political prisoners in South Vietnam
Since the January 1973 Agreement to End Hostilities in Vietnam, Amnesty International has received dozens of reports of the seemingly endless suffering of the 100,000 civilians still detained in the South.

Far from bringing them freedom, the Agreement, by focussing attention on the military situation and prisoner of war exchanges, has drawn attention away from their plight.

This illustrated Amnesty International report, based on painstaking research into the problem and including an appendix with some typical cases, explains who these thousands of men and women are, why many who support neither of the warring sides are still detained, the conditions of their imprisonment, and the suffering of many of them under torture.

Most important of all, the report explains why their suffering will go on - unless something is done to free them now.

Introduction

In November 1972 Amnesty International presented a draft Protocol to all the parties to the conflicts in Indochina. The Protocol was concerned with the release and rehabilitation in the event of a ceasefire of all the civilians detained in Indochina as a result of war. At the time this was a massive problem needing the most urgent attention, especially in South Vietnam. Since then a ceasefire in Vietnam has come and gone, and the problem is just as urgent today.

Like most wars, the conflict in Vietnam created two sorts of prisoners: prisoners of war - that is, military personnel involved in the war - and detained civilians. Contrary to what many people think, the January 1973 Ceasefire and Peace Agreement only dealt properly with prisoners of war. It left the question of civilian prisoners largely unanswered.

As a result of the Agreement, all captured and detained military personnel (as well as foreign civilians) were released by the end of March: the Americans among them received most public attention. They were nearly 600 in all, less than the Pentagon may have hoped, but in any case only a fraction of the total number of civilian and military detainees throughout Indochina. Most of them were released by the DRVN, a few by the PRG and a handful by the pro-Communist Pathet Lao in Laos. At the same time, but with much less publicity, some 31,000 Vietnamese prisoners of war were exchanged by the PRG and GRVN in the South (1).

CIVILIAN PRISONERS

The Peace Agreement also stipulated that the two South Vietnamese parties should discuss the issue of civilian detainees and try to come to an agreement by 27 April 1973, ninety days after the Ceasefire. This deadline is now long past and next to nothing has happened (see page 3). This means that upwards of 100,000 civilians remain in detention throughout South Vietnam, many of them in appalling conditions, the vast majority of them held as a result of the fourteen-year-old conflict.

One of the hazards of discussing South Vietnamese civilian prisoners is the imbalance of information available. Accounts of conditions in GRVN prisons, as well as some visual material, regularly filter out; on the other hand reliable information about the condition of prisoners held by the PRG is hard to come by, even though released Americans have had their experiences to relate.

In spite of this disparity, Amnesty International feels there can be no excuse for failing to describe the appalling conditions, chaotic administration and widespread disregard for basic legal and human rights which many GRVN civi-

(1) To be precise, as a result of 4 major exchanges, 26,729 PoWs held by the GRVN were exchanged for 4,930 held by the PRG.

Glossary

The following abbreviations are used throughout this report:

DRVN - (Government of the) Democratic Republic of Vietnam, i.e. Hanoi
GRVN - Government of the Republic of Vietnam, i.e. Saigon
PRG - Provisional Revolutionary Government (of the Republic of South Vietnam), i.e. Government of the National Liberation Front (NLF)

All three Governments signed the January 1973 Peace Agreement on Vietnam. The GRVN and the PRG are sometimes referred to as the two South Vietnamese parties.

N.B. All dates put the day first and the month second: thus, 2-3-73 is the 2nd of March 1973.
The Peace Agreement

The provisions made for civilian internees in 1954, when the French and Ho Chi Minh's People's Army signed a ceasefire, were much better than those made by the Peace Agreement this year. According to the 1954 Settlement, "All civilian internees of Vietnamese, French and other nationalities captured since the beginning of hostilities in Vietnam during military operations or any other circumstances of war...shall be liberated within a period of thirty days after the ceasefire".

The Settlement went on to define the term "civilian internee" as meaning "any 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".

Nineteen years later, the provisions for a far more complicated situation are far less comprehensive. The January 1973 Peace Agreement should have provided for the immediate release of all civilians detained as a result of the war. Instead it just told the two South Vietnamese parties to "do their utmost" to resolve the problem within ninety days of the ceasefire. When this deadline was reached at the end of April, the two parties had only succeeded in agreeing to exchange a total of 1,387 civilian detainees, a tiny percentage of the total number held. Since then, negotiations on the civilian prisoner issue have ground to a halt (1).

The Peace Agreement also used the same definition of "civilian internee" as the French and Vietminh agreed on in 1954. Even in 1954 this definition was not really satisfactory. How broadly was the phrase "contributing in any way to the political struggle" to be interpreted, for example?

But at least there had been a fairly clearcut political and military struggle between the French on one side and the Vietminh on the other. In 1973, on the other hand, the prisons of President Thieu are filled not just with members of the NLF, but also with thousands of non-Communist opponents of his Administration. These people have "contributed to the political and armed struggle between the two parties" - that is, the GRVN and PRG - only insofar as they have supported neither of them. They are in jail for opposing President Thieu on their own, or for movements other than the NLF. It is clear that the terms of the January Peace Agreement are not broad enough to include this large section of the GRVN's prison population, and that the GRVN has no intention of setting them free on any other grounds (2).

(1) As a first step in the negotiations on civilian detainees, the GRVN and PRG exchanged lists of civilian prisoners they considered eligible for release under the terms of the Peace Agreement. The GRVN's list consisted of 3,081 "Communist civilian detainees", while the PRG's number was 2,550. Each side claimed the other's list fell far short of the true number, and there was an impasse until three days before the deadline on 27 April. Then, in a surprise move, the GRVN agreed to exchange 700 prisoners for 637 PRG prisoners. Since then, there have been petty disputes about venues, and about protection for the Control Commission teams who are supposed to be on hand to observe exchanges. As a result, only a few hundred civilian detainees have actually been exchanged.

(2) The PRG has claimed their release under Article 11 of the Peace Agreement, which is concerned with "freedom of belief" and other democratic liberties.
Even if it eventually releases its NLF prisoners, there are several reasons why the GRVN may find it expedient to keep its non-Communist political opponents behind bars. These people are "neutralists", members of the political third force, possible mediators between Communist and non-Communist in South Vietnam. If they were released and allowed to become politically active, they could well jeopardize the staunchly anti-Communist position of the GRVN. This position, which identifies neutralism with pro-Communism, is perhaps the most effective raison d'être of GRVN.

The pivotal role of the third force is reflected in the proposed structure of the body known as the National Council for National Reconciliation and Concord, at least as it was originally conceived. According to the Peace Agreement, this Council is designed to organise general elections throughout South Vietnam, and a lot of negotiations went on before the signing of the Agreement about the Council's precise nature. Washington and Saigon apparently wanted to reduce its potential as much as possible, while Hanoi and the PRG conceived of it as an "administrative structure" with considerable independent power. The Council is to consist of three segments. In the January Peace Agreement it was not specified how these would be made up; but earlier it had been clear that they were to be one part GRVN, one part PRG and one part third force.

Both before and after the January Ceasefire, however, the GRVN has done all it can to discredit the idea of the third force. In a letter to President Nixon last November, for example, President Thieu denied its existence. The GRVN has also taken steps to silence claims that it is holding a large number of non-Communist political prisoners. Before describing these steps, let us see just who the GRVN's prisoners are.

The prisons administered by the GRVN (1) hold at least four categories of inmates. These are as follows:

1. Members of what the Americans call "the infrastructure" of the NLF. This organisation consists of NLF civil servants, tax collectors, village chiefs, schoolteachers, postmen, medical personnel, the farmers' association, the women's association, the youth association, cultural groups and so on. According to one source (2), the regular military element in this is rather small, and the number of full-time military forces in the NLF has probably never exceeded 60,000 men. Until March this year, when they were released, some 26,000 NLF military personnel were held as prisoners of war in separate camps; but it is very likely that others are still held in civilian camps along with large numbers of non-military NLF detainees. (For further details see page 12.)

2. Peasants, farmers, traders, children and other civilians who are suspected of being involved with the NLF at a very low level. Often people are held as Communist suspects because their relatives have been involved with the NLF, or because they do not have the right identity papers. Sometimes they have been conducting trade with the NLF, or have happened to have found themselves in an area temporarily administered by the PRG. An extreme example of the latter was the case of about 1,500 old men, women and children deported from central Vietnam to the prison island of Con Son in May and June 1972.

3. Non-Communist political opponents of the GRVN. An Appendix lists a number of typical cases including such better-known ones as: Nguyen Long, formerly advocate at the Saigon Court of Appeal; Ngo Ba Thanh, President of the Women's Movement for the Right to Live; Tran Huu Khue, formerly Assistant Secretary-General of the Movement for the Free Choice of the People; Huynh Tan Nam, President of the General Association of Saigon Students.

Amnesty International has on record the names of more than 200 leading non-Communist students, most of them detained without trial. It also has lists of over 1,000 detained Buddhist monks and details of a large number of other non-Communist political prisoners, then detained without trial or held on after the expiry of their sentences.

4. Those convicted of common criminal offences such as theft or rape. Prisoners in this category serve as prison trustees of 'kapos' in many of the bigger prisons, including the national prisons of Chi Hoa and Con Son.

The policy that the GRVN has adopted since the ceasefire of reclassifying large numbers of political prisoners as common criminals (see page 9) has made it increasingly difficult to distinguish between the first three categories and the fourth.

(1) For PRG prisoners see Section II, page 29
The number of prisoners is estimated to be around 1,000, while the interroga
tion centre attached houses another 600. Others are much smaller.

