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Pinochet decision: No turning back

The UK Home Secretary's decision to order the application for extradition to proceed in the case of Augusto Pinochet with respect to charges of torture and conspiracy to torture, clearly reaffirms the United Kingdom's commitment to a new future for human rights internationally, Amnesty International said today.

"Last August, as a leading representative of the 120 countries that voted for the establishment of a permanent criminal court, the UK government declared that crimes against humanity 'must not be unpunished'. Today's decision strongly reaffirms the country's commitment to that goal."

"Jack Straw's decision clearly signals that it is simply not good enough for the international community to pledge their commitment to human rights, to sign treaties and conventions and then shy away from putting them into practice," Amnesty International stressed.

"Victims of human rights violations the world over could not have wished for a better reaffirmation of the principle of universal responsibility to protect human rights."

The UK courts will now have to decide whether to authorize extradition of former general Pinochet on 42 cases of torture or conspiracy to torture after 8 December 1988, as well as on 1,198 "disappearances" which took place before that date but constitute continuing cases of torture under international law for the "disappeared" and their families until they are resolved.

Augusto Pinochet's arrest marked a defining moment in the last 50 years of struggle towards universal respect for human rights. The Spanish government's request for extradition, the UK House of Lords ruling against the former general's claim to immunity, and this latest decision by the UK Home Secretary constitute one of the most important developments in human rights since the signing of the Universal Declaration of Human Rights in 1948.

“Pinochet’s arrest and the ensuing judicial proceedings have not only brought human rights issues to public attention as never before, but the events themselves represent a milestone in the development of international human rights law,” Amnesty International said.

“After 25 years of struggle, victims of human rights violations in Chile have finally had their voices heard. Today’s decision is in line with the international trend towards universal respect for human rights and universal commitment to protect them,” Amnesty International said.

“Victims and their relatives are today one major step closer to justice,” Amnesty International concluded.

Additional information

After Jack Straw’s landmark decision, the next step is for the Metropolitan Magistrate to satisfy himself that the Spanish Government has produced enough evidence to justify extradition. Should this be the case, the magistrate will order that the former general remains on bail in the UK restricted to his current residence, pending a further decision by the Home Secretary as to whether to surrender him to the Spanish authorities.

Through his self-appointed parliamentary status, the 1978 self-amnesty law and special provisions in the Chilean constitution, Augusto Pinochet’s has built an impenetrable legal wall around himself and others accused of human rights violations -- making a trial in Chile virtually impossible.

For further information or to arrange an interview, please phone Amnesty International’s press office on +44 171 413 5566 or 5562

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