TOPSECRET

FROM: AMBASSADOR BUNKER
TO: THE WHITE HOUSE, EYES ONLY FOR HENRY A. KISSINGER
SUBJECT: DRV COMPLAINTS OF NON-COMPLIANCE WITH AGREEMENT.

1. IN PARTIAL ANSWER TO THE CHARGES OF LE DUC THO CONCERNING NON-COMPLIANCE WITH THE AGREEMENT AND ITS PROTOCOLS BY THE U.S. AND RVN, THE FOLLOWING EVIDENCE PREPARED BY MACV HIGHLIGHTS THE EXTENSIVE FAILURE OF THE DRV AND PRG TO COMPLY WITH MANY ASPECTS OF THE AGREEMENT.

**********TOPSECRET**********

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PAGE 01

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G. RELEASE OF MILITARY AND CIVILIAN PRISONERS. A NUMBER OF
OBSTACLES AND FAILURE TO COMPLY WITH THE AGREEMENT HAVE BEEN
CREATED BY THE DRV/PGR AS FOLLOWS:

1. DESPITE THE FACT THAT OVER 16,000 RVN HELD POWS HAVE
BEEN RELEASED THROUGH 16 MARCH, THE PGR ARE BEHIND IN THEIR
RELEASES AND HAVE ONLY RELEASED 2,367. DELAYS IN PW RELEASE ARE
CREATED BY PGR DESIGNATION OF RELEASE POINTS EITHER IN CONTESTED
AREAS SUCH AS DUC PHO OR IN SITES WHERE THE AIRSTRIP WILL NOT PERMIT
FIXED WING AIRCRAFT SUCH AS MINH THANH. THE PGR OBVIOUSLY PICKS SUCH
RELEASE POINTS FOR POLITICAL PURPOSES IN ORDER TO DEMONSTRATE
CONTROL OVER TERRITORY AND POPULATION.

2. THE LISTS OF MILITARY AND CIVILIAN PRISONERS PROVIDED BY
THE PGR ARE RIDICULOUSLY LOW IN NUMBER. FOR EXAMPLE, THE PGR HAS
PROVIDED LISTS OF ONLY 200 CIVILIANS AND ONLY 4,700 MILITARY.

3. EXAMINATION OF RETURNED PGR HELD PRISONERS REVEALS
EXTENSIVE MALTREATMENT WHILE IN CAPTIVITY. FOR EXAMPLE, PRISONERS
WERE FED ONLY 550 CALORIES PER DAY CONSISTING OF 150 GRAMS OF RICE
PLUS SALT WATER. REPORTS INDICATE THAT PRISONERS WERE USED AS
SLAVE LABOR.

4. RECENT FIRM INTELLIGENCE INDICATES THAT RELEASED RVN
HELD PRISONERS HAVE BEEN ASSIGNED IMMEDIATELY TO COMBAT POSITIONS
SUCH AS IN THE 9TH AND 7TH NVA DIVISIONS.

5. THE PGR/DRV HAVE CONTINUED TO OBSTRUCT THE DESIGNATION
OF RED CROSS SOCIETIES TO VISIT DETENTION SITES. GEN. WRENCH OF
THE CANADIAN RED CROSS ON HIS RECENT VISIT TO VIETNAM SUPPORTS
THIS CONCLUSION. THE RVN HAS PERMITTED RED CROSS VISITATION OF
DETENTION CENTERS IN ORDER TO INSPECT FOR ADEQUACY OF HUMAN
TREATMENT. IN ADDITION, THE PROTOCOL ON CAPTURED PERSONS HAS

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RECOMMENDED TO THESE PERSONS THROUGH LOUDSPEAKER, BRIEFS, AND BY POSTING ON BULLETIN BOARDS IN DETENTION CAMPS. AS TO
INSPECTION OF DETENTION SITES, THE RVN HAS PERMITTED FPJMC
INSPECTION IN ACCORDANCE WITH THE AGREEMENT AND HAS URGED AGREEMENT
RED CROSS SOCIETIES TO INSPECT DETENTION SITES AS WELL AS RELEASE
POINTS. THE PRG/DRV CONTINUES TO REFUSE AGREEMENT.

