

ALGERIA: GENERAL KHALED NEZZAR WILL FINALLY STAND TRIAL IN SWITZERLAND ON CHARGES OF WAR CRIMES AND CRIMES AGAINST HUMANITY

(Geneva, 29 August 2023) – Former Algerian Minister of Defense Khaled Nezzar will stand trial in Switzerland on charges of war crimes and crimes against humanity. After almost twelve years of tumultuous proceedings, the announcement that the case will finally go to trial renews hope that victims of the Algerian civil war (1991-2002) will get justice. Mr. Nezzar will be the highest-ranking military official ever tried for such crimes based on the principle of universal jurisdiction.

The Office of the Attorney General (OAG) filed an indictment against Khaled Nezzar with the Federal Criminal Court (FCC) on 28 August 2023. The charges against the former Algerian general are numerous, as he is accused of participating in the war crimes of torture, inhuman treatment, arbitrary detention and conviction, as well as murders as crimes against humanity, which took place between January 1992 and January 1994, during the early years of the civil war. The conflict between the Algerian government and various armed Islamist groups resulted in almost 200,000 missing and dead people, and left countless victims of torture, sexual violence and other grave violations, committed by both the Algerian army and the armed groups. Since an amnesty law in Algeria provides complete impunity for atrocities committed by all parties to the conflict, the upcoming trial marks a historic step in the fight against impunity for crimes committed during the "Black Decade".

TRIAL International filed a [criminal complaint against Khaled Nezzar](#) in 2011, leading to his swift arrest and the opening of formal proceedings against him. The organization welcomes the indictment and is calling for the trial to begin as soon as possible. *"The defendant's health has deteriorated over the almost twelve years of proceedings, and it would be inconceivable for victims to be denied their right to obtain justice at this stage"* explains Benoit Meystre, Legal Advisor at TRIAL International, adding that *"the Court must act quickly to shed light on the crimes committed in Algeria and Mr. Nezzar's responsibility in these atrocities, if we are to avoid a denial of justice."*

The victims' battle to bring Khaled Nezzar to justice has been extremely challenging. Recently, a victim withdrew his complaint due to pressure exerted by the Algerian government. Another complaint was closed in 2023 because the survivor, living in Algeria, could no longer be contacted, allowing to fear the worst about him. A third victim recently passed away and will never know the outcome of the legal battle that he started back in 2011.

Abdelwahab Boukezouha, one of the five plaintiffs, has demonstrated unfailing courage throughout the almost twelve years of investigation, and explains: *"I'm not just fighting for myself, but for all of the victims of the Black Decade, as well as for the youth and for future"*

generations. Never again should an Algerian man or woman be subjected to what I went through!"

The criminal investigation and forthcoming trial against Khaled Nezzar are possible through the application of the principle of [universal jurisdiction](#), which allows – and sometimes obliges – states to investigate and prosecute persons suspected of having committed international crimes, irrespective of where the crimes were committed and the nationality of either suspects or victims. TRIAL International highlights that General Nezzar will become the highest-ranking military official ever to be tried on the basis of this principle, in any jurisdiction. He will also be the third defendant to appear before the FCC to answer for his involvement in international crimes.

According to Benoit Meystre, "no other prosecution concerning the Black Decade will take place anywhere in the world. This trial is therefore the only - but also the very last - opportunity to deliver justice for victims of the Algerian civil war."

TRIAL International is a non-governmental organization fighting impunity for international crimes and supporting victims in their quest for justice. TRIAL International takes an innovative approach to the law, paving the way to justice for survivors of unspeakable sufferings. The organization provides legal assistance, litigates cases, develops local capacity, and pushes the human rights agenda forward.

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