavation of mass graves, there is also a difference in the chronological limits for a burial to be defined of forensic interest/competence, opening an investigation to prosecute the guilty parties, or of historical-archaeological one, collecting data to evaluate the bio-demographic characteristics of a population. This review of the literature aims to briefly summarize three key points for each state: the existence of a law explicating a chronological threshold between forensic and archaeological jurisdiction, the related pertinence of the excavation of human remains and the establishment of regulations respecting the reburial of human remains.

**Key words:** mass grave; recovery; chronological boundary; reburial

Mass graves related to war crimes, committed during the two World Wars and civil wars (fought in many European states until the 90's), are to be considered a contemporary topic, since the trace of many of them are still found nowadays.

A mass grave is a burial site difficult to describe, as through time several definitions have been proposed. In 1987 Mant classified a mass grave as a burial site containing at least two corpses in physical contact with each other, whereas Skinner described it as a single burial unit containing no less than six bodies buried tightly and indiscriminately positioned (Mant, 1987; Skinner, 1987). Lastly, in 2002 Schmitt proposed a new socio-anthropological and historical interpretation, in which he describes a mass grave as containing a minimum of two individuals who died during the same violent episode (Schmitt, 2002).

The excavation of these burials is a sensitive mat-

ter because of many factors such as the political situation developed in some countries after the end of the war period, the ethical issues hidden behind the treatment of human remains (i.e. the issue regarding the identification of war victims, as it can be of humanitarian concern to reunite the remains with their families, but also of forensic concern because of the possibility to find evidences of human rights violations that can lead to legal prosecution of the Nation at fault) and the fact that there is a thin line between forensic and archaeological pertinence of the sites, resulting in different handling practices (Strinovic et al., 1994).

As for the latter, mass graves are complex contexts to investigate, since both forensic skills/competences (such as the study and prosecution of crimes against humanity) and archaeological-anthropological ones (i.e. the care of bone finds) are needed.

Drawing attention to how different countries op-

erate and behave in the presence of these burial sites, this review wants to underline the necessity of standardized recovery procedure of war graves, from the pertinence of the burial site to the final disposition of human remains, aiming to suggest a common European legislation, to avoid hurried conclusions, national disparities and to guarantee dignified reburial and treatment of such remains.

This European heterogeneity arises from disparities concerning human remains uncovered in mass graves, since in many countries there are no standardized and recognized protocols regarding their excavation and, among them, there are different chronological limits for a burial to be defined of forensic or of historical-archaeological interest/competence. This time limit establishes whether it should be treated as a judicial case - with the opening of an investigation to prosecute the guilty parties, to identify both the fallen and the cause of their death - or as an archaeological study, collecting data to evaluate the bio-demographic characteristics of ancient populations.

Mass graves can be distinguished in “war graves”, defined as those burial sites in which military personnel, civilian victims or prisoners of war (all defined as “war victims”) were buried during World Wars (Hausmair et al., 2021).

The key point of this script is to underline the states legislation about chronological boundaries (between forensic and archaeological jurisdiction/involvement), pertinence of the excavation and regulations about the reburial of human remains.

Since the legislative situation in Europe is so diverse, the key points of each country are summarized in *Table.1*.

The criteria chosen to identify which countries were suitable for this literature review are the pertinence to the theme of war grave and the availability of the relative juridical information.

Talking about the results come to light in *Table.1*, the chronological boundary is the first point addressed in the research and reveals a great inter-country variability.

Austria, Belarus, Germany, Hungary and Serbia haven't a law defining the chronological threshold between forensic and archaeological involvement in the inquiry of mass graves.

Croatia and Lithuania haven't a boundary by law, but define what is “modern” and of forensic interest (Šlaus & Petaros, 2015).

The remaining countries establish clear time limits for jurisdictions, sometimes specifying that war crimes don't fall into proscription, still being of forensic competence (Lorkiewicz et al., 2011; Michel & Charlier, 2011; Gaudio et al., 2020).

Dissimilarly, Spain stands out because human remains from the Spanish Civil War are handled by archaeologists with no involvement of the police (Her-rasti et al., 2021).

Concerning the “pertinence of the recovery”, Hungary and Serbia are the only states not defining it; whereas, Croatia and Kosovo do not specify the organs responsible for skeletal remains, even though they respectively mention the “Ministry of the Division for Imprisoned and Missing Individuals” and the “Office of Missing Persons and Forensics” (the latter about the jurisdiction of war victims from the 90's) (Schermer et al., 2011; Šlaus & Petaros, 2015).

