

Algerian "dirty war" general may face Swiss trial
By Robert Evans
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(Reuters) - Algeria's ex-military chief Khaled Nezzar very likely will be prosecuted on war crimes charges for his role in the bloody civil conflict of the 1990s, a Swiss legal body said on Tuesday.

In a judgment released earlier in the day, Switzerland's top criminal court rejected claims from Nezzar that he could not be tried outside his home country for offences allegedly committed when he was defense minister there from 1990-1993.

"This is an historic judgment which means he can be tried here for what he did," Philip Grant, director of the Geneva-based TRIAL, an organization that seeks to assure that war crimes suspects are brought to trial, told Reuters.

"It may take some time for it to happen, but the way is now open."

The general, who had become defense minister in 1990, was among leaders of a coup that overthrew then-president Chadli Benjadid in 1991 after the Islamic Salvation Front (ISF) emerged as victor in parliamentary elections.

The vote was declared void and in the ensuing violence, dubbed the "dirty war" which lasted until 1999, some 200,000 people died, mainly civilians massacred by groups the military said were Islamist fighters.

Nezzar, believed to still wield considerable influence in Algiers, was arrested in Geneva last October on a complaint filed by TRIAL after his familiar burly, mustachioed figure was spotted in the street, apparently on a visit to a bank.

Two Algerian citizens, who have been granted political asylum in Switzerland, backed the complaint, telling Swiss investigators that they had been tortured and abused by soldiers while he held the defense post, Grant said.

After two days of hearings, the 74-year-old general was released after promising that he would take part in any further proceedings. But Grant said lawyers had since represented him while Nezzar himself was believed to be in Algeria.

Nezzar's lawyers could not immediately be contacted.

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Former Algerian officers who fled to [France](#) say that many of the killings in Algeria were the work of the military. Nezzar lost a libel suit in Paris in 2002 against one of these officers who had alleged he had directed "false flag" attacks.

Nezzar left his official post in 1993, when the military's ruling High Council of State was dissolved, but diplomats say he kept a powerful role behind the scenes for several years thereafter.

Grant, whose organization seeks to ensure that senior officials of regimes involved in oppression of their civilian populations do not go unpunished, said Swiss prosecutors would resume hearing witnesses against the general.

Then it would be up to the Swiss Federal Prosecutor, under a law passed in 2011, to formally indict him. "If he declines to come back to Switzerland as he promised, there could be a question of an international arrest warrant," Grant added.

The Swiss lawyer said the decision by the court, based in Bellinzona in southeast Switzerland, "sets a ground-breaking precedent that could well be followed by many other countries in handling cases like this".

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