

SENATE FOREIGN RELATIONS COMMITTEE
POW/MIA SUB-COMMITTEE
5 November 1991

OPENING STATEMENT OF General John W. Vessey, Presidential Emissary to Hanoi for POW/MIA Matters.

Mr. Chairman, thanks for the opportunity to help the sub-committee examine the important issue of the fates of our missing from the Vietnam War.

Your letter asked me to appear at today's hearing and address the procedures for resolving "live-sightings". I will tell you what I know of that matter; however, to put that issue in context, I believe it important for me to tell you about the salient points in the negotiations with the Vietnamese for the four years in which I have been involved.

In 1987, President Reagan asked me to take on the task of getting the negotiations with the Vietnamese Government on certain humanitarian matters moving. Some very important progress had been made, but in late 1986, progress had slowed seriously.

The President instructed me to seek agreements with the Vietnamese to resolve the fates of the remaining POW/MIA cases. He recognized that we would not be able to resolve all of them, but he made it very clear that our goal was the fullest possible accounting. As first priority within that goal, I was to seek ways to shed as much light as possible on the issue of whether or not live Americans were continuing to be held by the Vietnamese Government. We were also to seek the return of the recovered and recoverable remains of those servicemen who had been killed or died.

The President also instructed me to raise certain other humanitarian issues. I was to seek the release of the remaining reeducation camp detainees. At that time we estimated that about 8,000 people were being held. I was to attempt to get the orderly departure program moving and to propose getting the Amerasian children out of Vietnam. I was also authorized to listen to Vietnam's humanitarian concerns and to see if there were some which might be addressed within our legal, political and policy constraints, but whatever was to be done was to be done solely for humanitarian reasons and was not in any way to be some sort of trade for

Vietnamese POW/MIA efforts.

When President Bush took office in 1989, he asked me to stay on in the job, and he gave me the same general instructions, modified to fit the progress which had been achieved by that time.

The instructions of the two Presidents led me to ten meetings with senior Vietnamese Government officials, including four trips to Hanoi for U.S. delegations. The agreements reached in those sessions led to :

(a) 18 sets of "technical talks" between leaders of U.S. casualty resolution activities and officials of the Vietnamese Office for Seeking Missing Persons. The 18th round of talks took place in the last few days.

(b) 14 sets of joint field investigations, involving thousands of man-days of American and Vietnamese investigators trying to find what happened to our people.

(c) 2 "information seeking" talks trying to determine how to find the information Vietnamese archives might hold about the fates of missing Americans.

(d) The establishment of a U.S. office in Hanoi to further the search for our people and information pertaining to their fates.

As a result of my talks in Hanoi on issues other than POW/MIA:

(a) The Orderly Departure Program (ODP) is working. About 200,000 Vietnamese families have been reunited thus far.

(b) About 60,000 Amerasian children and family members have been resettled in this country.

(c) All but about 100 of the reeducation camp detainees have been released, and we have a working program permitting those who want to leave Vietnam to come to this country. During my trip to Hanoi last month, the Vietnamese Government agreed to a review of the cases of all remaining detainees looking toward an early release.

(d) Considerable non-governmental U.S. humanitarian assistance has

reached Vietnamese people.

Before I get into more detail on the POW/MIA issues, there are several background points and events which are important for an understanding of the total context of our interaction with the Vietnamese Government.

(a) First, the United States has quite consistently urged that the POW/MIA matter be approached as a humanitarian issue. We have regularly told the Vietnamese that resolution of the issue is not a requirement for discussing normalization of diplomatic relations. We have, however, consistently said that the "pace and scope" of any normalization discussions will be affected by the level of Vietnam's cooperation in resolving the POW/MIA issues. Vietnam has accepted the POW/MIA matter as a humanitarian issue. The Vietnamese Government has not connected the level of U.S. (primarily non-governmental) humanitarian aid to their level of effort on POW/MIA.

