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Pinochet case: fairness and transparency still in doubt

The fairness and transparency of the procedure followed by the UK Home Secretary to assess Augusto Pinochet's mental condition remain in doubt, Amnesty International said today as the High Court denied six human rights organizations permission to seek judicial review of Jack Straw's preliminary decision.

The human rights organizations will now consider the implications of the ruling and possible courses of action.

"We took action in court in an effort to ensure that all decisions in the extradition proceedings are reached in a fair and transparent manner," Amnesty International said. "Throughout the proceedings we have called for justice not politics."

Amnesty International continues to call on the Home Secretary to honour the requests made by the interested parties -- including Belgium, France, Spain and Switzerland -- to allow them to nominate experts to carry out another medical examination and to make the medical report available.

"Justice must not only be done but must be seen to be done," Amnesty International concluded.

Background

An application for permission to seek judicial review of Jack Straw's latest actions in the Pinochet case was submitted on 25 January by lawyers representing Amnesty International, the Association of the Relatives of Detained and Disappeared Persons in Chile, Human Rights Watch, Justicia, The Medical Foundation for the Care of the Victims of Torture, and Redress.

The court also denied Belgium, one of the four states requesting Augusto Pinochet's extradition on charges of torture and "disappearance" (which amounts to torture for the relatives of the "disappeared"), permission to seek judicial review.

If the Home Secretary were to decide not to extradite Augusto Pinochet to any of the four requesting states, then under the Convention against Torture, he must refer the case to the prosecuting authorities for investigation and possible prosecution.

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