

# Torture in Algeria - French Colonial War, 1955: The report that was to change everything

Saturday 30 April 2016, by [LEMA Luis](#) (Date first published: 18 August 2005).

**ICRC delegates had access to Algerian detainees from 1955 onwards and noted the occurrence of torture. They were not allowed to talk about it but *Le Monde* published a summary of their report - press article published in *Le Temps* (Switzerland) on 19 August 2005.**

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All other channels had failed. Nothing had worked - neither contacts in French government circles, nor the assistance requested from the French Red Cross. A meeting was therefore arranged on 31 January 1955 with none other than the French prime minister, Pierre Mendès France. The request was unequivocal: the International Committee of the Red Cross (ICRC) wanted to be given access to people arrested during the Algerian uprising. The matter was extremely delicate. The ICRC was therefore as tactful as possible and took a variety of precautions. It stressed the fact that the agreement was that "the visits would be concerned solely with detention standards and would not address the reasons for the detention at all". The ICRC is apolitical.

However, no territory was more political at that time than that of the Algerian insurgency, which was shaking the French Republic to the core. But it was too good an opportunity to miss for those from the ICRC who wanted to put into practice what the Geneva Conventions - on which the ink was still wet - authorized it to do: intervene in a State's internal affairs. The ICRC was going to have to play it tight in that devastating war of decolonization that had broken out on the threshold of Europe. It was going to find out to its cost just how inventive States can be when it comes to covering up what is happening in their own backyard. Its delegates were going to have to get used to acting with restraint and to keeping silent about the brutality they witnessed. However, the prestige enjoyed by the organization would speak for them. And other people would take it upon themselves to make public the evidence that they had patiently gathered.

## **A gift from Pierre Mendès France**

Let's go back for a moment to Mendès France's office. Would the prime minister authorize the ICRC to become involved in the very issue that was unsettling his government? France had ratified the Geneva Conventions in 1951. However, the fact of the matter was that there were no provisions for sanctions that would actually force it to comply with the ICRC's requests. In the face of the shock caused by the first attacks in Algeria, the prime minister hesitated. He wanted to quell the rebellion but also to put an end to the brutality of which the forces of order were guilty. He was counting on his interior minister, a certain François Mitterrand, to put an end to these excesses and, to the same end, had just appointed a liberal intellectual, Jacques Soustelle, as the new governor general.

Did Pierre Mendès France know that he was sitting on an ejector seat? On 2 February, he authorized the ICRC to visit those prisons during brief missions - the delegates in Algeria "were not to stay longer than a month" - and to conduct private interviews with prisoners. But he covered his back: the ICRC's work "was not to be made public". That was the condition, he added, that would make those visits "such that they would achieve the beneficial effect that you expect".

Mendès France was not to see those "beneficial" results. Three days later, his government was forced to resign. However, he had opened doors that his successors would not be able to close: thanks to the relative confidentiality granted the detainees, they would tell the delegates about the occurrence of ill-treatment. "It was just as if Mendès France was preparing for his departure by setting up as many protective barriers as possible" was the view expressed by the French historian Raphaëlle Branche, who wrote his doctoral thesis on the subject of torture in Algeria.

## **Phantom soldiers**

The delegates crossed the Mediterranean in March 1955. They were not yet aware of how arduous their task would prove to be. France actually refused to see itself as being at war with the Algerian nationalists. Consequently, if there were no war, the detainees could not claim prisoner of war status. They were referred to as "PAM", the French acronym for "taken captive while in possession of weapons". Their fate was in the hands of the French magistrates and they were to be brought systematically before the courts. The ICRC was therefore obliged to obtain special authorization from those magistrates - a long, complex process since the judges were going to do everything in their power to stop the delegates from getting through.

According to Françoise Perret, who was in charge of historical research at the ICRC, the International Committee of the Red Cross was equal to the challenge. It did not matter to France, which drew on the full range of penal law to counter the rebellion, whether those "PAM" were in line with the law of war or not. "A rebel may consequently be sentenced simply for having taken part in hostilities," Françoise Perret wrote. Far from being seen as instruments of the State - as in the case of international conflicts - those "soldiers" risked being given heavy sentences simply for having taken part in the fighting.

## **Missing prisoners**

France was to stick to its unfounded position for a long time, although it became increasingly untenable as the events became more like war. In 1958 General Salan, commander-in-chief of the French forces in Algeria, set up special military internment centres for PAM rebels. That was the height of deceit: although those detainees were apparently being granted special status, they were

still not being considered prisoners of war. Military headquarters in Algiers continued to state that the Geneva Conventions were therefore not applicable.