Austria and Belarus, even if they haven't fixed a chronological boundary yet, they explicitly consider human remains from historical context as of archaeological pertinence and subjected to laws concerning the protection of cultural/historical heritage (Tegako & Sorokina, 2011; Hausmair et al., 2021).

Belgium, the Czech Republic, France, Germany, Greece, Lithuania, Poland and Romania all outline the jurisdiction of the excavation. Among these, Germany establishes that remains found in archaeological contexts are to be considered as archaeological finds, exception made for WWII-related sites, investigated by the police, similar to Lithuania. Belgium, the Czech Republic, France, Greece and Poland share the same archaeological vision, but underline that law enforcements are always involved outside that context. In France, each time skeletal remains are found, an inquiry will take place anyway, as in Italy, where these discoveries are always considered forensic until otherwise proven (e.g. bones are then defined as “old”), like in the Slovak Republic, Slovenia and Spain (Michel & Charlier, 2011; Jamnik, 2015; Gaudio et al., 2020).

Albania, conversely, consider as archaeological every remain found outside modern cemeteries

**Table. 1** Summary of the European legislative situation on the investigation of human remains and their disposal. The barred cells mean that there is no mention on the matter.

Country	Chronological boundary	Pertinence of the recovery	Reburial
Albania (Amore, 2011)	50 years	Human bones are investigated as archaeological finds by cultural heritage authorities.	
Austria (Hausmair et al., 2021)		Human bones are handled by the Federal Monuments Authority Austria (BDA). Grave sites from the 20 <sup>th</sup> century are heritage sites of public interest, investigated by the BDA and the Department for Archaeology.	The Federal Ministry of the Interior (BMI) decides whether a grave site can be exhumed or not, but “ <i>war graves cannot be maintained at their original location</i> ” (Hausmair et al., 2021). The BMI cooperates with the Austrian Red Cross (ÖSK), responsible for the exhumation and the subsequent reburial in a new grave site.
Belarus (Tegako & Sorokina, 2011)		Human bones found in archaeological sites are investigated as archaeological finds by historical and cultural heritage authorities.	In some cases reburial is disposed (not specified), or bones are stored in museums/ad hoc facilities.
Belgium (Quintelier et al., 2011; De Decker, 2021)	30 years	The recovery of human remains always implies the initial involvement of the police, that in case of war grave will notify the War Graves Department of the Ministry of Defence. Flanders: human bones from archaeological sites are handled by the Flanders Heritage Agency, unless proven to be of a fallen soldier. In this Region, findings of the World Wars are considered forensic and archaeological heritage at the same time, so they are handled by the Belgian War Heritage Institute.	If an identification is possible, the War Graves Department will inform the relative country of origin and return the remains (military artefacts included). If an identification is impossible, the remains and related artefacts are reburied in a Belgian military cemetery. Besides the belligerent context, there is no regulation on the disposal of human remains as they can be stored for years in museums or, if not of interest, they can be reburied or cremated.
Croatia (Šlaus & Petaros, 2015)	Not defined. Skeletal remains from the 20 <sup>th</sup> century are considered “modern”, of forensic interest.	No authority specified, although specialists are nominated by the Ministry of the Division for Imprisoned and Missing Individuals.	
Czech Republic (Velemínský et al., 2015)	20 years since the findings of the remains.	Human bones found in archaeological sites are investigated as archaeological finds, whereas other skeletal remains, especially related to WWII, are handled by the police.	After the chronological threshold, bones become part of museum collections.
France (Michel & Charlier, 2011; Knüsel & Maureille, 2018; Davadie & Koehler, 2021)	10 years after the suspected date of the crime, 20 if the remains were of a minor. Skeletal remains with proves of crime against humanity don't incur into proscription.	Each time skeletal remains are found, an inquiry will take place. Human bones from archaeological sites aren't of forensic competence, with no obligation to inform the police. The law doesn't mention the term “human remains”, comparing bones to archaeological artefacts.	For war graves, the State must pay for the reburial of the identified “ <i>Mort pour la France</i> ” (Michel & Charlier, 2011), as stated by the law, in military cemeteries. If the identification is positive, the remains are buried in an individual grave; whereas, if an identification is impossible, the remains are re-inhumated in collective graves. There is no legislation regarding the disposal of other unidentified human remains, which can be deposited in “ <i>public waste sites</i> ” or repositories “ <i>dedicated to [the] conservation of archaeological human remains</i> ” (Davadie & Koehler, 2021).

