AFTER THE SIGNING OF THE PARIS AGREEMENTS
Documents on South Vietnam's Political Prisoners

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The documents in this collection have been disseminated through the Saigon-based Committee to Reform the Prison System of South Vietnam, an organization akin to the American Civil Liberties Union that is made up of Catholic priests, lawyers, professors, members of the National Assembly, and relatives of Saigon's prisoners. A brief history of the Committee is given in Part I, pp. 3-5.

The documents were translated and edited by Le Anh Tu, Eric Prokosch and Truong Dinh Hung. Our thanks to Gladys Taylor, Cathy Knight, Kirk Roose and the international organizations concerned about South Vietnamese political prisoners.

Photo credits: Cover and p. 42, Committee to Reform the Prison System of South Vietnam; pp. 3, 8, 17, Quaker staff in Vietnam; pp. 4, 6, 30, Don Luce; p. 26, Vietnam Resource Center; p. 35, Indochina Resource Center and Dr. John Champlin.

Cover photo: Cao Thi Que Huong at the deathbed of her husband, Nguyen Ngoc Phuong, who died while a prisoner after beatings and tortures. Nguyen Ngoc Phuong was a resistance fighter against the French in the early 1950's and was jailed for four years by biem in 1960. After his release from prison he worked in the student movement for peace and university autonomy. He was arrested again in 1970. His wife was arrested January 25, 1973, and has not been heard from since. (See p. 49)

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Introduction

This collection of documents offers Americans a rare opportunity to see events in Vietnam through Vietnamese eyes. Most of the documents were written by Vietnamese concerned about the fate of more than 200,000 of their compatriots now held in Thieu's prisons. One is an article by a former Vietnamese Congressman describing the official system of arrest and imprisonment. Other documents include letters from Catholic priests, from wives and mothers of Saigon's prisoners, and from the prisoners themselves, expressing fears that the lives of prisoners are threatened.

Some of the documents come from the Saigon government. Included is the text of a military court indictment against four Catholic priests for publishing a commentary on a document of the 1971 Ecumenical Council of Bishops on justice in the world - because the commentary "undermines the security of the state," in the words of the indictment. Other official documents are (1) a confidential administrative telegram from Con Son Prison authorities listing by category the number of prisoners held at Con Son; (2) an official form that prisoners have been forced to sign stating that they have been released even though they are still imprisoned; and (3) excerpts from Thieu's security laws which make legal the arrest of virtually any Vietnamese citizen.
The documents tell what has happened to Thieu's prisoners since the January 27, 1973 Paris Agreements were signed. We know from Holmes Brown and Don Luce's Hostages of War* about the living conditions of prisoners prior to the signing of the Agreements - the overcrowded cells, the lack of sanitary facilities, the inadequate food, the beatings and tortures. But we hoped that with the signing of the Agreements, the prisoners would be freed in the "spirit of national reconciliation and concord" that the Agreements call for.

We had hoped for this, because many of the prisoners were arrested for advocating what the Paris Agreements now guarantee: peace, independence, neutrality and democratic liberties including freedom of the press, freedom of speech, and freedom of political activity. There seemed little justification for Thieu to keep them imprisoned for supporting the very principles he is legally bound, as a signatory of the Paris Agreements, to observe.

Yet we learn from the documents that General Thieu has honored neither the principles nor the Agreements. The Saigon government has conspired in many ways attesting to their release, by exiling them to remote prison islands. The prisoners tell us in their letters that they have had to endure beatings, tortures and deprivations of basic essentials that are as bad now as in the years of full-scale war.

In disregard of the Agreements, laws and edicts that nullify fundamental human rights continue to be enforced in South Vietnam. These include the July 1972 security laws, the press laws, and the January 22, 1973 Edict ordering government forces to "shoot to kill" and "shoot instantly" citizens attempting to exercise their rights as guaranteed by the Paris Agreements (see pp. 20-24). Such laws help to create an atmosphere of fear, terror and uncertainty that is characteristic of most police states.

Through Catholic officials, information on the plight of the prisoners has been conveyed to Pope Paul VI and has moved him, along with other world leaders, to speak out on their behalf and ask for their release. But despite world attention, General Thieu continues to hold them under inhuman conditions and in violation of the Paris Agreements.

Those arrested and imprisoned by the Saigon government come from all walks of life and represent a broad range of political views in South Vietnam. They are recognized in the Agreements as the third component, the neutralists; they represent a major political force in the cities and can play a vital role in bringing about national reconciliation. Many are prominent figures in their own country, including the founder of the Movement for Self-Determination, top-ranking Buddhist monks, the entire leadership of the South Vietnamese National Student Association, former Congressmen and Senators, poets, artists, writers and others. Some are children of prominent writers, like the 14-year-old daughter of the well-known author Vu Hanh (see p. 49). She was arrested because the police had found four songs she had written in favor of peace. Many come from well-to-do families in Saigon, like the two sisters Nguyen Thi Thanh and Nguyen Thi Thao, both students at the prestigious Marie Curie High School, who were arrested at ages 15 and 18 respectively for distributing leaflets advocating peace (see pp. 43-44).

The continued captivity of more than 200,000 political prisoners may undermine the Paris Agreements, for the strength of the Agreements rests on the assumption that all of their provisions will be scrupulously observed. Peace can only be restored in Vietnam in an atmosphere of reconciliation and concord, and within the framework of the Agreements which call for the immediate restoration of civil liberties and the formation of a National Council of Reconciliation and Concord to oversee elections. Only then can political differences in Vietnam be resolved in a peaceful way. Destroy this framework and the resumption of full-scale hostilities becomes an imminent possibility.

Americans can help Thieu to decide in favor of peace and the release of his prisoners. General Thieu respects American public opinion because it is the American taxpayers who provide an estimated 90% of his government's budget. His police apparatus for arrest and imprisonment is paid for by U.S. aid. American taxpayers who are concerned about upholding the Paris Agreements and bringing about peace can work to persuade Congress to cut off funds that sustain a police apparatus that is sowing the germs of future war in Vietnam.

* Holmes Brown and Don Luce, Hostages of War: Saigon's Political Prisoners. American Friends Service Committee, 1973
PART I

The Committee to Reform the Prison System 1970-1973

Twelve-year-old prisoner

a. A Brief History of the Committee

Much of the current information on political prisoners in South Vietnam has been made available through the efforts of a small group of dedicated Vietnamese who are prominent within their country. This group calls itself the Committee to Reform the Prison System of South Vietnam. Its existence offers hope to some 200,000 political detainees in South Vietnam that they will one day be released and reunited with their families.

The Committee was started on the initiative of a student, Cao Thi Que Huong. She was arrested on March 5, 1970 and taken to police headquarters. There she was tortured in front of her husband, Nguyen Ngoc Phuong, who was also being tortured then. She was brought before the military court three times, and was eventually released on probation. Her husband remained in jail.

On behalf of the imprisoned students, Que Huong went to see the Reverend Father Chan Tin, a Catholic priest and editor of the magazine Doi Dien (Face to Face), to ask him to set up a committee to support the prisoners. A meeting of prominent Vietnamese at An Quang, a pagoda of the Unified Buddhist Church, heard testimony from many former inmates on living conditions in the prisons.

On November 15, 1970 the Committee was formed and held its first working session. It intended to make its first public appearance at the Buddhist Youth Center on Cong Ly Street on November 22, 1970. But hundreds of armed policemen blocked all access to the Center and prevented the meeting from being held. However, its members were able to distribute a collective statement.

The newly established Committee brought together people from various walks of life and from all political and religious groupings. Its members included a prominent professor and Catholic layman, Nguyen Van Trung, Reverend Father Chan Tin, Congressman Ho Ngoc Nhuu from the opposition socialist bloc and political editor of the newspaper Tin Sang, as well as family members of prisoners. It adopted the name "Committee to Reform the Prison System of South Vietnam."

The Committee's first major confrontation with the Saigon authorities came in response to the brutal treatment of some 500 prisoners in Tan Hiep Prison on November 26, 1970. Committee members managed to visit some prisoners who were hospitalized because they had been severely burned by acid and boiling water during torture. The Committee made verbal protests, sent let-


ters to the Prime Minister and to the President of the House of Representatives, and conducted investigations documenting the deaths of numerous inmates through torture.

After being denied permission to visit prisoners at Tan Hiep, the Committee organized a protest demonstration in Saigon. It was violently suppressed by the police who used tear gas and arrested several Committee members.

The Committee reacted by calling a press conference at the National Assembly. At the press conference the Committee disclosed the events at Tan Hiep, a project to ship many prisoners from Chi Hoa Prison to Con Son Prison Island, and certain plans concocted by American "advisors" at Con Son. The Committee furnished supporting evidence on these matters.


On September 15, 1971, the Committee, despite obstacles set up by the Secret Police, managed to meet Senator George McGovern during his visit to South Vietnam. The police responded by holding a press conference where they denounced the activities of the Committee and threatened its members with legal prosecution.

That year, the Committee, with the help of certain Vietnamese Senators and Congressmen, as well as international organizations, succeeded in opening a lodging house for former inmates who had been released. The following year, the lodging house was shut down by the authorities.

At the beginning of 1972, a severe repression was directed against the Committee. Several key members were arrested, and whole families were taken away during police raids.

On March 17, 1972, professor Nguyen Van Trung, Father Chan Tin, the lawyer Nguyen Long, the bonze Huynh Lien, and bonze superior Lien were called before the Military Court for having contacted Senator McGovern on September 1971 at the home of the Redemptorists [a Catholic order - ed.].

In April 1972 the arrests multiplied; the Committee's activities became almost immediately paralyzed. "Our days have become nightmares," one of its members wrote. "For the last six months, the number of people arrested has increased to dizzying heights... Having no more news about these people, we do not know if they are still alive or dead. Our only hope is to wait for religious and humanitarian organizations, international jurists and our friends abroad to come to our help as soon as possible. We are in danger."

During 1972, the Committee publicized the mass shipment of prisoners to Con Son Prison Island. It brought attention to many cases of physical liquidation of the inmates, including the case of Nguyen Ngoc Phuong, the husband of Cao Thi Que Huong who helped set up the Committee. It was able to smuggle many documents abroad.

March 19, 1971. Members of the Committee to Reform the Prison System waiting outside Tan Hiep Prison. The prison administration has refused to allow them to visit prisoners seriously injured from torture.
Although the safety of its members is always threatened, the Committee is still continuing its work to press for the release of all political prisoners in accordance with the Paris Agreements. In January 1973 it took the initiative in mobilizing 30 cultural, political and social organizations to make a joint statement favoring reconciliation and national concord. Over these last few months, the Committee has continued to expand its contacts within South Vietnam and to provide information, including lists of prisoners' names, to the supervisory commissions and to organizations abroad. Its newspaper, Tin Lao Tu (Prison News), is clandestinely circulated in mimeographed form throughout South Vietnam.

b. The Committee's Newsletter

EDITOR'S NOTE: The following are excerpts from Tin Lao Tu (Prison News), the underground newsletter of the Committee to Reform the Prison System of South Vietnam, which is distributed in mimeographed form in South Vietnam. The Vietnamese audience for whom the newsletter is intended is familiar with the background of the prisoners mentioned, since many of them are prominent members of the Saigon upper class.