(6) THE PRG HAS NOT COMPLIED WITH THE RELEASE OF U.S.
PRISONERS IN ACCORDANCE WITH THE PHASING OF TROOP WITHDRAWAL.
PHASE THREE PRISONER RELEASE OCCURRED TWO DAYS LATER AND ON THE
FIRST PHASE OF THE PRISONER RELEASE THE PRG ATTEMPTED TO LINK THE
RELEASE WITH RVN HELD PRISONER RELEASES.
S-161
D.- RUMIRJ #0822 0640956
O 050955Z MAR 73 ZFF4
WHA PLS PASS KATHMANDU FOR AMBASSADOR BUNKER, IMMEDIATE PRECEDENCE
TOP SECRET SENSITIVE 050955Z MAR 73 VIA BUNKER CHANNEL
FROM: C.S. WHITEHOUSE, SAIGON 0388 IMMEDIATE
TO: DR. HENRY KISSINGER, THE WHITE HOUSE
AMBASSADOR BUNKER, KATHMANDU
MARCH 5, 1973
REFS: KATHMANDU 005; WHS 3159

1. I HAVE ASKED FOR AN APPOINTMENT WITH PRESIDENT THIEU BUT AS
TUESDAY IS THE DAY HE MEETS WITH THE PROVINCE CHIEFS I WILL PROBABLY
NOT SEE HIM UNTIL WEDNESDAY. AT THIS MEETING I PLAN TO GIVE HIM THE
FOLLOWING LETTER DRAWN FROM WHS 3159.

BEGIN TEXT OF LETTER:

DEAR MR. PRESIDENT:

DR. KISSINGER HAS RECEIVED A MESSAGE FROM THE DRV ON THE
SUBJECT OF CIVILIAN PERSONNEL CAPTURED AND DETAINED IN SOUTH VIETNAM.
THE MESSAGE STATES THAT ACCORDING TO THE AGREEMENT THE RETURN OF
MOST OF THESE PERSONNEL WILL BE COMPLETED WITHIN SIXTY DAYS OF THE
SIGNING OF THE AGREEMENT AND THE WHOLE NUMBER OF THESE PERSONNEL WILL
BE RETURNED WITHIN NINETY DAYS OF THE SIGNING OF THE AGREEMENT.
The DRV MESSAGE FURTHER STATES QUOTE, UP TO THE PRESENT
TIME MORE THAN A MONTH AFTER THE SIGNING OF THE AGREEMENT, THE
REPUBLIC OF VIETNAM SIDE HAS NOT RETURNED ANY CAPTURED VIETNAMESE
CIVILIAN PERSONNEL. THE RVN SIDE ALSO BROUGHT FORTH A LIST OF
CAPTURED AND DETAINED CIVILIAN PERSONNEL OF THE PROVISIONAL REVOLUTION-
ARY GOVERNMENT OF THE REPUBLIC OF SOUTH VIETNAM WHICH COMPRIS
76,008 PERSONS, WHEN THE NUMBER OF THESE DETAINED PERSONNEL
TOTALLED IN REALITY TEN OF THOUSANDS. THIS IS A MOST ABSURD THING,
AND THUS THE UNDERSTANDING BETWEEN THE TWO SIDES REGARDING THE RETURN
OF VIETNAMESE CIVILIAN PERSONNEL CAPTURED AND DETAINED IN SOUTH
VIETNAM HAS NOT BEEN CARRIED OUT. THE PROVISIONAL REVOLUTIONARY
GOVERNMENT OF THE REPUBLIC OF SOUTH VIETNAM HANDED OVER TO THE
GOVERNMENT OF THE REPUBLIC OF VIETNAM A LIST OF CIVILIAN PERSONNEL
CAPTURED AND DETAINED BY THE FORMER, BUT THE GOVERNMENT OF THE
REPUBLIC OF SOUTH VIETNAM PRODUCED A LIST OF ITS CIVILIAN PERSONNEL
WHO HAD BEEN CAPTURED AND DETAINED, THE NUMBER OF WHICH HAD BEEN
FANCIFULLY EXAGGERATED. THE FACT IS THAT DURING WAR TIME, THE
PROVISIONAL GOVERNMENT OF THE REPUBLIC OF SOUTH VIETNAM HAD NO CON-
DITIONS FOR DETAINING FOR A LONG PERIOD CAPTURED CIVILIAN PERSONNEL OF
THE REPUBLIC OF VIETNAM SIDE, THAT WAS WHY AFTER ONLY A SHORT PERIOD

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AK, SCOWCROFT, LORD, HONE

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At

By

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WE BELIEVE THE FOREGOING WILL BE OF INTEREST TO YOUR GOVERNMENT AND I HAVE BEEN ASKED TO EMPHASIZE TO YOU THAT WE DO NOT ENDORSE THIS EXPLANATION BY THE DRV. IT IS BEING TRANSMITTED TO THE GOVERNMENT OF VIETNAM FOR ITS INFORMATION AND FOR ITS COMMENT, RESPECTFULLY,

CHARLES S. WHITEHOUSE
CHARGE D’AFFAIRES, A.I.