**Table. 1** Summary of the European legislative situation on the investigation of human remains and their disposal. The barred cells mean that there is no mention on the matter.

Germany (Indra et al., 2020)		Remains older than 20/30 years are given to the State Office for Monument Preservation of the specific federal state that will handle the bones with care, following the European Convention on the Protection of the Archaeological Heritage. Remains from WWII are always investigated by the police.	The reburial is imperative only for skeletal remains defined as “recent”, the ones coming from conflicts or sacred places. For other cases, bones reburying is not mandatory.
Greece (Eliopoulos et al., 2011; Lagia et al., 2014; Moraitis & Eliopoulos, 2015)	20 years	Human remains recovered outside archaeological areas are handled by the police, whereas those found in archaeological sites are under the Ministry of Culture. The latter administrates bones as “ <i>cultural objects-portable monuments</i> ” (Eliopoulos et al., 2011), since the law doesn’t mention human remains.	
Hungary (Dudás et al., 2021)			The War Grave Care Organization is in charge of the reburial, which is usually made in the same primary site where the identified victims are found.
Italy (Gaudio et al., 2020)	50 years However, skeletal remains from WWII are considered “modern”, of forensic interest (pertinence of the Ministry of Defence).	Human remains recovered outside “ <i>evident context</i> ” (Gaudio et al., 2020) are investigated by the judicial authority and managed by the local Prosecutor’s Office.	The General Commissariat for Fallen Soldiers (Ministry of Defence) is responsible for the reburial of the fallen soldiers in WWI and WWII.
Kosovo (Schermer et al., 2011)	“ <i>Movable heritage older than 100 years</i> ” (Schermer et al., 2011) fall in the archaeological protection program.	The Law on Cultural Heritage doesn’t mention the term “human remains”. War victims from the 90’s are under the jurisdiction of the Office of Missing Persons and Forensics.	
Lithuania (Jankauskas, 2011; Jankauskas, 2015)	Not defined by the law, but 50 years. Burial sites of the World Wars are still considered of forensic interest.	When uncovered, human remains are investigated by the police or, if of doubtless archaeological pertinence, the Department of Cultural Heritage under the Ministry of Culture is informed. Burial sites from the 19 <sup>th</sup> century and World Wars are considered archaeological context, protected by the Department of Cultural Heritage.	
Poland (Lorkiewicz et al., 2011; Thannhäuser et al., 2021)	30 years However, skeletal remains from 08 November 1917 to 31 July 1990 are considered “modern”, of forensic interest, as well as those with signs of crimes against humanity.	Human remains recovered outside archaeological areas are investigated by the police, whereas those found in archaeological sites are handled by the local monument conservator. Those remains found during archaeological excavations are considered “ <i>historic objects</i> ” (Lorkiewicz et al., 2011) and fall under the Act on Preservation and Care of Historic Monuments.	When no identification is possible, but there’s the assumption that the remains are more than some decades old, the Commune is responsible for the reburial. If of archaeological pertinence, the remains are not subjected to any regulation on reburial. Lastly, if the remains are not of interest, they are buried in a local cemetery.

**Table. 1** Summary of the European legislative situation on the investigation of human remains and their disposal. The barred cells mean that there is no mention on the matter.

Romania (Gál, 2011)	Not defined by the law, but the limit is WWII, except for human right violations, still considered of legal interest.	Human remains are investigated by the police but, with the finding of artefacts, an archaeologist must be advised.	Remains with signs of crimes against humanity are reburied following the Orthodox Christian tradition.
Serbia (Djuri & Starovi, 2011; Djuri & Pavlovi, 2021)			Remains are reburied in public cemeteries under authorities of local courts.
Slovak Republic (Masnicová et al., 2015; Putško et al., 2021)	50 years	The recovery of human remains is always considered forensic, until otherwise proven.	If it is possible to establish the nationality of the subjects, they are buried together with “ <i>their fellow soldiers</i> ” (Putško et al., 2021). If an identification is possible, the descendants are notified and the remains are buried in the nearest cemetery from the original residence town of the individual. If an identification is impossible, the remains are reburied at the closest cemetery to the location of the discovery. The governing municipality is in charge of the reburial of remains from a war grave.
Slovenia (Jamnik, 2015; Košir, 2020)	50 years	The recovery of human remains always implies the initial involvement of the police. If bones are defined as “old”, the remains are of archaeological pertinence.	Human remains are either reburied in local cemeteries or disposed in “special ossuaries” (Košir, 2020).
Spain (Márquez-Grant et al., 2011; Etxeberria et al., 2015; Etxeberria et al., 2021; Herrasti et al., 2021)	17 autonomous regions and no uniform time limit (50-100 years). Human remains from the Spanish Civil War are treated as archaeological findings and the police is not always involved.	The recovery of human remains always implies the initial involvement of the police, that later can call archaeological experts.	If an identification is possible, the remains are returned to the relatives and are then reburied in a cemetery. If an identification is impossible, the remains are re-inhumated in collective graves. In Cantabria, archaeological remains need to be stored in regional museums after six months from the recovery.