From prison to barrack

11 political prisoners from Tan Hiep Prison, who have never been tried, received notices of their release after one year of detention. They were summoned before a military court because they refused to sign applications to "volunteer" in the army. The 11 prisoners are: Tran Tuan Nham (professor), Nguyen Van Thuan (agricultural engineer), Trinh Dinh Ban (law student), Le Dai Nghiep (student from the Buddhist University of Van Hanh), Nguyen Van Tron and Le Thanh Vy (science students), Bui Van Nuoi (student from Phy Tho Technical School), Nguyen Van Thanh (agriculturalist), Nguyen Van Thuong, Nguyen Cong Minh and Do Quang Minh (workers). They are presently held in the local headquarters of the National Police.

Failing to find the sister, they take away the brother

Saigon, March 16, 1973. Police searched the home of Miss Tran Bich Mai, sister of Tran Thi Lan, secretary-general of the Women's Committee for the Right to Life, currently detained in Tan Hiep Prison. Police agents kept Miss Mai's parents at their headquarters for one night. The next day, March 16, the agents returned and took Tran Van Dung, a student at the Buddhist University of Van Hanh, into custody. Reason for arrest: "Dung must answer for his sister's absence; he should make it his business to find his sister's hiding place."

Senator Kennedy's aide meets the Committee

On March 18, 1973, Mr. Jerry Tinker, aide to Senator Kennedy and member of a Congressional inquiry on political prisoners and war victims, visited the Committee to Reform the Prison System of South Vietnam in order to obtain more information on the prison system and on the fate of political prisoners since the signing of the Paris Agreements. Mr. Jerry Tinker promised to inform the American public on this subject.

TIN LÃO TƯ
16/3/72 đến 31/3/73

XÔ TÌNH VÀ VỤ TÔI TRÁI LÝ THÚ (15-3)


Beginning of the March 16-31, 1973 issue of Tin Lao Tu, underground newspaper of the Committee to Reform the Prison System of South Vietnam. The first article is "From Prison to Barrack" (translation above).
The Committee visits sick prisoners at Binh Duong
The Committee travelled to Binh Duong province on March 11, 1973 to meet sick and paralyzed prisoners who had come out of the Con Son tiger cages in February and March. These prisoners, who could only move on crutches, were forbidden to return to their homes in Saigon and Gia Dinh. They told of many hardships because of the restrictions the authorities had placed upon them.

I.C.C.S. members respond to appeal from 30 Saigon organizations
In response to the February 2, 1973 appeal of 30 Saigon organizations representing a cross-section of Vietnamese society asking for the release of all prisoners who have worked for peace and independence, but are not identified with either side of the conflict, members of the Indonesian, Hungarian and Polish delegations to the I.C.C.S. have indicated that they will do everything possible to enable the political prisoners to be reunited with their families.

[Hunger strike at Thu Duc Prison
On March 25, 1973 twenty political prisoners at Thu Duc Women's Prison went on a hunger strike of unlimited duration. They demanded that their jailers stop abusing and injuring them, and that the trustees (selected from the common criminals) stop all retaliatory measures against them. They criticized the plan of the prison authorities to liquidate them under the pretense of transferring them to another prison.

Those on hunger strike are:
1. Vu Thi Dau
2. Vo Thi Ty
3. Nguyen Thi Yen
4. Giang Thi Anh
5. Pham Thi Tam
6. Nguyen Thi Bach Van
7. Nguyen Thi Hien
8. Phung Thi Tuu
9. Huynh Que Lan
10. Phan Thi Giang
11. Duong Thi Vien
12. Nguyen Thi Dam
13. Nguyen Thi Cuc
14. Nguyen Thi Muop
15. To Thi Hong Nga
16. Huynh Thi Ngoc
17. Ho Thi Tuong
18. Le Thi Chot
19. Huynh Thi Tu
20. Le Thi Sau

We have learned that the hunger strike has spread. The number of women fasting has risen to 55.

Slander against neutralists advocating peace
The government has a list of people arrested in recent years because they have called for peace and independence, and have publicly opposed the war. The list includes Congressman Tran Ngoc Chau, Nguyen Long, a lawyer and founder of the Movement for Self-Determination, Mrs. Ngo Ba Thanh, professor of international law, and many university and high school students. These prisoners, all Saigon residents, still have families in the capital. The government wants to send them to the N.L.F. side in violation of Article 7 of the Protocol to the Paris Agreement concerning detained civilian personnel. The N.L.F. have publicly stated that these prisoners on the Saigon government's list do not belong to the N.L.F. side.

Colonel Nguyen Van Ve returns to Con Son
Colonel Ve, who was transferred to Chi Hoa Reeducation Center last December 1972, has been reestablished in his former position as director of Con Son Prison Island on March 31, 1973.

A sit-in by relatives of prisoners and members of the Committee to Reform the Prison System in front of the Saigon National Assembly. They have just been refused permission to visit the prisoners at Tan Hiep and are trying to get Saigon Congressmen and Senators to come to their aid.
c. List of Prisoners

EDITOR'S NOTE: The above is a sample from the second series of lists of political prisoners compiled by the Committee to Reform the Prison System of South Vietnam. It was smuggled out to the Vietnamese community in Paris and published in French for the International Conference for the Liberation of Political Prisoners in South Vietnam held on April 12-14, 1973. The first series of lists, also compiled by the Committee to Reform the Prison System, is available in English in a booklet called Prisone r List and Appeal issued by the American Friends Service Committee in February 1973. The second series contains the following lists:

1. 61 names of political prisoners from Nha Trang, a seaport, who were exiled to Con Son Prison Island under the pretext of being released, February 15, 1973.

2. 103 names of political prisoners who have been reclassified by the authorities and charged with "illegal association." They were ostensibly freed on February 15, 1973 by the Khanh Hoa prison administration (at Nha Trang) but were instead exiled to Con Son the very next day.

3. 67 names of prisoners who died on Con Son Prison Island.

4. 30 names of prisoners who were implicated in a conflict with a Con Son prison "trusty," Nguyen Van Nuoi (nickname: Muoi O), and as a result were put in shackles in narrow cubicles from the time of Tet (February) 1972 until March 1973. One of the prisoners mentioned died on June 7, 1972. The others are seriously ill and paralyzed from being kept in chains for a year.

5. 123 names of political prisoners who are sick or disabled and are presently held in the prison infirmary at Con Son. 35 of these prisoners have been kept in tiger cages.

6. 22 names of political prisoners who were sentenced to life imprisonment. The authorities at Con Son announced their release in February 1973. These prisoners are either disabled or have contracted incurable diseases. They were left in small groups throughout the provinces in Military Region III, and have been forbidden to return to their native homes.

7. 162 names of prisoners whose release was announced on February 14-16, 1973. All are disabled and cannot walk. They have been left in small groups throughout the provinces in Military Region III and in several western provinces.

8. 66 names of prisoners who are imprisoned in Con Son although they have never been tried, or have been acquitted, or have completed their prison terms as of January 1973.

9. 47 additional names of prisoners who are still jailed although they have never been tried, or have been acquitted, or have completed their prison terms as of February 1973.

10. List of prisoners who have been nominally freed from Con Son Prison Island, but whose whereabouts is presently unknown.
    a. 332 names of political prisoners from Camp Number 3, Con Son Prison.
    b. 518 names of political prisoners from Camp Number 5, Con Son Prison.
EDITOR'S NOTE: On April 9, 1973 Pope Paul VI granted an audience to General Nguyen Van Thieu. During their meeting, the Pope made an unprecedented request. He appealed to his guest to grant clemency to his political prisoners, but General Thieu responded by saying that there were no political prisoners in South Vietnam. This unusual appeal raises some questions. What compelled the Pontiff to bring attention to the prisoners? Did Pope Paul VI have enough information at his disposal to evaluate his visitor's reply? The following letters to Pope Paul VI suggest a partial answer.

a. April 2, 1973

From Saigon
April 2, 1973

To His Holiness Paul VI
Pope of the Catholic Church
Vatican City, Rome

Most Reverend Father:

We are a small group of women, mothers, wives and sisters of political prisoners in South Vietnam. We have presumed to address to You this letter in our name and in the name of all Vietnamese women, in order to present to You our deep feelings of gratitude and also to make a humble request.

We are not Catholics. Yet we would fail in our duty if we did not express to You our deepest gratitude for all that You have done for our country. Two months after the Treaty was signed, we learned, more through information from foreign countries than from our own news sources which have been heavily censored for years, that Your Holiness has worked without rest for peace in Vietnam, that You have taken advantage of every opportunity to evoke the drama of our people, that You voiced Your anguish publicly at the resumption of the bombing of Hanoi and Haiphong, and that, above all, the Agreement signed in Paris on January 27, 1973 was to a large extent due to Your often discreet but effective efforts. For all this, Dear Father, we thank You with all our hearts.
We have hesitated before deciding to present our request to You, afraid to disturb You over a matter of slight importance, because You have done important things for us, such as bringing about the Agreement. Two factors finally induced us to write to You with confidence: first, You have shown a special interest and an extraordinary love for the prisoners; and second, the Agreement for which You have worked is not seriously respected in South Vietnam.

Reverend Father, we must frankly admit that Your special love for the poor, and the prisoners in particular, has surprised us, being non-Catholics. You have cared for them as if You had some relative among them, as if they were Your own family. According to the fragmentary and incomplete information available to us, You raised Your voice several times on behalf of the American pilots captured in North Vietnam. You granted special audiences to a group of women, wives of these pilots, to whom You promised to do everything for their husbands. The issue of the American pilots was especially emphasized during an audience You granted to Mr. Richard Nixon, and it appears that a principal task of Mr. Henry Cabot Lodge, Mr. Nixon's special representative to Your Holiness, was to inform You, or rather to provide You with American information about the fate of the pilots.

Reverend Father, at this time all the American pilots have been released and have returned to their homes to be reunited with their wives and children. In view of all the efforts You have made on their behalf, would it be an exaggeration to say that to a large extent they owe their release to You? We are sure that it will not be long before they come to thank You, along with their wives and children. Since it is practically impossible for us to write to them directly, we are presuming to ask You to kindly give them our cordial congratulations, so that they may know that we more than anyone share their joy and happiness for the return of their loved ones, we who have waited -- some of us for 18 years, others for 10 years, others for months -- for the return of our husbands, sons and daughters. They must rest assured that we are not at all jealous of them, for how can we be, when we know how it feels to be with our own? But they must also know, by all means, that because of their bombings, millions of Vietnamese women will not be consoled because their husbands, sons and daughters are no more; they have been killed. Because of the policies of their government, hundreds of thousands of people have been and still are in prison. The American pilots should at least be honest enough to recognize that, despite their being considered war criminals, they have been better accommodated and fed than most Vietnamese people, and that if they had received the same ration of food as Vietnamese citizens they would have died (we are referring to the food ration of citizens living in North Vietnam, and not that of the political prisoners in South Vietnam, who are allotted 39 piasters' worth of food every day, even though one kilogram of plain rice costs 90 piasters). In order to appreciate the treatment they have received, we must compare it to the standard of living of citizens in North Vietnam and not with that of people living on U.S. military bases or in the United States.

Reverend Father, we beg You to tell these pilots and their wives that in their present happiness, even if they are not willing to work for the happiness of others, they should at least not increase our suffering by making statements which are often subjective, incomplete and partial.

Reverend Father, if we raise the issue of the American pilots, it is simply to show the effectiveness of Your intercession on behalf of the poor, and the prisoners in particular. Though You have said little about the Vietnamese prisoners, our husbands, sons and daughters, we dare not reprove You, because we sincerely believe that if You were better informed about the fate of our husbands, sons and daughters, if we had the opportunity to have someone visit You like Mr. Richard Nixon's special representative, or if we were rich enough to go to Rome to ask You for an audience like the group of wives of American pilots, You would already have interceded as energetically in our favor, and our husbands, sons and daughters would already be free and back home again like the Americans.

