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NAZI WAR CRIMES DISCLOSURE ACT
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NAZI WAR CRIMES DISCLOSURE ACT
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DPT FOR EUR/WE, EUR/SOV, PA/PRS - PARIS FOR POL, USIS AND DAO/LEG

JUSTICE FOR RYAN

E.O. 12356: N/A

TEXT

TAGS: FR, PGOV, SHUM (BARBIE, KLAUS)
SUBJECT: KLAUS BARBIE TRIAL - LYON UPDATE

FOR COORDINATION WITH

ed
State

REF: LYON 0236

1. THE TRIAL OF KLAUS BARBIE IN LYON NEARS ITS END HAVING FAILED TO MEET THE EXPECTATIONS, WHETHER THEY BE HOPES OR FEARS, OF ALMOST EVERYONE. THE MOST SIGNIFICANT FACTOR IN THE PROCEEDINGS REMAINS THE DECISION OF BARBIE AND HIS ATTORNEY, JACQUES VERGES, TO HAVE BARBIE REFUSE TO ATTEND COURT AFTER THE THIRD DAY. BARBIE WAS TRIED TWICE IN ABSENTIA BY FRENCH COURTS, IN 1952 AND 1954. IN IMAGE, THIS HAS BEEN HIS THIRD SUCH TRIAL.
2. AN OPINION POLL IN THE LYON EDITION OF FIGARO LAST WEEK SHOWED THAT 78% OF THOSE POLLED SAID THEY WERE INTERESTED IN THE BARBIE TRIAL. THIS FIGURE WAS UP FROM 72% IN A POLL CONDUCTED JUST BEFORE THE TRIAL IN EARLY MAY. SUCH FIGURES DO NOT APPEAR HOWEVER TO REFLECT PASSIONATE INTEREST IN THESE PROCEEDINGS ON THE PART OF THE LYONNAIS GENERALLY. THE SUBJECT DOES NOT OFTEN COME UP IN

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CONVERSATION, AND LOCAL JOURNALS HAVE RELEGATED THE PROCEEDINGS TO THE BACK PAGES.

3. A FEW WEEKS AGO, AS DESCRIBED REFTTEL, THERE WAS BRIEF SPECULATION THAT THE COURT WAS GOING TO REVERSE ITS POSITION AND HAVE BARBIE BROUGHT TO COURT AGAINST HIS WILL. ON THREE OCCASIONS HE HAS BEEN ORDERED TO BE BROUGHT INTO COURT WHERE WITNESSES IDENTIFIED HIM FOR THE RECORD. BARBIE EACH TIME REFUSED TO SPEAK, OTHER THAN TO REITERATE THAT BECAUSE HE WAS BROUGHT TO FRANCE ILLEGALLY, HE WAS JURIDICALLY ABSENT. BY THUS LIMITING THE USE OF ITS AUTHORITY TO COMPEL BARBIE'S PRESENCE, THE COURT HAS SKIRTED THE CONTROVERSY OVER WHETHER SUCH COMPULSION WOULD GIVE UP SOME OF THE MORAL HIGH GROUND TO THE DEFENSE, WHILE GIVING THE PROSECUTION THE OPPORTUNITY TO TIE UP LOOSE ENDS IN ITS CASE.

4. THE PRESENTATION OF EVIDENCE ON BEHALF OF THE CIVIL PARTIES WAS MOST AFFECTED BY BARBIE'S ABSENCE. THEIR HOPES OF AT LAST HAVING THE OPPORTUNITY TO CONFRONT AND ACCUSE BARBIE TO HIS FACE AFTER 43 YEARS HAVE BEEN DISAPPOINTED. THE BEST KNOWN OF THE LAWYERS FOR THE CIVIL PARTIES, SERGE KLARSFELD, MADE A LONG AND EMOTIONAL PRESENTATION WHICH WAS HEAVILY REPORTED. BUT, LIKE THE REST OF THE TRIAL, ITS IMPACT WAS BLUNTED AS ITS TARGET, AS IN 1952 AND AGAIN IN 1954, WAS ABSENT. KLARSFELD'S SUMMING UP INCLUDED THE FACT THAT BARBIE HAD BEEN EMPLOYED BY THE U.S. ARMY IN GERMANY AFTER THE WAR. THIS HAS BEEN THE ONLY NOTABLE REFERENCE TO THAT EPISODE. INTERESTINGLY, WHILE THE INTERNATIONAL HERALD TRIBUNE REPORTED THAT ANGLE IN ITS STORY ON KLARSFELD'S DAY IN COURT, NONE OF THE LOCAL OR REGIONAL FRENCH JOURNALS FOUND IT WORTHY OF MENTION IN THEIR EXTENSIVE COVERAGE.

5. THE DEFENSE STRATEGY HAS REMAINED SOMETHING OF A MYSTERY. THE FEARS OF THOSE WHO EXPECTED BARBIE AND VERGES TO PUT FRANCE ITSELF ON TRIAL HAVE BEEN LARGELY UNREALIZED. THOSE WHO FORESAW SHOCKING REVELATIONS FROM THE DEFENSE, SUCH AS WHICH CURRENTLY PROMINENT FRENCHMEN WERE SECRET COLLABORATORS DURING THE WAR, OR WHO BETRAYED RESISTANCE HERO AND MARTYR JEAN MOULIN TO BARBIE, HAVE BEEN DENIED THEM BY BARBIE'S REFUSAL TO ATTEND AND SPEAK IN HIS DEFENSE. VERGES HAS RECENTLY HAD TWO NEW LAWYERS JOIN HIM AT THE DEFENSE TABLE. MUCH HAS BEEN MADE IN THE PRESS ABOUT THE FACT THAT ONE IS OF AFRICAN ORIGIN AND THE OTHER OF ALGERIAN ORIGIN, BUT THEIR PRESENCE HAS SHED NO REAL LIGHT ON WHAT THE DEFENSE HAS IN MIND. IT MAY BE, AFTER ALL, THAT BARBIE AND VERGES ARE STAKING ALL OF WHAT LITTLE CHANCE OF A SUCCESSFUL DEFENSE THEY HAVE ON THE APPEAL. IF SO, THEIR ISSUE WOULD BE THE LEGALITY OF HIS EXTRADITION/EXPULSION FROM BOLIVIA. BY REFRAINING FROM TURNING THE TRIAL INTO THE CIRCUS MANY FEARED IT WOULD BECOME, THEY AVOID FURTHER POISONING THE ATMOSPHERE AGAINST BARBIE IN APPELLATE COURTS WHICH WILL HEAR THE CASE.

6. THROUGHOUT THE TRIAL THE CONSULATE GENERAL HAS RECEIVED NO ATTENTION FROM THE MEDIA OR THE PUBLIC. AS NOTED ABOVE, THE LOCAL MEDIA WERE NOT INTERESTED WHEN KLARSFELD BROUGHT UP THE OLD BARBIE-USG CONNECTION. CONTRARY TO MOST PREDICTIONS, THIS TRIAL HAS REMAINED FOCUSED ON THE CHARGES AGAINST **KLAUS BARBIE** FOR CRIMES COMMITTED IN LYON FROM 1942-1944. THIS HAS PREVENTED IT FROM BEING USED SO FAR AS A FORUM FOR CRITICIZING THE U.S. OVER A TANGENTIAL EPISODE WHICH OCCURRED SUBSEQUENTLY.

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VALERGA

ADMIN
END OF MESSAGE

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