(Amore, 2011).

At last, the reburial is actually the most discussed and variable aspect concerning mass graves in all the countries taken into consideration, as seen in *Table.1* that highlights not only the uncertainty of regulations, but also the complete absence of laws regarding the disposition of human remains in many Nations.

Albania, Croatia, Greece, Kosovo and Lithuania don't mention or provide any regulation about the reburial or the destiny of the remains that has been unearthed and studied.

Belarus presents undefined directives, since remains coming from archaeological contexts can be

entrusted to museums, stored in ad hoc facilities or reburied (Tegako & Sorokina, 2011).

The Czech Republic and Spain only regulate archaeological remains that must be retained in museums (Márquez-Grant et al., 2011; Velemínský et al., 2015). In Czech Republic, the Police President Binding Directive No. 135/2010 regulates the chronological boundary for the pertinence of human remains (20 years since the recovery), but, past that time, bones are considered as archaeological findings and, according to their relevance (although the criteria is not specified), they “*are either destroyed or handed over to a museum with an anthropological collection*” (Velemínský et al., 2015).

Germany and Poland demand reburial for recent remains, i.e. remains of forensic pertinence, “*recovered from recent times*” (Indra et al., 2020), and those deriving from war graves, whereas for other cases the reburial of the bones is not mandatory. As for the first case, VBGO (the German Association for the Recovery of the Fallen in Eastern Europe) annually promotes field researches to recover mass graves in the Brandenburg region, taking care of the excavation, the subsequent identification of the remains and lastly the reburial of the remains in military cemeteries (Indra et al., 2020).

In particular, Poland Act on the Institute of National Remembrance (Art. 53e) explicitly regulates the reburial in cemeteries “*if there are no persons entitled to bury the human bodies, remains, or ashes, or it was not possible to determine the identity of the persons mentioned in Article 53b [persons killed in the fight with the imposed totalitarian system or as a consequence of the totalitarian repressions or ethnic cleansing in the period between 08 November 1917 and 31 July 1990], the place of burial shall be determined by the President of the Institute of Remembrance, having consulted with the social organizations dealing with commemorating and caring for the national memorial sites. Organization of the burial and its costs are the responsibility of the Institute of Remembrance*” (The Act on the Institute of National Remembrance, 2016).

Austria, Hungary, Italy, Serbia, the Slovak Republic and Slovenia all regulate the burial of human remains, especially the ones coming from war contexts, that are the only ones administered in France and Romania (i.e. in Romania, after the exhumation of victims of Communism, in 2009 their remains have subsequently been reburied following the Orthodox Christian tradition) (Gál, 2011; Michel & Charlier, 2011).

France legislation doesn't mention the words “human remains”, instead, it considered them, at first, as archaeological finds/objects/discoveries and, after 2017, as “*vestiges anthropobiologiques*” (anthropobiological remains) (Mathieu, 2019). This materialistic view of bones results in the lack of further reburial regulation, since they can be deposited in “public waste sites” (e.g. ossuaries) or in warehouse (i.e. the Centre for Conservation and Study of Alsace, that since 2016 manages archaeological remains, including human remains, on a regional level) (Michel & Charlier, 2011; Davadie & Koehler, 2021). The establishment of this facility followed the

necessity of museums, incapable to store all the archaeological material coming from all over France, to deposit and catalogue the “anthropobiological remains”.

It is interesting the use of museums as a repository of human remains also in other countries (e.g. Belarus, Belgium, Czech Republic and Spain). Only for the Czech Republic it is indicated that the destination structure is already hosting anthropological collections, while for the other countries it is unfortunately not specified, raising doubts about the conservation of bones, but also about the actual feasibility of this manoeuvre, given that often the museum warehouses are unable to contain further material, especially if not relevant for their studies (Velemínský et al., 2015).

