

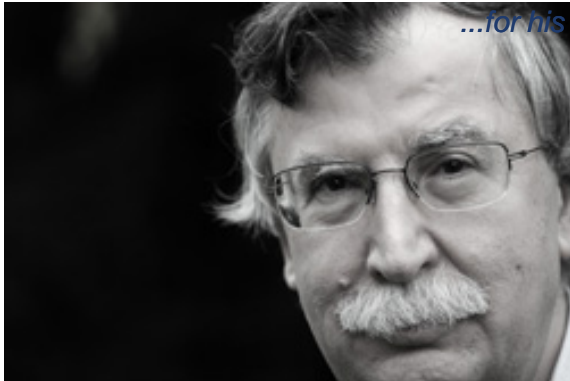


# The Right Livelihood Award

*for outstanding vision and work on behalf of our planet and its people*

Juan Garcés (Spain)

(1999)



*...for his long-standing efforts to end the impunity of dictators.*

Photo: Wolfgang Schmidt

Juan Garcés was born in Llíria, Spain, in 1944, graduated as a lawyer in 1967 from the University Complutense of Madrid, and obtained doctorates in political science from both the University of Madrid (1967) and the Sorbonne (1970).

When Salvador Allende became President of Chile in 1970, he invited Garcés to be his personal adviser. He was with the President when revolting troops bombed the presidential palace and found himself the sole survivor among Allende's political advisers when the coup had run its course.

Garcés was forced to leave the country and went to France, where he worked as adviser to the Director General of UNESCO and researcher at the National Foundation of Political Science. In these years he wrote a number of books and articles about the Allende years, most famously *Allende and the Chilean Experience* (1976), and *Democracy and counterrevolution* (1975), which were published in many languages. He returned to Spain after the fall of Franco, became a member of the Madrid Bar Association in 1981 and set up a law firm in the following year.

In 1985, a Spanish law was passed that permitted victims of crimes of genocide, terrorism and torture, whether Spanish nationals or not, and whether the crimes were committed in Spain or not, to seek justice in Spanish courts according to the principles of universal jurisdiction. Together with the Union of Progressive Spanish Prosecutors, Dr Garcés filed a criminal complaint against Pinochet and fellow Junta leaders for 'crimes against humanity' in July 1996. Simultaneously a civil suit was filed on behalf of the families of victims of Pinochet's regime, who had been organised by and whose lawyers had been directed by Garcés. The Spanish courts accepted both suits. When Pinochet visited London in October 1998, Garcés demanded his arrest and extradition to Spain to face trial.

Pinochet was arrested and the United Kingdom Courts granted his extradition. Garcés intensified his collection of evidence, travelling several times to the US to ask the Clinton administration to declassify documents related to Pinochet's crimes. On January 28, 1999, President Clinton ordered to begin a massive declassification of documents related to the Pinochet case.

Garcés has borne substantial costs in taking forward the Pinochet case, which has implications far beyond the indictment of one old ex-dictator and marks a breakthrough in the struggle against unaccountability and impunity in crimes against humanity. It confirms that heads of state or government can no more hide behind the shield of immunity from criminal procedures. It illustrates the need for universal jurisdiction with respect to prosecution and punishment of international crimes and constitutes a vital catalyst in support to the establishment of an effective International Criminal Court. Moreover, the Pinochet case serves as a precedent which may deter other prospective perpetrators of gross and massive violations of human rights.

Since 2009, Garcés' legal work has focused on getting the Spanish courts to investigate for the first time the crimes against humanity committed under General Franco's Dictatorship between July 1936 and November 1975.

Among other books on international relations and sociology, Garcés is the author of *Soberanos e Intervenedos. Estrategias globales, americanos y españoles* (2008).

In 2000, the President of the Republic of France honoured Garcés with the order of Chevalier de l'Ordre Nationale du Mérite.

#### **Quotation**

*"It is a challenge to create and develop peaceful and civilised instruments to make respect for life, liberty and the dignity of persons and people more effective."*

Juan Garcés

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