In 1969 the senior American advisor to the Director of the Correctional Direc
torate estimated that 10,000 people were held in interrogation centres alone.

Estimates of the total number of civilians held by the GRVN vary greatly.

A recent official Saigon figure was 35,257 (1), while other estimates have put it at
200,000 or even more (2). This is a huge disparity; and it is worth going into detail
over a number of points.

The GRVN prison system is large and complicated. Its size is conveyed by the
United States AID Project Budget Submission for the Financial Year 1974. This
speaks of ensuring a jail administration program in being and functioning in 552
facilities by the end of Financial Year 1973. Officially there are 41 main detention
centres for civilians. The largest and best-known are the four national prisons or
Rehabilitation Centres (Chuong Tom Occlusion). These are Chi Hoa prison in Saigon itself, Thu Duc and Tan Hiep, both of
them near Saigon, and the prison island of Con Son off the south-east coast of South
Vietnam.

According to a document signed by the assistant director of Con Son and
published by the Vietnamese Community in Paris in March 1973, the number of men
and women officially held in Con Son in November 1972 was 8,800, of whom 3,600 are being held without
trial. This corresponds roughly with the figure given three years ago by the
United States public safety director in Vietnam. It does not probably include
about 2,000 trustee prisoners housed outside the prison's camps. In view of the
fact that prison administration is far from perfect (3), and that since the cease-
fire large numbers of prisoners have been transported from one prison centre to
another, the figure of 11,000 or 12,000 may be more realistic.

Of the three other national prisons, Chi Hoa in Saigon seems to have at least
7,000 inmates at the beginning of 1973, though it was originally built for some
7,000, less. In January 1973 Saigon deputy Ho Ngoc Nhan visited Chi Hoa and
described it as follows:

"The prison contains 7,500 inmates, of which only half are common criminals.

Over two thousand are military prisoners, draft dodgers and minor regulation violators
who would normally be out of sight at the Go Vap military prison on the outskirts
of Saigon. But that institution is terribly overcrowded (as are most of Vietnam's
prisons now) so they are here...Chi Hoa also contains from 450 to 500 children
between the ages of twelve and fifteen whose crimes are stealing, petty theft, and
drug offenses. Like the military prisoners, they are the overflow, for the Thu Duc
Juvenile Centre can handle no more."

Less is known about Thu Duc and Tan Hiep prisons. Thu Duc prison for women
was said in 1970 to hold between 1,000 and 1,400 (4). Recently, however, it has
apparently grown much more crowded, and probably now holds well over 2,000.
Tan Hiep is roughly the same size as Thu Duc.

Add to these, then, the four national prisons, each of which at least contains
22,000 to
25,000 prisoners.

Apart from these four, there are officially 37 other provincial prisons

Though some sources speak of as many as 58. Their capacities vary considerably.

Quang Ngai prison, for example, in the north of South Vietnam (see page 23), holds
around 1,000 inmates, while the interrogation centre attached houses another 600 (1).

Others are much smaller. Even so, Amnesty International estimates that their total
population is no less than 25,000.

Finally, there are the 500 or so other detention centres that go to make up the
United States AID Project Budget Submission total of 552. To start with, the
scores of interrogation centres attached to provincial prisons and other prison
units. In 1969 a senior American adviser to the department of the Interior Minis-
tery in Saigon that administers prisoners (see page 18) estimated that these centres
alone were holding ten thousand people. There are also between 150 and 200 district
prisons in every district, as well as a corps of 'batte coolies', captured
deserters who work under guard for the South Vietnamese Army.

The larger towns often have a whole range of prisons and prison units
in Saigon alone, there are interrogation and detention centres as the National Police
Headquarters (Yes Dang Cach Sao Quoc Gia), the Metropolitan Police Headquarters
(2 No Giam Do Cach Sao Quoc Gia), the Metropolitan Garrison Command (So Luoi Bac Danh
Xu Tho Do) and the Bureau of Military Security (Cua An Minh Quan Doi), as well as
at Ben Bach Dang, Phu Tho, Phu Lam, Hang Ky and Ngo Quyen. At least ten
short-term detention centres are run by the Saigon Police, while a number of
smaller detention units are allegedly maintained by the Special Police (see page 13).

There is also the detention centre at Cho Quan Hospital, not to mention Go Vap
military prison and Chi Hoa Rehabilitation Centre.

While police posts and district prisons house only a few dozen inmates, and
are often for short-term detentions only, several detention centres such as the
National Police Headquarters in Saigon hold well over a thousand people each. A big
unknown quantity is the prison camp on Phu Quoc island off the south-west coast.

Officially it housed only prisoners of war, now all released; in fact, however, recent reports suggest that several thousand prisoners may still be held there (2).

In all these 500 or more miscellaneous detention centres must hold between
25,000 and 50,000, if not more. Unfortunately, it is impossible to be more precise.

It is likely that several thousand have been added to the main prison population
since the beginning of 1972. In the months following the start of the North Viet-
namese-NLF military offensive in April 1972, and again when Washington and Hanoi
were drawing close to agreement in October, there were massive waves of arrests.

In July 1972, 'Time' Magazine reported that 'arrests are continuing at the rate of
14,000 a month'. Four months later President Thieu's nephew and close adviser
Hoang Duc Nha told a group of Vietnamese publishers that '40,000 Communist agents'
had been arrested in the previous few weeks. Many of those arrested seem to
have been released only shortly afterwards. A report in January 1973 maintained
that of the tens of thousands of new suspects detained during the previous months
half had been released (4), while at the time of 'Tet' or Lunar New Year, the GRVN
announced an amnesty for 5,680 civilian detainees, many of them apparently low level
political prisoners (5). Even so, Amnesty International continues to receive reports
of gross prison overcrowding as well as of many new arrests since the ceasefire.

What the official figures miss out

We can see from the above that the minimum number of GRVN civilian
detainees is certainly not less than about 70,000, while it may well be

1 Quaker report on Quang Ngai, Ronin Magazine, March 1973 (Ronin, Hong Kong).

2 In 1969 the senior American advisor to the Director of the Correctional Direc-
torate estimated that 10,000 people were held in interrogation centres alone.

Report of US Senate Select Team on Religious and Political Freedom in Vietnam,
Congressional Record, 17-8-69, page 4.)

3 Washington Post, 10-11-72. Usually reliable sources in Saigon maintain that
the figure given was in fact 50,000.

4 The Guardian, 23-1-73.

5 During the past few months there have also been several other smaller amnesties.
members of the NLF have not been "cared for" by the Peace Agreement at all. Although not all adherents to the National Liberation Front can be called "Communists". Many tens of thousands of other civilian prisoners are held because of alleged communist sympathies, but are not communists at all - most of them are simply innocent victims of faulty intelligence (see page 15). Finally, several thousand people are detained precisely because their views are "at variance with those held by the Saigon Government".

POLITICAL PRISONERS

We have seen that the population of the GRVN's civilian prisons is made up of four rough categories (see page 5). Most people would agree that both members of the NLF infrastructure and non-communist political opponents of the GRVN are "political prisoners". They might also include the peasants, farmers and so on allegedly involved with the NLF.

The GRVN, however, has very different ideas on the subject. In 1969 a United States study team was told by the Director of the Prison Administration Department that more than 64 per cent of the 35,000 prisoners said to be held in 41 prisons were classified as 'Communists'. More recently, President Thieu's National Liberation Front delegation that the GRVN holds about 41,000 "political prisoners" (2). Unofficial figures for the 4 national and 37 official provincial prisons. Amnesty International maintains that even these estimates are far too low; but if all the civilians crowded into the hundreds of other detention centres throughout the country were included, official figures would tell a very different story. As it is, we hear nothing about the detention centres administered by the police and army. Only the tip of the iceberg is visible.

RECLASSIFICATION

Not with anything denying the existence of all political prisoners except 5,081, since late in 1972 the GRVN has been systematically reclassifying large sections of their prison population, so that prisoners once detained under various "political offender" classifications now appear to be held under ordinary criminal charges. Evidence of this practice has come from a variety of sources. Early in 1973 lawyer Nguyen Van Ngoc (see Appendix) smuggled a letter out of Chi Hoa prison in which he described his own experience. Long wrote:

"...Recently a Saigon Government spokesman declared that in South Vietnam there are only two categories of prisoner, those who have been sentenced for their involvement with the Communist Party, that is NLF collaborators, and those who are common criminals. This arbitrary analysis discounts those non-Communist members of the opposition who, according to the Treaty and Agreements signed in Paris on 27 January should be represented as the third part in the National Council for National Reconciliation and Concord..."

This constitutes a flagrant derogation of the treaties and agreements reached; it ignores the true situation and disregards the most fundamental legal rights.

In 1964 to 1965, as a result of having called for the right of the people to make their own decisions and for peace in Vietnam, I was condemned to ten years' hard labour and five years without trial for having attacked 'the morale of the army and the population'. This so-called crime has never appeared in the South Vietnamese Penal Code and has never figured in civilian courts. Only military courts have the right to invoke this special law to indict those charged under it, even if they are civilians. This procedure is used only in the case of political offences and crimes.

In addition, the prison number that has been assigned to me clearly indicates the group of detainees to which I belong. My number is 314-MTCT, the last four letters being the initials of the words Mat Tran Chinh Tri, which means 'Political Front'. Indeed, in 1965 as at the present time I was classed as a political detainee. After another letter was sent on 27 January 1973, in all South Vietnamese prisons the title 'political prisoner' was changed to 'espacial common prisoner'. I take the liberty of appealing to you to take up my case with the International Commission for Control and Supervision in order that I am immediately freed in accordance with the agreements of the Paris Treaty so that true peace may be preserved and justice done."