Belgium, Greece, Kosovo and Poland as well don't consider bones as pertaining to human beings, but are rather considered respectively as: “movable cultural heritage” (Quintelier et al., 2011), “movable heritage” (Schermer et al., 2011), “cultural objects-portable monuments” (Eliopoulos et al., 2011) and “historic objects” (Lorkiewicz et al., 2011), all subject to the competent Ministry.

The overview outlined above allows to underline how the differences in legislation between these states are attributable to the following causes, not only to the diversity between governments.

The first disparity traces back to the World Wars, the outcome of which defined a tense political situation, especially in the Balkans, because investigation of war graves could have uncovered evidences of crime against humanity, revoking the amnesty previously granted to that country.

This delicate equilibrium, sometimes leading to injustice or omerta (e.g. in the Slovak Republic after WWI), in time brought to the constitution of several extra-governmental organs (Putško et al., 2021).

Another issue leading to disparity are funds. For example, the International Commission on Missing Persons (ICMP) for the Former Yugoslavia and Kosovo fund the recovery and identification of human remains in Bosnia and Herzegovina. In addition to that, some of the involved countries began to form “*government-sponsored interdisciplinary exhumation and identification*” teams, supporting even economically international cooperation (Šlaus & Petaros, 2015).

On the other hand, countries such as the Czech

and Slovak Republic sometimes plodded on carrying out excavations or further genetic analysis due to the lack of resources (Huffine et al., 2001; Šlaus & Petaros, 2015; Velemínský et al., 2015; Putško et al., 2021).

Having summarized all the similarities and differences between these countries, it immediately stands out that the European legal situation regarding human remains uncovered in mass graves is heterogeneous, reflecting pre-existent political tensions, internal subdivisions of competences and lack of clear definitions.

From the chronological threshold to the potential reburial, each country has its own different view and law apparatus, if not subdivided in further federations or autonomous regions (i.e. Germany and Spain), which can bring to further intra-variability.

The result of not having a common definition and a regulatory plan on the reburial of human remains (from mass graves, not only those recovered in war graves) is the uncertainty of their destiny, that, at best, will become part of a municipal ossuary, a museum collection or a warehouse, as the case of the Centre for conservation and study of Alsace (France) or the situation in the Czech Republic, opposite to well-defined reburial regulations that need to be established on European level to ensure the dignity of all human remains.

The most interesting aspect is that many countries still don't detail the status of human remains in their laws, implying that bones can be ascribed to "movable" artefacts of cultural meaning.

Considering the materialistic view of some states (i.e. France and Belgium) about human remains, some ethical considerations inevitably arise. The most important is whether it is correct to define human remains (bones) equal to archaeological artefacts.

During this study it has also emerged that in Germany, for example, the time threshold for human dignity is 125 years - specifically for "*human remains from a conflict*" (Indra et al., 2020). Again, the second question is if it is possible to define an "expiry date" of human dignity.

According to the Geneva Convention (IV) of 1949, Articles 130 and 136, States must provide all necessary assistance in the process of identifying the burial site and recovering victims, drawing up lists with all the details necessary for their identification, as well as the exact location of the pit. These provisions

are reinforced by Article 32 which stresses the right of families to "*know the fate of their loved ones*" (Geneva Conventions of 12 August 1949). The ultimate goal is to identify the remains and return them to their families. The official certification of death allows family members to overcome grief, but also legal problems related to assets and inheritance.

The personal identification of war victims therefore involves many delicate aspects, such as ethical, humanitarian or forensic ones: in this context, the exhumation of mass grave, the examination of the context and the analysis of the remains have a further purpose, which is to recover evidence to prosecute those guilty of crimes against human rights. Finally, according to Article 130 of the Geneva Convention (IV), the authorities in charge must ensure that victims are buried with honour, possibly observing the rites and religions to which they belong and that their graves are respected, maintained correctly and labelled, so that they can always be recognizable.

As proposed by a working group of the Office of the United Nations High Commissioner for Human Rights (OHCHR) about "the guiding principles for the search for disappeared persons" in 2022, "*The body or remains of a disappeared person should be handed over to the family members under decent conditions, in accordance with the cultural norms and customs of the victims, with respect at all times for the fact that they are the mortal remains of a person, and not objects. The return should also involve the means and procedures needed to ensure a dignified burial consistent with the wishes and cultural customs of the families and their communities*" (United Nations, 2022).

