

Both Sides Found Committing Major Viet Truce Violations

Although White House Depicts Reds as Main Transgressors, U.S. Embassy Documents Present Far Less Clear-Cut View

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SAIGON—Although the Nixon Administration has publicly portrayed the Communists as the principal violator of the Vietnam ceasefire, classified documents prepared by U.S. Embassy officials here present a far less clear-cut view of the fighting, with both sides committing many major violations.

The daily ceasefire "situation reports" also show that except for the Mekong Delta area, fighting in South Vietnam has decreased sharply since the ceasefire began four months ago. More than 60 pages of the documents, which are labeled confidential, were made available to the Los Angeles Times. The reports cover part of May.

According to partial statistics in the reports, South Vietnamese government troops fired several times as many artillery and mortar rounds as Communists did in the period covered.

In addition, some descriptions of apparent Saigon ceasefire violations either contradict official accounts or were not reported by the Saigon military command. One report mentions the sighting of two American B-52s over South Vietnamese territory, also a violation.

On the other hand, Communist troops were reported to have launched dozens of small-unit ground attacks against government outposts, and were said to be continuing their military buildup in the northern region of South Vietnam.

The reports cover all aspects of the ceasefire. Basing much of their information on private briefings by South Vietnamese military spokesmen, U.S. officials in the field gather information, then send it to the embassy in Saigon, where it is collated and expanded upon. Final daily reports, which are from 10 to 20 pages, are then cabled to Washington, military commands in Hawaii and Thailand and a dozen U.S. embassies.

Recently one copy has been going to Katmandu, where the just-resigned ambassador to South Vietnam, Ellsworth Bunker, is visiting his wife, the U.S. ambassador to Nepal.

Before the ceasefire, South Vietnamese President Nguyen Van Thieu said about Communist ceasefire violations: "If the Communists use a small gun, we will use a big gun."

The reports suggest that the Saigon government has indeed followed this policy. During one four-day period in the northernmost of South Vietnam's four military regions, Communists fired 896 mortar and only 10 artillery rounds. In return, Saigon troops fired 6,074 artillery rounds.

Although the reports did not give comprehensive statistics for shellings in other military regions, other sources have said that since the ceasefire Saigon troops have taken advantage of their superior firepower and have been shelling at a much higher rate than the Communists. For both sides, shelling is a means of harassing an opponent without exposing troops to much danger.

Although combat appears to be dropping off elsewhere, in the Mekong Delta it is still heavy, the documents said. Recently there have been consistently more incidents in the delta military region than in the other three regions combined. For seven days in mid-May, government casualties in the delta were reported at 98 killed, 591 wounded, and 43 missing while 242 Communist troops were killed and five captured. (No statistics are available on Communist troops wounded in action.)

The tone of the reports suggests that in some instances U.S. officials condone the veiling of ceasefire violations by Saigon military spokesmen.

Robert L. Walkinshaw, U.S Consul General in Bien Hoa, reported an incident May 8 in Hau Nghia province in which Communist soldiers were mauled.

Among the weapons captured by Saigon troops was one Chinese telephone, leading Walkinshaw to comment, "The capture of a telephone indicates the incident may have been GVN (South Vietnamese Government)-initiated, as the NVA (North Vietnamese Army) does not customarily take telephones along on ground attacks. "Perhaps this incident is best described, to use Corps III Commander Lt. Gen. Nguyen Van Minh's words, as an 'encounter.'"

In an incident May 16 in Phu My district, northern Binh Dinh province, U.S. officials reported a company of the 40th Regiment, 23rd South Vietnamese Division "was on patrol... when contact was made with an unidentified Viet Cong force."

In the ensuing battle, 53 Communist soldiers were reported killed while only two South Vietnamese soldiers were wounded. Saigon troops also captured 104 weapons and "destroyed a V.C. battalion training center and a 105-mm. artillery position."

Later in the day other companies in the 40th Regiment killed 29 communist soldiers, while only one South Vietnamese soldier was killed and one wounded, according to the report. Suspicious about the affair because the casualty ratio was so remarkable, the report said, "The U.S. consul general in Nha Trang suggests the 40th Regiment may have launched a pre-emptive operation."

That suspicion turned out to be correct, as the next day's situation report explained:

"Regional Tactical Operations Center (TOC) in Nha Trang disclosed today that patrolling company of 40th ARVN (Army of the Republic of Vietnam) Regiment, which killed 53 V.C. on May 16... was actually not on patrol. According to most recent TOC version of incident, 23rd ARVN Division... received firm intelligence on location of V.C. battalion-sized training center in northwestern Phu My district, picked best company in 40th Regiment for action, and made detailed plan for raid."

Though planning and carrying out a raid is an obvious ceasefire violation, the version of the incident which ARVN military spokesmen released to the press did not indicate that, and also reported a different division involved.

It said, "This morning at 0430, an element from the 22nd Division, while securing its defensive position, detected an enemy transportation unit moving a large number of weapons and munitions in an area 13 kilometers north-northwest of Phu My district town. The infantrymen were engaged by the Communists. Initial reports indicate 49 enemy killed and 104 assorted weapons along with a quantity of munitions were seized. Two infantrymen were wounded in the action."

The reverse of the above incident took place in Chuong Thien province in the Mekong Delta, where the Communists were on the offensive. A report said: "A Communist ambush May 14 routed an ARVN infantry company. Twenty-two men... escaped the ambush.... They left behind 21 of their comrades, including three officers."

The sighting of B-52s was made by members of the International Commission of Control and Supervision team at An Loc. The battered provincial capital, which is 60 miles north of Saigon, is surrounded by Communist-controlled territory.

According to a May 18 report, a Col. Morrow, regional chief of the Canadian ICCS delegation, told an American political officer that the ICCS team "observed two B-52 bombers flying from west to east, north of the team's location in An Loc."

Though the B-52s may have been returning from bombing missions on the other side of the nearby Cambodian border, their presence in South Vietnamese airspace is a violation of the ceasefire agreement.

On May 13th, five days before the report mentioning the B-52 sighting, the Hanoi newspaper Nhan Dan charged that "many B-52s" were involved in strikes "on both sides of the south Vietnamese-Cambodian border." The ICCS is now investigating similar charges by the Provisional Revolutionary Government (Viet Cong).

Probably because previous reports had already dealt extensively with the subject, information on the communist buildup south of the demilitarized zone was sparse.

ARVN commanders seem far more concerned about the building in I Corps than they are about fighting around Tong Le Chan, the base camp 45 miles north of Saigon that has been besieged by Communist troops for several weeks.