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**Public Statement**  
**Pinochet Case**  
Reaction to the reported questions raised  
by the countries requesting extradition

In the light of reported questions raised by Spain, Belgium, France and Switzerland about the report on the medical condition of Augusto Pinochet commissioned by the UK Home Secretary, Amnesty International believes that in determining whether to extradite Augusto Pinochet the UK Home Secretary should not rely solely on the medical examinations already done, but allow the case to proceed to a hearing in the High Court, where the issue of health is expected to be raised.

Augusto Pinochet's lawyer has indicated that Pinochet's medical condition would be raised in proceedings pending before the High Court if Jack Straw did not decide to halt the extradition proceedings. It is Amnesty International's view that the High Court is the appropriate forum for this in order to ensure justice is not only done but seen to be done.

Mr Straw should take heed of Lord Justice Brown's ruling in the UK High Court's judgment of 15 February, when the Home Secretary was ordered to disclose the medical report to the states seeking extradition: "if ever there were a case in which the integrity of the international criminal justice system needed to be demonstrated, a case calling for the highest standards of fairness and transparency, this is it."

**Background**

Following a legal challenge by Belgium and six non-governmental organizations including Amnesty International, the High Court ruled on 15 February 2000 that fairness required the UK Home Secretary to disclose the medical report he had commissioned on Augusto Pinochet to Spain, Belgium, France and Switzerland -- the four states which had requested his extradition -- and to provide them with an opportunity to comment.

Meeting a deadline for comments of 5pm on 22 February imposed by the UK Home Secretary, it is reported that each of the four states has raised questions about the medical report which formed that basis of Jack Straw's view that he was "minded" not to extradite Augusto Pinochet.

Augusto Pinochet's lawyer indicated on 15 February that Augusto Pinochet's medical condition would be raised in the *habeas corpus* proceedings currently pending before the UK High Court if the Home Secretary decides at this time to let the extradition proceedings continue.

Amnesty International has consistently urged, in the context of the current extradition proceedings, that Augusto Pinochet's fitness to participate in judicial proceedings should be decided not through a political process but through a judicial one, where -- as UK Lord Justice Simon Brown pointed out -- the issue is ordinarily resolved. ENDS.../