

September 8, 2006

'Devil's Advocate' Pays Visit to KRT

By Charles McDermid and Vong Sokheng

French celebrity lawyer Jacques Verges recently ended a five-day stay in Cambodia in which he toured the facilities of the Khmer Rouge Trials (KRT) and caught up with an old college classmate and friend of over 50 years - former Democratic Kampuchea Head of State Khieu Samphan.

"He came to see me from August 23 to August 28," Samphan, 75, told the Post on September 5 from his home in Phnom Penh. "He just came to see the court and confirm that he would be defending me. It is natural for him to defend me and without demanding me to pay."

In his long and vastly controversial career, Verges, 81, has earned a reputation for defending some of the world's most infamous figures. In 1987 he defended ex-Nazi war criminal Klaus Barbie, known as "the Butcher of Lyons." Seven years later he stood at the side of Venezuelan Ilich Ramirez Sanchez, also known as "Carlos the Jackal" for his notorious spree of bombing, kidnappings and hijackings. When it was announced that former Iraqi dictator Saddam Hussein was captured, Verges offered his service within days.

Although it has been reported since 2004 that Verges would defend Samphan, this is the first meeting between the two since the KRT officially began proceedings earlier this year. In 2001, Samphan issued a public letter in which he offered an apology to the Cambodian people, but denied any knowledge of mass executions and claimed "history should remain history."

As a student activist during the early 1950s at the Sorbonne in Paris, Verges' anti-colonial activities attracted a clique of Cambodia students that included Samphan, and a young Saloth Sar, later known as Pol Pot. Verges publicly supported the Democratic Kampuchea regime before and during its bloody reign that is blamed for the deaths of nearly two million Cambodians in the late 1970s.

In his 2004 article *The Strange Story of Jacques Verges*, author Michael Radu, went so far as to postulate that after the 1950s "Verges' connection with the Khmer Rouge continued: his disappearance from the public eye between 1970 and 1978 has been attributed by some to his joining the Khmer Rouge."

Officials at the Extraordinary Chambers in the Courts of Cambodia (ECCC) confirmed that Verges was present at their offices on August 25, but were unwilling to discuss details of the trip. Attempts to contact Verges were not immediately successful.

"We welcome Jacques Verges' visit to the ECCC, but he was not here on behalf of a client as a defense attorney," said Reach Sambath, ECCC spokesman. "We have no comment about his presence because we have no detailed information. We are not in process of indictment and there is no job for a lawyer to do."

According to an ECCC official, there have been no indictments, no court orders have been issued and Khieu Samphan has every right to seek private legal council.

"It is not our business to disclose who's visiting the facilities on legal matters," said Helen Jarvis, chief of public affairs for the ECCC. "Our doors are open to provide information to anyone."

Verges' penchant for representing the unpopular gained him the nickname "The Devil's Advocate." And before France abolished the death penalty in 1981, Verges' extremely low win rate prompted the French press to refer to him as "Monsieur Guillotine," given the fate of many of his clients.

Despite his reputation - he penned a book titled *The Beauty of Crime* and once admitted to a "passionate interest in evil" - Verges' possible involvement in the KRT has piqued the interest of observers and ECCC officers.

"I have not worked before with Jacques Verges, but his reputation goes before him, and in searching for the truth he is a man who never fears to ask any question of anyone, no matter how difficult the answer may be for many people," wrote Rupert Skilbeck, ECCC principle defender, in an e-mail.

"If one of the purposes of the ECCC is to find out what happened in Cambodia and why, then there is no better advocate to assist in that task. Attacking the prosecution is the job of any good defense advocate. Maître Verges happens to be very good at it."

Skilbeck, whose job it is to ensure international standards of defense for all the accused in court, believes that Verges' fame and aptitude will only enhance the ECCC.

"I think that his involvement in the process will raise the profile of the Court, raise the interest in the trial process both in Cambodia and abroad, and will mean that all parties will have to be ready to deal with anything," he said. "That can only be a good thing."

But Milton Osborne, Australian historian and former Australian diplomat who has studied Cambodia for more than 40 years, said that it is highly likely that Verges will continue his trademark "attack the prosecution" defense.

"I don't think one can discount part of Verges' wish to be involved in the KRT as the actions of an individual who is congenitally 'against the government,' who seizes every opportunity 'pour épater la bourgeoisie'," Osborne said.

The life and times of Jacques Verges

1925 - Born in Thailand to a French father and a Vietnamese mother. Grew up on the French island of La Reunion.

1940s - Earned a reputation as a war hero with Charles de Gaulle's Free French resistance World War

II. Studied law at the Sorbonne.

1949 - Assumed the presidency of the Association of Colonial Students where he met Pol Pot and Khieu Samphan.

1950-53 - Lived in Prague as leader of one of Moscow's youth front organizations. Met Stalin at this time.

Late 1950s - Returned to France, left Communist Party and gained fame as a defense lawyer for Algerian terrorists. Djamila Bouhired, implicated in an Algiers café bombing. She was sentenced to death, but Verges gained her release then married her.

1960 - Jailed for two months and disbarred for openly supporting terrorists and their French accomplices.

1969 - Defended Palestinian terrorist hijackers of El Al planes, claiming that their acts were political, not criminal, and the fault of Israeli aggression.

1970-1978 - Disappeared; no reason ever given.

1987 - Defended ex-Gestapo chief Klaus Barbie who is sentenced to life in prison in 1987.

1994 - Defended terrorist Ilich Ramirez Sanchez, aka Carlos the Jackal, who is sentenced to life in prison in 1994.

1996 - Defended Roger Garaudy, who was convicted of Holocaust denial and fined in 1996.

2002 - Claimed he represented Yugoslav leader Slobodan Milosevic Saddam Hussein.

2004 - February 2004 Verges offered to defend Pol Pot's associate and Sorbonne classmate Khieu Samphan in his coming trial for genocide before a UN-aided tribunal in Cambodia.

August 2006 - spent five days in Cambodia visiting his client Khieu Samphan and touring the grounds of the ECCC.

Copyright 2006
Phnom Penh Post