In other words, until January 1973, Long was without doubt detained and classified as a non-Communist political prisoner. Soon after his classification was altered, apparently to conceal the true reason for his detention, Duy Thong, a student leader involved in the protests against President Thieu's uncontested re-election in 1971, and detained without trial since that time, wrote:

"In Con Son, those political prisoners who are considered important are forced to deny their political crimes and stripped of their classification badges - MTLD (Mat Tran Luu Dong - 'Mobile Front') or MTCT (Mat Tran Chinh Tri - 'Political Front') as worn by political prisoners. They are then reclassified as ordinary criminal offenders. The aim of all this is to destroy in a legal way all their
Since the January 1973 Peace Agreement and Ceasefire, the prisoner category Gian Nhan Hiep Dang has apparently been coming back into common use. The term is usually translated as 'Group of Evil Doers', and has connotations of 'organised crime' and 'large-scale theft'. It was originally used to refer to persons involved in racketeering and secret society activities during the 1950s, when such gangster groups were prevalent in South Vietnam.

According to reports from a reliable source, the term Gian Nhan Hiep Dang is now being used to designate prisoners accused of various types of political offences, though in general it seems to be reserved for those involved in or suspected of being involved in NLF activities. Since Gian Nhan Hiep Dang is a common criminal category, it is a convenient means of reclassification.

In a letter to the Chairman of the International Committee for Control and Supervision of the ceasefire in South Vietnam dated 19 March 1973, Catholic priest Father Chan Tin has reported that:

"The Government of the Republic of Vietnam is doing everything possible to fake judiciary files, changing political prisoners into common criminals. Many prisoners in prisons such as Con Son, Tan Hiep, Chl Hoa, Thu Duc, etc., are being forced to sign papers proving their allegiance to the Government. Many military field tribunal sessions (see page 18) are being staged inside prisons in order to give sentences to many prisoners already detained for a long time without receiving any sentence. In these court sessions, neither the detainee-suspect nor the lawyer is present. In a few hours the fake tribunal is capable of giving sentences to hundreds of detainees by just recording the sentences in fake files, disregarding any basic judicial procedure."(1)

By reclassifying a large number of its political prisoners in this way, the GRVN is apparently trying to conceal the fact that it is holding many political prisoners (both NLF and non-NLF) who it is unwilling to release.

Another way in which the GRVN is confusing the issue of civilian detainees is illustrated by the plan announced early in March this year for three of the GRVN's best-known political prisoners. According to this, Tran Ngoc Chau, Tran Ngoc Hien and Huynh Van Trung have been included in the list of 5,081 'Communist civilian detainees' that are to be returned by the GRVN to the PRG. In other words, these three men are NLF members who if they are released at all must leave the jurisdiction of the GRVN and go over "to the other side".

Father Tin is an example of a very special category of prisoner - the political prisoner who is convicted but not arrested. Tin was convicted in November 1972 of printing articles considered to be "Communist propaganda and detrimental to national security" and sentenced to five years' imprisonment and a large fine. In a letter to Senator William Fulbright dated 7-12-72, the United States Department of State confirmed that Tin "had been sentenced...but remains at liberty". No explanation of this curious state of affairs was given.

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One possible ground for guarded optimism might be the bill that President Thieu presented to the Saigon National Assembly on 26-3-73. The bill is aimed at all those prosecuted or sentenced by ordinary or special courts up until 26-10-73 with the exception of elements directly or indirectly working for the Communists... The purpose of the bill is to restore citizenship rights to all types of prisoners belonging to the national ranks.(3)

"What if Chau doesn't want to be turned over to the other side?" an American official was quoted as asking last March. "This is going to be a troublesome issue for quite a while."(1)

(1) Washington Post, 7-3-73.
(2) Le Monde, 15-5-73, 17-5-73.
(3) BBC Summary of World Broadcasts, 28-3-73.
Arrest and detention

We have seen (on page 5) that many inmates of Saigon's civilian prisons are members of the NLF who have not been granted prisoner-of-war status. The whole question of the treatment and classification of captured armed combatants in a non-international armed conflict has been thrown into relief by Vietnam, and has not yet been satisfactorily resolved.

The basic difficulty has been that according to the Geneva Conventions of 1949 a combatant must fulfill certain minimum conditions to qualify as a prisoner of war, and thus be accorded certain internationally accepted standards of treatment in captivity. He must belong to a unit, carry arms openly and wear a fixed identification sign.(1) These conditions could obviously not be met by the majority of the NLF, especially since the distinction between military and civilian has been far sharper in the case of the NLF than in that of a conventional political movement backed by the force of arms.

In fact until 1965, when the International Committee of the Red Cross began working in Vietnam, the NLF were simply treated as common criminals by the Administration in Saigon. As the war escalated in 1965, the International Committee of the Red Cross sent an appeal to all four parties to the conflict - Washington, Hanoi, Saigon, and the NLF - urging them to respect the Geneva Conventions and stating that every prisoner "captured in uniform or wearing a distinctive sign which clearly indicates his belonging to the armed forces" should be treated as a prisoner of war. Washington and Saigon agreed to comply, but the NLF demurred on the grounds that it had not signed the Geneva Convention. In February 1966 the NLF further stated that it did not consider the International Committee of the Red Cross (which is based in Geneva) to be impartial - so the ICRC started visiting prisoner of war camps in South Vietnam, but only on the US-Saigon side.(2)

The Americans and South Vietnamese in Saigon set up a joint procedure for dealing with prisoners taken on the battlefield. The prisoners were interrogated and divided into prisoners of war, civil defendants, defectors and innocents. In fact this classification seems often to have been arbitrary; a prisoner might be classified as prisoner of war or civil dependent on his interrogator. Non-combatant members of the NLF 'infrastructure' were classed as civil defendants. Many prisoners would have to pass through a series of interrogation centres before their status was finally established. The interrogations, often extremely brutal, were handled by the Americans and South Vietnamese.

Those established as prisoners of war were sent to six prisoner of war camps, the largest of which was on the island of Phu Quoc off the south-west coast of South Vietnam. Civil defendants went into the civilian prisons, where many of them have remained to the present day, often without trial.

As a result of the Vietnamese prisoner of war exchanges that took place during the 60 days following the January Ceasefire (see page 1) most if not all the prisoners of war held in the six prisoner of war camps were released. There have, however, been persistent reports that thousands of prisoners are still held on Phu Quoc, see page 7. Whether or not this is true, it hardly matters more in the breach than in the observance. Fierce fighting has continued in many parts of South Vietnam, and this has led to fresh detentions of military personnel.

THE POLICE

Apart from those captured like this in the field, a large proportion of civilian detainees, especially students, intellectuals, Buddhists and so on, have been arrested by the police and paramilitary police networks operating from the towns and villages. Since April 1971, the structure of the police has been altered so that it is now 'militarised', that is, police officers are now army officers on service detaches. The United States is intimately involved in the funding and training of the police. According to official US documents originating in the Agency for International Development's Office for Public Safety in the State Department, Washington plans to maintain and enlarge the GRVN police force during the coming few years.(2). Under President Ngo Dinh Diem in 1962, there were only 19,000 men in the Saigon Government's police force. By January 1972, the United States had financed and trained another 95,000 men. During Fiscal Year 1972, Washington planned to increase this number to 122,000, with the same overall target for Fiscal Year 1973 (and until 1979) although with an increase in the number of police serving at the village level (see National Police Field Force below) from 33,000 in 1972 to 31,000 by the end of this year (4).

The main police network is the National Police (Cand Sce Quo Gia), the ordinary police in white shirts and black trousers. Branches of the National Police include the Riot Police and the National Police Field Force, a paramilitary unit employed primarily in combating the Vietcong infrastructure in rural areas. The huge National Police Headquarters on Tran Hung Dao, Saigon, houses two large detention centres (said to hold more than 2,000 people) which are part of the Central Bureau of Investigation. It is here that some of the most brutal torture is apparently carried out during interrogation.

The Bureau is run by the Special Police (Cand Sce Quo Gia), this plain clothes special branch of the National Police is the leading secret police force in South Vietnam, although other special units include the so-called Azs Phu, or secret service under President Thieu, and the Central Intelligence Service, alle-

(1) Article 4A (2) of the Third Geneva Convention Relative to the Treatment of Prisoners of War, the NLF's article in New York Times Magazine, 28-5-72, The Guardian 31-10-72 and 16-1-73, and Le Monde 9-12-72. The article in Le Monde is a well-balanced discussion of the shortcomings of the international Committee of the Red Cross when dealing with the unprecedented complexities of the conflicts in Indochina.

(2) The DRVN had ratified the Third Geneva Convention, but made reservations on Article 85. According to this reservation, the DRVN was excluded from honouring the Convention in the case of "war crimes or grave crimes against humanity in accordance with the principles laid down by the Nuremberg Tribunal". This was said to apply to the captured US pilots held in North Vietnam.
military intelligence, the Bureau of Military Security centres in the Saigon area—have the reputation of showing considerable ruthlessness and lack of discrimination when making arrests.