In conclusion, the European situation is far from being defined and the future perspective on this topic should focus on the necessity of an explicit definition of what human remains from mass graves are, to establish subsequent regulations about the handling and the fate of the remains to ensure the observance of victims' dignity.

Following the Geneva Convention, it would be desirable to have both a European and a global comparison/debate (given that this issue is increasingly topical) to define new guidelines that put in the foreground the distinction of human remains from any archaeological object or "movable monument", thus

making them regain the dignity that the Convention itself decrees, averting the impression of “*non-curation of human remains*” (Michel & Charlier, 2011) and of human remains having “*the same property rights...as to pottery*” (Quintelier et al., 2011).

## References

- Amore, M. G. (2011) Albania/Shqipëria. In N. Márquez-Grant, & L. Fibiger (eds), *The Routledge Handbook of Archaeological Human Remains and Legislation. An international guide to laws and practice in the excavation and treatment of archaeological human remains* (pp. 3-8). Routledge Handbooks
- Davadie, A., & Koehler, H. (2021) Human bones, archaeology and interdisciplinary research in France: From excavation to conservation for research. *Ethics, Medicine and Public Health*, 18, 100675. <https://doi.org/10.1016/j.jemep.2021.100675>.
- De Decker, S. (2021). News from the Western Front: Guidelines for the excavation of casualties of the First and Second World War (Flanders, Belgium). *Forensic Sci. Int.*, 319, 110649. <https://doi.org/10.1016/j.forsciint.2020.110649>
- Djuri, M., & Starovi, A. (2011) Serbia/Srbija. In N. Márquez-Grant, & L. Fibiger (eds), *The Routledge Handbook of Archaeological Human Remains and Legislation. An international guide to laws and practice in the excavation and treatment of archaeological human remains* (pp. 375-390). Routledge Handbooks
- Djuri, M., & Pavlovi, T. (2021). Excavation of mass graves with Serbian context: Complexity of the political milieu. *Forensic Sci. Int.*, 319, 110657. <https://doi.org/10.1016/j.forsciint.2020.110657>
- Dudás, E., Stier, M., & Czidor, D. (2021) Forensic investigation of war graves from WWI and WWII in Hungary. *Forensic Sci. Int.*, 320, 110688. <https://doi.org/10.1016/j.forsciint.2021.110688>.
- Eliopoulos, C., Moraitis, K., Vanna, V., & Manolis, S. (2011) Greece. In N. Márquez-Grant, & L. Fibiger (eds), *The Routledge Handbook of Archaeological Human Remains and Legislation. An international guide to laws and practice in the excavation and treatment of archaeological human remains* (pp. 173-183). Routledge Handbooks
- Etxeberria, F., Herrasti, L., Serrulla, F., & Márquez-Grant, N. (2015). Contemporary exhumations in Spain: recovering the missing from the Spanish Civil War. In M. Groen, N. Márquez-Grant & R. Janaway (eds), *Forensic Archaeology: Global Perspectives* (pp. 489-497). Wiley-Blackwell
- Etxeberria, F., González-Ruibal, A., Herrasti, L., Márquez-Grant, N., Muñoz, L., & Ramos, J. (2021) Twenty years of forensic archaeology and anthropology of the Spanish Civil War (1936-1939) and Francoist Regime. *Forensic Sci Int Synerg.* 2;3: 100159. <https://doi.org/10.1016/j.fsisyn.2021.100159>.
