

Comments by North Vietnam and U.S.

Following are excerpts from a North Vietnamese statement on the cease-fire and prisoner releases issued by Hanoi's delegation in Saigon yesterday and the text of a United States response there, both distributed by The Associated Press, and excerpts from a news briefing yesterday by Ronald L. Ziegler, the White House press secretary:

Statement by Hanoi

The Government of the Democratic Republic North Vietnam and the Provisional Revolutionary Government of the Republic of South Vietnam have always scrupulously implemented the agreement since its signing. The South Vietnamese People's Liberation Armed Forces have strictly observed the cease-fire order, and have completely ended all acts of military offensive and stayed in their places. The government of the DRVN and the Provisional Revolutionary Government of the Republic of South Vietnam have correctly carried out the return of the captured military personnel of the United States and the Saigon army. Had the United States and the Saigon administration also seriously implemented the agreement gunfire would have totally stopped and the South Vietnamese people would have been able to enjoy a life in peace, independence and democracy and have initially realized reconciliation and national concord. However, the United States Government and the Saigon administration have openly and systematically sabotaged the most important and urgent provisions of the agreement.

'Nibbling at the Areas'

As was made clear in the statement of Feb. 25, 1973, of the Provisional Revolutionary Government of the Republic of South Vietnam, in less than one month since the cease-fire took effect the Saigon administration has launched tens of thousands of operations, some of which were of division or regiment size, with a view to nibbling at the areas under the control of the Provisional Revolutionary Government of the Republic of South Vietnam, terrorizing and coercing the people in South Vietnam, preventing them from moving freely and from returning to their native villages to earn their living.

The Saigon administration has refused to return the civilian personnel of the Provisional Revolutionary Government of the Republic of South Vietnam arrested and detained by them. Although the agreement has explicitly provided that the two South Vietnamese parties will do all in their power to complete the return of captured and detained Vietnamese civilian personnel within 90 days after the cease-fire took effect, so far no civilian personnel arrested and detained by the Saigon administration have been returned to the Provisional Revolutionary Government of the Republic of South Vietnam.

The Saigon administration has also used every brazen method to create difficulties and obstruct the deployment and activities of the Joint Military Commission and the International Commission of Control and Supervision. They have used such odious methods as cutting electric and water supply, stopping the supply in food to the military delegations of the Democratic Republic of South Vietnam at the Four-

Party Joint Military Commission, putting hindrances to the movement and activities of the officers and personnel of the two delegations, organizing demonstrations to encircle and stone their headquarters, shout provocative slogans and even physically assault officers of the Democratic Republic of Vietnam, as has happened in many places like Ban Me Thuot, Tam Ky, Quang Nam, Chu Lai, Quang Tin, Bien Hoa.

Most recently, on Feb. 25, 1973, the Saigon administration brazenly sent their henchmen and hired thugs to attack the headquarters of the military delegation of the Democratic Republic of Vietnam in Hue and Da Nang, to take away or destroy equipment and beat officers and personnel of the delegation, seriously injuring many of them.

Meanwhile, the United States Government delayed and prolonged the removal of mines in territorial waters, ports and waterways in North Vietnam. The United States side has also sought to evade its responsibility in the removal of mines on the waterways although it is clearly stipulated in the protocol on the deactivation of mines that "the United States shall be responsible for the mine clearance on inland waterways of the Democratic Republic of Vietnam."

on P.O.W.'s

Bombing by B-52's Noted

With regard to Laos, only one day after the "agreement on restoring peace and achieving national concord in Laos" was signed, the United States Government brazenly sent aircraft, including B-52 planes, to bomb Lao territory in grave violation of Article 2A of the agreement on Laos, which clearly stipulates that the United States completely end all bombardments on the whole of the Lao territory.

The United States Government claims that it is bombing at the request of the Royal Government of Laos, and its attempts to shift the responsibility to the Lao patriotic forces cannot justify these brazen acts of violation on its part.

With regard to Cambodia, the United States Government has intensified the use of aircraft, including B-52 planes, to attack with utmost ferocity the areas under the control of the Royal Government of National Union of Cambodia.

These acts of very serious violation of the Paris agreement on ending the war and restoring peace in Vietnam on the part of the United States Government and the Saigon administration have caused the situation in South Vietnam to become extremely dangerous.

