

**AMNESTY INTERNATIONAL  
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## **Progress made by Pinochet arrest ten years ago is under threat**

A decade after the arrest of former Chilean President Augusto Pinochet in London sent a powerful warning to human rights abusers around the world, the rule of universal jurisdiction – under which he was detained – is at risk, Amnesty International cautioned today.

“The detention of Augusto Pinochet heralded a turning point in the practice of universal jurisdiction by recognizing that heads of state are not above the law and could be arrested and tried internationally for crimes committed in their own country,” said Irene Khan, Secretary General of Amnesty International.

“Ten years later there remains a great deal to be done to fulfil the hope for justice created by the arrest of Pinochet. Thousands of perpetrators of human rights abuses are still at large, avoiding justice in safe havens around the world.”

Amnesty International has condemned the current failure to use universal jurisdiction to enforce international law when states where the crimes took place fail to investigate or prosecute. With only a small number of cases arrested and prosecuted since the landmark moment of Pinochet’s arrest, Amnesty International is calling for the adoption of effective laws that provide for universal jurisdiction and enable police and prosecutors to fulfil their duty.

The practice of international justice is also being undermined by attacks on the International Criminal Court for trying to reach the topmost levels of the government in Sudan. Further damage is being done by the campaign being led by Rwanda calling for the UN General Assembly to condemn “abuses” of universal jurisdiction by foreign judges seeking to prosecute crimes committed in that country.

“This is a time to remember the remarkable achievement of the relatives of Pinochet’s victims whose tireless efforts led to his arrest in 1998, under universal jurisdiction. This achievement set a precedent that the international community has a duty to build on, arresting and trying or extraditing people suspected of crimes under international law,” said Irene Khan.

### **Background**

On 16 October 1998 former President Pinochet was arrested in London on an extradition request from a Spanish judge. In the absence of channels at home, the relatives of thousands of victims, who had been tortured, murdered or forcibly disappeared in Chile during the Pinochet regime, had submitted criminal complaints to Spanish and other European state courts which provided for universal jurisdiction under national law.

The case laid the foundations for universal jurisdiction to become a reality in practice and led to the arrest of former Chadian President Hissene Habre in Senegal, accused of human rights violations he committed during

his Presidency. It also paved the way for the fight in national courts against impunity at the highest level, such as the ongoing trial of former President Alberto Fujimori in Peru.

Amnesty International was the first international non-governmental organization to alert European governments to exercise their responsibilities under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment when it was known that former President Pinochet was visiting Europe in September 1998. The organization mobilized its membership to put pressure on the United Kingdom government to allow his extradition. It also went to court with other non-governmental organizations in the House of Lords to convince it that the United Kingdom was required to grant the extradition request, leading to an historic decision that a former head of state could be extradited to face trial on the basis of universal jurisdiction.

During Augusto Pinochet's presidency in Chile, more than 1,100 people were forcefully disappeared, more than 2,000 were extra-judicially executed and over 20,000 were tortured over the nearly two decades of military rule in Chile under General Pinochet.