(b) The U.S. has consistently said that normalization of relations with Vietnam can only begin in the context of an acceptable settlement of the Cambodian conflict. The "acceptable settlement" had a number of specific terms, but, for the purposes of the hearing today, we can summarize them as: complete withdrawal of Vietnamese forces; outside verification of that withdrawal; free elections; non return to power of the Khmer Rouge; accepting and implementing the Cambodian solution sponsored by the Permanent Five members of the United Nations Security Council. Vietnam announced withdrawal of its forces in September 1989, and the Cambodian peace agreement was signed in Paris on October 23.

(c) On April 9, 1991, Assistant Secretary of State Solomon presented Vietnam with a "roadmap" for normalization of relations. The document laid out a general list of events and activities in the resolution of the Cambodian conflict and U.S. expectations for levels of POW/MIA cooperation and corresponding U.S. moves on the road to normalization. The Vietnamese Government neither accepted nor rejected the "roadmap," but their actions have been generally consistent with the "roadmap", as have ours.

I would now like to move on to a summary of the POW/MIA issues from the perspective of the President's Emissary.

The issue of potential live American prisoners was the highest priority for President Reagan and is the highest priority for President Bush; and certainly has been the highest priority for the American effort. For that reason, in the 1987 negotiations we focussed on a group of 70 compelling discrepancy cases, cases about which we believed the Vietnamese should have had information. For the most part, they were cases of people whom we believed were alive after the incident in which they were involved and were captured or about to be captured when we last knew of them. The Vietnamese Government had maintained since the end of the war that it held no live American prisoners. In the 1987 negotiations, I used examples of the compelling discrepancy cases to illustrate why many Americans believed that Vietnam held live Americans despite the Vietnamese Government's contrary assertion. Foreign Minister Nguyen Co Thach, the Vietnamese negotiator, acknowledged the discrepancies in the examples I had given. He said that Vietnam would help resolve those cases. In June of 1988, the Vietnamese Government agreed to joint U.S./Vietnamese investigations of the discrepancy cases. In the early fall of the year, we conducted our first joint investigations. In 1989, we added additional discrepancy cases to bring the total to 119. We also raised about 35 discrepancy cases of people lost in Laos, in border areas under the control of Vietnamese military forces during the war. It was my intention at the time to raise the cases of all those people we believed we had evidence to show were alive after their incident --- plane crash, or ground battle. Additional research has shown that we didn't include them all, but nevertheless our analysts thought we had most of the cases representing people who had the best chance of being alive. It seemed to me that by giving our priority effort to the joint investigation of these cases, we could shed the most light on the question of live American prisoners.

The 119 cases have all been investigated at least once, most of them have been investigated twice, and some of them three and four times. 22 of the cases have been resolved through having the remains returned and identified. We agree with the Vietnamese that for 4 other cases, the servicemen are dead, but the remains are unlikely to be recovered. In 31 additional cases, we and the Vietnamese agree that the investigations have established that the servicemen are dead. The U.S. believes that the remains are probably recoverable or have already been recovered in most of those cases. 62 cases are pending further investigation; however, I understand that the fates in 5 cases were probably resolved during the

last joint investigation. In most of the remaining 57 cases, we have gathered evidence, but not enough to be conclusive. The evidence we've gathered points toward death in those cases. In no case have we found new additional evidence which points toward the serviceman being alive.

