

# HANOI SAYS PACT HAS NOT WORKED

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Refuses to Release Second Group of Prisoners or Even Discuss Subject

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SAIGON, South Vietnam, Wednesday, Feb. 28 — North Vietnamese representatives here complained yesterday that the Vietnam cease-fire agreement was not working and refused to release a second contingent of American prisoners of war or even to discuss the subject.

North Vietnamese delegates to the Four-Party Joint Military Commission boycotted two meetings of a commission subcommittee on the question of prisoner exchanges. Earlier, Col. Bui Tin of the Hanoi delegation told reporters by telephone that there would be no further releases of American prisoners until the United States and Saigon Governments "correctly implement" the Paris agreement on ending the war.

The United States in turn demanded that North Vietnam "implement the obligations" of the agreement by resuming the release of American prisoners.

### Meeting Due Today

The chief delegates of the United States, North Vietnam and South Vietnam and the Vietcong's Provisional Revolutionary Government were scheduled to meet this morning.

The developments dashed American hopes that a group of about 140 American prisoners would be released yesterday in Hanoi and in Communist-held portions of South Vietnam. The Communists have released 163 prisoners, but still hold 422.

In a statement last night a spokesman for the American delegation to the Joint Military Commission called on the North Vietnamese and Vietcong, "to implement the obligations they have accepted in the Paris agreement."

The statement also said the Communists were improperly seeking "to link the return of U.S. P.O.W.'s to other issues."

### Situation Called Serious

Colonel Tin of North Vietnam said, "The situation has now grown very difficult and serious." In the telephone interview he charged that the United States was encouraging the South Vietnamese Government to violate the cease-fire to delay the return of Vietnamese civilian prisoners and to harass

Communist truce delegates stationed in South Vietnam.

His central point was that most provisions of the cease-fire agreement were not working and that the Americans seemed interested only in the return of their prisoners.

He indicated that Hanoi would suspend prisoner releases until there was American pressure on Saigon and until the United States "stops concentrating their efforts on getting back prisoners while failing to correctly implement the Paris agreement."

How grave the crisis will become seemed to depend on whether Hanoi takes this as its official position and holds to it.

### Americans Hold Talks

American diplomatic and military officials in Saigon held a long series of meetings yesterday. In an initial statement, a spokesman said, "We've not been given any clear and forthright reason why the P.O.W. release has not taken place." He said that the North Vietnamese and Vietcong delegates had called off meetings on the subject "without any explanation."

An American official at first asserted that the Communists had made no complaints about violations or failure to carry out the peace agreement. In answer to further questions he said they had made such complaints but "had not linked them" to the prisoner issue. To do so, he asserted, would be improper.

The official pointed out that the cease-fire agreement and its associated protocols said that the release of prisoners was to take place "simultaneously with" and at a rate "no slower than" the withdrawal of American and allied troops from South Vietnam.

Calling this "the only condition" regarding the prisoner issue, he said it "had been met and we have done our part."

### Quarter Had Been Expected

Because the American withdrawal had been proceeding at a rate similar to that of the prisoner release, United States negotiators felt that about one-fourth of the American prisoners should be released every 15 days. The first group was released Feb. 12, or 16 days ago.

On Monday, however, the Communists did not produce a new list of men to be released. Then yesterday Colonel Tin made his announcement to the press and the Hanoi delegates boycotted morning and afternoon meetings.

The United States mission later took cognizance of Colonel Tin's interviews and issued a long written statement. It asserted that the peace agreement and its protocols "link the return of P.O.W.'s only to the withdrawal of U.S. and free world forces" and added that these withdrawals were more than 50 per cent complete.

The American statement said that in a succession of press statements North Vietnam "has sought to link the return of U.S. P.O.W.'s to other issues, including the return of civilian detainees, the facilities for the

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," it said. "The U.S. and the Government of Vietnam have made extensive efforts to improve the facilities available to the Democratic Republic of Vietnam and P.R.G. delegations and this effort will continue until they are satisfactory."

"Obviously," the American statement said, "strict application of the cease-fire is an obligation that is borne equally by all signatories." It added that the Communists had caused many violations themselves and "have failed to apply the cease-fire fully."

The crisis has clearly been developing since the cease-fire technically came into effect on Jan. 28.

Repeated and open violations of the cease-fire have taken place for a month. Some can be attributed to all Vietnamese parties, but the major causes have included the fact that the South Vietnamese Government has continued to fight to regain all positions it had lost just before the cease-fire and that it has continued to seek and attack Communist units wherever it could find them.

### Delegates Virtually in Detention

In other actions the Saigon Government has put Communist truce delegates into virtual detention on military installations, denied them freedom of movement and access to the press and failed to prevent mobs from demonstrating against them.

Nor have civilians been per-

mitted the freedom of action, movement and association guaranteed in the peace agreement.

American officials had repeatedly in informal statements characterized these problems as relatively minor ones that would soon subside. If they have pressed the South Vietnamese to be more circumspect, there has been no sign of it.

The North Vietnamese intransigence on prisoners displayed this week seemed to indicate that Hanoi meant to punish the United States for the situation. In effect, the Hanoi delegation seemed to be saying it was getting little value from the cease-fire while the United States was getting the one thing it really cared about—the release of its prisoners.

### Mine Removal an Issue

The Communists also complained this week that the United States had delayed the start of the removal of mines from North Vietnamese waters and had bombed in Laos the day after a cease-fire began there.

One knotty issue that contributed to the prisoner impasse, was the Communists' insistence on making further releases of military prisoners contingent on progress in the exchange of civilian detainees.

The agreement stipulates that military prisoners are to be released within 60 days and at a rate commensurate with American troop withdrawals. Actually, the agreement provides that the Saigon and Vietcong delegations will do "their utmost" to arrange an exchange of civilian detainees within 90 days.