PRISONS AND POLICE: U.S. AID

Of the 9,000 or so US civilian advisers officially remaining in South Vietnam after the Ceasefire, nearly 1,000 of them are employed by the US Agency for International Development (USAID). Since the Ceasefire, USAID has been under the civilian authority of the newly-formed Resettlement and Reconstruction Directorate, whose personnel have been drawn primarily from the former pacification program, including a number of retired military men who have been around South Vietnam for years. Virtually all of the senior civilians in the Pentagon's Civil Operations and Rural Development Support apparatus (CORDS)... are being kept on. (Washington Post, 9.2.73. CORDS was said to be closely linked to the US military). A small number of AID's employees are said to be direct hire CIA personnel who supervise the activities of a larger number of US prison and police experts employed by AID. According to the State Department, last year the United States had five full-time senior advisers working in the GRVN's 41 provincial and national prisons, including one full-time at Con Son. A large number of junior advisers work with them.

The USAID Project Budget Submission for Fiscal Year 1974 bears out that the United States will remain intimately involved in the training of GRVN police and the maintenance and administration of GRVN prisons. The Project Budget Submission states that the United States has "obligations" for National Police Support and Public Safety Telecommunications until June 1976. These are that USAID will:

- (Ensure) a jail administration program in being and functioning at 592 facilities by end of FY 73.
- Design and centralise communications facilities during FY 72 and FY 73.
- (Continue) operational activity against the Vietcong Infrastructure in areas where responsibility for security is assigned to National Police in FY 72 and FY 73.
- Establish by the end of FY 73 a central records system containing 12 million individual bio-data documents and 11.5 million dossiers.
- Provide in-service training for 18,000 (police) personnel annually from FY 72 through FY 73.
- Increase National Police inspections during FY 72 and FY 73 to ensure that US/GRVN policies are implemented down to the lowest level to help identify and counter activities of subversive organisations.
- Implement measures during FY 72 and FY 73 that will ensure closer cooperation in the development of and the exchange of intelligence information between regular police, special police and Phung Hoang (that is, Phoenix) Program.
- Maintain a (police) force level of 122,000 through FY 78.

THE PHOENIX PROGRAM

Another special branch of the National Police is now in charge of the Phoenix Program, which together with the "FE plan" put into action in 1972, has been responsible for the arrests and executions of tens of thousands of "suspects". Salong. The Phoenix Program was revised by the United States Central Intelligence Agency in 1967 as the most efficient method of "rooting out the Vietcong Infrastructure". The aim of the Program was to eliminate rivalries between different army and police units and centralise the anti-NLF intelligence operation. In its conception and execution the Program has operated "much the same way as the DV" (military intelligence). The Special Police work in co-operation with the security department of the newly-formed Resettlement and Reconstruction Directorate, whose personnel have been drawn primarily from the former pacification program, including a number of retired military men who have been around South Vietnam for years. Virtually all of the senior civilians in the Pentagon's Civil Operations and Rural Development Support apparatus (CORDS)... are being kept on. (Washington Post, 9.2.73. CORDS was said to be closely linked to the US military). A small number of AID's employees are said to be direct hire CIA personnel who supervise the activities of a larger number of US prison and police experts employed by AID. According to the State Department, last year the United States had five full-time senior advisers working in the GRVN's 41 provincial and national prisons, including one full-time at Con Son. A large number of junior advisers work with them.

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- Maintain a (police) force level of 122,000 through FY 78.

The Phoenix Program is also involved in co-operation in the development of and the exchange of intelligence information between regular police, special police and Phung Hoang (that is, Phoenix) Program.

If sufficient confessional evidence is extracted during interrogation the suspect is brought before a military court. As ex-US Ambassador to South Vietnam

(1) Francis Fitzgerald, "Fire in the Lake" (Macmillan, 1972).
(2) "Neutralisation", which replaced the earlier term "elimination", is ambiguous. It can mean anything from arrest to execution.
(3) 22nd Report by the Committee on (US) Government operations, 17-10-72.
William Colby has confirmed (1), however, the great bulk of people apprehended under the Phoenix Program who survive interrogation never come before a court. Instead they are brought before a Provincial Security Committee. According to a document entitled "An Analysis of Provincial Security Committees", produced for the use of US military advisers in South Vietnam, Provincial Security Committees were created in 1957 to provide the Government of (South) Vietnam (in Saigon) with an administrative method of settling the status of political detainees considered threats to the national security...against whom sufficient evidence for trial is lacking...Suspect detainees may appear before the Committee but do not have the right to demand such appearance....The Provincial of political detainees considered threats to the national security...against whom...

THE F6 PLAN

When the North Vietnamese and the NLF launched their new offensive in April 1972, a new plan called F6 was put into operation which effectively replaced Phoenix during the emergency period. It was again carried out when a ceasefire appeared imminent in October 1972, but seems to have gone into abeyance around Christmas 1972. As one correspondent has put it, "What set F6 apart from routine political arrests was its scope, and the change in the standing practice (of the Phoenix Program) that had required three separate accusations of a suspect before he was picked up. Under F6...only one accusation - a casual denunciation by an aggrieved neighbour, for instance - was all that was needed for an arrest".

The correspondent quotes one senior United States "intelligence source" as saying that the number of civilians arrested in the organised, military-style sweeps of F6 was 26,000, of whom just over half were later released (3). The quota system imposed under F6 led to a number of extraordinary incidents. According to one reliable source, for example, district authorities in the Mekong Delta village of Phuong Hiep near Can Tho:

"assigned each house in the village a colour: red, blue or white. After all the houses were so designated, the villagers were told that those families with red markers had associated with the Communists, those with white were not aligned, and those with blue were pro-Government. It became known that all one had to do to change the colour was to pay a sufficient bribe to the district authorities. Anyone with red or white designation was in danger of arrest and imprisonment (since...to be neutral 'is to be pro-Communist')" (4).

Since the January 1973 Ceasefire the Phoenix Program has continued in operation, while being adjusted to the political needs of the post-ceasefire period. This was born out by an official telegram sent out by the head of the Phoenix Program in May 1973, the text of which is as follows:

In response to official telegram no. 497/INV/ANCT/1/B/M dated 29-3-73, from the Ministry of the Interior:

1. With regard to persons disturbing the public order, apart from house arrest, certain other measures of confinement can be applied under the terms of Decree no. 020-TTSLU dated 25-11-72, if a sufficient amount of evidence to bring them before a field military tribunal is lacking.

2. The Security Council should be convoked for a decision on the confinement of such individuals and their records should be transmitted to the Ministry of the Interior as in the past. The expression "charged with being a communist or an agent for the communists" should not be used and instead 'disturbing the public order' should be substituted.

3. In order to carry out the above order strictly we ask the Security Council:
   a) to continue its efforts to neutralise those persons disturbing the public order so as to achieve the objectives set out in the programme for the protection of the population as published in the communication of 3-4-73, no. 0258/UBQ/PPT/R;
   b) to act in close co-ordination with the local security councils in order to convocate meetings as rapidly as possible in order to bring all those persons arrested for disturbing the public order before the provincial military tribunal, to put them under house arrest or otherwise put them in confinement. End.

By order of the Commander in Chief of the National Police,
the Secretary General of the National Council for Operation Phoenix
(signed) the chef-de-cabinet
Colonel Nguyen Van Giau (1)

Generally speaking, since the January 1973 Ceasefire President Thieu has given his province chiefs wide latitude in making political arrests. On one occasion he also instructed them to "shoot troublemakers" on the spot.

(1) Le Monde, 17-5-73. Unofficial translation - Amnesty's emphasis.
MILITARY COURTS: DETENTION

Those who are finally brought to trial after arrest and interrogation - as opposed to the high percentage held without trial - may have been charged with a wide variety of political offences such as "endangering the national security", "demoralising the army", organising gatherings detrimental to the national security, advocating or opposing (pro- or anti-) Communism, etc. - with most being held under the authority of the Security Committees, few have ever been tried, though many have been here considerable lengths of time.

Martial law being in force, political offences are normally tried by ordinary military courts; but an increasing number are also tried by Field Military Courts, in spite of the fact that the findings of these courts have been declared unconstitutional by the Supreme Court in Saigon several times.

Field Military Courts were originally established by Decree Law 11-62 of 21 May 1962, during the last days of Ngo Dinh Diem. The hearings of these traveling courts are cursory, and they are infamous for the arbitrary manner in which they have dispensed the law (1). Recently for example, Amnesty International Tearted that a Field Military Court had begun sitting inside the national prison of Tan Hiep on 11 February 1972, considering a large number of cases in rapid succession and handing down convictions on those pending trial in the prison without notifying defendants' lawyers - in those comparatively rare instances where they have lawyers. Even ordinary Military Courts are not noted for the care with which they consider cases. Most Military Court hearings last less than five minutes.

On occasion Military Courts will find a defendant innocent. In some cases, however, this does not mean that he is set free (2). It is also very common for prisoners to be held on in prison for years after they have served out their sentences, and that after the grounds on which they are "obstinate", refuse to salute the GRVN flag and so on. Amnesty has on record cases of prisoners held for five years and more in this way. Finally, it is also common for prisoners to be detained after they have been given suspended sentences (see for example Truong Van Bai in Appendix), on the grounds that they cannot be released until they have done what is really going on.

"It is illegal, because Article 8 of the Constitution stipulates that 'no person may be arrested and detained without a legal warrant issued by the competent authorities', that 'the accused is presumed innocent until judged guilty by a court verdict', and that he 'must be judged publicly and with minimum delay'. However, according to published official documents, out of 37,871 person undergoing 'reconversion', only about 17 percent of civilian detainees and 15 percent of military detainees were arrested with a legal warrant. At the Saigon 'reconversion' center, out of the 4,687 and 5,376 persons interned respectively in October and December 1969, only 13 and 18 respectively have been officially imprisoned as recognized by the Ministry of the Interior."

(1) That is, the rehabilitation or prison system.