If the violation of the Paris agreement on Vietnam continues, peace cannot be preserved in a lasting manner in South Vietnam. This completely runs counter to the earnest desire of the South Vietnamese people, namely peace, independence, democracy, reconciliation and national concord, and also to the desire of the peace- and justice-loving people throughout the world to see a firm peace in Vietnam.

'Immediate' End Demanded

The Government of the DRVN strongly denounces to public opinion in the world the above-mentioned acts of violation and sabotage by the United States Government and the Saigon administration against the provision concerning the cease-fire and other provisions of the Paris agreement on ending the war and peace in Vietnam. The United States Government and the Saigon administra-

tion must bear full responsibility for all consequences of their acts.

In order to firmly maintain the cease-fire, preserve and consolidate peace in South Vietnam, the United States Government and the Saigon administration must end immediately all acts of violation and sabotage against the agreement, must scrupulously implement all provisions of the Paris agreement on Vietnam and all protocols to the agreement. The United States Government and the Saigon administration must seriously observe the joint appeal for cease-fire issued on Feb. 16, 1973, by the Four-Party Joint Military Commission, end at once the nibbling attacks and the bombings and shellings on the areas under the control of the Provisional Revolutionary Government of the Republic of South Vietnam, end immediately the operations of terror and coercion against the people and insure the democratic liberties of the South Vietnamese people.

Statement by the U.S.

The D.R.V. delegation to the Four-Party Joint Military Commission is saying different things to different audiences in attempting to explain the delay in the release of the P.O.W.'s, as provided for in the Paris agreement and protocols.

The agreement and protocols link the return of P.O.W.'s only to the withdrawal of United States and free world forces.

In a succession of press statements, the D.R.V. has sought to link the return of United States P.O.W.'s to other issues, including the return of civilian detainees, the facilities which have been provided for D.R.V.-P.R.G. delegations and the manner of application of the cease-fire.

The return of the detained Vietnamese civilian personnel is a matter in the agreement for the two South Vietnamese parties to arrange by themselves. The United States and the GVN have made an extensive effort to improve the facilities available to the D.R.V.-P.R.G. delegations and this effort will continue until they are satisfactory.

Full application of the cease-fire, of course, is an obligation which must be borne by all parties to the agreement, including the D.R.V.-P.R.G. side.

In its contacts with the United States delegation the D.R.V. delegation has simply alleged that the obstacle to release P.O.W.'s on time is a technical one—related to the availability of liaison flights between Saigon and Hanoi. However, the D.R.V. delegation has declined to accept a United States offer of a C-130 as an interim solution to the immediate liaison problem.

The United States delegation calls on the D.R.V.-P.R.G. delegations to implement the obligations they have accepted in the Paris agreement and protocols and to take immediate action to fulfill their commitment to release United States P.O.W.'s in accordance with the withdrawal rate of United States and free world forces. This withdrawal has now reached over 50 per cent of those forces which were in South Vietnam on 28 January, 1973, when the agreement came into effect. It is time for the D.R.V.-P.R.G. delegations to fulfill their commitment to release United States P.O.W.'s.

U.S. Offered a Plane

As the provision of liaison flights to Hanoi is the only issue which the D.R.V. delegation has raised officially with the United States delegation as a reason for the

delay in P.O.W. releases, the following details may be helpful in understanding the steps taken by the United States delegation in handling this issue with the other side.

On Feb. 26, in response to an inquiry from the United States delegation as to the cause of the delay in arrangements for release of United States P.O.W.'s, Colonel Loi, deputy chief of the D.R.V. delegation, phoned General Wickham, deputy chief of the United States delegation, and said that preparations for the second phase of the P.O.W. release had been hampered by the lack of weekly liaison flights between Saigon and Hanoi. Loi said that D.R.V. policy is to implement the pledge concerning P.O.W. release, but the problem is a technical one involving transport. He needed air transport to pick up the United States P.O.W. lists.

In response to this presentation General Woodward, chief of the United States delegation, called General Hoa, chief of the D.R.V. delegation, later in the evening on Feb. 26, to state that a C-130 aircraft would be available to the D.R.V. in Saigon at 0500 on Feb. 27, to go to Hanoi to pick up the P.O.W. lists. Alternatively, General Woodward said that the United States would be prepared to accept our P.O.W.'s without prior presentation of a list or to receive the list when the P.O.W.'s were returned. General Hoa said he would first have to obtain permission from Hanoi for the use of a United States C-130 to pick up the P.O.W. lists. The United States delegation has not heard further from the D.R.V. on the offer of the C-130 aircraft.

