



TRAN NGOC CHAU
To the Reds or to jail

A Dilemma For Saigon Prisoner

Saigon

South Vietnam's most controversial political prisoner, former National Assembly deputy Tran Ngoc Chau, is among some 600 civilians the Saigon government will hand over to the Communists next week, informed government sources said Saturday.

Chau has the option of staying in South Vietnam, the sources said, but if he does he must finish out his prison sentence, which runs to 1980.

Either way, Chau's fate seems likely to stir a new debate here. A popular and respected official who was a close friend of influential Americans in the pacification program, he has a 20-year history of anti-Communist activities and is unlikely to be welcomed by the Viet Cong, even if he wanted to go.

BROTHER

And the conviction for which he was currently in jail, on charges of maintaining contact with his brother, an admitted Communist agent, was ruled obtained under questionable circumstances and thus invalid by South Vietnam's Supreme Court.

The government announced two months ago that Chau's name was on a list of 5000 civilian prisoners who were to be "returned" to the Communists in accordance with the Paris peace agreement. But official sources indicated at the time that the decision was not final and it was even suggested that Chau might be granted outright amnesty as a goodwill gesture by President Nguyen Van Thieu.

Saturday, however, official sources reconfirmed that Chau is among the political prisoners who will be sent across the Thach Han river in Quang Tri province into Communist territory next week.

RECORD

Chau, 48, is a former army officer who compiled a distinguished record in a succession of sensitive posts — province chief of Kien Hoa province in the Mekong Delta, mayor of Da Nang, national director of the pacification cadres, member of the lower house.

But he incurred the wrath of Thieu for a variety of reasons and was imprisoned after a prosecution that is still talked of here as a landmark in the erosion of rule by law in South Vietnam.

A military court convicted him of maintaining contacts with his brother, which he did not deny, and sentenced him to ten years at hard labor. The Supreme Court later ruled the conviction unconstitutional but proclaimed itself powerless to order Chau's release.

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