Reverend Father, we have confidence in You, whose special love for the poor and the oppressed overwhelms us. It is with this confidence that we accept all risks to present our request to You.

From our point of view, the government of Mr. Nguyen Van Thieu does not respect the Paris Agreement signed on January 27, 1973. The political prisoners not only remain in prison, but are still being mistreated. The prisons are crowded, and the arrests continue.

Officially the Saigon government has not yet freed any political prisoners. The few known releases (Mr. Truong Dinh Dzu, the 124 paralytics from Con Son, etc.) have been carried out
secretly without any international supervision whatsoever. This practice allows the Saigon government many dangerous possibilities. They can re-imprison the freed prisoners, or respond to possible inquiries about missing prisoners (dead or murdered) by saying that they have already been released.

There is no way of knowing the exact number of political prisoners in South Vietnam. The government will never tell us, no private organization is allowed to make official inquiries, and the press remains muzzled. Our estimate is that 200,000 persons are held in the various prisons of South Vietnam. South Vietnam has 46 provinces. Each province has its own prison, besides the national prisons such as Chi Hoa, Thu Duc, Tan Hiep, Phu Quoc and Con Son. The police headquarters are also full of prisoners, some of whom have been kept there for years. Pham Van Lang's family is a case in point. Mr. Lang, age 72, his wife, age 67, their two sons and their daughter-in-law have all been arrested and held in the National Police Headquarters since February 1972. No one can contact them, not even their lawyers.

The estimate of 200,000 prisoners is still modest, especially if we take into account the existence of all-powerful Security Committees at every administrative level, from the capital to the provinces, districts and villages, which can arrest, imprison and even execute anyone they please without trial. The five Young Catholic Workers whom You, Reverend Father, certainly know of, were arrested on the night of April 30, 1972, and sent to Con Son the day after Christmas (December 26, 1972). All this is the work of the Security Committees. We mention the case of the Young Catholic Workers because You know of them, and because it is one example among thousands of others, which are often more painful.

We can also confirm that as of February 20, 1973, 9,857 prisoners remain in Con Son, of whom 74 men have been formally charged, 99 women have been charged but never sentenced, 3,098 men and 820 women have been arrested and exiled to Con Son by order of the Security Committees without being charged with any crime. If Con Son, a place of exile normally reserved for extremely dangerous criminals, is filled with suspects and people who have had no trial, what is the case in prisons on the mainland?

The treatment of political prisoners has not improved at all. On the contrary, brutal practices have increased since the Paris Agreement was signed. In Chi Hoa prison, two prisoners from Room SG3, Sector G, were tortured and taken away to an unknown location. When the other prisoners from SG3 protested, the prison authorities responded by taking away their food ration. Since February 3, 1973, they have had nothing, absolutely nothing, to eat. On that same day tactical police attacked another cell in Chi Hoa which contained the new infirmary. They threw tear gas canisters, beat the prisoners with billy clubs, and took 30 inmates to the infamous "movie room" located near the entrance of Sector ED. It is the torture room. When Vietnamese Senators and Congressmen or American lawyers come to visit, the prisoners and the torture equipment are taken away and the room is transformed into a movie theater.

In Tan Hiep, when prisoners called for the observance of the Paris Agreement and asked for changes in the senseless and inhumane regulations, the prison authorities responded by sending in the tactical squad with their billy clubs and tear gas grenades. On January 28, 1973, at 4 p.m., the prison director threatened to kill the "troublemakers."

In Con Son, a prison island normally reserved for murderers, the prisoners are even more mistreated than prisoners on the mainland. Despite the international public outcry in 1970, the "tiger cages" have not been removed. Instead, new ones have been built. These new cages, masterpieces of R.M.K.-B.R.J.,* number 34 and are worse than the old ones. How are the "tiger cage" prisoners treated? You must certainly know, there has been so much talk about it. We would like to point out that people are still kept in the cages despite the signing of the Agreement in Paris, and they are still being beaten by the guards. According to the 124 disabled persons, all paralytics, released from Con Son on February 16, 1973, there are at least 30 people who have been kept in the cages and shackled to the ground with iron chains since the Tet celebration last year (February 1972). Venerable Thich Hanh Thi, a Buddhist monk and one of the recent victims of torture in Con Son, died on January 8, 1973.

Reverend Father, all that we have told You here is only a very small part of the reality. But do You think, like some priests here, that all this is temporary, that it is simply a question of time to work out all these problems, like the problem of the political prisoners? No, it is not a technical problem, or even a problem of time, but rather a problem of the good will of the.

On February 18, 1973, the prison directors at Tan Hiep, rather than releasing the prisoners, sent 25 young people to the military enlistment center on the ground that their draft exemption certificates had expired. How could their certificates not have expired when they have been imprisoned for years, and when the certificates are only valid for one year periods?

In Tan Hiep and Chi Hoa, the authorities have forced prisoners to attend political indoctrination classes which amount to psychological warfare. Those who refuse are immediately beaten with billy clubs. The prisoners are forced to choose: either sign the defector forms and be released, or be reclassified as common criminals and transferred to Chi Hoa (since Tan Hiep Prison is not supposed to hold this category of prisoners). To cite a typical case, Mrs. Ngo Ba Thanh, professor of international law and president of the Women's Movement for the Right to Live, was reclassified as a common law prisoner and transferred from Chi Hoa to Bien Hoa, a prison reserved for common criminals.

At Con Son, the conduct of the prison directors is extremely bizarre and suspect. Since the signing of the Agreement, they have been going in the middle of the night to different camps and cells to take the prisoners to unknown places. Since February, many disabled and aged prisoners have left Con Son Island for unknown places. Before leaving, each person is forced to fill out a form acknowledging that he or she left the Con Son "reeducation center" on such a date, 1973, by air or by boat. The form says that the prisoner left Con Son to be released. The prisoner must sign it along with his or her fingerprints. All this is done under duress and without the presence of legal witnesses. If the prisoner refuses to sign, he is subject to further brutalization.

What troubles the prisoners at Con Son and confirms their fear that something suspicious is going on is that since the Paris Agreement was signed, military boats continue to bring in new prisoners. To give a specific example, on February 16, 1973 at 10 a.m., boat number 404 arrived with 103 women, 5 children and about 300 men. These people had just signed affidavits of release on February 15, 1973 in Nha Trang.

In Chi Hoa Prison, Nguyen Duy Thong, a student, and other fellow inmates were beaten with billy clubs on March 15, 1973 because Thong had signed a letter addressed to the Four Party Joint Military Commission and to other groups describing their living conditions. Since then we have lost all trace of Thong and his companions. Have they been killed? Have they been transferred to National Police Headquarters to be tortured? No one knows.

Reverend Father, how can we believe in the good will of Mr. Nguyen Van Thieu and his government? Mr. Thieu not only continues to detain and mistreat the political prisoners - and we have only given you a few examples - but also continues to arrest people who do not think the way he does, or whom he suspects of not thinking the way he does. To cite just a few names of people arrested after the Agreement was signed: Ngo Kha (arrested January 29, 1973); Hoang Nghia (arrested in the alley outside his house March 6, 1973); Miss Tang Thi Nga (arrested the night of March 9, 1973, at her home); two brothers, Hoang Huy Thai and Hoang Huy Giap (arrested the same night at their home); Nguyen Phuoc Khanh Duy (arrested the night of March 10, at his home); Tran Van Dung (arrested on the street March 16); three mathematics students at Petrus Ky High School, Truong Minh Hanh, Nguyen Hoang Viet and Do Quyen (arrested March 12); Buu Chi (arrested at the end of February); Hoang Huy Hoang (arrested March 9); Ton Nu Minh Thiep (arrested on the same day); Tran Quoc Hung (arrested March 6); Le Hong Diep (arrested the same day); Tran Thi Nuong (arrested February 3); Pham Quoc Toan (arrested March 13); Nguyen Thi Hoa (arrested March 16).

Reverend Father, more than anyone else, we, the Vietnamese women, who suffer most from the war, have greeted the Agreement signed in Paris January 27, 1973 with great joy. We believed that the Agreement would enable us to be reunited with our husbands, sons and daughters, who were imprisoned simply because they had struggled for peace and justice. We thought that we would be able to join together with all Vietnamese, without exception, to rebuild our country, and leave aside the past. We hoped to contribute actively to the reconciliation and concord of our people. But we were soon disappointed. The political prisons have not been opened, the prisoners are still mistreated, and the government continues to threaten and arrest everyone whose political views differ from the government's. This is a flagrant injustice. There can be no real peace as long as this injustice continues. The principal, if not the only, figure responsible for this is President Nguyen Van Thieu, whom Your Holiness is preparing to receive as South Vietnam's Chief of State, according to official government sources.
Reverend Father, we confess to You that we are really perplexed by the audience You are granting to Mr. Nguyen Van Thieu. It is a double-edged sword. Either it will benefit us, our husbands, sons and daughters, who are political prisoners, and all our people, or it will be a loss to all of us.

It will benefit us if Your audience has the effect of changing completely the policies of Mr. Nguyen Van Thieu, so that he will begin to seriously observe the Agreement, especially with regard to political prisoners and fundamental human rights which are guaranteed in the Accords. Such a change would be a great miracle.

It will be a loss if Your audience is used to indicate support for Thieu's present policies which we have described to You in this letter.

Once again we must reiterate our confidence in You, an outstanding humanitarian. We believe that despite everything, Your love for the poor will triumph.

In closing, we beseech You, Reverend Father, to forgive us for our awkwardness of language. If certain things in this letter by misfortune cause You any pain, please believe that we have not done it deliberately, but rather because we have suffered too greatly, suffered as wives and mothers who have waited too long for the return of our husbands, sons and daughters.

Please accept, Reverend Father, our deepest sentiments of respect and gratitude for everything Your Holiness has done, does and will do on behalf of all those who suffer in Vietnam, and for the reconciliation of all Vietnamese, without exception.

