

Hanoi Is Accused in Paris Of Sending Troops South

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By BERNARD GWERTZMAN FEB 28 1973

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PARIS, Feb. 27 — Secretary of State William P. Rogers was ordered by the White House tonight to give "highest priority" to seeking an early meeting with the North Vietnamese Foreign Minister, Nguyen Duy Trinh, to demand an explanation for the delay in Hanoi's release of further American prisoners of war.

Both the White House and the United States delegation to the 13-party international conference on Vietnam issued strong statements here accusing Hanoi of violating the terms of the Vietnam cease-fire accord, a month old, and specifically of trying to renege on the provisions relating to

the release of American prisoners.

The delegation, which until now had ignored Hanoi's charges of American cease-fire violations, said that the United States had "continuing evidence that there are gross violations on the Communist side that include infiltration of several thousand North Vietnamese forces into South Vietnam since Jan. 28."

Late tonight, the North Vietnamese delegation issued a statement that did not directly touch on the prisoner issue, but said "we reject completely the slanderous allegations" of the

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Americans.

It said that the allegations "are aimed at simply camouflaging and justifying the very serious violations committed by the United States and the Saigon administration against the cease-fire accord."

The issue was raised in Saigon earlier today when a North Vietnamese official said that further release of American prisoners was being suspended pending the carrying out of certain Hanoi demands dealing with the cease-fire in South Vietnam.

Hanoi's spokesman here had given an ambiguous answer to questions posed earlier in the day on the prisoner issue.

The spokesman, Nguyen Thanh Le, in a news conference at the former Hotel Majestic, where the international conference is being held, said:

"The United States and the Saigon administration must bear the full responsibility for their grave violations of the agreement.

"We have always scrupulously carried out the terms of the agreement."

American sources here made it clear that if the prisoner issue were not resolved soon, Mr. Rogers would find it difficult to remain at the two-day-old conference, which has been charged with endorsing and guaranteeing the provisions of the cease-fire agreement.

Progress Until Today

Until tonight, the conference had been making gradual progress and seemed on its way to agreement by Thursday or Friday on a declaration underwriting the cease-fire accord.

Now the further progress of the conference appears in doubt and, if the prisoner issue is not settled soon, the cease-fire agreement itself could become unraveled, since President Nixon has attached the utmost importance to the release of American prisoners.

Henry A. Kissinger has said that one of his "achievements" in negotiating the agreement with North Vietnam was in getting Hanoi to agree to release the prisoners without any condition except the parallel withdrawal of American forces from South Vietnam.

The White House statement said that "the release of American prisoners is an unconditional obligation of the cease-fire agreement."

The statement, issued by Ronald L. Ziegler, the White House spokesman, said:

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

Mr. Ziegler then said that Mr. Nixon had instructed Mr. Rogers "to demand clarification from the North Vietnamese delegation" before "other business is conducted at the conference" in Paris.

Robert J. McCloskey, the spokesman for the delegation here, had earlier refused to comment on the prisoner issue, saying, "I would prefer not to offer any comment or judgment on behalf of the U.S. delegation."

Some Arguments Reported

But four hours later, after a series of phone calls between the White House and the delegation here, Mr. McCloskey called an early evening news conference at the American Embassy to read the White House statement and charge the North Vietnamese with violations of the cease-fire accord.

Mr. McCloskey noted that Mr. Rogers was then having a meeting and dinner with the Soviet Foreign Minister, Andrei A. Gromyko, at the Soviet Embassy and that he did not

know when Mr. Rogers would be able to see Mr. Trinh.

About 8 P.M. the American Embassy informed newsmen that Mr. Rogers would not see Mr. Trinh tonight. The spokesman did not say why, or if they would meet tomorrow.

Some American officials here believe that Hanoi, having drawn attention to complaints about Saigon, would release the 120 or more American prisoners in the second group.

So far, the Communists have released 163 American prisoners—155 military and 8 civilians. They hold 422 others.

Earlier, both the United States and North Vietnam disclosed that they had reached agreement on numerous points to be covered in the final declaration, but that differences remained. It was understood that some of these were protocol problems.

For example, the North Vietnamese wanted to list participants as "12 governments" plus Secretary General Waldheim of the United Nations. This would imply recognition of the Provisional Revolutionary Government of the Viet Cong.

Saigon, backed by Washington, wanted to say that 13 parties attended.

On a more important matter, the United States and North Vietnam reportedly reached agreement on how to reconvene the conference in case peace was seriously jeopardized.

According to well-placed sources, it was agreed the conference could be recalled by either Hanoi or Washington or by six of the other parties to the conference.

Drafting Panel at Work

The Hanoi-Washington agreements and disagreements were turned over this morning to a drafting committee made up of the representatives of the 13 parties.

They were to produce a final draft for initialing by the ministers on Thursday and signing on Friday.

But, according to conference sources, the committee broke up in disagreement over the right of the United Nations experts to participate, with the Communist side opposing their presence.

However, it was reported late tonight that American and North Vietnamese experts were meeting privately again to work out differences in an effort to present an agreement to the full drafting group tomorrow.

In yesterday's session, Mitchell W. Sharp, the Minister for External Affairs of Canada, called for the creation of a mechanism headed by Mr. Waldheim to receive reports on cease-fire violations and inform the conference delegates.

But this proposal seemed doomed to failure, as the Communist delegations here opposed it.

It remained to be seen whether a compromise could be worked out that might satisfy Mr. Sharp and persuade Canada not to carry out a threat to pull her 290-man contingent out of the international team in Vietnam by April 30.

At today's session the parties that had not spoken yesterday gave their addresses. After their speeches and rebuttals by the Saigon and Vietcong representatives, the conference adjourned until Thursday morning giving the drafting committee all day tomorrow to work out a final document.

Mr. Trinh repeated Hanoi's opposition to any discussion of Laos and Cambodia since, he said, they were not represented. The United States has stressed that there can be no peace in Indochina without the cease-fire in Laos and Cambodia.