

THE NEW YORK TIMES, FRIDAY, MARCH 6, 1970

# Chau, Sentenced, Says He Will Serve

SEE 12 MAR 73  
THIS FILE

By RALPH BLUMENTHAL

Special to The New York Times

SAIGON, South Vietnam, March 5—Tran Ngoc Chau, a National Assembly member who was sentenced to 10 years at hard labor today on charges of having been in contact with the Communists, said later that he would resume his service to his country "after peace has been restored."

The flamboyant 46-year-old opposition Deputy, who was still wearing bandages on injuries received in a scuffle with police when he was seized in his refuge in the Assembly a week ago, was smiling broadly and flashing "V" signs as he was escorted out after the sentencing.

Mr. Chau was reconvicted by the same special military court that sentenced him in absentia last week to the maximum penalty, 20 years at hard labor. It was alleged that he had compromised national security in meetings with his brother, a North Vietnamese intelligence officer later convicted as a spy.

President Nguyen Van Thieu, with whom Mr. Chau was once closely associated, had condemned the contacts.

## Cause Against Government

The verdict, broadcast over closed-circuit television to Mr. Thieu in the National Palace, ended the most sensational political trial since South Vietnam adopted its present Constitution on April 1, 1967. Some opposition groups have taken up the case as a popular cause against the Government.

In affirming the earlier finding of guilt but halving the sentence, the five military judges, who are answerable to the President through the Defense Ministry, dismissed Mr. Chau's challenges to the proceedings' constitutionality.

The officers were also unswayed by his contention that he had met with his brother with the knowledge of American intelligence agents and had obtained advance information about the enemy's 1968 Lunar New Year offensive that Ambassador Ellsworth Bunker and other United States officials chose to discount.

The chief judge, Lieut. Col. Trieu Khac Huynh, said after an hour's deliberation that Mr. Chau was "guilty of liaison with a person whose activities are harmful to national security."

## Nation Again After Peace

In reply, the accused declared:

"When I walked into this courtroom I considered my fate as having already been sealed. You said that I worked for the formation of a coalition government, but my anti-Communist feeling has been proved. I have served in the Vietnamese armed forces for 23 years. I have fought against the Communists on the front lines. I have received wounds and I have been awarded medals for my wounds in combat."

Just what service to South Vietnam he performed and to what extent the Americans

were involved in it remain a mystery.

Mr. Chau did not deny the charges that on eight occasions between 1965 and 1969 he met with his brother, Capt. Tran Ngoc Hien, who had been sent by Hanoi on an intelligence mission, but he asserted that he kept senior American officials informed of his efforts to persuade his brother to defect and to get him to disclose information useful toward a peace settlement.

The most valuable intelligence he obtained from his brother, Mr. Chau said, concerned Communist plans for an offensive

late in 1967 or early in 1968. In August, 1967, he said he briefed Ambassador Bunker and other officials for three hours.

The embassy has declined to comment but informed sources confirmed that the briefing took place. Just how much information Mr. Chau provided is unclear.

Discussing the matter, the Government prosecutor, Maj. Tran Khanh Kieu, asked:

"Why did he inform the Americans? Chau still persisted in not informing the Vietnamese leaders even after the Americans, who had their own position, chose not to believe Chau's exposé. Chau could have made the same exposé to the President, to the Vietnamese National Security Council, and we could have saved a lot of Vietnamese lives. Why did he trust foreigners and not Vietnamese?"

Mr. Chau, a former Buddhist monk, army colonel, province chief, Mayor of Danang and pacification leader, did much of his own pleading in the austere military courtroom.

At one point he said: "I am ready to accept any sentence that you have reserved." Colonel Huynh retorted, "We never prepared a sentence in advance for you."

When the courtroom, full of spectators and newsmen, erupted in laughter, Colonel Huynh silenced them saying: "Anyone who laughs in this court can be tried immediately according to emergency procedures on charges of creating disturbances in the court."

As Mr. Chau noted before the trial, there will be a sort of family reunion in prison. Another brother, Tran Chau Khang, has been jailed for acting as a go-between for the talks between Mr. Chau and Captain Hein.



Tran Ngoc Chau between policemen yesterday at trial before a military court in Saigon

Associated Press