Written in Saigon, April 2, 1973

Signatures:
1) Le Thi Suong, mother of the student Trinh Dinh Ban, arrested May 19, 1972
2) Ta Thi Nu, mother of student Nguyen Van Xuan, her only son, arrested 1959; No. 1232, Hall 6, Camp 8, Con Son
3) Dang Thi Bich, mother of Hoang Thi Kim Ngan, No. 718 E, Camp 4; and of Dang Cong Tam (husband of Ngan), No. 1578, Hall 10, Camp 5; both arrested December 11, 1968; Con Son
4) Le Thi Can, 78 years, mother of Nguyen Van Xuan, her only son, arrested 1959; No. 1232, Hall 6, Camp 8, Con Son
5) Nguyen Thi Anh, 64 years, mother of Nguyen Van Ly, arrested September 1966; No. 619 CT, Hall 7, Camp 5, Con Son
6) Truong Thi Hai, 55 years, wife of Tran Huu Khue, 58 years, of the Movement for National Self-Determination, arrested February 25, 1965; No. 0673 E, Hall 3, Camp 8, Con Son
7) Tran Thi Tiep, wife of the lawyer Nguyen Long, 65 years, president of the Movement for National Self-Determination, arrested August 4, 1965 and released September 7, 1967; arrested again July 27, 1972; No. 314 MCT, Chi Hoa
8) Huynh Thi Thom, 66 years, mother of student Huynh Tan Mam, arrested January 5, 1972; No. 227 MCT, Hall 10, Section 1D, Chi Hoa
9) Le Thi Phong, wife of Nguyen Van Nha, arrested January 14, 1972; No. 643 E Hall 5, Camp 2 - Con Son (whose dependents are his 80-year-old mother -- he is an only son -- and five children, the oldest age 10)
10) Nguyen Thi Lien, mother of Nguyen Anh Tuan, 23 years, arrested February 7, 1969, No. 1261 C, Hall 5, Camp 5, Con Son and of Nguyen Thi Phuong Thao, 15 years, arrested the night of January 25, 1973 at home, held at National Police Headquarters in Saigon
11) Lam Thanh Nga, 66 years, mother of Tran Tung Thinh, 25 years, arrested April 25, 1966; No. 19916 C, Hall 6, Camp 1, Con Son
12) Nguyen Thi Van, mother of Luu Ngoc Tran, fifth year pharmacy student arrested May 7, 1968, given two years' suspended sentence on September 11, 1968, held at Con Son ever since
13) Thang Lien Phuong, 48 years, mother of Luu Vi Nhu, 22 years, arrested April 26, 1966; No. 14834 HC, Hall 10, Section B, Camp 6, Con Son
14) Ly Thuyen, 58 years, mother of Huynh Ngo, 24 years, arrested January 21, 1966; No. 19632 C, Hall 7, Camp 1, Con Son
15) Duong Thi Thuy, 34 years, daughter of Duong Van Trong, 58 years, arrested July 17, 1960; No. 0993 C, Hall 20, Camp 3, Con Son; tubercular
16) Do Thi Son, mother of Nguyen Ngoc Thu, arrested October 27, 1962; No. 17300 C, Hall 5, Camp 2, Con Son
17) Vo Thi Tinh, mother of Nguyen Van Chat, arrested October 27, 1962; No. 17209 C, Hall 5, Camp 2, Con Son
18) Ho Thi Tam, mother of Pham Van Hai, 18 years, high school student, arrested September 9, 1971; No. 021 MTCT, Hall 1, new infirmary, Chi Hoa (not yet tried)
19) Nguyen Thi Toan, mother of Le Van Nuoi, 21 years, president of the High School Students Movement, arrested September 22, 1971; No. 019 MTCT, Hall 01, new infirmary, Chi Hoa (not yet tried)
20) Nguyen Thi Thep, 64 years, mother of student Vo Ba, arrested May 25, 1972; No. 22880 C at Tan Hiep, then on December 26, 1972 exiled to Con Son (not yet tried)
21) Tran Thi Hong, 45 years, mother of Le Hoang Phuc, 20 years, high school student, arrested October 24, 1971, sentenced May 22, 1972 to three years in prison, on December 26, 1972 exiled to Con Son; No. 101 MCTC, Hall 13, Camp 3, Con Son
22) Tran Thi Lang, wife of Hoang Huyen, 61 years, gardener with four children, arrested August 16, 1972; on January 28, 1973 found innocent; held since at Dalat (No. 582 GC, Hall 8); and mother of Hoang Thi Mai Hoa, 17 years, college student, arrested August 16, not yet tried, held at Dalat No. 407 AT, women's wing; and mother of Hoang Thi Mai Hue, 20 years, college student, not yet tried, arrested November 1, 1972, held at Dalat, No. 438 AT
23) Le Thi Nghe, 63 years, mother of Lam Thanh Quy, 20, high school student, arrested January 20, 1972; sentenced on December 26, 1972 to three years in prison; exiled December 26, 1972 to Con Son; No. 211 MCTC, Hall 13, Camp 3
24) Nguyen Thi Nguyet, 48, mother of Huynh Ngoc Hoi, student, arrested ---; No. 286 MTCT; sentenced in September, 1972 to 15 months in suspended sentence; exiled to Con Son December 26, 1972
25) Le Thi Hoa, 65, mother of Vo Dinh Nghia, 22, student, arrested April 12, 1972; on July 17, 1972 given 6 months suspended sentence; exiled December 26, 1972 to Con Son
26) Doan Thi Thoi, mother of Ha Van Dung, high school student, arrested April 8, 1969; exiled to Con Son
27) Vu Thi Suu, mother of Ha Duy Hung, student, arrested April 9, 1969
28) Nguyen Thi Ke, 58, wife of Nguyen Van Rang, 64, arrested May 22, 1960; exiled to Con Son. Gravely ill
t29) Nguyen Thi Du, mother of Nguyen Thi Mai, 18, arrested August 16, 1972 without trial; held at Dalat, No. 390 AT, women's wing
30) Nguyen Thi Em, mother of Tran Thi Ty, 25, teacher, arrested August 16, 1972; held at Dalat, No. 410 AT, women's wing - and of Tran Thi Tam, 23, teacher, arrested October 1, 1972; held at Dalat, No. 452 AT, women's wing
31) Vinh Thi Lien, wife of Nguyen Van Cho, 61, 3 children, arrested August 16, 1972; found innocent January 28, 1973; held at Dalat, No. 586 GC, Hall 8, very sick
33) Trinh Kim Ngoc, 58, sister of Trinh Minh Bach, 54, held at Con Son, Camp 6, Section B, infirmary, very ill
34) Tran Hue, 51, mother of Banh Duong, 24, arrested April 22, 1968; found innocent July 11, 1969; exiled August 4, 1972, No. 365 HC, women's wing, Hall 4
35) Huynh Thi Ngung, 69, mother of Huynh Van Yen, 26, arrested 1964; sentenced to three years in jail; held at Con Son, Hall 3, Section B, Camp 6
36) Lu Chuyen, 46, mother of Huynh Vinh Quyen, 24, arrested May 17, 1969; exiled to Con Son, Hall 12, Camp 3
37) Dang Thi Bich, grandmother of Nguyen Thi Danh, arrested December 11, 1968; No. 556 E, Camp 4; Con Son
38) Phan Thi Cuu, 87, mother of Do Thi De, 60, arrested July 2, 1960; held on the island of Phu Quoc, No. OB 3,BC - and grandmother of Do Van Nam, 22, arrested 1968, held at Phu Quoc, No. 4885, Section A9
39) Truong The Dung, mother of Lu Hon Nuyen, 22, arrested April 23, 1970, No. 1787 C, Section B, Camp 7, Con Son
40) Ly Lien, 47, mother of Lu Hon Ngung, 22, arrested September 2, 1969; No. 1717 C, Hall 11, Camp 5, Con Son
41) Chau Khung, 32, wife of Hong Boi Phuong, 33, arrested April 23, 1968; No. 0375 C, Con Son
42) Tran Xuan Hue Phuong, mother of Nguyen Phuong Quynh Tien, 22, arrested January 14, 1969. Interrogated by police of the first district of Saigon, before Le Anh Ton and Nguyen Thi Nhan, presently held at Con Son; tortured and reportedly missing until present
43) Lam Thi Xuan, 43, mother of Lam Thi Ngoc Diep, 22, arrested May 15, 1972; held at Thu Duc, No. 2740 HC, Camp A
44) Ngo Phan Thi, 66, mother of Phan Chanh Luong, arrested April 23, 1968; No. 0350 C; Hall 3, Camp 5, Con Son
45) Lieu Thi Huyen, mother of Tang Quang Tuyen, arrested May 7, 1972, exiled to Con Son - and of Tang Thi Nga, law student, arrested March 9, 1973
46) Truong Thi The Van, mother of Tan That Hoa, agricultural engineer, arrested January 11, 1973; No. 556 MTCT, Chi Hoa
48) Mrs. Le Van Ky, mother of Le Cong Giau, student, arrested August 5, 1972, severely tortured. He is now in the infirmary at Chi Hoa, and his father can visit him once a week, although he is not strong enough to talk.
49) Tang Ngoc Lien, mother of Tang Ky, 26, arrested April 29, 1966, only son; No. 14257 HC, Infirmary B, Camp 6, Con Son
50) Nguyen Thi Nga, mother of Nguyen Thi Yen, student, after 9 months of detention at National Police Headquarters, Saigon, currently in prison at Thu Duc

b. April 4, 1973

Saigon, April 4, 1973

To His Holiness Paul VI
The Vatican, Rome

Most Reverend Father,

From the press of the Government of the Republic of Vietnam, we learn that Your Holiness will grant an audience to President Nguyen Van Thieu. Taking advantage of this occasion, we are sending this letter to Your Holiness on behalf of more than 100,000 political prisoners in South Vietnam, in order to disclose some recent facts concerning the fate of political prisoners and to request that You intercede with President Thieu in favor of the release of the political prisoners.

1) According to Article 8 of the Paris Agreements, the release of political prisoners must be carried out no later than 90 days from January 27, 1973 in a spirit of national reconciliation. However, as South Vietnamese citizens, we are grieved to say that the Government of South Vietnam has not only not begun to release political prisoners, but is also continuing to arrest many Vietnamese for political reasons, especially high school and college students, and is treating the political prisoners harshly.

2) In the months prior to the ceasefire and up to this day, the Saigon government has been taking fraudulent measures to reclassify political prisoners as common criminals. This is why a government spokesman stated at a press conference in March that there are no political prisoners in South Vietnam.

3) In a number of prisons such as Con Son, Tan Hiep, Thu Duc, Chi Hoa and others scattered throughout all of the provinces and districts, political prisoners are brutalized into signing papers acknowledging their loyalty to the present government. Stubborn persons like college and high school students are forced to go to the battlefront, despite their exemption from military service because of their student status, where they are easily killed.

4) For years the majority of political prisoners have undergone incarceration and even exile [to prison islands - ed.] without trial. In the past months, the Military Court, set up by the Executive, has held court sessions in the prisons to dole out sentences quickly to prisoners who had spent years without ever being tried. During these hasty trials, neither the prisoners nor their lawyers are present. In a few hours, this court can dole out hundreds of illegal sentences resting on falsified documents.

5) Inhuman torture sessions take place every day in the interrogation centers and the prisons. Political prisoners are maltreated and underfed. They live in narrow, dirty dungeons, without air, without light. In many cases they are chained day and night. Their daily food ration has been reduced from 900 to 700 grams.
6) In the last few months, political prisoners have been kept in the same cells with those who are dying from contagious diseases. These prisoners, already severely weakened by lack of food and vitamins and by unhygienic conditions, become infected with disease. It is a way of killing them slowly.

7) Another practice, no less dangerous: common criminals are used to mistreat political prisoners. They are jailed together so that they will be pitted against one another. The stage is set for quarrels and scuffles, so that repressive measures can be later taken against the political prisoners.

8) Since the ceasefire, a very small number of political prisoners have been released from Con Son. Those released are disabled, paralyzed, and seriously ill from having infectious diseases such as tuberculosis. Over a hundred prisoners were taken from Con Son to the mainland on February 26, 1973. But instead of being freed, they were held in police stations in various provinces of South Vietnam and their families were not allowed to visit them. This is the case of 14 former prisoners from Con Son who are now detained in the police station in Long Khanh province.

Most Reverend Father, we earnestly beg you to intercede with President Thieu so that he will end these inhuman measures against the political prisoners and restore liberty to those Vietnamese whose only crime is to demand peace and justice.

As Vietnamese, we ardently desire an end to the suffering of the Vietnamese people, especially those who are still imprisoned for political reasons, in order to bring about reconciliation and concord as stipulated in The Paris Agreements.

With confidence in your love for Vietnam and in your great ability to realize our most profound aspirations for peace in Vietnam and for the release of political prisoners, we beg you, Most Reverend Father, to accept our most profound gratitude.