The delegates were in no doubt that ill-treatment was rife in certain detention centres, particularly during questioning. The reports which they submitted to the French government sometimes referred to particularly severe detention conditions. During the talks held in Paris following those reports, the French authorities made no attempt to repudiate the disturbing picture painted by the delegates. However, they played a cat and mouse game with them: in anticipation of the visits, certain detainees who had been particularly badly treated were removed from the places of detention. At times, whole parts of the detention system were concealed from the delegates, especially in the area around the "sorting and transit centres" where prisoners were packed in and tortured before being sent back to the prisons.

Internal ICRC correspondence clearly shows that the delegates were not taken in by these manoeuvres. In June 1959, when the French army was still boasting about hundreds of people being arrested during military operations, one delegate was puzzling over the surprisingly constant official number of detainees. "In those circumstances, what has happened to the other prisoners? By looking at specific cases, we were able to tell that, contrary to what we had been told, men who had been taken captive while in possession of weapons were still being imprisoned."

The delegates were likewise concerned about the spread of what the authorities called "the operational exploitation phase for prisoners", a bureaucratic formula which basically meant the temporary detention of "PAM", in theory for a month. They noted that "you know as well as we do that most lamentable things occur during the 'operational exploitation phase': ill-treatment during questioning, prisoners being shot while attempting to escape and arbitrary detention in cells with a view to obtaining information from the prisoner in question".

Compared with those practices, the "improvements" in detention conditions used as a front by the prison authorities were at times disheartening. Take, for instance, the letter signed by a brigadier in charge of the military internment centre in Ksar-Thir and stamped "secret/confidential" until the archives were recently opened. Among other improvements, reference is made to prisoners being given sleeping mats, their being allowed to write to their families once a month (the letters were censored) or even the fact that there was copy of "Paris-Match" in the canteen.

However, that same brigadier general forcefully rejected the ICRC's suggestion that wounded prisoners be released: "The unfavourable state of mind of the wounded does not make it possible to adopt that solution, even if it were desirable," he said. "Those individuals pass themselves off as heroes of the struggle for independence and their wounds symbolize what they have suffered in the cause of holy war. As soon as they were released, the beneficiaries would in all probability resume some kind of activity for the FLN."

### **A former deportee's conscience**

Having failed to achieve a direct result, the ICRC's observations were to have another effect: they were to open the eyes of those people in Paris who sensed that the Algerian conflict was getting out of control. On 5 January 1960 the French newspaper "Le Monde" published a lengthy summary of the report on the ICRC's seventh mission to Algeria. "Numerous cases of ill-treatment and torture are still being reported," the article disclosed, coming like a bolt out of the blue. A colonel in the French police force had told the delegates, "The struggle against terrorism makes it necessary to resort to certain questioning techniques as the only way of saving human life and avoiding new attacks." Now that confession was there for the whole of France to read.

At that time, the occurrence of torture in Algerian prisons had already been broadly documented. However, the staid and serious nature of “Le Monde” was backed up by the legitimacy surrounding the name of the International Committee of the Red Cross. At a time when French public debate was entirely taken up by that matter, the report dealt a bitter blow to the placatory statements made by the Minister of the Armies. The publication of that report broke the principle of absolute secrecy agreed between the ICRC and the French authorities but no one accused the organization of having been responsible for the “leak”.

In fact, the name of the person who sent the confidential report to the journalists from “Le Monde” was revealed much later on. It was Gaston Gosselin, a member of the Ministry of Justice who was responsible for internment issues in metropolitan France. A keen defender of the ICRC’s mission, he was shocked by those revelations and decided to give the organization the publicity denied it by the French government. Gaston Gosselin resigned from his position a few months later. During the Second World War, he had joined the resistance and had been deported by the Germans to Dachau concentration camp.

It was more than a year before the ICRC was authorized to conduct another mission to Algeria, time for the organization to hold a number of meetings with a view to “taking more precautions in the future”. At a meeting in 1960, the ICRC Assembly decided to show that it was “very embarrassed by those indiscretions” as, it said, “even if the ICRC was not responsible for them, they are such that they could compromise other activities”. Nonetheless, the Assembly was forced to acknowledge the fact that the publication of its report earned it an impressive number of donations and congratulations.

**Luis Lema**

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**P.S.**

\* “Torture in Algeria. The report that was to change everything”. 19-08-2005 Article, Le Temps.  
<https://www.icrc.org/eng/resources/documents/article/other/algeria-history-190805.htm>