

U.S. Urges Prison Reform by Saigon

By ROBERT M. SMITH

Special to The New York Times

WASHINGTON, July 9—The United States is trying to persuade the South Vietnamese Government to do away with the so-called "tiger cages" at its island prison on Con Son, 140 miles southeast of Saigon.

Reliable sources report that the South Vietnamese are sensitive about being pressed on the issue of conditions at Con Son. American officials are optimistic, however, that the South Vietnamese will stop using the tiger cages—small, windowless concrete pits—to confine prisoners.

According to the sources, American officials expect the Vietnamese to take some kind of action regarding Con Son within a few days.

Officially, the United States spokesmen have said only that they were very concerned about reported conditions at Con Son. Carl E. Bartsch, a State Department spokesman, also noted that the South Vietnamese Government was investigating conditions at the prison.

Embassy Inquiry Reported

The informants report, however, that the American Embassy in Saigon is also looking into the Con Son situation and has been asked to report its findings to Washington.

Americans who have served in Vietnam say that conditions at the prison were generally known among Americans to be poor. One State Department official said today, however, that he thought recent reports on Con Son have exaggerated the situation.

Conditions at the prison were described as atrocious by two Congressmen—Representatives William R. Anderson, Democrat of Tennessee, and Augustus F. Hawkins, Democrat of California—who visited Con Son a week ago.

Confinement Held Temporary

SAIGON, South Vietnam, July 9 (AP) — The South Vietnamese Government conceded today that 400 persons were held in tiger cages on Con Son but said they were confined there temporarily as a disciplinary measure.

A statement from the South Vietnamese Ministry of Information said those so confined "are neither political prisoners nor prisoners of war but Communist criminals." The statement said they had received disciplinary treatment because they had rebelled against the rules of the prison, which holds about 9,000 inmates.

A United States official in Saigon who observed the cage prisoners but who refused to be identified by name said they "were reasonably well treated and in reasonably good health."

He said he had seen none of the cases of mistreating

alleged by Representatives Anderson and Hawkins.

Red Cross Aide Comments

By THOMAS J. HAMILTON

Special to The New York Times

GENEVA, July 9—A high Red Cross source said today that the United States would be at least morally responsible for the treatment of any American-captured North Vietnamese or Vietcong if they were transferred to the Con Son tiger cages.

He said, however, that he did not know whether any of the prisoners at Con Son had been captured by American forces.

According to reliable sources, a delegate of the all-Swiss International Committee of the Red Cross, which has its headquarters here, has made at least one inspection trip to the prison on Con Son Island. They said his report had been made available to both the South Vietnamese and United States Governments.

But it could not be learned whether the delegate had touched on the tiger cages or on other alleged evidence of inhumane treatment cited subsequently by Representatives Anderson and Hawkins.

The Red Cross official who mentioned the moral responsibility of the United States cited the Geneva Convention of 1949 on prisoners of war, to which both the United States and South Vietnam are parties.

This, he noted, states that Country X may hand over its prisoners to Country Y only if "it has satisfied itself of the willingness and ability of such transferee power to apply the convention."

In that case, the convention provides, Country Y becomes responsible for the guarantees regarding the humane treatment of the prisoners. The convention states, however, that if Country Y violates these guarantees in any important respect,

Country X shall "take effective measures to correct the situation or shall request the return of the prisoners." If requested, Country Y would be required to return them. However, no such transfer is required unless the "protecting power" for North Vietnam—which in this case presumably would be the international committee itself—requested it.

Earlier in the war, United States forces kept their own prisoners. In recent years, however, their prisoners have been handed over to South Vietnam as a gesture toward the Saigon Government.

Often as a result of United States pressure, South Vietnam has reluctantly authorized the international committee to inspect its prisons.

But North Vietnam, which is not a party to the convention on prisoners of war, has rejected all appeals by the international committee for permission to inspect its camps.

Discussing the question of whether the Geneva Convention applied to the prisoners held on Con Son, Red Cross sources noted that the shortcomings of the convention tended to be underlined by Saigon's assertions that the prisoners there were not prisoners of war.

The convention, they said, was intended mainly for the benefit of well-organized forces fighting a conventional war, not for a civil war nor a "war of liberation" as proclaimed by Hanoi.

Prison Issue Raised at Talks

Special to The New York Times

PARIS, July 9 — The two Communist delegations at the Vietnam peace talks seized today upon the issue of conditions in the South Vietnamese prison at Con Son to underline their long-standing charge that the United States and the "puppet" Saigon regime were carrying on a barbarous war against the Vietnamese people.