In the name of the Committee to Reform the Prison System of South Vietnam,

Reverend Father Chan Tin
38 Ky Dong Street
Saigon, Vietnam

c. April 6, 1973

Saigon, April 6, 1973

To Our Father
Pope Paul VI
Rome

Most Reverend Father,

We have just learned, from the spokesman of the Saigon government, that General Nguyen Van Thieu, President of the Republic of South Vietnam, will be officially received by Your Holiness after his trip to the United States.

General Nguyen Van Thieu was baptized in the Catholic Church and has never publicly denied his adherence to this Church. However, he has been ruling South Vietnam with methods which are far from conforming with the Gospel of Christ.

The international press has often revealed the abuses of power and the violations of fundamental human rights in South Vietnam. We would like to add here some facts which concern us greatly.
1. The repression of workers at Videpin in 1971

At the end of 1971, the Saigon police, with the complicity of several ministries (Interior, Labor, Information, Justice, etc.) intervened brutally to break up the strike of workers of Videpin factory, a factory in which General Nguyen Van Thieu's family owned 60 percent of the shares, according to Congressman Ho Ngoc Nhuan's disclosure on the floor of the National Assembly.

2. The arrest of five leading members of Young Catholic Workers (YCW) in South Vietnam

On the night of April 30 - May 1, 1972, the Saigon police raided the offices of the Young Catholic Workers (YCW) of South Vietnam and arrested all the young people residing there, including five national leaders of YCW. They were immediately thrown into prison. Only November 18, 1972 were they tried before the Special Military Court for Military Region III which is a special court, unconstitutional and totally under orders from the Executive. During the trial session (the Special Military Court) recognized the innocence of these five leaders and ordered their release. But they were kept in jail, and worse still, they were deported on December 26, 1972, to Con Son Prison Island, 100 kilometers offshore. Up to this day they are still detained under truly inhuman conditions. They have a daily food ration of 42 piasters at a time when a kilogram of rice costs 90 piasters and a kilogram of beef costs 1,500 piasters.

3. The condemnation of the commentators on the Ecumenical Council of Bishops' document on justice in the world

In its August 1972 issue, the Young Catholic Workers' magazine Chon (To Choose) published a translation, with commentaries, of the Ecumenical Council of Bishops' document on justice in the world, a text which was accepted by the Fathers almost unanimously and was formally published by Your Holiness. The issue of Chon was seized and its translators, four chaplains of youth movements, were condemned to five years' imprisonment each and were collectively fined 3,000,000 piasters on January 9, 1973 by the Special Military Court for Military Region III. [A translation of the official indictment of the Special Military Court against four chaplains of the Young Catholic Workers is attached in Part III, a. - ed.]

These three events are not exceptional cases. Everyone knows that in South Vietnam today, all organizations -- political parties, unions, associations and the Churches -- are completely subjugated. The press is muzzled. And despite what Saigon government spokesmen say, political prisoners are still packed into the numerous prisons of South Vietnam by the hundreds of thousands.

By Your Universal Mission, Your Holiness must, without exception, welcome all those who come to You. But this reception should not be taken as an endorsement of a policy which, while declaiming Christ and liberty, tramples on the fundamental and unalienable rights of man.

We beg You, Most Reverend Father, to act even more effectively for justice in the world, and particularly in Southern Vietnam.

Saigon, April 6, 1973

- Truong Ba Can, National Chaplain for Young Catholic Workers
- Bui Thong Giao, Chaplain for Young Catholic Workers in Saigon
- Vu Xuan Hieu, same
- Tran The Luan, "
- Nguyen Ngoc Lan, "
- Nguyen Ngoc Nhieu, "
- Phan Khac Tu, "
- Huynh Cong Minh "
A political prisoner who has been in prison for more than five years without being tried or even being told why she is a prisoner.

a. Indictment of Chon Staff

EDITOR'S NOTE: This document and the following one are from the case of four staff members of the Young Catholic Workers' magazine Chon (To Choose), referred to in the letter to the Pope (above, p.16).

SPECIAL MILITARY COURT
FOR MILITARY REGION III
and the Special District of the Capital

INDICTMENT

by the Government Commission of the

Special Military Court

for Military Region III

and the Special District of

the Capital

I. PARTICULARS ON THE DEFENDANTS

1. Truong Ba Can, Managing Editor of Chon magazine, born July 13, 1930 at Ha Tinh, son of Truong Ba Hue and Tran Thi Que, residing at 370 Le Van Duyet Road, Saigon,
charged with:
- "using the press to spread insinuations and information tending to undermine the security of the State and public order;
- "using the press to spread information, documents, and insinuations designed to enhance the doctrine, policy and actions of the communists."

2. Vu Xuan Hieu, reporter for the magazine Chon, residing at 370 Le Van Duyet Road, Saigon;
3. Huynh Cong Minh, reporter for the magazine Chon, residing at the above address;
4. Phan Khac Tu, reporter for the magazine Chon, residing at the above address;

[The four defendants] are all charged with:
- "complicity in using the press to spread insinuations and news tending to undermine the security of the State and public order;
- "complicity in using the press to spread news, documents and insinuations intended to enhance the doctrine, policy and actions of the communists."

II. REPORT ON THE PRELIMINARY INVESTIGATION

In issue number 18, distributed August 10, 1972, the magazine Chon published the article on "Justice in the World," a document of the 1971 Ecumenical Council of Bishops, presented and commented on by the chaplains Truong Ba Can, Vu Xuan Hieu, Huynh Cong Minh and Phan Khac Tu. In their commentary, the authors spread news, insinuations and documents tending to disturb public opinion and undermine public order.

Under interrogation, Mr. Truong Ba Can admitted that he was the managing editor of Chon magazine. According to him, the above mentioned article neither disturbed public opinion nor undermined public order. His accomplices, the chaplains Vu Xuan Hieu, Huynh Cong Minh, and Phan Khac Tu, have gone away since the magazine temporarily suspended publication; he does not know their address. This is why the responsible authorities have not been able to proceed with their interrogations.

III. LEGAL BASIS FOR INDICTMENT

It is obvious why Messrs. Truong Ba Can, Vu Xuan Hieu, Huynh Cong Minh and Phan Khac Tu are all charged with the above-mentioned grievances for having published the article on "Justice in the World" containing passages such as the following:

"The monetary imperialism, the international capitalists who rule Latin America and Vietnam, is called the United States.

"The essential problem is to expose the heads of this international network who are the source of all injustices so that Christians in the industrialized countries do not become blind accomplices, and so that the Christians in underdeveloped countries will be aware of the facts and will not be fooled by slogans such as "defending Christian civilization" and "struggle against atheistic communism." (Chon magazine, No. 18, p. 10)

"The April 1, 1967 Constitution of South Vietnam recognized the rights of freedom of opinion, freedom of the press, freedom of unions and freedom to strike. But in practice, these rights are not observed." (Chon magazine, p. 36)

"Mr. Le Duan, Secretary General of the Vietnamese Communist Party, told party cadres during the conference of March 13, 1961: 'We must accumulate more and more capital so as to be able to develop heavy industry, light industry and agriculture. The only way to industrialize is to accumulate capital. But if we talk about accumulation, we also have to talk about consumption. These two aspects are closely linked. Production has a goal which is consumption. The worker produces in order to have a
salary which allows him to buy rice, meat and other necessities. It is the same with the peasant who tills the land in order to have the means to live in comfort. You produce in order to consume. If there is not enough for consumption, then production has lost its meaning and you are no longer enthusiastic about producing. This is why if we don't think about improving the lives of the producers, we take away the purpose of production. But, naturally, if we eat everything that we produce, then we cannot invest in improving the production process. This is why we must consume a little less in order to develop production, and to satisfy higher needs. Everyone understands that if we seek to equalize production/consumption, then we can guarantee greater consumption in the future. If we thus talk about production without talking about improving people's livelihood, then we don't understand the meaning of production, because production has no higher meaning." (Chon magazine, No. 18, p. 39)

"The Ecumenical document gives several examples of violations of individual rights:

"-- The repression by the political authorities in South Vietnam over the past years. The police illegally suppress all meetings and arrest the participants; even Congressmen and Senators are victims of this repression. The Ngo Cong Duc affair is one example. [See Part IV - ed.]

"-- Violence sanctioned by the authorities. For example, the officials in Saigon's Third District, claiming that the walls of a church cannot shelter a political meeting, ordered militiamen from Ky Dong district to burn the cars of people from the Committee to Reform the Prison System who were meeting Senator McGovern.

"-- The use of torture, especially with regard to political prisoners. Everyone knows well the examples of torture in South Vietnam. The torture of high school and university students over the past three years has profoundly shocked the public." (Chon magazine, No. 18, p. 49)

"According to the American weekly Time (July 10, 1972), all of the Senators and Congressmen who voted for the emergency powers bill received $12,000 - about five million piasters - and a round-the-world airplane ticket. According to the newspaper Dai Dan Toe (June 14, 1972), Senator Knight of the Order of St. Gregory* was also one of the Senators who received this sum." (Chon magazine, p. 57)

"In South Vietnam for example, the disintegration is total: the loss of sovereignty in foreign affairs; the domestic corruption, fraudulent elections like those of October 3, 1971; arrests and tortures that are contrary to law; the horrible scenes of liquidation." (Chon magazine, p. 69)

"The scholastic traditions we are referring to are certainly not those of the generation of Tran Van On [a student who was killed in 1950 during an anti-French demonstration]; they are a kind of servile tradition, a tradition that has produced docile men, working hard to pass examinations in order to become spineless model bureaucrats, leaving the future of the country completely in the hands of traitors, greedy and ambitious men." (Chon, p. 98)

"In South Vietnam the children can hardly live the natural and spontaneous life that ought to be theirs, to have all the beautiful warmth of a family environment, with strong family ties and friendship and affection toward others. Instead, they are subjected to the daily influence of propaganda: radio, TV, books, newspapers, magazines, films, etc., all of them degrading and all in the common service of a belligerent imperialism designed to intoxicate their spirits and their hearts with constant stories and pictures of war, with erotic scenes, pushing them to desire and act in accordance with the designs of those who only want to profit from them." (Chon, p. 105)

* A satirical phrase referring to the average Senator. It would be roughly comparable to calling President Nixon's White House staff "Mr. Watergate." - ed.
These crimes are provided for and made punishable by articles 28a, 29, 46, 47, 48, 49, 50 of Law 19/69 promulgated December 31, 1969, modified by articles 46 (new), 49 (new), 52 (new) and 3 of Law 007 promulgated August 4, 1972;
26 of the Military Code;
2, 6 of Law 6/7 promulgated June 23, 1970.

b. Verdict against Chon Staff

VERDICT
OF THE SPECIAL COURT
FOR MILITARY REGION III
In the January 9, 1973 session, the Special Court for Military Region III, under the chairmanship of Lieutenant-Colonel Phung Chung Tu, after having heard the indictment of the Government Prosecutor:
- condemns the defendants Truong Ba Can, Phan Khac Tu, Vu Xuan Hieu, and Huynh Cong Minh each to five years' imprisonment and collectively to a fine of 300,000 piasters.
- orders the final suppression of Chon magazine and the seizure and destruction of the copies of the issue which has offended the law.

c. Decree-Law No. 394

EDITOR'S NOTE: On May 9, 1972 General Thieu asked the Saigon National Assembly to grant him special emergency powers to rule by decree. U.S. Senate investigators learned that Thieu officials were offering bribes ranging from one to ten million piasters to Saigon legislators, and that the U.S. Embassy in Saigon had supplemented Thieu's own efforts by actively lobbying leading South Vietnamese senators to "obtain their support for the Emergency Powers bill." On June 28, 1972 the Saigon National Assembly finally passed Law number 005/72 authorizing the President to rule on matters pertaining to public safety, national defense, the economy and finances for a six-month period. On July 15, 1972 General Thieu issued Decree-Law number 394 on Public Safety legalizing the arrest of virtually every citizen in South Vietnam. Even after the signing of the Paris Agreement, this Decree-Law is still being enforced in South Vietnam.