(2) As for example in the case of Nguyen Viet Tuan and three other Catholic Chaplains arrested in May 1972 and brought before a field military tribunal in November 1972. They were all acquitted of 'troubling the public order', but shortly afterwards they were deported to Con Son. They were finally released several months later following repeated protests from the Young Christian Workers' headquarters in Brussels and Amnesty International in England, Germany and Australia. Many other such cases have been so unfortunate.
Prison conditions

Deputy Nhuan has also described the conditions in Chi Hoa. His is only one of the more recent accounts of the terrible conditions that are commonplace in GRVN prisons today (1). According to Nhuan,

"Conditions within the prisons are abysmally bad. Washing and sanitation facilities are lacking or totally inadequate. Overcrowding is so bad that one room approximately 25 feet by 60 feet contains almost 300 adults. There was barely enough room to sit, let alone lie down. Prisoners are often shackled for extended lengths of time, sometimes for months on end, resulting in paralysis of their limbs. Unless one has a wealthy family, visits from family or friends are out of the question. Without outside contributions, sufficient food and medication of any kind are impossible to get. The prison budget provided by the Government of Vietnam (in Saigon) allocates 40 piastres per day for each inmate's food...The price of a single egg in Saigon is 35 piastres! No one can exist on such a diet for long without suffering permanent damage, or death."

From the point of view of a prisoner himself, a full account of Chi Hoa has recently been given by two Frenchmen, Andre Menras and Jean-Pierre Debris. They were detained there in 1970 after being involved in a pro-NLF demonstration in Saigon, and finally released after representations by the French Government in December 1972. Andre Menras takes up the narrative:

"In principle prisoners in Chi Hoa have the right to spend one half-hour each day in the courtyard. In practice it depends on the struggles of the prisoners for better conditions. This is true even in the food ration. If the food ration is lessened the prisoners struggle to have it increased to the level which they consider a necessary minimum. There is a 'repression', and after that prisoners' rights are reduced. In the 08 Sector of Chi Hoa, for example, the authorities forbade the prisoners from going out into the yard for four months. On the other hand, Sector ED was recently under a Colonel who was not engaged in the repression of prisoners at all because he was corrupt and his only aim was to get money. In this case, we saw prisoners going out in the morning for a quarter of an hour. Later the outing was reduced to twice a week, we really don't know why...in the end it was only once, on Fridays...

After that under Colonel Nguyen Van Ve (2) it was completely suppressed. The rice was brought to the prisoners at lunch time, the warder opened the cell door and pushed the metal plate or basket of rice inside and that was all.

This is set down precisely.

In fact there is absolutely no fish, vegetable, pork, only 400/450gm of rice, badly cooked with little stones (sand and gravel), salt, but not enough for all the cell considering that 60 to 70 prisoners are in it. For each prisoner 400gm of red rice per day - and you must live with that to understand what it means, and only with rice. After a while your skin gets diseased, of course, from the food. Some of the young prisoners have completely white hair. Their teeth - you should see the state of their teeth - this is the result of long endurance of these conditions. We have seen one of our friends who is paralyzed who told us that in 1969, in the infirmary, all the paralyzed prisoners started a struggle for four days, shouting slogans, asking to speak with the Colonel in charge to explain the food problem and ask for an increase of the ration. And they told us how they were beaten for that. One of the paralytics opened his belly with a razor in protest. They were struggling to get only vegetables. This is a famous Chi Hoa story."

The most infamous prison conditions in the Republic of Vietnam are those in Con Son prison on Con Son island, site of the human "tiger cages" discovered by two American Congressmen in 1970. Following an international outcry, the GRVN announced that these crippling detention cells (originally built by the French) would be done away with. On 7 January 1971, however, the United States Department of Navy awarded a $600,000 contract to the US combine Raymond, Morrison, Knudson, Brown, Root and Jones (RMK-BRJ) to build 384 new 'isolation cells' to replace the tiger cages. The new cells are two square feet smaller than the old ones. The new cells are made of concrete, and in place of grills overhead have two openings in the ceiling. According to prisoner reports, 400 people are still held in shackles in such cells.

In an interview early in 1973 Colonel Dao Van Pho, the then director of Con Son, indicated in an interview with the Vietnam News Agency in Saigon that since he had taken over administration of the prison in July 1972 there were no signs of abuse of prisoners, who, he said, now lived ten times more comfortably than before.

Crippled from Shackling

The extent to which treatment of prisoners in Con Son tiger cages has improved was dramatically demonstrated by the 124 or more sick and crippled detainees set free from Con Son in February this year. (Over forty of them had already served out their sentences months or years earlier.) Although they were scattered by the police in Saigon and other areas of Vietnam, apparently to avoid detention, a few journalists have managed to locate them and interview them.

It is not really proper to call them men any more, ran the account in Time Magazine on 19 March this year. 'Shapes' is a better word - grotesque sculptures of scarred flesh and gaunt limbs. They eat rice, french fries, and fruit, but they are physically and emotionally disabled. 'After lunch is over, they do not stand up. Years of being shackled in the tiger cages have forced them into a permanent pretzel-like crouch. They move like crabs, skittering across the floor on buttocks and palms.' Things have been especially bad since the ceasefire. When told of the Paris settlement, the prisoners cheered, only to be stopped by doses of lime and bamboo...."
Several of those recently released from Con Son, for example, still sustained scars from tear-gas canisters exploding at very close range.

Generally speaking, the physical condition of prisoners released by the GRVN has been very poor. Prisoners are frequently partly paralysed or crippled as a result of torture during interrogation or shackling during confinement (see below under 'Torture').

Contagious diseases such as tuberculosis are widespread, and exacerbated by the crowded and unhygenic conditions in which prisoners are kept. It is common for prisoners to urinate blood; liver and kidney diseases resulting from inadequate water supplies (and, as Con Son prisoners have alleged, drinking urine), are widespread.

NO IMPARTIAL INSPECTION

Rebutting criticisms of its prison conditions, the GRVN has frequently (1) maintained that the International Committee of the Red Cross has had free access to civilian detention camps in South Vietnam, including Con Son island. On 21 March 1973, however, the ICRC made the position quite clear. It stated publicly that its last visits to the civilian camps on Con Son took place on 11 January 1969 (at which time, as on all other occasions, its delegates apparently failed to detect the tiger cage compounds). The ICRC went on to say that since then its delegates have visited Con Son several times, but were only able to see the few dozen prisoners of war held there, and not the civilian detainees making up the great majority of the prison population. The ICRC recalled in its statement that it was "precisely because of the restrictions imposed by the Saigon Government on visits by its delegates to places where civilians are interned that the ICRC decided in March 1972 to suspend these visits".(2)

(1) Most recently on 14-3-73 in response to publicity about prison conditions put out by the Vietnamese Community in Paris.
(2) Le Monde Diplomatique, April 1973.

Torture

When a British television team from the Granada company visited South Vietnam in March 1973, it managed to interview nine of the 124 prisoners released in February from Con Son (1). According to the film's commentary:

We tracked down another group of nine prisoners in a police compound, who had been released from Con Son prison island. They were now in a village 70 miles from Saigon. Unfortunately for the nine released prisoners, they had promptly been imprisoned again by a local police chief, who did not want them talking to his villagers. We told the police chief he was acting contrary to the peace agreement and he reluctantly released the nine prisoners into our custody on condition that they were taken to a local Buddhist pagoda away from the villagers. Of the nine prisoners, seven were paralysed and all alleged they had been tortured on Con Son island. They also complained of a variety of diseases including TB, heart conditions, and malaria, that they had contracted in the tiger cages.

We asked the nine prisoners about their personal histories. Lam Hung, farmer, alleged torture with electricity, water forced into his lungs, hung by his arms. In the tiger cages since 1967, legs now paralysed. He did not say what his politics were.

Huynh Van Chinh, declared communist cadre, alleged that pins were forced under his toes and electrical wires were attached to his penis. In the cages since 1969, legs now paralysed.

Nguyen Tai, farmer arrested by Phoenix. Never accused of being a communist has no idea why he was jailed. Alleges beatings. He was not put into the tiger cages. His legs function normally.

Pham Van Co, communist cadre. Alleges torture with electricity, hung by his arms for 2 hours. Not put in a tiger cage, so his legs function normally.

Pham Van Tho, communist cadre. Alleges torture with electricity, hung up by his arms, tied behind his back. In the tiger cages since 1969. Legs now paralysed.

Nguyen Van Than, communist cadre. Alleges torture with electricity, hung up by his arms, tied behind his back. In the tiger cages since 1969. Legs now paralysed.

Son Ut, Cambodian studying in Vietnam. Alleges water forced into his lungs, hung by the arms. Arrested in 1962, held in the tiger cages since 1969. Legs now paralysed.

Nguyen Van Minh, non-communist student-activist, alleges being placed in a barrel of water which was beaten on the outside until he urinated blood. In the cages since 1968. Legs now paralysed.

The TV team also interviewed two Quakers working in the northern city of Quang Ngai. The Quakers had been looking after a hospital ward full of prisoners brought from the interrogation centre attached to the provincial prison at Quang Ngai. The TV team asked the Quakers:

Question: How long have you had access to the prison ward?
Answer: We've been working at this hospital on the central coast of Vietnam for over two years, and during that two year period we have had access to what is known as the prison ward of the hospital.

Q: In what capacity were you working in the hospital?
A: We worked in a rehabilitation programme at the hospital and many of the prisoners

(1) Granada Television (British Independent Broadcasting Authority) 'World in Action' film entitled South Vietnam: A Question of Torture, broadcast 7-5-73.
that we have seen on the prisoner ward have...various ailments, some ailments that we attribute to torturing. We’ve seen people with paralysis...and people that have been beaten on the head, causing a brain haemorrhage and paralysis to one side or other of their body.