- Gál, S. S. (2011) Romania/România. In N. Márquez-Grant, & L. Fibiger (eds), *The Routledge Handbook of Archaeological Human Remains and Legislation. An international guide to laws and practice in the excavation and treatment of archaeological human remains* (pp. 355-362). Routledge Handbooks
- Gaudio, D., Cattaneo, C., Galassi, A., & Nicolis, F. (2020) Men at war, recovery and analysis of soldiers' remains from the WWI and WWII Italian Front. *Forensic Sci Int.*, 317, 110533. <https://doi.org/10.1016/j.forsciint.2020.110533>
- Ghaleb, S. S., Elwahab Hassan, D. A., Elroby, F. A., Mogassabi, K. R., & Attia Alemam, A. (2019). Identification of victims from mass grave discovery near Benghazi, Libya. *J Forensic Leg Med.*, 67, 24-27. <https://doi.org/10.1016/j.jflm.2019.07.012>
- Hausmair, B., Theune, C., & Stadler, H. (2021). Handling “war graves”: The current situation in Austria. *Forensic Sci. Int.*, 318, 110570. <https://doi.org/10.1016/j.forsciint.2020.110570>
- Herrasti, L., Márquez-Grant, N., & Etxeberria, F. (2021). Spanish Civil War: The recovery and identification of combatants. *Forensic Sci. Int.*, 320, 110706. <https://doi.org/10.1016/j.forsciint.2021.110706>
- Huffine, E., Crews, J., Kennedy, B., Bomberger, K., & Zinbo, A. (2001). Mass identification of persons missing from the break-up of the former Yugoslavia: structure, function, and role of the International Commission on Missing Persons. *Croat. Med. J.*, 42(3), 271-275.
- Indra, L., Straub, K., Schulz, W., Balsam, R., Ockert, W., Nowack, S., & Laue, A. (2020). Missing, not Forgotten. The German Association for the Recovery of the Fallen in Eastern Europe (VBGO e.V.). *Forensic Sci. Int.*, 316, 110473. <https://doi.org/10.1016/j.forsciint.2020.110473>
- Jamnik, P. (2015) Inclusion of archaeology in criminal investigations – Slovenia. In W. J. M. Groen, N. Márquez-Grant, & R. Janaway (eds.), *Forensic Archaeology: A Global Perspective* (pp. 165-172). John Wiley & Sons
- Jankauskas, R. (2011) Lithuania/Lietuva. In N. Márquez-Grant, & L. Fibiger (eds), *The Routledge Handbook of Archaeological Human Remains and Legislation. An international guide to laws and practice in the excavation and treatment of archaeological human remains* (pp. 249-256). Routledge Handbooks
- Jankauskas, R. (2015). Forensic archaeology in Lithuania. In W.J.M. Groen, N. Márquez-Grant, & R.C. Janaway (eds), *Forensic Archaeology* (pp. 99-108). John Wiley & Sons
- Knüsel, C., & Maureille, B. (2018) Archaeological Approaches to Human Remains: France. In B. O'Donnabhain, & M. Lozada (eds), *Archaeological Human Remains. Legacies of Imperialism, Communism and Colonialism* (pp. 57-80). Springer
- Košir, U. (2020). When Violins Fell Silent: Archaeological Traces of Mass Executions of Romani People in Slovenia. *European Journal of Archaeology*, 23(2): 250-271. <https://doi.org/10.1017/ea.2019.58>
- Lagia, ., Papathanasiou, A., & Triantaphyllou, S. (2014). The State of Approaches to Archaeological Human Remains in Greece. In O'Donnabhain, B., Lozada, M. (eds), *Archaeological Human Remains* (pp. 105-126). SpringerBriefs in Archaeology, Springer
- Lorkiewicz, W., Teul, I., & Kubacka, P. (2011) Poland/Polska. In N. Márquez-Grant, & L. Fibiger (eds), *The Routledge Handbook of Archaeological Human Remains and Legislation. An international guide to laws and practice in the excavation and treatment of archaeological human remains* (pp. 330-339). Routledge