Decree-Law Number 394 - TT/SL on Public Safety
July 15, 1972

Chapter I - Violations of National Security and Public Order
Article I. In the war or martial law situation those caught wandering during the hours of curfew without a written authorization, or a valid excuse such as giving birth, an unexpected illness requiring emergency treatment, etc. will be subject to a prison sentence ranging from six days to two months, or fined from 1,000 to 10,000 piasters.

Article 2. In the war or martial law situation those presently detained or placed under house arrest by government decision who attempt, or are planning to attempt to escape, will face deportation.

Article 3. In the war or martial law situation all forms of labor strikes and disputes, even those that have gone through a mediating process, and even if their only purpose is to provide mutual support to resolve a labor conflict, will be strictly forbidden.

Article 4. In the war or martial law situation striking workers will be jailed from six days to six months, and will be fined from 5,000 to 10,000 piasters.

If the strike takes place in an area affecting public services, the punishment will be doubled.

If the strike has another motive than to settle a labor dispute, and furthermore has the potential or the intention of placing the public in difficulties for many days and as a result forces the government from its desired path the striking workers will be jailed from six months to two years and will be fined from 5,000 to 500,000 piasters.

Those instigating or leading the labor strike will face deportation.

[Article 5 and Article 6, omitted here, prescribe other penalties for unresolved labor disputes. - ed.]

Article 7. In the war or martial law situation, if there is a dispute between the employer and employees, both must submit to arbitration. All rulings by the mediator to resolve the dispute will be considered binding and enforceable after 15 days.

Article 8. Those jeopardizing or having the intention of jeopardizing free market transactions, with the purpose of undermining national security, will face deportation.

Article 9. In the war or martial law situation, those who organize demonstrations or gatherings considered detrimental to national security, will face deportation; those who attend such gatherings will be jailed from one to six months.

Article 10. In the war or martial law situation, those who popularize, possess or circulate publications, leaflets, information, news or photographs deemed harmful to national security will face deportation.

Article 11. In the war or martial law situation, those caught with munitions, weapons, bullets and flammable materials in their possession without a valid authorization will face deportation.

[Article 12, omitted here, orders the confiscation of all material contributing to activities undermining national defense and the security of the state. - ed.]
Chapter II - The Right of Government Personnel to Self-Defense and Pursuit

Article 13. Government personnel in the line of duty have the right to use weapons in the case of aggression.

In the war or martial law situation, when individuals are caught carrying arms, explosives, incendiary weapons, or when they are caught pillaging, burning, sabotaging or doing things that threaten the lives and property of others, government personnel have the right to use their weapons if the offenders resist. They also have this right if the offenders flee or refuse to stop after two calls: "Halt or I'll shoot!"

Government personnel also have the right to open fire on vehicles and boats refusing to stop when commanded to do so by whistle, siren or voice call.

(The remaining articles, omitted in this text, deal with legal and procedural matters. - ed.)

d. Thieu's January Edicts

EDITOR'S NOTE: On January 22, 1973, General Thieu issued new edicts further limiting the civil rights of Vietnamese citizens. These new measures effectively nullify Article 11 of the Agreement on Ending the War and Restoring Peace in Vietnam guaranteeing democratic liberties of the people: personal freedom, freedom of speech, freedom of the press, freedom of meeting, freedom of organization, freedom of political activities, freedom of belief, freedom of movement, freedom of residence, freedom of work, right to property ownership, and right to free enterprise.

The January 22 edicts were first published in Thieu's semi-official newspaper Tin Song.

Excerpts from the January 22, 1973 Edicts

1. All police and military forces are permitted to shoot to kill all those who urge the people to demonstrate, and those who cause disorders or incite other persons to follow communism....

4. Shoot instantly any soldiers, government officials, or police who desert or incite other persons to desert the army.

6. Arrest and detain those persons who incite the people to create disorder and confusion, or to leave those areas controlled by the government in order to go into the communist-controlled zones or vice versa. If they protest, they will be shot.

7. Detain those persons who are neutralist and those persons who publicly side with the communists, and who are active politically. They will be taken before a military court as soon as possible.

8. Implement quickly and thoroughly rules and regulations concerning reporters and political parties in order to stop illegal activities on the part of politicians....
Press Freedom under Thieu

The Press Code of December 1969: A Succession of Seizures and Trials

Law 019/69 of December 30, 1969 on the Statute of the Press seems to reflect progress toward freedom of the press. The publication of a periodical theoretically requires only a simple declaration, and censorship is formally abolished.

But a new weapon of dissuasion is concealed in Article 19 of this Press Law: preventive seizure. Its function is to control the press whose yearnings for independence surface like the heads of the hydra.

Article 28 authorizes the prosecution and seizure of newspapers, even when they print accurate news, as long as such news is considered to have been published with the intention of harming the regime.

Since December 1969, the seizures of newspapers in South Vietnam have easily broken world records. On the average, not a day passes by without the seizure of a periodical.

A report of the Committee on Foreign Affairs and Information of the Vietnamese Senate stated September 15, 1971:

In the period from January 1 to July 31, 1971, the lowest monthly number of seizures was in April with 40 seizures. The highest number was in June with 75 seizures; in that month not a day went by without a seizure. The highest daily number of seizures was on June 18 with 15 seizures. On June 16 there were 11. The newspaper Lap Truong (Platform), in particular, was seized 23 times in June 1971 and 17 times in July.

During each seizure, the editor-in-chief and the writer of the article in question are taken to court and tried in flagrante delicto. Quite often, a hundred press cases in a single morning will come before judges who spend some five minutes on each case and give prison terms of up to six months and fines of 100,000 to a million piasters. Several newspaper editors have in this way "collected" over 100 sentences. Two priests, Father Truong Ba Can, editor of the monthly Chon (To Choose), and Father Chan Tin, editor of the monthly Doi Dien (Face to Face), were sentenced to six months in prison.

Every day at least one seizure affects one or another of these independent daily newspapers: Tin Sang (Morning News), Dien Tin (Telegraph), Lam Dan (Man of the Nation), Dai Dan Toe (The Great Nation), etc. Every year, the magazines Doi Dien (Face to Face), Trinh Bay (To Present), Chon (To Choose), and Tu Quyet (Self-Determination) have one or more issues seized.

Other Forms of Pressure: Destruction of Offices, Deportation and Conscription

The offices of Tin Sang and Dien Tin have been wrecked a number of times by thugs hired by the Secret Police. Their printers have been threatened with closures. The daily Lap Truong eventually disappeared as a result of this pressure: no printer in Saigon dared promise to print it. [Lap Truong is the newspaper organ of former Vice President Nguyen Cao Ky. - ed.]

Stubborn journalists are either arrested or drafted. The most scandalous affair of this sort was that of Tin Sang, Ngo Cong Duc's newspaper, which was shut down by administrative decision, despite a Supreme Court ruling that the decision was unconstitutional.

Article 19 of Decree-Law 004/66, February 1966, states:

Those persons considered dangerous to national defense and public security may be interned in a prison or designated area, or banished from designated areas for a maximum period of two years, which is renewable; the internment and banishment shall be by order of the Prime Minister issued upon the recommendation of the Minister of Interior.

A number of writers, journalists and artists have been victims of this measure, including the old writer Thieu Son, the musician Pham Trong, the artist Tran Tuan Nham, etc. Some have been deported to Con Son like the poet Vo Que who was a regular contributor to Doi Dien magazine.

These arrests, followed by deportations [to prison islands - ed.], are made by Security Committees in cities and provinces without having to bring the suspect to trial. Although house arrest and camp internment are limited to a maximum period of two years, such arrests become permanent simply by being renewed every two years.
The Mobilization Law which applies to all citizens from 18 to 50 is applied in a discriminatory fashion. It is used as a weapon to pressure writers and journalists. It was used against former Congressman Ngo Cong Duc (see Part IV - ed.). While editors of newspapers such as Tien Tuyen (Frontlines), Tin Cong (News of Life), Quat Duong and Dieu Mau (The Falcon), which are subservient to the regime, receive favored treatment, their independent colleagues are drafted and placed in combat units.


The August 1972 Press Law uses the device of the preliminary deposit to strangle the press. It requires the publisher to make a preliminary deposit of 20 million piasters [roughly equivalent to $48,000 - ed.] for a daily newspaper and 10 million piasters for other types of periodicals. This supposedly allows the publications to pay their fines out of the deposit. Political party organs (and the only parties left are those tied to the regime) only have to pay half of the deposit.

To facilitate seizures, newspapers can only be distributed four hours after a certain number of copies have been delivered to the Ministry of Information (Article 13). To expedite the process, the power to seize newspapers is given to local administration officials (Article 19).

The Minister of the Interior can suspend any publication on his own authority or close a printing plant for trivial reasons (such as transporting newspapers out of the print shop before the required four hour delay) without necessitating a court trial (Article 19).

Vietnamese newspapers are allowed to reproduce articles from foreign newspapers whose "distribution is authorized in Vietnam," and then only on the condition that excerpts from such articles "do not constitute a threat to the security of the State" (Article 25). Even the publication of the record of parliamentary debates and documents from the National Assembly are subject to this restrictive clause (Article 23). Even the publication of a photograph distributed by an American agency can be considered a threat to the security of the State and a disguised apology for communism published with the intention of harming the regime: for instance, a picture of the D.R.V. or P.R.G.

Infractions of the many administrative regulations of the new Press Law may result in fines of 10,000 to 5,000,000 piasters. Moreover, the old provisions of censorship are still in effect and can by a verdict of a Special Military Court result in sentences of three years' deportation for the publication of news which, although true, can be considered to have been published with the intention of harming national security.

This Draconian legislation, whose preventative character is evident, is aimed at liquidating all of the press that does not depend directly on the regime. The independent press must be destroyed if it is to be kept under control.

Within three months after the new Press Law came into effect, the number of daily papers published in Saigon fell from 40 to 18, half of which were directly controlled by the regime.

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*Tien Tuyen, the official newspaper organ of the Saigon Army, has been less favored of late. In October 1972, Le Monde (October 26, 1972) reported that for the first time in eight years, the Thieu regime seized an issue of Tien Tuyen for publishing information on the peace agreement which was then being negotiated. Since then, Tien Tuyen has gone out of business. - ed.

**The Emergency Powers Bill giving General Thieu unlimited power to rule by decree was surreptitiously adopted during the night of June 27, 1972, after curfew, by 26 Senators attached to the regime and convoked at the last minute for an extraordinary session, despite the opposition of the President of the Senate and 27 other Senators. - ed.
Protocol on Prisoners

EDITOR’S NOTE: The Thieu government is a signatory to the January 27, 1973 Agreement on Ending the War and Restoring Peace in Vietnam, and is therefore legally bound to respect all its provisions, including the following protocol on prisoners. As the documents show, there is a wide gap between what is stipulated in the Agreements and the protocol on prisoners, and what actually took place in areas controlled by the Thieu government since these provisions were to take effect.