One other sort of evidence which has pointed toward the possibility of live Americans is live-sighting reporting. Since 1975 about 1500 first-hand live-sighting reports have been received. Most came from refugees. 1361 of the reports have been resolved. 1009 reports were correlated to individuals for whom we have an accounting, such as returned POWs, civilians jailed in Vietnam after the war, and some missionaries. 372 reports were judged to be fabrications. About 100 live-sighting reports are under investigation. Resolving these cases and any future sightings is important. For the past several years we have sought agreement on investigating live-sightings. In the October 1990 negotiating session, Foreign Minister Thach agreed to cooperate to develop procedures for live-sighting investigations. Indeed, since then the Vietnamese have cooperated with us in investigating two different cases of alleged Americans. In April of this year, when we and the Vietnamese agreed to open a U.S. office in Hanoi, we agreed that one of its missions would be investigating live-sighting reports. We have not yet fully agreed on the exact procedures to be followed. High officials of the government have told me as well as told Congressional delegations that if we have evidence of any live Americans anywhere in Vietnam we will be permitted to go wherever needed to investigate the matter. We need mutually agreeable procedures to make that offer a reality. During my October meeting in Hanoi, Nguyen Manh Cam, the new Foreign Minister, agreed their people would work with ours to refine the procedures. It was a subject to be raised in the technical talks in the last few days.

There are some additional salient points on the live prisoner issue:

(a) We know through extensive debriefings and subsequent investigation that all Americans seen by U.S. POWs in the Vietnamese prison system have been accounted for as returned POWs, or through return of remains, or having been reported as "died in captivity."

(b) In the years since 1973, other than the 100 or so unresolved first-hand live-sighting reports under investigations, we have gathered no other intelligence, by technical means or other means which indicates the

Vietnamese are holding live prisoners or that there was another POW system other than the one in which our returned prisoners were held.

(c) High Vietnamese Government officials have maintained through the years that their government holds no live American POWs. That assertion was repeated to me last month by Vo Van Kiet, the new Prime Minister and by the new Foreign Minister.

With the continuing investigations of the compelling discrepancy cases and with good procedures for investigation live-sighting reports, we will have in place the mechanism for shedding about as much light as can be shed on the live prisoner issue. We cannot yet say for certain that the Vietnamese assertion that they are not holding live prisoners is correct. We can say that we have unearthed no evidence to the contrary. We will have to continue to gather facts and let the facts speak for themselves.

The United States wants to recover, identify, and return to the families for burial the recoverable remains of the servicemen killed during the war or died in captivity. We have urged the Vietnamese Government to recover and return remains, and we have offered to work with them and provide technical assistance in the effort. From 1973 to 1987, 164 sets of remains were returned to the U.S.; of those, 153 were identified and returned to their families. Since my first meeting in 1987, 308 sets of remains have been returned. Of those, 125 have been identified and returned to their families. 109 others could be remains of Americans, but have not been identified, and many may never be identified. 72 have been determined to be the remains of Southeast Asian natives, and 2 sets were not human remains. We know we will not recover all the remains, but we intend to continue the effort to make an honest search for every one that might be found.

One of the knotty issues between the two governments is the possibility that the Vietnamese Government might be withholding the return of some remains already recovered. We know from intelligence gathered during the war and after the war that the Vietnamese Government had a system for recovering the remains of Americans. We also have the testimony of a mortician who reported that he worked on 260 to 280 sets of American remains and saw about 400 boxes containing what he believed to be American remains. Many of the remains which have been returned have shown signs of having been stored out of the ground for long periods. U.S.

analysts have combined these facts to build a case which suggests the Vietnamese Government could be holding as many as several hundred sets of remains. For those reasons, the U.S. lexicon has come to include the term "the warehouse." High officials of the Vietnamese Government, including Prime Minister Vo Van Kiet have said they are not withholding remains. When the issue is raised, Vietnamese officials not only deny holding remains, but ask what we believe their reason would be for holding the remains. Vietnamese officials also tell us that private Vietnamese citizens attempt to recover and hold American remains in the expectation of some sort of benefit. Recently we recovered an identifiable set of remains from a refugee in a camp in the Philippines. Those remains incidentally also showed signs of storage out of the ground. Separating fact from speculation in this issue is difficult. The Vietnamese Government could shed more light on the issue by telling us the results of their efforts to recover American remains. I have so suggested to the new foreign minister. He has agreed to continue to try to recover and return remains. Again, we will have to search for the facts and let the facts speak.

