

# Delay in Trial of Suspect Accused of War Crimes Has France Astir

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PARIS, Oct 25 — A Government decision that will delay the trial of an aging Frenchman accused of crimes against humanity has stirred a new debate here about France's reluctance to address its role in the deportation of thousands of Jews to Nazi death camps in World War II.

Legal experts say that by assigning the case of Rene Bousquet to a long-moribund Special High Court of the Liberation rather than to an ordinary criminal court, the Prosecutor Central's Office may have insured that he will never be brought to trial.

Mr. Bousquet, who is now 81 years old, served in 1942 and 1943 as Secre-

## Legal experts say the case may never be heard.

tary General of Police of the collaborationist French Government established in Vichy after the Nazi occupation of France in 1940. He has been accused of ordering roundups of Jews who were later deported to Germany.

The Special High Court was established after France's liberation in 1944 to try high officials of the Vichy Government, but the legal experts said a new law would be required for it to be

competent to act today. No plans to seek such a law have yet been announced.

### French Public Interest

The decision last week by the Prosecutor General's Office has been appealed in the courts and a ruling is expected on Nov. 19. But in the meantime, the decision has been strenuously criticized by the French press and by the Association of Children of French Jewish Deportees.

"Will the French state continue to protect high French officials of the Vichy Government accused of crimes against humanity?" the Paris daily, Liberation, said this week. "Yes, if you believe the latest development in the Bousquet affair."

The newspaper Le Monde reported that President Francois Mitterrand, who became a leader of the French Resistance after working briefly in Vichy, had indicated privately that French public interest would not be served by a trial of Mr. Bousquet.

Serge Klarsfeld, a well-known Nazi hunter who heads the Association of Children of French Jewish Deportees, said the decision by the Prosecutor General's Office clearly reflected Mr. Mitterrand's views.

### 'Denouncing the Baseness'

"He has always taken an indulgent position towards the crimes of that period," he said.

Mr. Klarsfeld also urged the newly appointed Deputy Minister of Justice, Georges Kiejman, himself the son of a Jewish deportee, to resign to avoid identification with the decision.

But in a statement to Liberation, Mr. Kiejman defended the decision.

"Apart from the technical details, one must be aware that, going beyond the need to fight against forgetfulness, it may be important to maintain civil peace," he said. "There are other ways of denouncing the baseness of the Vichy regime apart from a trial."

### Fate of French Jews

Legal experts said that position reflected that of successive French governments by suggesting that it would be too traumatic for French society if the extent of the Vichy Government's cooperation with Nazi Germany's plan to exterminate the Jews were publicly aired.

The Vichy Government was the only European one not directly under Nazi occupation that deported Jews to German death camps.

Mr. Klarsfeld said 76,000 Jews were deported, of whom only 2,500 survived. A further 3,000 Jews died in detention in the Vichy-run area of southern France, he said.

But until the 1980s, the fate of French Jews was not widely known in France, with French authorities favoring the interpretation that the Vichy Government was obeying Nazi orders and ignoring evidence that the Vichy police often took the initiative to round up Jews for deportation.

### Crimes Against Humanity

Mr. Bousquet served four years to prison in the late 1940s for war crimes but he subsequently built a successful and respectable career in business and banking. But in September 1989, after finding new evidence of Mr. Bousquet's involvement in arrests of Jews, Mr. Klarsfeld brought the charges of crimes against humanity against him.

Mr. Klarsfeld said two other pending cases accusing Frenchmen of war crimes have involved even greater delays.

The case of Maurice Papon, accused of ordering deportation of Jews in Bordeaux, has been under study in the courts since 1982. Charges that Paul Touvier picked six Jews for execution were brought in 1973 but no trial has been held.