

DISPUTE ON LAOS THREATENS DELAY FOR LAST P.O.W.'S

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U.S. Insists on Release of 10
Being Held by Pathet Lao
—Communists Refuse

TROOP PULLOUT HELD UP

Americans First Want Full
List and the Transfer of
Some of Prisoners
NYTimes

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SAIGON, South Vietnam, Friday, March 23—A new dispute developed between the United States and the Communists yesterday over the release of the final group of American prisoners of war.

The dispute arose when the United States demanded the release not only of the 138 Americans still held in North Vietnam and South Vietnam but also of 10 Americans imprisoned by the Pathet Lao in Laos.

The Communists promptly charged the United States with "posing new conditions" in the prisoner-release process and they refused to turn over their list of Americans to be returned.

Threatens to Delay Release

The dispute thus threatened to delay the freeing of the last group of American prisoners in Vietnam. Earlier, the Communists had said that they would release the Americans on Saturday and Sunday in Hanoi. The deadline for freeing the last group of Americans under the Paris peace agreement is next Wednesday.

Each of the three previous prisoner releases was marked by controversy of some kind, but in each case the dispute was resolved and the releases were not seriously delayed.

The current controversy broke into the open with the United States' release of a letter sent to the Vietcong and the North Vietnamese by Brig. Gen. John Wickham Jr., deputy chief of

the American delegation of the Four-Party Joint Military Commission.

Pathet Lao Prisoners Noted

In the letter, General Wickham recalled that on Wednesday the Communists had given assurances that the final phase of the prisoner release would be completed by Sunday. He added that North Vietnam had "said it would arrange with the Pathet Lao for the release of the U.S. P.O.W.'s held in Laos, although it did not indicate the date, place or circumstances of release."

The letter then said that the withdrawal of American troops

from Vietnam, suspended while the list of prisoners from the Communists was being awaited, would not be resumed until "after the United States has been provided with a complete list of all U.S. P.O.W.'s including those held by the Pathet Lao, as well as the date, time and place of release, and after the first group of P.O.W.'s has been physically transferred to United States custody."

An American source said that the release of the 10 Americans held in Laos—seven military men and three civilians—was privately agreed upon in Paris by Henry A. Kissinger and Le Duc Tho when they negotiated peace in January.

"There was an understanding between Kissinger and Le Duc Tho that the Laos prisoners would be released as part of the whole bargain," the American source said.

A Vietcong spokesman rejected that idea, saying that the demand for the release of United States prisoners "not

only in Vietnam but in other countries of Indochina" constituted "new conditions" that he indicated were unacceptable.

The spokesman added that the Vietcong's Provisional Revolutionary Government "reserves to itself the right to suspend the handing over of the list of American prisoners" until the issues raised by these "new conditions" are clarified.

In a statement issued late last night, Gen. Tran Van Tra, the chief Vietcong delegate to the Joint Military Commission, accused the United States of "an about-face" in imposing new demands.

He said that the American demands for the freeing of "all prisoners held in all Indochina" and the American refusal to resume troop withdrawals until it received a list of prisoners, including those detained by the Pathet Lao, constituted "a most serious violation of the Paris agreement and its protocols."

"The representative of the military delegation of the Provisional Revolutionary Government energetically protests all the illogical demands by the delegation of the United States," General Tra added.

Saigon-Communist Exchange

Meanwhile, the South Vietnamese and the Communists were exchanging their prisoners. Saigon reported yesterday that it had released 1,200 Communist captives and had received 585 Government soldiers back from the Communists.

At the same time, Saigon again charged the Communists with accounting for only a tenth of its men actually captured. According to Saigon, the Communists have scheduled the release of 3,250 prisoners, while 31,818 Government soldiers are believed to be in their hands. Saigon says it has released more than 19,000 prisoners so far.

And for the second day, Saigon Government spokesmen denied reports that the four-party commission would be extended beyond the 60 days stipulated in the Paris agreement.

"There shall be no extension of the four-sided J.M.C.," a Saigon military spokesman said yesterday.

Delays in Mine Clearing

WASHINGTON, March 22 (AP)—The commander of American forces in the Pacific said today that there had been disagreements with the North Vietnamese that had delayed removal or detonation of mines in that nation's waters.

Adm. Noel A. M. Gayler said, for example, that the North Vietnamese had incorrectly ex-

pected that thousands of mines sunk deep in the mud of Haiphong harbor would be removed.

He said that the protocol on mines signed in Paris required only that shipping channels off North Vietnam be cleared. Admiral Gayler, Commander in Chief, Pacific, said that the American mine-clearing effort must only make sure that ships can pass safely.

The admiral said that there had also been disagreements with the North Vietnamese over moving ships that the Americans believe to be interfering with the minesweeping.

*Kissinger press conference 24 Jan 73 (NYTimes 25 Jan 73):

Q. Dr. Kissinger, because of a news report from Paris this morning that actually there were some 15 or 20 protocols of which only four are being made public, were there any secret protocols agreed to? A. The only protocols that exist are the protocols that have been made public. Q. Wait a minute - what about understandings? A. There are with respect to certain phrases read into the record certain statements as to what they mean. But these have been explained in these briefings and made clear. There are no secret understandings.

Le Duc Tho press conference 24 Jan 73 (NYTimes 25 Jan 73):

Q. Aside from the four protocols you have just handed to us, are there other protocols which have not been published and are there other tacit annex agreements which have not been published? A. There is one agreement and four protocols - all the documents which have just been distributed to the press - and these are complete documents covering everything which was negotiated between the two sides.