Spain reexamines policy that would allow it to try Israeli officials

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By AFP

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Spain’s government wants to reestablish the doctrine of universal jurisdiction to allow its courts to investigate serious crimes committed abroad, Justice Minister Dolores Delgado said on Wednesday.

“The ministry expects to return to the universal jurisdiction legislation that was in force between 1985 and 2009,” the ministry said in a statement, adding that it would expand the law to take in economic, financial and environmental crimes.

“Only in this way will Spain be able to once again occupy the worthy position that it had at the vanguard of the defense of human rights and the protection of victims,” Delgado added during a parliamentary committee.

A commission of experts has been charged with looking into the issue and presenting their findings before the end of the year.

Spain pioneered the use of the doctrine since it was passed into national law in 1985 in a practice that irked some foreign governments.

The doctrine allowed judges to try certain cases of crimes against humanity that took place in other countries.

It was modified in 2009 so that cases could only be heard if they involved Spanish victims or suspects present in Spain and if no other national court would take on the case.

That change came at a time of mounting pressure from the United States over cases relating to the prison at Guantanamo Bay and from Israel for an inquiry into a 2002 bombing in Gaza at the height of the Second Intifada.

The best known use of the doctrine occurred in 1998 when Chile’s former dictator Augusto Pinochet was briefly arrested in London on an arrest warrant issued by a Spanish judge.

British authorities later refused to extradite Pinochet to Spain and eventually allowed him to return to Chile.

The use of the doctrine was further curbed by lawmakers in 2014.