

In the last 160 years, courts have resorted quite consistently to the *male captus bene detentus* practice, allowing for the continuation of criminal procedures after transfer of the fugitive through extraterritorial abduction. Despite important scholarly criticism and judicial decisions staying trials and requesting the release of the accused, some states continue to support and resort to abductions of fugitives who have found refuge in other states.

After an examination of national and international case law which deals with this practice, the study concentrates on presenting how the development of human rights law and, consequently, the recognition of an international stance for the individual has given abductees more means to defend their cases and thus impacted the use and usability of extraterritorial abductions.

In view of this developments and in spite of persisting justifications of *male captus bene detentus*, this study takes a supportive approach towards eliminating its use and finding alternative means to compel states to judge or legally transfer defendants in order to put an end to impunity.