## Handbooks

- Mant, A. K. (1987) Knowledge acquired from post-war exhumations. In Boddington, A., Garland, A. N., & Jenaway, R. C. (eds), *Death, decay and reconstruction: approaches to archaeology and forensic science* (pp. 65-78). Manchester University Press
- Márquez-Grant, N., Rissech, C., López-Costas, O., Alemán, I., & Dobón, L. C. (2011) Spain/España. In N. Márquez-Grant, & L. Fibiger (eds), *The Routledge Handbook of Archaeological Human Remains and Legislation. An international guide to laws and practice in the excavation and treatment of archaeological human remains* (pp. 422-438). Routledge Handbooks
- Masnicová, S., Be us, R., & Obertová, Z. (2015) Forensic archaeology in the Slovak Republic. In W. J. M. Groen, N. Márquez-Grant, & R. Janaway (eds.), *Forensic Archaeology: A Global Perspective* (pp. 159-163). John Wiley & Sons
- Mathieu, A. (2019) Les restes humains et l'archéologie : état des lieux juridique. *Can. J. Bioethics./Rev. Canad. Bioéthique*. 2: 201-5. <http://dx.doi.org/10.7202/1066477ar> .
- Michel, J., & Charlier, P. (2011) France. In N. Márquez-Grant, & L. Fibiger (eds), *The Routledge Handbook of Archaeological Human Remains and Legislation. An international guide to laws and practice in the excavation and treatment of archaeological human remains* (pp. 151-164). Routledge Handbooks
- Moraitis, K., & Eliopoulos, C. (2015) Forensic archaeology in Greece. In W. J. M. Groen, N. Márquez-Grant, & R. Janaway (eds.), *Forensic Archaeology: A Global Perspective* (pp. 77-81). John Wiley & Sons
- Putško, M., Bordá, M., Beljak, J., & Krajovi, J. (2021). Forgotten in time: The state of legislation, recovery, identification, and repatriation of World War I and II soldiers in Slovakia. *Forensic Sci. Int.*, 319, 110673. <https://doi.org/10.1016/j.forsciint.2020.110673>
- Quintelier, B., Malevez, A., Orban, R., Toussaint, M., Vandembrouaene, M., & Yernaux, G. (2011) Belgium/België/Belgique/Belgien. In N. Márquez-Grant, & L. Fibiger (eds), *The Routledge Handbook of Archaeological Human Remains and Legislation. An international guide to laws and practice in the excavation and treatment of archaeological human remains* (pp. 47-62). Routledge Handbooks
- Schermer, S. J., Shukriu, E., & Deskaj, S. (2011) Kosovo/Kosova. In N. Márquez-Grant, & L. Fibiger (eds), *The Routledge Handbook of Archaeological Human Remains and Legislation. An international guide to laws and practice in the excavation and treatment of archaeological human remains* (pp. 235-248). Routledge Handbooks
- Schmitt, S. (2002) Mass graves and the collection of forensic evidence: genocide, war crimes and crimes against humanity. In Haglund, W. D., & Sorg, M. H. (eds), *Advances in forensic taphonomy; Method, theory and archaeological perspectives* (pp. 277-292). CRC Press LLC
- Skinner M. (1987) Planning the archaeological recovery of evidence from recent mass graves. *Forensic Sci Int.* 34(4): 267-287. [https://doi.org/10.1016/0379-0738\(87\)90040-5](https://doi.org/10.1016/0379-0738(87)90040-5)
- Šlaus, M., & Petaros, A. (2015) Croatia (Hrvatska): from WWII and the 1991 war to contemporary forensic cases. In W. J. M. Groen, N. Márquez-Grant, & R. Janaway (eds.), *Forensic Archaeology: A Global Perspective* (pp. 39-45). John Wiley & Sons
- Strinovic, D., Skavic, J., Kostovic, I., Henigsberg, N., Judas, M., & Clark, D. (1994). Identification of war victims in Croatia. *Medicine, science, and the law*, 34(3), 207-212. <https://doi.org/10.1177/002580249403400304>
- Tegako, L., & Sorokina, O. (2011) Belarus/ E AP C . In N. Márquez-Grant, & L. Fibiger (eds), *The Routledge Handbook of Archaeological Human Remains and Legislation. An international guide to laws and practice in the excavation and treatment of archaeological human remains* (pp. 41-46). Routledge Handbooks
- Thannhäuser, A., Szleszkowski, Ł., & Jurek, T. (2021). Unidentified human remains discovered within Polish territory: Traces of the difficult history of the twentieth century. *Forensic Sci. Int.*, 318, 110608. <https://doi.org/10.1016/j.forsciint.2020.110608>
- The Act on the Institute of National Remembrance (2016) <https://ipn.gov.pl/en/about-the-institute/documents/327,The-Act-on-the-Institute-of-National-Remembrance.html>
- United Nations. Office of the High Commissioner for Human Rights. Geneva Conventions of 12 August 1949 relative to the protection of civilian persons in time of war. <https://www.ohchr.org/EN/ProfessionalInterest/Pages/ProtectionOfCivilianPersons.aspx>
- United Nations. Office of the High Commissioner for Human Rights (2022) Convention for the Protection of all Persons from Enforced Disappearance, training package. [https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr\\_en.pdf](https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf)
- Velemínský, P., Dobisíková, M., Maxová, E., & Velemínská, J. (2015) Forensic archaeology in the Czech Republic. In W. J. M. Groen, N. Márquez-Grant, & R. Janaway (eds.), *Forensic Archaeology: A Global Perspective* (pp. 47-54). John Wiley & Sons

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