

Five Officers Say They Seek Formal War Crimes Inquiries

By NEIL SHEEHAN JAN 13 1971

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WASHINGTON, Jan. 12—Five young military officers said today that they were asking the Secretaries of the Army and the Navy to convene formal courts of inquiry into the question of war crimes and atrocities in Vietnam.

The officers said they were sending letters to the secretaries under provisions of military law that permit such requests to authorities empowered to convene courts of inquiry. The service secretaries have this power.

Copies of the letters were passed out by the officers at a news conference at the Dupont Plaza Hotel here this noon. The conference was sponsored by the National Committee for a Citizens Commission of inquiry on U.S. War Crimes in Vietnam, an antiwar group with a New Left political orientation that is seeking a national inquest into the war crimes question.

2 Are Army Doctors

Two of the officers, Capt. Robert J. Master, 28 years old, of New York, and Capt. Grier Merwin, 28, of Washington, are Army doctors stationed at nearby Fort Meade, Md. Two others, Capt. Edward G. Fox, 25, a zoologist in the Army Medical Service Corps, and First Lieut. Louis Font, 24, a 1968 West Point graduate who has requested discharge because of his antiwar views, are also stationed at Fort Meade.

The fifth officer, Lieut. (jg.) Peter Dunkelberger, 25, of Muskogee, Okla., is a management systems analyst at Navy headquarters at the Pentagon.

All five said they were members of an antiwar group within the services known as the Concerned Officers Movement. Captain Fox said the organization now had about 600 adherents, including about 20 officers in South Vietnam.

Transcript of Statements

The officers said they were accompanying their letters with a 300-page transcript of statements made here last month by 36 Vietnam war veterans at another meeting sponsored by the Citizens Commission of Inquiry.

The veterans made allegations of war crimes and atrocities and some contended that these acts had been committed under a de facto military policy approved at the highest level of command and by the civilian leadership in Washington.

In their letters to the service secretaries they also cited a report published two weeks ago by the American Association

for the Advancement of Science, which said the use of chemical herbicides in South Vietnam was causing catastrophic ecological effects and had destroyed a fifth of the 1.2 million acres of mangrove forest there.

Assertions that American civilian and military leaders may have committed war crimes in Vietnam by Telford Taylor, the chief United States prosecutor at the Nuremberg war crimes trials, were also mentioned. Mr. Taylor is a professor of law at Columbia.

The letters said the statements of the veterans, the report on herbicides and the Taylor arguments formed "sufficient cause" for the five officers to ask the Secretaries to convene courts of inquiry "to investigate U. S. military behavior in relation to principles set down by the Nuremberg proceedings and the Japanese war crimes trials and other international treaties binding on the U. S. Government."

Michael Uhl, one of the leaders of the Citizens' Commission of Inquiry, went to the Pentagon office of John H. Chafee, Secretary of the Navy, this afternoon to deliver Lieutenant Dunkelberger's letter. Mr. Uhl declined to leave it and a transcript of the veterans' statements there when one of Mr. Chafee's aides declined to give him a receipt for them.

Procedure Is Cited

A Navy spokesman said Mr. Uhl had been informed that Navy procedure was not to give receipts for such papers "unless they are delivered by registered mail." He said Mr. Chafee's aide tried unsuccessfully to reach Lieutenant Dunkelberger and to permit him deliver the letter.

Jeremy Rifkin, another leader of the Citizens' Commission, said the letter to Mr. Chafee and the letter to Stanley Resor, Secretary of the Army, would be sent tomorrow by registered mail.

Spokesmen for both the Army and the Navy said neither Secretary would have any statement until they had had an opportunity to read the letters and the transcript of veterans' statements.

Army officials said that agents from the Criminal Investigation Division had repeatedly sought sworn affidavits of atrocities from the 36 veterans who spoke here last month and had been unable to obtain them.