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France/Algeria : France must now face up to its judicial obligations

*In a book entitled *AServices SpJciaux: Algrie 1995-1957*", published today, a former French Government was directly implicated in the torture and summary executions of Algerians during the Algerian war. The allegation was made by General Paul Aussaresses, a high-ranking French military officer in the Algerian war, and coordinator of the intelligence services during the Battle of Algiers in 1957.*

Although Amnesty International cannot know whether today=s claims by General Aussaresses, directly implicating the French Government in crimes against humanity, are well founded, they are clearly extremely serious and require full and prompt investigation.

Alf France is able to bring to trial war criminals from the Vichy period it must also be possible for France to live up to its legal obligations in relation to the Algerian war,@ Amnesty International said today.

In the book , General Aussaresses not only justifies the use of torture and summary executions, in which he personally took part, and describes in detail the way in which these systematically took place, but also claims that the French Government - notably through the then Justice Minister, FranHois Mitterrand, later the President of the Republic - was regularly informed about, and tolerated, the use of torture, summary executions and forced displacements of populations. The general alleges that the office of FranHois Mitterrand was kept personally informed by an investigating judge who acted as his emissary in Algeria.

On 24 November 2000, when a number of military officers, including Generals Aussaresses and Jacques Massu, publicly admitted their involvement in torture and extrajudicial executions, Amnesty International called on the French

authorities to bring to trial those responsible for war crimes and crimes against humanity. The organization stated that it was not enough to recognize that such crimes had taken place; the real question was the continuing impunity of those responsible.

"Legal proceedings in France against a number of war criminals -including Barbie, Papon and Touvier - in connection with crimes committed under the Vichy regime during the Second World War - had shown that there is no limit on the time within which crimes against humanity could be tried," Amnesty International added.

However, despite the fact that the French Government had welcomed the arrest of General Pinochet in England, the French authorities have, since that time, continued to resist such moves, or even to set up a commission of inquiry into the use of torture. On 14 December President Jacques Chirac rejected calls for a formal apology for the use of torture by French soldiers during the war.

The allegations contained in the book increase the urgency of the need for France to face up to its legal obligations, not only under the Geneva Conventions but also under Article 212-1 of its own Penal Code, where crimes against humanity are defined, *inter alia*, as the massive and systematic practice of summary execution and torture for political, philosophical, racial or social purposes and are recognized as imprescriptible.

"Given these new and serious claims and revelations by General Aussaresses, there can be no possible justification for the authorities to continue to fail to seek a judicial resolution," Amnesty International added.

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