END TEXT OF LETTER

2. FRANKLY, I AM NOT VERY HOPEFUL OF RECEIVING ANYTHING VERY USEFUL IN THE WAY OF COMMENT FROM THE GVN. I HAVE REVIEWED THE TEXT OF VHS 3135 IN WHICH DR. KISSINGER STATED THAT IT WOULD BE HELPFUL IF PRIOR TO HIS VISIT TO HANOI THE GVN COULD RELEASE SOME CIVILIAN PRISONERS. THIS IS WHAT THE GVN HAS DONE BUT IT HAS NOT RETURNED ANY CIVILIAN DETAINES TO THE OTHER SIDE. AS YOU KNOW WE HAVE BEEN TRYING FOR SOME TIME TO GET THE DETAILS ON THIS RELEASE BUT REPORTS FROM THE PROVINCES SHOW THAT RELEASES HAVE BEEN TAKING PLACE.

3. I HAVE CHECKED ON THE SO-CALLED CIVILIANS WHO WERE RECEIVED IN RIEN HOA ON FEBRUARY 28 AND LEARN THAT THEY ARE A MIXTURE OF RD CADRE, PDG AND CIDG IRREGULARS. THEY WERE RELEASED ALONG WITH 2000 POWS AND CANNOT BE CONSIDERED CIVILIAN DETAINES RELEASED BY THE OTHER SIDE.

4. AS YOU POINT OUT BOTH SIDES ARE DISASSEMBLING ON THE WHOLE ISSUE OF POWS AND CIVILIAN DETAINES, AND I BELIEVE THAT WHILE THESE QUESTIONS ARE NOT LINKED IN THE AGREEMENT, BOTH SIDES TEND TO CONNECT THEM. IT IS NOT WORTHY, HOWEVER, THAT ACCORDING TO GENERAL WOODWARD BOTH SIDES REALIZE THAT THE CIVILIAN DETAINEE PROBLEM IS TO BE RESOLVED IN A DIFFERENT TIME FRAME (NINETY DAYS) FROM THE POW RELEASE. THE FJPJC WAS AGAIN DEAUTHORIZED TODAY ON THE RELEASE OF DRV/PAC POWS BY THE GVN WITH THE GVN AGAIN INSISTING THAT IT WILL RELEASE TWO FOR ONE, I.E., ABOUT 2000 POWS. I PLAN TO DISCUSS THIS PROBLEM WITH THEU EMPHASIZING AS WE HAVE TO KEEP OUR STRONG BELIEF THAT THE GVN MUST COMPLY WITH THE AGREEMENT AND STRESSING THE VERY UNFORTUNATE IMPACT THE GVN’S STAND WILL HAVE IN THE U.S.

GENERAL

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WEYAND, GENERAL WOODWARD AND I BELIEVE THE OTHER SIDE BY WEEL WILL TRY TO LINK THE GVNS REFUSAL TO RELEASE 7,000 POWS TO THE RELEASE OF U.S. POWS NEXT TIME. DURING A TALK WITH THEM THIS AFTERNOON, GENERAL WOODWARD REPORTED THAT AT THIS MORNINGS MEETING WHICH HAD PMH, THE JOINT APPEAL ON ARTICLES 4 OF PROTOCOL, AND ADDITIONAL ITEMS ON TRANSPORT AND PRIVILEGES ON THE AGENDA, THE OTHER SIDE REFUSED TO DISCUSS ANYTHING EXCEPT POWS. WHEN WOODWARD SUGGESTED THAT NOT ONLY SHOULD PHASE II BE COMPLETED BUT THAT PLANNING SHOULD COMMENCE IMMEDIATELY ON THE PHASE III RELEASE, THE PRG REPLIED THAT IF THE GVNS WAS NOT FORTHCOMING ON ADHERENCE TO THE AGREEMENT AND PROTOCOL ON POW RELEASE, NOT ONLY WILL PHASE II BE DELAYED BUT PHASE III WILL BE ADVERSELY AFFECTED. ORV SUPPORTED THIS VIEW, BY SAYING THAT ONLY IF PHASE II IS COMPLETED CAN WE MOVE AHEAD ON PHASE III. BOTH ORV AND PRG REFUSED TO CONSIDER ANY OTHER MATTERS.