Protocol to the Agreement on Ending the War and Restoring Peace in Vietnam concerning the return of captured military personnel and foreign civilians and captured and detained Vietnamese civilian personnel

Excerpts

The Return of Captured and Detained Vietnamese Civilian Personnel

Article 7 (a) The question of the return of Vietnamese civilian personnel captured and detained in South Vietnam will be resolved by the two South Vietnamese parties on the basis of the principles of Article 21 (b) of the Agreement on the Cessation of Hostilities in Vietnam of July 20, 1954, which reads as follows:

"The term 'civilian internees' is understood to mean all persons who, having in any way contributed to the political and armed struggle between the two parties, have been arrested for that reason and have been kept in detention by either party during the period of hostilities."

(b) The two South Vietnamese parties will do so in a spirit of national reconciliation and concord with a view to ending hatred and enmity in order to ease suffering and to reunite families. The two South Vietnamese parties will do their utmost to resolve this question within ninety days after the ceasefire comes into effect.

(c) Within fifteen days after the ceasefire comes into effect, the two South Vietnamese parties shall exchange lists of the Vietnamese civilian personnel captured and detained by each party and lists of the places at which they are held.

Treatment of Captured Persons During Detention

Article 8 (a) All captured military personnel of the parties and captured foreign civilians of the parties shall be treated humanely at all times, and in accordance with international practice...

(b) All Vietnamese civilian personnel captured and detained in South Vietnam shall be treated humanely at all times, and in accordance with international practice.

They shall be protected against all violence to life and person, in particular against murder in any form, mutilation, torture and cruel treatment, and outrages against personal dignity. The detaining parties shall not deny or delay their return for any reason, including the fact that captured persons may, on any grounds, have been prosecuted or sentenced. These persons shall not be forced to join the armed forces of the detaining party.

They shall be given adequate food, clothing, shelter, and the medical attention required for their state of health. They shall be allowed to exchange post cards and letters with their families and receive parcels.

Article 9 (a) To contribute to improving the living conditions of the captured military personnel of the parties and foreign civilians of the parties, the parties shall, within fifteen days after the ceasefire comes into effect, agree upon the designation of two or more national Red Cross societies to visit all places where captured military personnel and foreign civilians are held.

(b) To contribute to improving the living conditions of the captured and detained Vietnamese civilian personnel, the two South Vietnamese parties shall, within fifteen days after the ceasefire comes into effect, agree upon the designation of two or more national Red Cross societies to visit all places where the captured and detained Vietnamese civilian personnel are held.
PART IV
A Survey of South Vietnam's Prison System
by Ngo Cong Duc

Photo: October 1, 1971. Ngo Cong Duc addressing the People's Conference (Dai Hoi Nhan Dan), held at the Birth of the Nation Palace. Over 1,000 representatives from religious, political, trade and labor organizations participated in this conference to denounce Thieu's one-man election.

EDITOR'S NOTE: Ngo Cong Duc, a wealthy landowner, was up until a year ago one of the most influential figures in South Vietnamese politics. His uncle is the Archbishop of Saigon, the highest ranking Catholic prelate in South Vietnam. Duc himself served as a Congressman for four years, and was Editor-in-Chief of a popular Catholic newspaper, Tin Sang (Morning News). When Tin Sang carried articles describing the arrest and torture of prominent officers of the South Vietnamese Student Association, and published editorials calling for the withdrawal of U.S. forces from Vietnam, the Thieu government responded decisively. From March 1970 to February 1972 Tin Sang was confiscated 295 times, and its office was firebombed twice in 1970, and finally it was burned down in March 1971. Duc's own house was also bombed in October 1970 and his entire property was confiscated. He was jailed in 1971 for 5 days despite his immunity from arrest as a Congressman in the Lower House. The Thieu government eventually forced his newspaper Tin Sang to close down, and Duc went into exile. He has been sentenced in absentia to three years' imprisonment for leaving the country illegally. He is now living in Europe, but hopes to be able to return home in the near future. The following article was written in January 1973 before the signing of the Paris Agreements. In his article, Duc makes references to the role of American and South Korean forces in the arrest of Vietnamese civilians. The Paris Agreements provide for the withdrawal of all foreign forces from Vietnam, but we have received no confirmation that American and South Korean involvement in arrests and imprisonments has been entirely phased out.

With a few facts in a single article, it is impossible to give a complete description of a prison system, particularly that of the Saigon government. To know it you must experience it for yourself, you must see with your own eyes the interrogations and the torture sessions, the agonizing sight of old people, women and children, caged up, piteous, naked, in the prisons of the Saigon regime.

The incarceration of more than 200,000 prisoners in approximately 550 prisons in South Vietnam is one of the many cruel consequences of U.S. imperialistic policies in South Vietnam.

To this day the United States and Nguyen Van Thieu have been unwilling to release the prisoners for fear that these 200,000 people will eventually turn against them, denouncing their cruel prison system and exposing U.S. imperialistic policies. (This is why, rather than freeing the prisoners, they are seeking instead to get rid of them by other means.)

From my four years' experience as a Congressman under the Saigon regime, as the editor-in-chief of a daily newspaper, and above all from the experience of my detention in a South Vietnamese prison, I have tried to present here, in a general and honest way, the South Vietnamese prison system in its various facets.
Under the Saigon regime, all armed personnel have the power to make arrests. The arrests can be made by members of the police, the South Vietnamese Army, the Central Intelligence Office, by hamlet or village officials, by popular forces, or even by American or South Korean soldiers.

Out of a population of 17 million, over 200,000 are now in prison and every month, an average of 15,000 more are jailed. [On July 10, 1972 Time magazine reported that "arrests are continuing at the rate of 14,000 per month" - ed.] It is estimated that in the course of the war, about a million people have "enjoyed the privileges" of the Saigon prison system.

The agency in charge of arrests and imprisonments is attached to the President's office and directed by General Dang Van Quang, President Thieu's Special Assistant on National Security.*

His second in command is General Nguyen Khac Binh, who serves as Director of the Central Intelligence Office and is also in charge of the police, currently 150,000 strong. [General Binh] takes direct orders from the President's office.

In addition to the Police and the Central Intelligence Office, the following agencies are empowered to make arrests: the Bureau of Military Security, the Second Bureau of the Army General Staff, the Military Police Command, the U.S. military forces, and the Phoenix Program Office which operates under U.S. supervision and in coordination with the above agencies. The occupying foreign forces [Americans and South Koreans] in South Vietnam also have their own facilities for interrogation, torture and investigation, as well as their own prisons.

In local areas, besides the branches of the above-mentioned agencies, the local administrations and the popular forces are also empowered to make arrests. The Office for Rallying Defectors and the Office of Rural Pacification also have their own armed units and the power of arrest.

Many arrests in South Vietnam were made under the Phoenix program, which was organized and controlled by the United States. The indiscriminate arrests and the increase in the numbers are the result of U.S. policies and became more important with the "Vietnamization" of the war.

Besides maintaining its own intelligence agency with agents in various disguises, the United States has appointed C.I.A. and F.B.I. agents as advisors to the [South Vietnamese] Central

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* General Dang Van Quang has been accused of being heavily involved in the heroin traffic in Southeast Asia by Alfred McCoy, author of The Politics of Heroin in Southeast Asia. In testimony to the U.S. Senate Subcommittee on Appropriations, McCoy said:

President Thieu’s most important military adviser, General Dang Van Quang, has been publicly accused by NBC of being the "biggest pusher" in South Vietnam. It is a matter of public record that General Quang was removed from command of IV Corps for outrageous corruption in 1967-68, and reliable sources in the Vietnamese military have confirmed NBC’s report.

Finally, U.S. military commanders report that the narcotics traffic in the Mekong Delta is controlled by colonels and low-ranking generals loyal to General Quang.

In July 1971, NBC’s senior correspondent charged that General Dang Van Quang was the "biggest pusher" in South Vietnam. Prior to this broadcast, I had received independent reports of General Quang’s narcotics dealings from high-ranking Vietnamese sources. The U.S. Embassy again issued a vigorous denial.

On July 28, 1972 the New York Times reported that a secret study compiled by the U.S. government's top narcotics enforcement agency, the Strategic Intelligence Office of the Bureau of Narcotics and Dangerous Drugs, stated that the amount of high-quality heroin being smuggled into the United States from Southeast Asia "is greater than previously realized." Another Cabinet level report saw "no prospect" of stemming the smuggling of narcotics by air and sea in Southeast Asia "under any conditions that can realistically be projected." The report pointed to "the corruption, collusion and indifference at some places in some governments, particularly Thailand and South Vietnam," as being responsible for the continuing heroin traffic. Heroin addiction is considered to be a major cause of crime in the United States. - ed.
Intelligence Office and the police. In fact the U.S. is in direct command of these agents because it controls the budget.

THE CENTRAL AGENCIES

The National Police

The Active Police (Hoat Vu), judging from its activities, is in fact the secret police. It is the key agency in the network of arresting agencies. Its purpose is to suppress all popular movements struggling for peace and neutrality, all organizations whose policies are opposed to the government's, and to destroy all secret National Liberation Front footholds in the Capital.

The Active Police is attached to the Special Police Force (Kho Canh Sat Dac Biet) which in turn is part of the National Police. It receives direct orders from the President's office and the American Central Intelligence Agency. The Special Police Force operates inside the Central Bureau of Investigation (Trung Tam Tham Van), which is located in the headquarters of the National Police. There are eight Active Police stations in the suburbs, three in Cholon, one in Thi Nghe, one in Tan Son Nhut, one in Phu Lam, and one in Gia Dinh. There are eleven stations in Saigon itself and also regional offices in the provinces, cities, districts, and villages.

The Central Bureau of Investigation is generously equipped with instruments of torture and consists of 10 to 15 smaller interrogation units, each manned by five people. There are three detention centers, Cau Luu Xa, A, B and C, and a main prison, Lau Xa Tong Nha. All political prisoners from Saigon and many of the most important prisoners from the provinces must pass through this Central Bureau of Investigation, where their dossiers are filled out, where further investigations are conducted, and where a decision is made on whether a prisoner will be tried or sent to a detention camp or whether some other disposition must be made of his case.

The Military Security Service (Cuc An Ninh Quan Doi)

This agency is subordinate to the Army General Staff and is administered by a general. The agency's secret agents are present and active in every Army unit and are organized in parallel fashion to the Army itself. Their field of activity is not restricted to the Army, though; they are empowered to make arrests and to search houses located near Army installations. The Military Security Service cooperates closely with other agencies in making arrests and in exchanging documents and dossiers. At the agency's headquarters and in each regional office, there are detention centers and torture rooms.

<table>
<thead>
<tr>
<th>Agency</th>
<th>Province</th>
<th>District</th>
<th>Village</th>
<th>Hamlet</th>
<th>Other</th>
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<tbody>
<tr>
<td>Police</td>
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<td>X</td>
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<td>Military Security</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Second Bureau of the Army General Staff</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Phoenix Program</td>
<td>X</td>
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<tr>
<td>Military Police</td>
<td>X</td>
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<tr>
<td>Security Committees</td>
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<td>X</td>
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<tr>
<td>Popular Forces</td>
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</table>
The Second Bureau of the Army General Staff has the special task of following military operations, interrogating those arrested during operations and making new arrests after the interrogation of prisoners. This agency has branches at all levels, from the national down to the district.