Q How recently have people been admitted after they’ve been tortured?
A People come to the prisoner ward at the hospital often immediately after they’ve been tortured... There are times when the prison officials are afraid that they might die in the interrogation centre, and they would prefer not to have a dead body at the interrogation centre, that they would have to get rid of, and they allow the prisoner to come to the hospital. But often people only come for a long enough period of time, in order that they would pass through this critical point, and they would be brought back to the interrogation centre for more interrogation.

Q Can you both describe the kind of state people are in, when they leave the interrogation centre....
A It varies considerably, but I have seen as recently as 3 months ago, two people that were suffering from nerve damage, because they’d been beaten so badly, and covered with black and blue marks, vomiting, blood and perhaps blood coming out of their ears, and noses; two of these people died on the prisoner ward, and never made it back to the interrogation centre. Other people are suffering from medical problems, which come from natural causes....

Q Do you deduce any picture about the reason people are being picked up and arrested in your area?
A The reasons vary a great deal, and most of the reasons are quite arbitrary, either they are not carrying proper identification papers, or they’re going toward an area which is under the control of the National Liberation Front, or they have simply had relatives that have also been picked up... One case that we ran into last year, was first picked up last summer and beaten very badly, so that she, this particular girl suffered from a brain haemorrhage, that caused her to become paraplegic... and we wanted to treat her for her paraplegic problem. In doing that we brought up the question of her capture to the Americans. The Americans investigated, and when they questioned her...she admitted that she had been tortured, ...when they looked into her reasons, it turned out that her story was true, in fact what happened, that she had a boyfriend who was an officer in the Army, and she’d had a romance with him, but at a later point had rejected him, and he in turn had friends with the secret police, so being jilted he then told his police friends to pick her up, because her father a long time ago, had in some way supported the other side, and had been in jail for a few years, because of this vague connection they were able to pick her up without pressing any specific charges against her, and she was in prison for almost a year, before we were able to secure her release, and she is in fact now not well, she’s crippled...

Q Would you say that the majority of people in the prison hospital, the prisoner ward, are people who just happened to be in the wrong place at the wrong time, or are the majority hardcore...
A The majority of the people...are not actively working for the National Liberation Front, but they’re simply people, older men, older women, younger women with children, or young children, that are 10-12 years old, that have been picked up for some arbitrary reason, going towards an area controlled by the National Liberation Front, especially since the Ceasefire, there have been lots of people picked up, simply for movement back and forth, from the areas controlled by the government side, the areas controlled by the National Liberation Front.

Q...Could you describe from your experience the degree and range of torture which the patients have got in the interrogation centre?
A Well the torture that we see the results of most frequently, is the torture that results from people having been given electricity, they usually attach the electrical wires to people’s toes, or fingers, or sensitive parts of their body. People say that they go unconscious when they’re given the shock, and when they recover consciousness, this will be repeated three or four times, and then the person will be allowed to rest for a certain period of time, perhaps to think about it, and then it will be repeated one or two more times, after that until the interrogator is satisfied that the prisoner is innocent or in fact may need other types of torture.
July 1970 - Quang Ngai, where American advisers were in evidence. The United States, Australia and New Zealand, including Bishop Paul Moore of the Electricity are very common.

Before a sub-committee of the US House of Representatives, describing conditions in prisoners she had treated in a hospital ward which she alleged were due to torture. In particular, she said that hysterical fits resulting from torture and made a number of detailed torture allegations. They have differing opinions about what to call the seizure and what the medical cause of the seizure is, but all of them have agreed that the seizures come from the fact that people have been tortured, and the ones that have been tortured the worst, tend to have the worst seizures.

Q. Could you describe the seizure?
A. They also vary in intensity, there are times when I've seen seizures that look as if the patient was having an actual convulsion, they tremble, they seem to have involuntary muscle spasms, things like foam at the mouth, in many of these cases, people have to put things in their mouth, to keep them from swallowing their tongues...

Q. Through your experience, would you say that the majority of people who enter that prison ward have been tortured?
A. I would say that perhaps half the people that have entered the prison ward, have expressed to us directly that they had been tortured. I think many prisoners do not feel free to express whether they have been tortured or not, after all we are Americans, we could be CIA, they do not always trust us.

Q. How aware do you think are the US authorities in your province of what is going on at this prison?
A. We've talked to the US authorities during our two-year stay, and we have talked to them about the fact that various prisoners have been tortured, they have never flatly denied this...I think that they were very aware of this torture going on.

Q. Also we know that the CIA does advise and support the interrogation centre...
A. Q. Since the cease fire has torture been going on?
A. We only asked other prisoners, if there has been torture going on, and they have told us that it hasn't let up at all...We've seen, in fact since the ceasefire, I've seen one particular woman, that was beaten so badly that she was just in tears. She was not talking about torture and torture in particular.

TORTURE CHRONOLOGY

These are only a few of the latest allegations that torture is carried out both during interrogation and within GRVN prisons themselves. Between 1969 and 1972, the number of detailed descriptions or torture practices in GRVN detention centres has been very great. To select just a few examples:

17 June 1970 - United States Study Team on Religious and Political Freedom in South Vietnam, just back from South Vietnam, reported that "the sheer weight of witnesses' statements" on torture "seemed overwhelming and conclusive to Team members". The report was published in the US Congressional Record on 17-6-69.

17 June 1970 - Fifteen students held press conference in Saigon at which they showed marks of torture and a number of detailed torture allegations. They had been arrested, interrogated and brought to trial before a military court in the spring, but the Supreme Court later quashed their convictions and had the prisoners released.

July 1970 - Dr Marjorie Nelson, a Quaker doctor working at Quang Ngai, testified before a sub-committee of the US House of Representatives, describing conditions in prisoners she had treated in a hospital ward which she alleged were due to torture. In particular, she said that hysterical fits resulting from torture and electricity are very common.

Dr Nelson testified that the torture took place at the interrogation centre at Quang Ngai, where American advisers were in evidence.

17 August 1970 - Seventeen members of the Mission on Repression in Vietnam from the United States, Australia and New Zealand, including Bishop Paul Moore of the diocese of New York, published a report charging mass arrests and torture in South Vietnam. This followed a visit during which the members of the Mission interviewed former political prisoners.

August 1970 - Five Vietnamese recently released from Thu Duc prison (Truong Thi Kim Lien, Yen Thi To Ng, Cao Thi Que Huong, Truong Hong Lien) gave a first-hand account of torture practices inside Thu Duc. At least one of them (Miss Que Huong) is now back in prison.

2 December 1970 - Former US Army Intelligence operators in South Vietnam (including Stephen Neat, Edward Murphy and K. Barton Osborn), described to a war veterans' enquiry how NLF suspects were tortured and assassinated, particularly in the Saigon area. They alleged that counts were due to torture.

Fifteen students held press conference in Saigon at which they said that torture was "universal. Cited such practices as inserting rubber sticks into women's vaginas, beating of the genitals also occurs.

Fifteen students held press conference in Saigon at which they said that torture was "universal. Cited such practices as inserting rubber sticks into women's vaginas, beating of the genitals also occurs. Details of corruption, ill-treatment, drug-trading, imprisonment of children and inadequate food and medical supplies. Names of several 'trusted' prisoners known for their brutality were given. In August the Community had published "Cry of Alarm", a collection of documents on the torture and ill-treatment of torture: they all suffer from some electrocuting torture".

October 1972 - The Vietnamese Community in Paris published the document "The Situation in Prison of Chi Hoa", based on information smuggled out by inmates. Details of corruption, ill-treatment, drug-trading, imprisonment of children and inadequate food and medical facilities. Names of several 'trusted' prisoners known for their brutality were given. In August the Community had published "Cry of Alarm", a collection of documents on the torture and ill-treatment of torture: they all suffer from some electrocuting torture".

30 December 1972 - Time magazine reported that torture of civilian prisoners was widespread. Cited such practices as inserting rubber sticks into women's vaginas, electrocuting, and putting time into tiger cages.

29 December 1972 - Two Frenchmen, Andre Menras and Jean-Pierre Debris, were released from Chi Hoa. They detailed torture procedures and alleged that torture during interrogation was a standard practice. During interviews with Amnesty International, they gave a series of instances in which various prisoners had been subjected to torture, both in interrogation centres and inside Chi Hoa itself (in particular in the so-called "cinema room").

KINDS OF TORTURE: SUMMARY

Of the various forms of torture, beating appears to be the most common: and it is carried out in both prisons and interrogation centres, of which the most infamous is perhaps the National Police headquarters in Saigon. However, considerable other allegations have also been made of a wide variety of torture techniques being used inside the Vietnamese prisons.

Beating is generally done with wooden sticks or clubs. The blows are applied to the back and to the bony party of the legs, to the hands, and in a particularly painful form, to the elevated soles of the feet when the body is in a prone position. Beating of the genitals also occurs.

A particularly damaging form of beating is when prisoners are immersed in...
tanks of water which are then beaten with sticks on the outside. The resulting reverence is said to be especially painful, and while leaving no marks can cause severe internal injury.

Another type of water torture is common, in which a soaked cloth is placed over the victim's face and the prisoner tied back on a bench. The cloth is removed the last minute before the victim chokes to death and is then reapplied. Alternatively, water or salty or soapy water is forced into the victim's mouth and nose until it is absorbed into the lungs and stomach, which are then beaten. Prisoner guards are said to call this “taking the submarine”.