5. [SANITIZED] RECEIVED A REPORT THAT THE OTHER SIDE INTELS TO USE EX-POWS AS FILTHERS IN THE 7TH AND 9TH DIVISIONS AFTER A PERIOD OF RE- INDOCTRINATION. AS THE GVNS HAS RECEIVED THIS AND SIMILAR REPORTS, ITS RELUCTANCE TO ADD STRENGTH TO THE ENEMY IS UNDERSTANDABLE AND I AM AFRAID THIS WHOLE POW/CIVILIAN DETAINEE RELEASE SITUATION IS GOING TO CONTINUE TO BE VERY DIFFICULT. I WILL GIVE IT A WHIRL AS SOON AS I CAN AND WILL PROCEED AS DESCRIBED ABOVE.

6. WARM REGARDS,

[Signature]

PSN: 004777 RECALLED PAGE 03 OF 03 TOR: 064/11:26Z DTG: 05/9552 MAR 73

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SECRET SENSITIVE 141150Z FEB 73 VIA BUNKER CHANNEL

SAIGON 0369 IMMEDIATE
FROM SULLIVAN
to THE WHITE HOUSE, EXCLUSIVELY FOR HENRY A. KISSINGER

1. FOLLOWING IS SUMMARY REPORT OF MY FIRST TWENTY-FOUR HOURS IN
SAIGON. IT IS WRITTEN PRIOR TO DINNER WHICH FOREIGN MINISTER LAM
IS GIVING THIS EVENING, AT WHICH THERE WILL BE SEVERAL SENIOR
OFFICIALS CONCERNED WITH PROBLEMS OF NEGOTIATIONS BETWEEN GVN
AND PRG. I WILL REPORT SEPARATELY ANYTHING SIGNIFICANT WHICH
DEVELOPS FROM THAT SESSION.

2. MY FIRST COMMENT SHOULD BE UPON APPEARANCES OF SAIGON, CITY
IS FESTOONED WITH FLAGS AND BANNERS, BANNERS GENERALLY EXHORT
PEOPLE TO VIGILANCE AND INSIST UPON SCRUPULOUS CEASE-FIRE OBSERVANCE
BY COMMUNISTS.

3. SECOND OBSERVATION CONCERNS GENERAL ATTITUDES DISPLAYED BY
GVN OFFICIALS I HAVE MET AND TO LARGE MEASURE SHARED BY U.S. MILITARY,
THEY ALL DISPLAY CONSIDERABLE SKEPTICISM ABOUT COMMUNIST INTENTIONS AND ARE INCLINED TO TREAT COMMUNIST REPRESENTATIVES AS WELL AS COMMUNIST STATEMENTS WITH ENORMOUS RESERVE. AMBAS-
SADOR BUNKER IS VAULTINGLY ATTEMPTING TO INDUCE MORE FORTHCOMING
ATTITUDES INTO BOTH THESE SECTORS OF HIS CONSTITUENCY.

4. MY FIRST MEETINGS HERE WERE WITH SENIOR U.S. OFFICIALS AT
AMBASSADOR BUNKER'S RESIDENCE LAST EVENING. DISCUSSIONS
GENERALLY CONCERNED MILITARY SITUATION, PERFORMANCE OF FOUR-
PARTY JOINT MILITARY COMMISSION AND ICCS. ESSENTIALLY MILITARY
SITUATION APPEARS MOST SATISFACTORY FROM GVN PERSPECTIVE,
BOTH JMC AND ICCS MAKING HALTING PROGRESS, WITH PROSPECTS THAT
THEY WILL EVENTUALLY MOVIE MORE EFFECTIVELY.

