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French Lawyer to Defend Ex-Khmer Rouge Leader

By Puy Kea

PHNOM PENH—A French lawyer who made his reputation defending some of the world's most notorious figures has said he will represent Khieu Samphan in an upcoming U.N.-backed tribunal for the former Khmer Rouge head of state's part in the country's genocide.

In an interview Sunday with Kyodo News in Phnom Penh, Jacques Verges, whose former clients include former-Gestapo chief Klaus Barbie, terrorist Carlos the Jackal, Yugoslav Slobodan Milosevic, Iraqi Tarek Aziz, Prince Nayef Al Shalan of Saudi Arabia, said he was excited at the chance to defend his old friend.

Khieu Samphan, who was also present in a rare contact with the press, said he and Verges both studied at Sorbonne University in Paris in the early 1950s.

While in Paris, Verges and Khieu Samphan said they joined movements against French colonization of Vietnam and Algeria.

Verges, 81, on a five-day trip to Cambodia, said he has discussed the Khmer Rouge tribunal at length with Khieu Samphan and will defend him at no charge.

Asked why he has decided to represent Khieu Samphan, Verges said he supported the political struggle of Khieu Samphan before and during the Democratic Kampuchea regime in the 1970s.

Khieu Samphan, 75, is the first former Khmer Rouge leader to retain the services of a foreign lawyer.

Khieu Samphan said he has been in contact with Verges since 2003 and that he appreciated his offer of free legal defense.

"I have the fullest confidence in Jacques Verges," he said, adding Verges is fully qualified given his past experience in international tribunals.

Khieu Samphan said he has no idea what kind of charges will be brought against him at the tribunal for Pol Pot's top surviving henchmen.

"Some people may say Khieu Samphan is honest and a good man based on

what he had done or performed" in the government before the Khmer Rouge took control of the country, he said.

"I am prepared to tell the truth of my personal involvement in the (Khmer Rouge) regime," he said.

"In some cases, I feel that the leaders were not aware of what happening in the grassroots level," he said.

"I've never heard that any leaders would order someone to be killed or tortured for just for wearing sunglasses, but reports said that those who wore sunglasses were also killed in the regime," he added.

Khieu Samphan, who appeared in good health, criticized a provision of the tribunal that prevents foreign lawyers from directly defending any suspects.

"They are allowed to only play an advisory or assisting role to a local lawyer, even though foreign judges and prosecutors are serving on the panel," Khieu Samphan said. "Such discrimination proves the court is not offering impartial justice."

Tribunal spokesman Reach Sambath told Kyodo News that jurists are discussing the inclusion of a provision that would allow foreign lawyers to defend suspects so as to make the trial meet international standards.

During his visit, Verges said he had learned details about the Khmer Rouge tribunal and had met with Sean Visoth, who is in charge of preparations for the tribunal.

Asked whether he would also use local lawyers, Khieu Samphan said he is willing to use any qualified Cambodian attorneys as long as work for free.

He said a few Cambodian lawyers have already approached him about working on his defense, but he said he had not yet made a decision.

According to a Cambodia-U.N. joint agreement in 2003, a defendant or a suspect will have the right to legal counsel of choice.

Under the law agreed with the United Nations, suspects may be charged with the crimes under Cambodian laws: murder, torture, and religious prosecution, and/or crimes under international law: genocide, crimes against humanity, war crimes, destruction of cultural property and crimes against internationally protected persons.

The Khmer Rouge is blamed for the deaths of 1.7 million Cambodians

during its rule in late 1970s.

Reach Sambath said preparations for the tribunal are on schedule, which he said is expected to get under way before June 2007.

Currently, some 100 Cambodian and foreign staff are working for the trials and the number will reach 300 by the end of the three-year planned proceedings.

Khmer Rouge mastermind Pol Pot died in 1998, and former military chief Ta Mok died last month.

Besides Khieu Samphan, there are two other surviving senior Khmer Rouge leaders—Ieng Sary, and Nuon Chea—who also live freely in Cambodia.

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