In another procedure the victim is hung by rope or wire from his toes or feet and beaten. This is sometimes called “the plane ride”. Electricity and sexual torture are also often used in a variety of ways, especially on women.

Vicums are also tortured in front of their wives or relatives. This was undoubtedly the case with, for example, Nguyen Ngoc Phong and his wife Cao Thi Que Huong, in March 1970. Both Phuong and Que Huong have alleged that they were tortured in full sight of one another. (35-year-old Phuong finally died in mysterious circumstances on 5 January 1973. He had apparently been refused medical treatment in Chi Hoa prison, after going on a hunger strike in December.) (1)

WHY TORTURE?

We have already seen (on page 15) that according to K. Barton Osborne - not to mention others not cited here - many of those rounded up by the Phoenix Program were “innocent victims of faulty intelligence”. As we now know, a large number of these victims have been killed or tortured to death. According to the Quakers in Quang Ngai, victims are tortured to discover their innocence or guilt, and then to extract information, not simply to extract information after guilt has been established.

It is clear, moreover, that the brutalising effects of the Vietnam war have become so entrenched that some of the time the use of torture during interrogation, or as a disciplinary measure within prisons (for example, beatings, tiger cages), is no longer even motivated by a desire to gather “intelligence”. An Administration defending itself against what it or its major ally construes to be an insurrectionary movement may regretfully find it hard to resist the expedient of torture in its efforts to crush its elusive opponent. (2); but there can be no doubt that torture is now widely used in the areas controlled by the GRVN not only as an instrument of intimidation but as an end in itself. Torture has become a standard part of the interrogation not only of NLF suspects, but also a wide range of non-Communist political dissidents; and as we can confirm from expressions like “khoang, danh ooh oo”(3), it is applied with an extraordinary degree of cynicism. As for the brutally repressive measures taken against prisoners within prisons themselves, GRVN officials might conceivably try to justify them as a means of “rehabilitating” prisoners. “These are very bad people”, Colonel Nguyen Van Ve, then Director of Con Son, explained to the two American Congressmen when they discovered the crippled prisoners shackled into the tiger cages in 1970. “They will not salute the flag.” But from the many accounts available it seems clear that in many instances torture has become no more or less than a matter of habit. The question “Why torture?” is often no longer asked.

(1) For the full and tragic history of Phuong, see “The Life and Death of Nguyen Ngoc Phong”, Dispatch News Service International, 16-2-73. It is worth noting that has come to be considered something of a symbol by many critics of the GRVN prison system, has been widely quoted in Le Monde and other European newspapers.

(2) Theorically speaking, since the cease fire agreement this sort of action is out of date. Practice, however, remains utterly divorced from theory.

(3) A common saying of this kind is “If you are not a Vietcong, we will beat you until you admit you are; and if you admit you are, we will beat you until you no longer dare to be one.”

Part 2: PRG prisoners

We are concerned in this section with civilians held in detention by the PRG after being arrested or captured in South Vietnam by either military officers of the (NLF) People's Liberation Army or the People's Army of (North) Vietnam, or by civilian officers of the NLF. There have been reports that certain kinds of Vietnamese detainees have in the past been sent north to prison camps in Hamoi or other parts of North Vietnam. (1). But in spite of intimate links between the PRG and the GRVN, and the presence of a large number of GRVN troops in South Vietnam, there seems no reason to accept the contention of some hostile critics that a large number of South Vietnamese civilians captured by the NLF have been “deported” to the North.

As a result of the January Peace Agreement, the PRG turned over just less than 5,000 soldiers of the Army of the Republic of (South) Vietnam (ARVN) in exchange for nearly 27,000 North Vietnamese and NLF prisoners of war held by the GRVN. The continued fighting since the Ceasefire will have ensured that fresh ARVN detainees have replenished the old stocks of military prisoners held by the PRG. This process of course will have applied equally to both sides.

As for civilian detainees, the PRG originally presented a list of 137 as part of the initial bargaining that would lead to civilian prisoner exchanges. It increased this number to 400, and just before an initial exchange was agreed on 24 April, it increased it again to 637. (At the time of writing, most of these had been released.) The GRVN has claimed that the figure 637 is a gross underestimate, maintaining that the PRG is accountable for some 67,500 GRVN cadres (that is, civilian government field workers) and civilians “abducted by the Communists since the 1954”. The GRVN has published the names of the 16,754 GRVN cadres on this list in the form of a paperback book more than three hundred pages long (2). A majority of the names on this list are people who were allegedly abducted by the NLF in 1972. As a report in the Financial Times of London put it on 24-5-73, “Even if the PRG suddenly found some more prisoners, it is hardly likely to run up the total to 67,000... Most observers in Saigon feel that the NLF hold nothing like 67,000. This may be an accurate figure for those missing, but many will now be dead, and others assimilated into the NLF forces” (1).

MISSING PERSONS

Certainly, the number of missing and displaced persons in South Vietnam is huge. The International Committee of the Red Cross has estimated that the number of refugees and displaced persons in South Vietnam may now exceed one million, while others have put the figure far higher. Many of these people had their homes in the areas where bitter fighting took place in the spring of 1972, especially the northern provinces of Quang Tri and Thua Thien. It is just such areas which feature

(1) This was certainly true of some detained Americans.

(2) List of Civil Servants, Cadres and Civilians of the Republic of Vietnam abducted by the Communists since 1954, published by the Republic of Vietnam on 24-3-73.
most in the GRVN list. Indeed, the list might be more useful to the office concerned with tracing lost persons that has been set up by the GRVN National Red Cross in Saigon, and that works with technical assistance from the International Committee of the Red Cross Tracing Agency. By 15 April 1973 more than 6,000 requests to trace persons had been received by this office. "Out of this total", the ICRC reported in April 1973, "29 per cent were for persons presumed missing in the territory of the National Liberation Front of South Vietnam or in the Democratic Republic of Vietnam; these requests have already been forwarded to the North Vietnamese Red Cross in Hanoi".

POLICY TOWARDS PRISONERS

As with the GRVN, it is impossible to say precisely how many civilians the PRG holds. In view of the belligerency that has taken place over the issue of civilian detainees, 637 people is probably not a final estimate. Like the GRVN's list of 5,000 "Communist civilian detainees", it may represent the PRG's "first bid". Bearing in mind the PRG's traditional policy towards prisoners, however, it is unlikely that the total number of PRG prisoners (including military personnel detained since the Ceasefire) now exceeds a few thousand. This policy has been clearly described by Douglas Pike in the analysis he wrote of the NLF in 1966 (1). Pike, who now works for the United States Information Service, and who takes a critical view of the NLF, wrote then that:

"All prisoners (held by the NLF) were eventually released provided no one brought charges against them as an 'enemy of the people'... (A captured NLF army handbook instructed cadres to treat both captured prisoners and defectors and deserters called 'returnees' by the NLF - in the same manner: 'They should be blindfolded and tied and their weapons removed. When travelling do not permit them to see the path you are going. ... Returnee returnees must be treated in the same manner, even if they bring weapons with them'."

The handbook...ordered cadres to release eventually even the most obstinate prisoners even if they refuse to confess their guilt before the people and to ask for forgiveness... because this encourages others to return and it overcomes the enemy slander that we shoot all prisoners... "Military officer prisoners, however, are not to be released but are to be sent to provincial headquarters where their cases will be handled."

Pike expressed the view that 'NLF treatment of prisoners was not nearly as generous as was publicly claimed. A village or other person having a grievance against an individual prisoner could cause him to be tried by an NLF court, and 'cham chung' (returnees) indicated that virtually all who were tried were convicted and executed.

There can be no doubt that for many years the NLF has had a two-edged attitude towards prisoners. As Alexander Casella put it in 1972, "It is extremely hard with a minority of 'irredeemable' enemies and extremely lenient towards the majority of less motivated foes"(2). Casella believed then that the NLF was executing GRVN-appointed village chiefs, and other police and government personnel "at the rate of about 4,000 to 5,000 a year". He was quick to point out, however, that most reports on NLF prisoners are circumstantial or come from hostile sources.

The North Vietnamese-NLF military offensive last April gave rise to a number of accusations and counter-accusations about NLF treatment of those captured during the fighting. Perhaps the best-known story of NLF executions was publicised by the 'New York Times' in August 1972, and later circulated by the United States Information Service (3). According to this:

"Allied Intelligence Officers had learned that, during the occupation of Binh Dinh Province by the NLF, 250 to 500 Saigon Government officials in the province had been killed by the Communists, and another 6,000 persons imprisoned in... 'People's Prisons' in the areas of Communist-held in Lao Valley".

The USIS account refers to prisoners being buried alive, beheaded and shot. However, there is considerable cause for scepticism. In a subsequent article in 'Newsweek' Ron Moreau, one of two American correspondents left in Vietnam and who speaks Vietnamese, reported that:

"There was little doubt that the Communists had, in the 'mistakes' tradition of this war, consolidated their control of Binh by executing some civilians. But the evidence... did not support the almost gleeful talk among American officials of the 'bloodbath' in Binh Dinh... In my interviews I could find no foundation for most of the accusations... in checking on many of the cases mentioned to me by US officials, I found that the stories differed as to the number of people killed - and many deaths appeared to have been counted more than once".

One US Army officer was quoted as saying, "certainly the Communists did execute local officials, but probably 25 people were killed", among them, it has been alleged, some Phoenix agents.