5. NEXT MEETING WAS MORNING FEBRUARY 14 WITH U.S. OFFICIALS
RESPONSIBLE FOR LIAISON WITH ICCS. IT IS CLEAR THAT U.S. MILITARY
AND CIVILIAN AGENCIES HAVE BEEN THE PRIMARY CRUTCH ON WHICH ICCS
AND JMC HAVE LEANED IN ORDER TO BEGIN THEIR ACTIVITIES. PERFORM-
ANCE OF U.S. OFFICIALS, PARTICULARLY MILITARY, IN THIS FIELD HAS

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6. NEXT MEETING WAS WITH FOREIGN MINISTER LAM, ACCOMPANIED
BY BUNKER. DISCUSSION CONCERNED TWO PRIMARY SUBJECTS: A)
NEGOTIATIONS WITH THE PRG, AND B) INTERNATIONAL CONFERENCE. ON
FORMER LAM LAID OUT LOGICAL SCHEME OF ACTION WHICH GVN INTENDS
TO PURSUE. THEIR PRINCIPAL NEGOTIATOR WITH THE PRG WILL PROBABLY
BE VICE PRIME MINISTER VIEN. THEY HAVE SUGGESTED RANGOON AS
PREFERABLE LOCUS OF NEGOTIATIONS, ALTHOUGH PRG PREFERS PARIS.
LAM HIMSELF IS PREPARED TO ARRIVE IN PARIS A FEW DAYS EARLY FOR
INTERNATIONAL CONFERENCE IN ORDER TO RESUME PRELIMINARY CONTACTS
WITH MADAME BINH. THEY HAVE IN MIND A NATIONAL COUNCIL OF
RECONCILIATION COMPOSED OF ABOUT THIRTY MEMBERS. THEY UNDER
STAND AND INTEND TO KEEP THE INITIATIVE IN PRESSING FOR RAPID
POLITICAL SETTLEMENT, RECOGNIZING THAT THE PRG IS UNPREPARED
FOR SERIOUS MOVE TOWARD ELECTIONS.

7. CONCERNING INTERNATIONAL CONFERENCE, LAM SEEMS RELATIVELY
WELL PREPARED BUT HAD NO PARTICULARLY HELPFUL SUGGESTIONS CONCERNING CHAIRMANSHIP. I FLOATED BOTH US-DRV CO-CHAIRMANSHIP
AND ROTATING CHAIRMANSHIP AMONG ICCS MEMBERS WITHOUT GETTING
ANY PARTICULAR RESPONSE. HE SEEMS PREPARED TO ACCEPT PRG
PRESENCE, NAME PLATE AND TITLE, HOWEVER HE TALKED IN TERMS OF
REFUSING TO SIGN FINAL ACT OF THE CONFERENCE, INSTEAD HE PROPOSED
ISSUING A STATEMENT SUPPORTING THE ACT. BUNKER AND I BOTH TOOK
VIOLENT EXCEPTION TO THIS SUGGESTION, THEREBY EXTRACTING LAM'S
PROPOSAL FOR A COMPROMISE ACTION IN WHICH SIGNATURES WOULD BE
ON SEPARATE SHEETS OF PAPER. WE TOLD HIM THIS SEEMED FEASIBLE
AND THAT WE WOULD BE PREPARED TO SUPPORT IT.

8. MY NEXT SESSION WAS LUNCH WITH GENERALS WOODWARD AND
WICKHAM, WITH JOHN VOGT PRESENT. THEY REPORTED ON MORNING
MEETING OF JMC, IN WHICH COMMUNISTS DID TABLE CEASE-FIRE PRO
POSAL, BUT FAILED TO INTRODUCE POINTS OF ENTRY. I ENCOURAGED
WOODWARD TO MAKE ARRANGEMENTS FOR JMC AND ICCS TO OBSERVE
U.S. AND ROK DEPARTURES, IN ACCORDANCE WITH PROTOCOL PROVISIONS.
HE AGREED. I ALERTED VOGT TO POSSIBILITY OF CEASE-FIRE IN LADS AND
HE RAISED NUMBER OF QUESTIONS CONCERNING U.S. AIR REACTION IF
CEASE-FIRE IS VIOLATED. I ADVISED HIM THAT ANSWER TO THAT PROBLEM
WOULD HAVE TO COME FROM THE PRESIDENT.

