

## Hanoi Asserts Accord Includes Release of All Held by Saigon

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SAIGON, South Vietnam, Nov. 8—The North Vietnamese Communist party newspaper said today that the draft agreement that was to have been signed Oct. 31 provided for the release of all military and civilian political prisoners in South Vietnamese jails — a provision whose existence was specifically denied by American officials.

Henry A. Kissinger, in a Washington news conference Oct. 26 explaining the agreement, said that it provided that the release of South Vietnamese civilians in Saigon's prisons "should be determined through negotiations among the South Vietnamese parties, so that the return of our prisoners is not conditional on the disposition of Vietnamese prisoners in Vietnamese jails on

both sides of the conflict."

An editorial in Nhan Dan, the party newspaper, broadcast over the Hanoi radio in English and monitored here today, said that release of those prisoners in the South was a "pressing demand" and continued:

"The Vietnam issue cannot be solved peacefully without eliminating at the same time the Origins of the war, namely the U.S. aggression and the U.S. Saigon policy of terror and oppression.

"This is the very reason why the agreement which should have been signed between Vietnam and the United States provides for the release of all captured patriots and military men and the 'civilian internees'

Continued From Page 1, Col. 5

who, under Article 216 of the Geneva agreements, 'mean all persons who have in any way contributed to the political and armed struggle between the two parties.'"

Since the actual text of the draft Washington-Hanoi accord has not been made public, the broadcast could be a rebuttal to a point American officials have been making to try to convince President Nguyen Van Thieu that his Communist enemies have in effect abandoned their prisoners, or it could be reassurance to Communists in the South who may have been disheartened by Mr. Kissinger's version.

The broadcast today was insistent, however, saying: "All those illegally imprisoned in South Vietnam must be set free. This is an earnest desire of all Vietnam."

Nhan Dan also charged that there was a campaign by the Saigon Government "to secretly dispose of patriots illegally kept in over 1,000 jails in South Vietnam."

"In the past two weeks," it added, "puppet police conducted nearly 20,000 raids in the areas under their control, arresting nearly 5,000 people and gunning down several hundred others."

The article alleged that "assassinations" of prisoners were taking place.

### No Evidence Uncovered

South Vietnamese prisons are not open to Western journalists, but investigation by The New York Times over the past few weeks through South Vietnamese opposition movements in contact with political prisoners has uncovered no evi-

dence of deliberate killings in prisons.

Most of the best-known political prisoners, such as the lawyer Truong Dinh Dzu, Deputy Tran Ngoc Chau and Mrs. Ngo Ba Thanh of the Vietnam Women's Movement for the Right to Live, are reported by their friends and relatives to be alive and well. Mrs. Thanh has even smuggled out accounts of a recent visit to her cell and has denounced President Nixon for not signing the cease-fire agreement.

Conditions in the prisons are known to be harsh, and there have been numerous substantiated accounts of torture in police stations over the years. But opposition sources say there is nothing more now than fear that the police might be tempted to gun down prisoners if, for example, an attempt was made after a cease-fire to storm the prisons and set them free.

The Hanoi broadcast cited no specific instances to prove its contentions.

There are no reliable figures on the number of political prisoners in the South. Estimates range from 40,000 to 60,000; the Communists say there are hundreds of thousands. There are also at least 36,000 prisoners of war in South Vietnam.

Several thousand people were arrested in intensive security sweeps in April and May during the initial stages of the North Vietnamese offensive, but many were released. Several hundred more have been picked up in recent weeks as part of the Government's campaign of readiness for a cease-fire.

### Kissinger's View Upheld

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WASHINGTON, Nov. 8—The Nixon Administration had no formal comment today on the

Nhan Dan editorial, but officials noted that the prisoner issue was a sensitive one for North Vietnam.

They said that Mr. Kissinger had correctly explained the provisions in the nine-point draft agreement with regard to the release of South Vietnamese civilians detained in South Vietnam.

According to the officials, Hanoi can be expected to bring as much pressure on Saigon as possible to release pro-Vietcong prisoners. They regarded the Nhan Dan editorial as part of that campaign.

Continued on Page 4, Column 4