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Chile: Pinochet case: Supreme Court ruling should not exert influence upon other trials

The Second Chamber of the Chilean Supreme Court of Justice ruled on 1 July 2002 the partial and definitive dismissal of the case against Augusto Pinochet in the proceedings of the Caravan of Death. In a four-to-one vote the Supreme Court decision states that the mental problems of Augusto Pinochet make him mentally unfit to stand trial. The ruling establishes that he suffers from dementia and considers his condition as incurable.

The resolution of the Supreme Court states that the ruling is not related to Augusto Pinochet's guilt or innocence and acknowledges the gravity of the crimes which are the subject of the investigation. The judicial proceedings in the case known as the Caravan of Death are related to 75 victims of grave human rights violations, including kidnapping and homicide committed during a military operation in the north of Chile in October 1973.

Much remains to be done in order to achieve truth and justice on the Caravan of Death's events and Chilean justice must give many answers to the victims and their relatives. These are a fundamental and inseparable part of the solution to the human rights violations committed during the period of military government.

The judicial investigation on these grave deeds continues against other former members of the armed forces. Amnesty International hopes that the independence of the judiciary be preserved during the judicial proceedings and that political or other pressures are not allowed to play any part in the judicial process which needs to be fair and transparent at all stages.

Amnesty International trusts that the impact of this ruling will not have an impact on other investigations initiated on past human rights violations and that these investigations proceed to establish possible criminal responsibilities of members of the armed forces found to be responsible for these crimes.

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