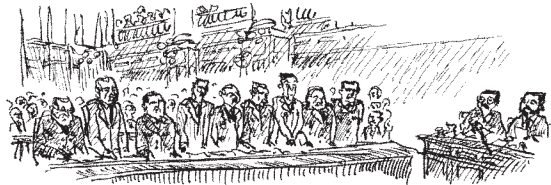


80

During the 1980s, little by little, the South American countries returned to life under democracy. **These are fragile democracies, but even so, the possibility for Justice glimmers across the horizon.**



In 1985, the Argentine Republic investigates and sentences the Commanders of the Military Juntas of the National Reorganisation Process.



However, the parliamentary sanctioning of the Full Stop Law (*Ley de Punto Final*) and the Due Obedience Law (*Ley de Obediencia Debida*) at the end of the 1980s means that repressors are shielded from criminal investigations for another decade.

On the other hand, the Italian Public Prosecutor, Giancarlo Capaldo, is assigned the criminal case against the former Chilean dictator, General Augusto Pinochet. Capaldo begins to investigate in 1999 the allegations regarding nine victims.



As a result, during the 1990s, the relatives of the victims of state terror knocked on the doors of the European courts, since many of the victims were of European nationalities.

By the beginning of the decade, lawyers from Italy, France and Spain had begun to take legal action on behalf of the citizens of their respective countries. Such individuals had been reported as disappeared by their relatives, under the protection of different institutions that worked to defend human rights in Latin America.

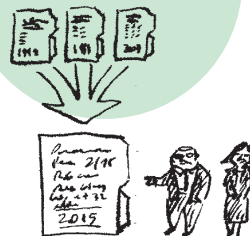
90

During the 1990s, the so-called "Impunity Laws" prevail in Argentina and Uruguay. Nevertheless, military officers such as the Argentine nationals, **Guillermo Suárez Mason** and **Alfredo Astiz** are investigated and sentenced *in absentia* by European courts. These were the first trials that took place in Europe for the crimes committed in South America during the dictatorships. Meanwhile, in October 1998, by the order of the Spanish authorities, **Augusto Pinochet**, was placed under house arrest in London. The Spanish judge, **Baltasar Garzón**, accused Pinochet of genocide, terrorism and torture.



00

By the time Capaldo's investigation is closed in 2006 in Italy, there are 25 victims and 146 defendants included in a single case.



One of the defendants is the Uruguayan Navy Captain **Jorge Tróccoli**. The repressor is accused of multiple assassinations. In 2007, while Tróccoli was being investigated by the Uruguayan courts, he escaped to Italy, taking advantage of his double nationality. It ended up being a paradox, since he is now the only one of the defendants in the Italian Condor Trial who is effectively carrying out his sentence in an Italian prison, following a long trial.



In 2013, the Argentine defendants are removed from Capaldo's investigation since they are now being prosecuted in Argentina. On the other hand, the Uruguayan State participates in the trial that is taking place in Rome as a civil plaintiff (*parte civile*).

	1999	2001	2006	2013	2014	2017	2018	2019
VICTIMS	9		25	23	43			38
DEFENDANTS	1	79	146	35	33	32	25	24

In 2017, the first-instance verdict is pronounced and it is immediately appealed by the Public Prosecutor's Office, since 19 repressors were absolved, including Tróccoli.

In 2019, the verdict of the Italian Appeals Court revokes all of the absolutions (except for one) and sentences 24 defendants to life imprisonment. The sentence was upheld by the Court of Cassation in 2021.



## The Italian Condor Trial ROME TRIAL

This trial is an example of strategic litigation for human rights violations through the courts of a different state to that where the crimes occurred.