9. I THEN PAID SURPRISE VISIT TO DRV/PRG CONCENTRATION CAMP,
ACCOMPANIED BY ENGEL AND U.S. LIAISON OFFICER. GVN MILITARY
POLICE REFUSED TO PERMIT MY VEHICLE TO ENTER CAMP. THEY EVEN
ATTEMPTED (INSUCCESSFULLY) TO PREVENT ENGEL AND ME FROM WALKING
IN ON FOOT, WHICH WE DID AFTER WAITING FIVE MINUTES FOR VEHICLE
CLEARANCE. IN CAMP WE MET GENERALS HOA AND TRA, PLUS YOUR
FRIEND BLINKY. I GAVE THEM ALL GREETINGS FROM LE DUC THO. THEY
THEN Poured OUT LIST OF COMPLAINTS, MOST OF WHICH CENTERED UPON

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TOP SECRET/SENSITIVE 050600Z MAR 73 VIA BUNKER CHANNEL

SAIGON (KATHMANDU) 0388 IMMEDIATE MARCH 5, 1973

Ref: AMBASSADOR BUNKER

TO: THE WHITE HOUSE, EXCLUSIVELY ONLY FOR HENRY A. KISSINGER

RE: WHS 3159

On receipt of Reftel I sent message to Whitehouse requesting him to see Prime Minister Thieu and Thieu and try to determine exactly how GVN stands on question of civilian prisoners. We have had difficulty in pinning down the figures; the GVN has not been very forthcoming in date and, in fact, I think there may be some confusion among themselves concerning exact status of their civilian detainees. We sent, through State channels, March 1, the figures and the disposition of civilian prisoners as we could best determine them as of that date.

I do not have text of that message here, but my recollection is that our records showed, as of February 1, 22,627 civilian prisoners; this is the figure I mentioned to Thieu when I asked him whether we would release several thousand prisoners in connection with your trip to Hanoi. During Tet, February 7-8, and succeeding days, GVN has announced release of approximately 5,800 civilian detainees. You will recall that on February 9 when I was in Bangkok, Whitehouse telephoned that Prime Minister had requested him to inform me that GVN would release 10,000 civilian prisoners. I suspect that they may consider their commitment to release 5,000 prisoners fulfilled by above-mentioned figure.

At the same time, the GVN is intensely suspicious that they are being tricked by the other side concerning both POW and civilian prisoners. The original figure of 4,000 POW now increased to 6,500 seems absurdly small, considering prisoners taken in the withdrawal from Cambodia 1970, in Lawson 719, and in Northern Quang Tri with collapse of the third ARVN division.

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HWY: SCOWCROFT, LORD, HOWE

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IN 1972 UNLESS MANY PRISONERS HAVE DIED OR BEEN DONE AWAY WITH, LE DUC THO'S STATEMENT THAT CIVILIAN PRISONERS WERE HELD BY THE PRG ONLY FOR A PERIOD OF INDOCTRINATION AND THEN RELEASED HAS SOME LOGIC. WE KNOW THIS HAS HAPPENED IN A GOOD MANY CASES, BUT THERE IS NO WAY IN WHICH WE CAN DETERMINE THE PROPORTION OF ABductees THUS RELEASED. THE GVN BELIEVES THE FIGURE OF 200 SUBMITTED BY PRG ABSURDLY LOW.

I AM SORRY THAT IN MY ABSENCE FROM SAIGON, I CANNOT BE MORE SPECIFIC. WHITEHOUSE WILL TRY TO GIVE YOU AN EXACT STATUS REPORT AS PROMPTLY AS POSSIBLE.

WARM REGARDS,

BT

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SAIGON 0382 FLASH MARCH 1, 1973
FM AMBASSADOR Bunker
TO THE WHITE HOUSE, FOR GENERAL SKOWCROFT

1. THE FPJMC CHIEFS' MEETING THIS MORNING WAS INSTRUCTED POW
SUB-COMMITTEE TO WORK OUT THE DETAILS OF POW RELEASE. DRV/PRG
DELEGATIONS AGREED THAT NO CONDITIONS OTHER THAN THOSE CONTAINED IN
AGREEMENT AND PROTOCOLS ARE ATTACHED TO POW RELEASE. WE ARE
TRYING TO ARRANGE FOR SUB-COMMITTEE MEETING AT 1500.

2. WARM REGARDS,
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* * * * * * * * * * * * * WSR COMMENT * * * * * * * * * * *

HAK, SKOWCROFT, LORD, HOWE

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SAIGON 0381 FLASH MARCH 1, 1973
FM AMBASSADOR BUNKER TO THE WHITE HOUSE, FOR GENERAL SKOWCROFT

1. MEETING TO DISCUSS DETAILS OF POW RELEASE HAS BEEN SET FOR 1100 SAIGON TIME TODAY. WE HAVE ALSO COORDINATED WITH RVN/7N PROVIDING ASSURANCES FOR SECURITY FOR DRV/PRG DELEGATIONS TO FJPJC. WE WILL BE REPORTING DEVELOPMENTS.