Besides the Military Security Service, there is also an intelligence office at Army headquarters. It is authorized to make arbitrary arrests, but its activities are more secret than those of other agencies.

The Central Intelligence Office (So Trung Tam Tinh Bao)

It is thought that this agency serves also as the American center for secret and double agents. The Central Intelligence Office carries out arrests in great secrecy, issues orders and supplies information to the police and the Military Security Service. Prisoners who are taken to the Central Intelligence Office are blindfolded and are often brought there at night. Since they can still hear, it has been possible for them to indicate that this agency is located on Bach Dang quay, near the Special Military Court (Nha Quan Phap) and Navy headquarters.

The U.S. Special Forces*

The U.S. Special Forces seem to have their headquarters in Bien Hoa. A great many prisoners have been arrested and interrogated by the U.S. Special Forces. This is revealed by the prisoners’ dossiers but up to now no one has been able to give the exact location of their headquarters.

The Phoenix Program**

The Phoenix Program coordinates the activities of all agencies having the power of arrest; it was created when the policy of "Vietnamization" went into effect. Phoenix is under direct U.S. command. [Phoenix offices] are equipped with detention rooms and modern interrogation facilities, which are called interrogation centers. They can be found in all of the provinces, attached to the large prisons.

SENTENCING

Alongside the civil courts and military courts, each locality also has a Security Committee under the control of the local administration which is authorized to examine dossiers and to pass sentences.

Sentences are based on reports and dossiers compiled by the agency conducting the investigation. The prisoner never appears before any court. He knows nothing about his conviction. Moreover, his prison sentence can always be extended later.

Only those against whom all evidence has been gathered appear before the military court. After his prison term has expired, a prisoner can still be detained because he is considered dangerous to national security.

The Ministry of the Interior, which has jurisdiction over the official prisons, has created

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* It is not clear if the U.S. Special Forces have actually withdrawn from South Vietnam since the signing of the Paris Agreement. Under international law, responsibility for the treatment of captured prisoners remains theirs (the U.S. Special Forces), regardless of whether these prisoners have been turned over to the Saigon police or military. We have no current information on the fate of prisoners once held by the U.S. Special Forces. - ed.

** The former American head of Phoenix and present Acting Director of the Central Intelligence Agency, William Colby, told Congress that a total of 20,587 people were killed during Phoenix operations between 1968 and 1971. Thieu's Ministry of Information gives a much higher figure - over 40,000 people killed - in the same period under Phoenix. For more information on Phoenix operations and its cost to the United States, see Hostages of War: Saigon's Political Prisoners by Holmes Brown and Don Luca, and Aid to Thieu, by NARMIC. - ed.
an administrative agency called the Department of Central Administration of Reeducation Centers (Nha Tong Quan Doc Cac Trung Tam Cai Huan) to supervise these prisons throughout South Vietnam.

It is difficult to know all the prisons that exist in South Vietnam because in addition to the official prisons, there is a multitude of secret and semiofficial prisons established by the regular army, the Popular Forces, the American Army, the intelligence agencies, the secret services, the security agencies and the various levels of provincial administrations. Certain prisons are named in this article without any indication of the number of inmates. This is due to lack of information.

THE PRISONS OF SOUTH VIETNAM

Main Prisons

CHI HOA: Considered the "Grand Central Station" of the South Vietnamese prison system. This institution holds 10,000 prisoners and is located in Saigon. It contains various instruments of torture. Prisoners are chained to bars cemented into the walls.

PHU QUOC: This prison, located on the island of Phu Quoc in the Gulf of Thailand, holds about 40,000 prisoners from 15 to 60 years of age.

THU DUC: This prison holds 8,000 prisoners and is located in Thu Duc district (Gia Dinh province). It is reserved for women prisoners arrested in the Saigon-Cholon area, other women prisoners with long sentences, and women who have never been tried. The prison is administered by a Colonel.

TAN HIEP: This prison holds around 10,000 prisoners and is located on the old national highway between Bien Hoa and Vung Tau. It is a detention center for political prisoners who have never been tried or have completed their jail term but have not been released.

CON SON: This prison holds over 15,000 prisoners. Con Son Island has an administration comparable to that of a province. There are no civilian residents on the island, only prisoners, civil servants, guards and their families. There are two large prisons here, called Prison Number One and Prison Number Two, and one small prison located in the headquarters of the Security Service. The island also houses the formidable "tiger cages" for important prisoners. Con Son is administered by a Colonel, a security chief and other military officers.
The Official Provincial Prisons

Each of the 50 provincial prisons holds 500 to 1000 prisoners although certain ones, such as the Gia Dinh prison, are much bigger. This prison, located near Gia Dinh City Hall, holds 1,500 to 2,500 persons and is used for the temporary detention of prisoners who are being sent by the National Police to Tan Hiep and Con Son prisons. Other important provincial prisons include the ones in Ben Tre and My Tho, each holding 2,000 prisoners; the one in Nha Trang, which keeps political prisoners while they are being considered for trial by the Special Military Courts and holds 3,000 to 4,000 prisoners; and the prisons in Qui Nhon, Da Nang and Hoi An which have an average capacity of 2,000 prisoners. In Hue there are two large prisons, Thua Phu and Mang Ca Nho. The Thua Phu prison holds military prisoners, political prisoners and common prisoners who have been tried. Mang Ca Nho Prison, like Tan Hiep Prison in the south, holds only prisoners who are being detained without a trial. Thua Phu and Mang Ca Nho each hold about 3,500 prisoners.

TABLE 2. THE PRISONS OF SOUTH VIETNAM

<table>
<thead>
<tr>
<th>Main Prisons</th>
<th>NATIONAL PRISONS</th>
<th>PROVINCIAL PRISONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHI HOA</td>
<td>Military Prisons</td>
<td>Other</td>
</tr>
<tr>
<td>10,000 prisoners</td>
<td>GO VAP 15,000 prisoners</td>
<td>10 Police Prisons 3,000 prisoners</td>
</tr>
<tr>
<td>PHU QUOC</td>
<td>Military Secret Service Prison - 1,000 prisoners</td>
<td>Central Intelligence Office Prison 300 prisoners</td>
</tr>
<tr>
<td>40,000 prisoners</td>
<td>Army Intelligence Office 500 prisoners</td>
<td>CHO QUAN 500 prisoners</td>
</tr>
<tr>
<td>THU DUC</td>
<td></td>
<td>American Prison</td>
</tr>
<tr>
<td>8,000 prisoners</td>
<td></td>
<td>48 Provincial Police Prisons</td>
</tr>
<tr>
<td>TAN HIEP</td>
<td></td>
<td>48 Office of Military Security Prisons</td>
</tr>
<tr>
<td>10,000 prisoners</td>
<td></td>
<td>48 Regional Headquarters Prisons</td>
</tr>
<tr>
<td>CON SON</td>
<td></td>
<td>48 American Intelligence Centers</td>
</tr>
<tr>
<td>15,000 prisoners</td>
<td></td>
<td>260 District Prisons</td>
</tr>
</tbody>
</table>

Totals: 21 National Prisons with 103,000 prisoners
513 Provincial Prisons with more than 100,000 prisoners

* There are discrepancies between some of the figures listed here and the number of prisoners in the main prisons and figures listed elsewhere in this collection of documents. One reason for the varying figures is that prisoners have been transferred in large numbers from prison to prison, so that the prisoner population is drastically increased or reduced depending on which prison one is looking at. Since the Thieu government refuses to allow independent organizations to enter the prisons to make inquiries, no confirmation of these figures can be made either way. U.S. government statistics contradict one another. One fact sheet, compiled by the U.S. Agency for International Development's Office of Public Safety, asserts that there are only four national prisons, one national juvenile correction center and 35 provincial prisons. Yet the Agency for International Development's own Project Budget Submission for Fiscal Year 1974 states as its goal the establishment of a Jail Administration Program in 552 detention facilities by the end of fiscal year 1973, and cites in its progress report the existence of the program in 329 detention facilities. Thus, while one fact sheet admits to the existence of only 40 detention facilities, another official document mentions 552 detention facilities, which is almost identical to the figures provided by Ngo Cong Duc. - ed.
The Secret and Semiofficial Prisons

The following list accounts for only a portion of the secret and semiofficial prisons in South Vietnam. No one really knows the exact number since the secret prisons are hidden in private villas, government-owned buildings, cellars, and so forth. In general, these prisons are administered by the officials who have arrested the people detained there.

In the headquarters of the National Police (Tong Nha Canh Sat Quoc Gia) in Saigon, there are two prisons, each with a capacity of 3,000 prisoners. One is located within the boundaries of the Central Bureau of Investigation and is called the Detention Center (Cau Luu Xa); it is composed of three rows of cells for political prisoners who are currently under investigation. Around 200 meters from the Detention Center, but still inside the boundaries of the National Police Headquarters, there is a large two-story building, consisting of two wings and containing large rooms and more than ten cells. Among the detainees, about ten percent are criminals; the rest are political prisoners sent from other prisons to be interrogated by the Central Bureau of Investigation, or prisoners who have completed their jail sentences, but are kept in prison for an indefinite period.

There are eight secret prisons in villas scattered throughout the Saigon-Cholon-Gia Dinh area, belonging to the National Police. The Saigon District police headquarters is in charge of 11 prisons, each holding 100 to 800 prisoners. There is also a recently built prison for 800 prisoners in the Eighth District. The Military Security Service (Cuc An Ninh Quan Doi) controls a prison in the First District, near the Saigon zoo, with a capacity of 800 to 1000 prisoners. The Secret Service of the Army General Staff has a prison holding 500 to 1000 persons, located near Tan Son Nhut airport. The Central Intelligence Office also has a prison located at Ben Bach Dang which holds 200 to 500 persons.

The police, the Phoenix Program, and the local army forces each have prisons in the provinces, and there is a prison in each barrack of the American and allied forces. Each prison holds an average of 30 to 100 prisoners.

In each provincial district, there is a prison containing prisoners of all categories arrested by the local Security Branch of the Special Police, the Popular Forces (Dan Ve), the cadres of the pacification program, and the District Chief. In one place or another, in each district, in each barrack, of whatever size, there is always a little room that serves as a prison for those arrested by the Popular Forces or by the village councils.

TORTURE

The typical prisoner undergoes three torture sessions at the arresting agency. During the first session, which is the most brutal, the authorities try to find out the names of others who may have collaborated with the prisoner. Even if he is innocent, it is possible that under torture he will find names to give, perhaps the names of friends or relatives. This is one of the reasons for the high number of persons who are arrested unjustly. The second torture session is meant to extract information on the enemy's activities. The third session, designed to record the prisoner's confession, is less harsh than the other two, except if the prisoner tries to retract points from his earlier confession (if he does not retract anything, the sentencing that follows can also be very severe). Whatever he says, the interrogation report is wholly fabricated by the interrogator who arranges all the facts to show the prisoner's crime. At the end of the report, there is always this expression: "After having heard three times this report (or these lines), I recognize that all of it is true, and I therefore sign my name alongside the interrogator's." The prisoner is beaten daily until he agrees to sign.

Depending on whether the arresting agency is located in one of the provinces or in Saigon, the prisoner's report and his "confession" are then sent to the appropriate provincial office or to the controlling office in Saigon. The office staff has the right to question and torture him again. Sometimes, his reports are sent to several agencies, and he undergoes another investigation by all those who are interested in his case. Six months or more can go by before he knows where and by whom he will be tried, or in the event that he is not tried, before he knows whether he will be released or detained for a longer time, or whether an even more thorough