'U. S. Is Responsible'

In a statement to The Associated Press Feb. 27 in Saigon, Col. Bui Tin, spokesman for the D.R.V. delegation to the F.P.J.M.C., was reported as stating that there will be no further release of American prisoners until several other points in the Vietnam peace agreement are honored. Bui Tin said, "The United States is responsible for the total application of the agreement," and he termed the present situation "critical." He listed the following points as requiring resolution before the next group of American P.O.W.'s is released:

A. Strict application of the cease-fire.

B. Simultaneous return of civilian and military prisoners.

C. Guarantee of improved working conditions for the F.P.J.M.C.

Obviously, strict application of the cease-fire is an obligation that is borne equally by all signatories of the agreement and the protocols. The D.R.V.-P.R.G., by their heavy assault against Sa Huynh, Quang Ngai Province, from Jan. 28-Feb. 19; by their continuing attacks by fire against the district town of Tri Ton, Chau Doc Province, Feb. 24-26; by their continuing harassment of road communications between Pleiku and Kontum, and by the shooting down of an unarmed United States CH-47 helicopter on Feb. 16—to cite only four among many examples—have failed to apply the cease-fire fully. As noted above, the return of civilian detainees is separate from the return of P.O.W.'s in the agreement and protocols, and the issue of facilities for the F.P.J.M.C. is a matter which is already receiving continuing attention. None of the issues mentioned by Colonel Bui Tin is an adequate excuse for failure to implement the exchange of P.O.W.'s.

Another D.R.V. version of

the issues remaining to be settled in connection with the P.O.W. exchange was carried over Radio Hanoi on Feb. 26. Radio Hanoi tied in troop withdrawals and base dismantlement in South Vietnam and mine clearance in North Vietnam to the United States P.O.W. release.

Briefing by Ziegler

Q. Ron, do you have any reaction to the refusal of the North Vietnamese to turn over more American prisoners?

A. Yes, I do.

Q. Would you care to state it?

A. We expect our prisoners of war to be released on schedule. That would be the first comment I would have to your question. Although the information regarding the release of United States prisoners of war as contained in this morning's reports has not been made at a governmental level by the D.R.V. to the United States, and has come only from the North Vietnamese spokesman's comment—Bui Tin, in Saigon—there should be no misunderstanding on the part of the D.R.V. about the United States position, and the following points are being made clear to the North Vietnamese.

First, the release of American prisoners is an unconditional obligation of the cease-fire agreement. The agreement clearly states that these prisoners of war are to be released at a rate no slower than the rate of troop withdrawals of U.S. and allied forces. We have now withdrawn over half of our forces. It is now time for the other side immediately to release the next group of United States prisoners of war, to bring the total of all those released up to at least 50 per cent of the total number scheduled for release.

Second, the United States has scrupulously observed all the provisions of the agreement, including withdrawals and cease-fires.

Third, the United States would not accept, during the negotiations, and will not accept now, the linking of release of American prisoners to any other aspect of the agreement other than the rate of withdrawal.

Finally, the President this morning has instructed the Secretary of State to demand clarification from the North Vietnamese delegation in Paris on a most urgent basis. The President has instructed the Secretary to raise this subject with the North Vietnamese Foreign Minister, Foreign Minister Trinh, as a matter of highest priority before other business is conducted at the conference.

So there should be no misunderstanding regarding the release of United States prisoners. There can be no ambiguity involved in the agreement regarding the release of U. S. prisoners. As Dr. Kissinger pointed out to you ladies and gentlemen at the time he briefed on the agreement, one of the most contentious points of the entire negotiations was that there was no relationship between the release of the United States prisoners of war and civilian prisoners held in the South. This point is clearly spelled out in the agreement and clearly spelled out in the protocol.

The agreement clearly makes the point that there is no linkage and, as Dr. Kissinger has said, there can be no linkage between the two. The release of the United States prisoners is only related to the rate of the U. S. withdrawals from South Vietnam, and nothing else. As I said, the protocols of the agreement clearly spell that out, and that is my response to your question.