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HAK, SCOWCROFT, LORD, HOWE

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SECRET/SENSITIVE 020910Z MAR 73 VIA BUNKER CHANNEL

SAIGON 0386 IMMEDIATE MARCH 2, 1973
FM AMBASSADOR BUNKER
TO THE WHITE HOUSE, FOR HENRY A. KISSINGER
SUBJECT: VIET-NAM: ASSESSMENT OF THE CEASE-FIRE AFTER THIRTY DAYS.

1. I THOUGHT YOU WOULD BE INTERESTED IN HAVING AN ASSESSMENT OF HOW THE CEASE-FIRE LOOKS FROM HERE AFTER THE FIRST THIRTY DAYS. THE SITUATION OBVIOUSLY KEEPS CHANGING FROM DAY TO DAY, AND I HOPE FOR THE BETTER, BUT THIS IS ABOUT THE WAY IT LOOKS TO US HERE AS OF TODAY.

1. SUMMARY.

...WHISER COMMENT...

HAK, SCOWCROFT, LORD, HOWE

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22. DESPITE OUR DETERMINED EFFORTS, THE FOUR-PARTY JOINT MILITARY COMMISSION HAS SO FAR FAILED TO DEVELOP INTO AN EFFECTIVE MECHANISM FOR ENFORCING THE CEASE-FIRE, ALTHOUGH IT HAS PROVEN INDISPENSABLE IN ARRANGING THE RETURN OF OUR PRISONERS. THIS DISCOURAGING STATE OF AFFAIRS RESULTS FROM STALLING AND OBSTRACTIONISM BY THE PRG AND DRV WHO APPARENTLY DO NOT WANT THE JOINT MILITARY COMMISSION TO HINDER THEIR ATTEMPTS TO ATTAIN THEIR MILITARY OBJECTIVES IN THE FIRST SIXTY DAYS.
V. PRISONER OF WAR RELEASES AND THE QUESTION OF CIVILIAN DETAINNEES.

27. AS OUR RECENT EXPERIENCE SHOWS, THE COMMUNISTS ARE DETERMINED TO EXTRACT EVERY ADVANTAGE THEY CAN FROM THEIR HOLDING OF OUR PRISONERS OF WAR AND THEY WILL PROBABLY CONTINUE THEIR ATTEMPTS TO LINK THE POWS WITH POLITICAL ISSUES. NONETHELESS, I HAVE NO REASON TO DOUBT THAT THE DRV AND PRG AT THIS POINT STILL INTEND TO RELEASE OUR MEN, AS THEY UNDERTOOK TO DO IN THE AGREEMENT, BY THE END OF THE SIXTY DAY PERIOD. ON THE OTHER HAND, BY OBSTRUCTIONISM IN THE JOINT MILITARY COMMISSION THE PRG AND DRV HAVE SO FAR MADE A DEAD LETTER OF ARTICLE 9 (A) OF THE PRISONER PROTOCOL WHICH PROVIDES FOR VISITS TO PLACES OF DETENTION BY DESIGNATED RED CROSS SOCIETIES.

28. THE RELEASE OF VIETNAMESE POWS HAS NOT BEEN CONDUCTED IN THE SPIRIT OF THE AGREEMENT. THE COMMUNISTS CAME UP WITH AN ABSURDLY SHORT LIST OF THE POWS THEY HOLD, AND THE GVN IN RETALIATION HAS TWICE THREATENED TO RELEASE FEWER THAN THE PRESCRIBED NUMBER OF COMMUNIST PRISONERS. ON BOTH OCCASIONS WE PERSUADED THE GVN TO REVERSE THEIR DECISIONS. Released GVN prisoners have returned with accounts of serious mistreatment while in communist hands.

29. THE QUESTION OF RELEASE OF CIVILIAN DETAINNEES HAS STILL TO BE SETTLED. IT IS AN IMPORTANT MATTER FOR THE PRG, WHICH COUNTS ON THE VC CADRE RELEASED BY THE GVN TO CARRY ON THEIR POLITICAL AGITATION IN THE MONTHS AHEAD; AND IT IS AN IMPORTANT ISSUE FOR THE GVN, FOR THE SAME REASON. THE GVN GAVE THE PRG AN INCOMPLETE LIST OF DETAINNEES AND HAS RECLASSIFIED LARGE NUMBERS OF THEM AS COMMON CRIMINALS IN AN EFFORT TO EXEMPT THEM FROM THE EFFECT OF THE AGREEMENT. THE PRG HAS PERFORMED NO BETTER. IT PRESENTED THE GVN A LIST OF ONLY 200 DETAINNEES, WHILE IT SEEMS EVIDENT ON THE FACE OF IT THAT THE NUMBER OF SOUTH VIETNAMESE ABHORRED BY THE COMMUNISTS AND WHO HAVE NOT YET RETURNED TO THEIR HOMES MUST BE MANY TIMES THAT NUMBER.
TOP SECRET/SENSITIVE

