

FILE	SUBJ.
DATE	SUB-CAT
11/74	

Major Communist Violations of the Paris Peace Agreement

The following is an excerpt from Viet-Nam at the Balance, a special report prepared by James Cowin for the Republican Steering Committee, U.S. House of Representatives, in response to Senator Edward Kennedy's call for cutbacks in U.S. aid to South Viet-Nam.

The Senator levels four accusations at the Administration:

I. *"In the absence of any meaningful efforts to carry out the political goals of the cease-fire agreement, (the formation of the National Council of National Reconciliation and Concord and the holding of free internationally supervised general elections) the purposes of the massive expenditures in South Vietnam are not...to help war victims, postwar reconstruction and development but to buy still more time for the Thieu government and to keep Saigon's war economy afloat."*

Senator Kennedy's argument assumes that the U.S. should pressure President Thieu into negotiating. It assumes flexibility on both sides. The North Vietnamese, however, have refused to negotiate except on their own terms. Although they express commitment to the cease-fire in public, they privately say that although the cease-fire agreement is an ideal mechanism to facilitate political activities, it does not enable them to achieve the revolution. They therefore have refused to negotiate seriously and have repeatedly violated the January 27th cease-fire agreement. The South, on the other hand, has tried to pursue the political goals of the cease-fire.

The following are the Communists' major violations of the Paris Accords:

A. Refusal to Negotiate

According to a release by the Embassy of Vietnam, dated January 31, 1974, the RVN delegation to the RVN-"PRG" negotiations in Paris made three proposals, in April, 1973, June, 1973 and January, 1974, in which the South offered to settle the questions of 1)the setting up of the National Council for National Reconciliation and Concord 2)the lifting of all restrictions on democratic

liberties necessitated by war, 3) the reduction and withdrawal of troops from South Vietnam, and 4) the holding of general elections under international supervision. The April, 1973 proposal also contained provisions for Preliminary and Final Accords between the RVN and "PRG" and a timetable according to which these issues were to be settled. All proposals were "mechanically" rejected. The January 24th Washington Post commented, "It is the Communists, not President Thieu, who are preventing national elections."

B. North Vietnamese Military Buildup in the South

The North is now stronger in manpower, weaponry and logistics in the South than in peak war years. State Department releases describe the buildup, a violation of Article 7 of the Paris Agreement.

1. The North infiltrated into the South 130,000 men, 400 tanks and armed vehicles, 150 heavy artillery pieces and 16 multiple surface-to-air missile launches.

2. The North is continuing construction and repair of 12 airfields in the South, even though there were no Communist aircraft in the South at the time of the cease-fire.

3. The North has brought in enough ammunition since the cease-fire to sustain an Easter, 1972 level offensive for 18 months.

The U.S. and the South have adhered to the one-for-one replacement rule. South Vietnamese military actions have been defensive until recently, while the NVA went on the offensive the first day of the cease-fire.

C. Other Violations of the Paris Agreement

1. The North moved troops across the DMZ and down the Ho Chi Minh Trail through Laos and Cambodia, in violation of Articles 15 and 20.

2. The Communists have refused to provide information about 2500 U.S. and third country MIA's, a violation of Article 8(b).

3. The Communists have provided names of only 5,016 South Vietnamese

POW's out of 32,000 estimated captured, and have released only those whose names they provided, a violation of Article 8(a). The Communists also provided names of and released only 637 civilians out of 68,000 estimated captured, a violation of Article 7(c).

South Vietnam has virtually completed POW and civilian detainee releases -- 27,000 POW's, 5,000 detainees, 9,000 other prisoners.

4. The Communists have refused to let the Red Cross visit military and civilian prisoners, even giving the excuse that no camps for GVN civilian detainees exist, a violation of Articles 9(a) and 9(b).

5. The Communists have perpetrated a ruthless campaign of terrorism, such as the attack on the Cay Lai school on March 9th of this year, in which 32 children were killed and 55 wounded; a clear violation of Article 3(c).

6. The Communists have fired at ICCS helicopters, destroying one, mortared ICCS positions and obstructed movement of ICCS personnel, a violation of Article 18(c).

7. Communist members of the ICCS (Hungary and Poland) blocked investigation of Viet Cong violations, a violation of Article 2 of the ICCS Protocol. Their conduct led to the Canadian team quitting the ICCS.

8. The North Vietnamese have demanded that the ICCS must reduce its size and withdraw from field locations, a violation of Article 7 of the ICCS Protocol. The North also refuses to pay its and the "PRG's" share of ICCS expenses. The ICCS is now broke as a result.

D. Communist Policy as Revealed by Captured Documents

1. "COSVN Resolution 12" (A Communist policy "resolution" is the highest level guidance issued to troops and party cadre in the field.) reported on in The Economist 3/16/74. "The Communists are thinking in terms of a campaign which could last until 1980 and will be psychological and economic as well as military."

2. Document 117 (Vietnam Documents and Research Notes, USIA), entitled

by the State Department "Communist Guidance on the 'New Phase' of the 'Revolution' in South Vietnam." Another policy "resolution," this political and training directive was captured in February, 1974. Viet Cong ralliers assert that its material was taken from COSVN Resolution 12, and it is regarded as the best unclassified document describing Communist intentions.

The State Department's preface reveals that the document shows very definite emphasis on the step up of military activities. "It ignores the usual propaganda... regarding the establishment of the NCMRC and holding general elections. Recent ralliers state that the Communists have given up the idea of trying to manipulate the Paris Accord to realize their objectives and have decided to concentrate on imposing a favorable solution by force...The Communist negotiating strategy is now designed simply to destroy public confidence in the GVN, especially inside the U.S. -- and thus to ward off the foreign trade and aid needed to reinforce South Vietnam." The following quotes illustrate Communist intent.

Mission of the Revolution in the South

2(e) "We should grasp the standpoint: The revolution in South Vietnam can be won only by means of armed violence in close connection with the political violence of the masses."

Contested Hamlets

2(c) What should a Party Chapter do? "The armed forces should take the initiative in eliminating despicable persons (government officials), breaking the enemy's grip; and attacking and frustrating police operations, pacification, land grabbing and re-occupation operations...enlarge our controlled areas and liberate hamlets and villages..."

Areas Under Enemy Control (including towns, cities and urban areas)

"With good leadership and organization and strong coordination with the rural movement and with military attack, the movement here will play a direct role in toppling the enemy authorities..."