From the earliest joint investigation, it became clear that access to Vietnamese historical records was very important to resolving many of the cases. When we raised the matter, Vietnamese officials continually decried the poor state of their archives and belittled their potential value for resolving POW/MIA issues. In 1989, I suggested that the United States hire Vietnamese archivists to do the research to answer questions we would raise. In 1990, then Foreign Minister, Nguyen Co Thach agreed to "information seeking" meetings to find ways to get needed information out of Vietnamese records. Since those meetings, access to information has continued to improve. A few days ago, Deputy Foreign Minister Le Mai announced the release of some classified war records pertaining fates of Americans. One of the principal tasks for our Hanoi office is guiding research in Vietnamese records. The first few months of office operations have confirmed our expectation that the office will be particularly useful in the research for historical information.

As the committee knows, the Party Congress in June produced a number of personnel changes in the Vietnamese Government, including a new prime minister and a new foreign minister. I traveled to Hanoi in early October to meet with those two officials. The goals for the trip were to confirm that previous agreements for cooperation on humanitarian matters

remained in effect and to reach agreements on accelerated cooperation in resolving POW/MIA issues along the lines of the roadmap. I briefed the Chairman, the Vice Chairman and Senator McCain when I returned, but I believe a summary of the results of the meetings should be in the Congressional Record and in the public domain.

Prime Minister Vo Van Kiet and Foreign Ministers Nguyen Manh Cam pledged Vietnam's "unconditional cooperation" in resolving the POW/MIA issues. Both said Vietnam wanted to continue to treat the matter as a humanitarian issue not connected to political matters. Both repeated earlier denials of holding live American prisoners and withholding remains. We reached specific agreements on the following points:

(a) We agreed to accelerate cooperation on resolving the discrepancy cases and to put in place the mechanisms, procedures and physical facilities to pursue fullest possible accounting for all missing Americans.

(b) We agreed to conduct a prompt and diligent search for all historical records which may pertain to missing Americans. We agreed that the U.S. would provide technical assistance for the search and would bear a share of the cost of the search.

(c) Vietnam confirmed its agreement to continue to recover and return promptly remains of Americans missing from the war. The U.S. is to continue to provide technical support in the recovery of remains and help facilitate identification of the remains.

(d) We agreed that Vietnam and the U.S. would seek cooperation with Laos and Cambodia to resolve the fates of Americans lost in the border areas of those countries.

(e) Vietnam agreed to review the cases of all remaining reeducation camp detainees with a view to early release of those detainees. The U.S. agreed in principle to accept those detainees and their immediate families consistent with the program established for earlier detainees.

(f) Vietnam and the U.S. agreed to explore a joint venture to provide improved civilian helicopter support for the joint field investigations.

Vietnam also agreed to improve support of the Hanoi Office, to work with

the office to refine live-sighting investigation proceedings, and to provide liaison with the office.

The U.S. agreed to continue to facilitate humanitarian assistance for the Vietnamese people. I also agreed that I would recommend to the President that the "temporary" Hanoi office be made permanent.

I did indeed make that recommendation to the President, and I reported in detail the results of the meetings. Needless to say, I also reported to the Secretary of State and the Secretary of Defense. Secretary Baker announced at the Paris signing of the Cambodian agreement that we would take the first steps outlined in the roadmap. He also made it clear that progress on normalization would be gauged by Vietnam's cooperation in resolving the POW/MIA issues.

Mr. Chairman, I believe we have reached the necessary agreements to achieve fullest possible accounting of our missing, to shed as much light as can be shed on the live American prisoner issue, and to recover all the recoverable remains. Agreements alone aren't action. There is much work to be done by both Vietnam and the United States. Cooperation, goodwill, honesty, understanding and diligence are required from both sides. We have received a pledge of "unconditional cooperation" from the highest levels of the Vietnamese Government. They need to work with us and we with them to make that pledge come true.