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Pinochet ruling: a step forward for justice

Amnesty International welcomed today the ruling by the House of Lords which again denied Augusto Pinochet immunity from prosecution.

“The message is loud and clear: head-of-state immunity does not grant freedom to commit crimes against humanity and acts of torture,” Amnesty International said.

“The Pinochet case represents a milestone for international human rights law. His arrest and the ensuing legal developments have marked the beginning of a new era for human rights,” the organization continued.

Numerous states have explicitly come forward to deny that heads of states can commit the worst crimes contemplated by international law and permanently expect to get away with it.

“The law rather than politics should determine whether Pinochet and anyone else accused of similar crimes is in fact guilty or innocent,” Amnesty International said.

While this ruling is a step forward on the immunity issue, Amnesty International regrets that the Law Lords have found procedural obstacles to bringing Pinochet to justice based on UK extradition law.

The crimes Pinochet is accused of were crimes under international law long before they were committed in Chile. On this basis, Amnesty International is urging the UK government to reform any provision in UK legislation which could be interpreted as a bar to the obligation under international law to try any person suspected of crimes against humanity, acts of torture and other crimes under international law.

The judgment on former General Pinochet was announced on the day when the UN Human Rights Committee (UNHRC) in New York is scheduled to begin a public examination of Chile's record as a state party to the International Covenant on Civil and Political Rights (ICCPR). Amnesty International has submitted to the UNHRC a number of critical observations in relation to the issue of continuing impunity in Chile.

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