SAIGON 0384 IMMEDIATE MARCH 1, 1973
FM AMBASSADOR BUNKER TO THE WHITE HOUSE, EXCLUSIVELY EYES ONLY FOR HENRY A. KISSINGER
REF: SAIGON 0380

1. I MET WITH PRESIDENT THIEU FOR ONE-HALF HOUR THIS AFTERNOON AND INFORMED HIM THAT THE IMPASSE ON THE POW RELEASE APPEARED TO BE BROKEN AS THE DRV/PRG HAD AGREED TO A MEETING OF THE POW SUB-COMMITTEE TO DISCUSS DETAILS OF THE SECOND PHASE RELEASE. (THIS MEETING IS STILL GOING ON AND WE HAVE NO RESULTS AT T-15 TIME.)
TOP SECRET

OP IMMEDIATE

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TOP SECRET /SENSITIVE 281210Z FEB 73 VIA BUNKER CHANNEL

SAIGON 0380 IMMEDIATE FEBRUARY 28, 1973

FROM AMBASSADOR BUNKER

TO THE WHITE HOUSE; EXCLUSIVELY EYES TLY FOR HENRY A. KISSINGER

REFS: A) WHS 3151

B) WHS 3153

SUBJECT: MEETING WITH PRESIDENT THIEU: IMPLEMENTATION

OF THE CEASE-FIRE.

1. I MET WITH PRESIDENT THIEU TO TAKE UP MATTERS COVERED IN

REFERENCED MESSAGE; GENERAL WYAND ACCOMPANIED ME.

2. I EMPHASIZED THE PRESIDENT'S GREAT CONCERN ABOUT THE HOLD-UP

OF THE RELEASE OF AMERICAN PRISONERS AND MENTIONED FOR THIEU'S

INFORMATION ONLY STEPS WHICH WE HAD TAKEN (REF B). THE PRESIDENT,

I SAID, IS ALSO GREATLY CONCERNED ABOUT THE UNSATISFACTORY IMPLI-

CATION TO DATE OF THE CEASE-FIRE. WHILE IT IS CLEAR THAT THE

OTHER SIDE HAS AND IS VIOLATING THE CEASE-FIRE, WE CANNOT AFFORD

TO HAVE THE AGREEMENT THREATENED, ESPECIALLY THE RELEASE OF

AMERICAN PRISONERS, BY ACTIONS WHICH ARE UNDER OUR CONTROL.

HAK SCOWCROFT LORO HOME

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TOR:059/14:13Z DTG:281210Z FEB 73

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E.O. 12356, Sect. 3.4

By: NARA Date: 9/30/93

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This document has been reviewed pursuant to Executive Order 13526 and has been determined to be declassified.
5. I did not take up the question of the civilian prisoners since at the time of my meeting I did not have sufficient information either on status or numbers, but I shall try to do so tomorrow.

6. Warm regards.

SECRET/SENSITIVE

BT
2. THE PROBLEM IN THE PPJC OVER POW’S AND WITHDRAWAL, AS
YOU KNOW, HAS ARisen FROM FACT THAT WOODWARD’S FIRST LETTER DID
NOT MENTION POW’S HELD IN INDOCHINA AND THOSE SPECIFICALLY HELD
BY THE PATHET LAO. I FEAR THAT HE MOVED TOO HASTILY ON THIS AND
WITHOUT FULL COORDINATION IN HIS EAGERNESS TO SEE POW’S RETURNED
AS SOON AS POSSIBLE. IT IS REGRETTABLE AND I HOPE THAT WE SHALL
BE ABLE TO GET IT WORKED OUT BEFORE THE 28TH.

4. WARM REGARDS.

BT

SCOWCROFT, LORD

RECALLED PAGE 01 OF 01 TOR:083/10:30Z OTG:2409502 MAR 73

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By: N/A NARA, Date: 9/30/93

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