Tom Fox, the other Vietnamese-speaking correspondent, went even further. Writing about the incident in 'American Report' he wrote:

"No refugee was found who had seen a trial. None spoke of 'mass execution'. The refugees were mostly upset by ARVN looting... American officials of Saigon and Washington have deliberately vague a campaign to maximise the public impact of the alleged killings and have distorted facts to do so".

Fox was formerly correspondent for the 'New York Times'.

No one can doubt that atrocities have been committed by both sides in South Vietnam. The mass graves discovered in Hue in 1968 after the NLF had withdrawn from the city, the US Army massacre at My Lai, Kien Hoa, and elsewhere (1), as well as the numerous atrocities committed by troops from South Korea (2), bear witness to the numerous atrocities committed by both sides in the war. But the NLF chose to describe as the 'merciless tradition of the war'. The atrocity story from Binh Dinh, however, bears out how partial and unreliable information about NLF prisoners remains.

AMERICAN DETAINEES

The torture and ill-treatment of a number of American prisoners of war held in North Vietnam have been well publicised, but fall outside the scope of a report on South Vietnam. However, among the Americans released by Hanoi after the January Ceasefire were several who had been captured by the NLF in South Vietnam and chronic dysentery, bled at the gums from scurvy and suffered intense pain from a swollen liver, swollen and scarred, conditions associated with acute malnutrition. The basic meal, he said, was about three cupsful of 'red rotten moldy rice' per day, peppered with sand, rocks, vermin and rats' faeces from being hidden in the

(1) Douglas Pike, 'Vietcong'. MIT 1966
(3) USIS Backgrounder 3-10-72.
with a short reach. Several suggest that conditions improved in 1971, "when it
Malaria, dysentery and ulcers were also common. American prisoners were frequently
Vietnam was that "the prognosis is good for the return to good health of most of
prisoners actually released from South Vietnam, though more than one of them
noted that the NLF told them they were getting exactly the same as NLF soldiers.
Malaria, dysentery and ulcers were also common. American prisoners were frequently
shackled in leg-irons and confined to very small areas, or locked to a metal chain
with a short reach. Several suggest that conditions improved in 1971, "when it
seemed to the prisoners that the Vietcong had an active interest in keeping them
alive, possibly as being of value in some future negotiations". (3)

Without having access to a detailed debriefing (4) it is thus apparent that US
prisoners were often given inadequate food and medical facilities, though they may
not have been very different from those of their captors themselves. They were
also sometimes subject to unduly harsh and cramped conditions of detention.

Dr Roger Shields' overall comment on those released from both North and South
Vietnam was that "the prognosis is good for the return to good health of most of
the men". A far more detailed report of the experiences of American and other foreign
prisoners held by the PRG will be necessary before a full assessment of their con-
ditions can be made. Even then, it may be hard to relate them to the NLF's present
treatment of Vietnamese civilian detainees (5).

1. International Herald Tribune, 5-4-73.
2. US Department of Defence Briefing, 12-4-73.
3. US Major Schrump in The Sunday Times, 1-4-74; another full and interesting account.
4. The Office of the Assistant Secretary of Defence, Washington, has told Amnesty
International that such "comprehensive data" has not been produced. Letter to
Amnesty International, 7-5-73.
5. In this context it is a matter of regret that the Canadian Red Cross has been
unable to visit PRG detention centres, as it wished to do under the terms of the Peace Agreement.

Appendix: Some individual GRVN prisoners

HUYNH TAN MAM

Huynh Tan Mam is President of the General Association of Saigon Students, and the best-known student spokesmen in South Vietnam.

His family live in Saigon. He has persistently opposed the policies of the Saigon Government and voiced his criticism of the American presence in Vietnam. As a result he has been constantly in and out of jail during the past few years.

The reason for his latest arrest on 5-1-72 seems to have been a statement Mam made on
January 2nd which opposed American policy in Indochina in outspoken terms. According
to the Press Committee of the Saigon Student Association, (members of which have since been
arrested), Mam was detained at 11 a.m. on the 5th after attending a meeting at the Saigon
University Faculty of Medicine. According to an eyewitness account, as he left the
university building on the back of a motor scooter driven by his companion Dr. Nguyen Van
Lam, "Four men in plain clothes, also on Sundays, arrested Mam handcuffed him, halted a
passing Military Police jeep and pushed him inside". Mam was taken to the National Police
Headquarters in Saigon and apparently subjected to a brutal series of interrogations.

Allegations to this effect have been received from three reliable sources. In the early
summer of 1972 a student released from the National Police Headquarters said that he had seen
Mam being tortured by the police. Mam was described as having "blood flowing from his eyes
and ears. A liquid had been injected into his veins, and he had been conscious only inter-
mittently for seven days". He was later seen in transit from the Police Headquarters to Chi
Hoa, a severely disabled state, apparently suffering paralysis of the legs. Since being
transferred to Chi Hoa, Mam has smuggled out several letters to the International Commission
for Control and Supervision and other international bodies, pointing out that a large number
of students are in detention either without trial or convicted of political offences, and
asking for their release under the terms of the January 1973 Peace Agreement.

In May 1973 the GRVN announced that Mam was included on the list of prisoners to be exchanged
with the PRG (see page),... Mam's family is strongly contesting this proposal.

NGUYEN VAN SU and LUONG VAN DAN

Su and Dan are part of a contingent of Buddhist monks arrested at Long Thanh orphanage on February 5th, 1972
and charged with draft resistance. They are members of the Buddhist Movement Campaigning for Peace, and appar-
ently resisted military conscription on both political and religious grounds. Dan is held without sentence at
Chi Hoa. Su has been tried on two separate charges concerned with opposing the war and advocating dis-
obedience (i.e. opposing conscription) by the civil Court of First Instance in Bien Hoa, and by the Field Military
Court in Saigon. He is now serving sentence in Bien Hoa.

Amnesty International has the names of 46 other Buddhist monks arrested at the same place at the same time, all of whom have been held in Chi Hoa, the great majority without trial.

NGUYEN CAM HUONG

Miss Cam Huong was a high
school student until arrest-
She is reported to have been
subject to a heavy attack of
interrogation that she is
now partly paralysed and
suffering from continual
headaches. She is held with-
out trial in Tan Hiep.

TRINH DINH BAN

Ban, like Huynh Tan Mam and many other student in Amnesty's files, has been in and out of prison during the past few years.

He is a student at Saigon University and Chairman of the South Vietnamese Federation of Students' Unions. He is detained without
charge, trial or sentence at either Tan Hiep or the Metro-
politcal Command, Saigon.
The first record of Amnesty International has of Ban was when he was detained in August 1968, charged with "endangering national security."

The General Association of Saigon Students protested vigorously, and he was released shortly after the following day. He was again arrested under the same charge in September 1972, and was held under house arrest in Saigon. In 1973 he was sentenced to six years hard labor in a national prison in Saigon. In September 1973 he was transferred to Con Son, where he has remained ever since.

**LE CONG GIAU**

Aged 29, Giau was a science student at Saigon University until his arrest on 5.8.72 in Vung Tau. His family live in Saigon. Since his arrest he has been held without charge, trial or sentence in Chi Hoa prison and the National Police Headquarters in Saigon.

According to a letter smuggled out of Chi Hoa in October 1972, as well as more recent reports from reliable sources in Saigon, Giau has been subjected to severe torture during interrogation, resulting in partial paralysis and a serious mental illness. The October letter states that under the supervision of Tran Chau (Lieutenant-Colonel: Rphia) of the Special Police, Giau was "subjected to torture and forced to admit to having participated in NLF activities and to having been present at meetings of the NLF.

Nevertheless, he...suffered persistent beating with a club on the head, chest, shoulders, hands, thighs, knees, and feet. Burning cigarettes were placed on his nipples, navel, and penis; pins were driven into the ends of his fingers...

"A large quantity of soapy water was forced through his nostrils and mouth until he fainted; then he was kicked in the stomach to force water out (this torture was carried out by...)."...and then he was beaten savagely with clubs (this torture carried out by Cu Lu Nhi, a torturer well-known in Chi Hoa).

During interrogation, the torturers have imposed the following treatments: Giau was "subjected to severe torture..." and "subjected to severe beatings..." during interrogation, resulting in partial paralysis and a serious mental illness.

Long was originally arrested in 1965, when as leader of an organisation known as the Movement for the Free Choice of the People he tried to hold a press conference jointly with various other organisations to break up the police on the grounds that it had not been informed. This purpose of the conference, which was arranged by different groups, had been to present the demands of the GRVN and the NLF to the Saigon Government. The arrest was very severe and was considered a deliberate attempt to disrupt the conferece.

After his arrest, Long was transferred to Con Son, where he has remained ever since. His latest arrest took place on 19th May, 1972, during a general round-up of student leaders. At this time he was captain in the Army Training College, National Police Headquarters. One of the five, Tran Huu Khue, who was arrested in the same incident, was sent to Chi Hoa.

Following repeated protests by a number of international organisations, including the International Commission of Jurists in Geneva and Amnesty International in London, his sentence was suspended on health grounds by the GRVN Defence Minister 2 years later. On 27.7.72, after his release Long resumed his work as a lawyer. Then on 21-7-72, President Thieu rescinded the Defence Ministry order and decreed that Long serve out the rest of his sentence. This step was undoubtedly taken because of Long's vigorous professional defence of political critics of the GRVN during a time of military and political crisis. He is now back in Chi Hoa prison.

His health is poor, and he suffers near-blindness in one eye. (For further details see page 10.)

**TAN THI BINH NGUYEN**

Before his re-arrest in 1972, Nguyen Long was a leading lawyer in Saigon who acted as defence counsel in a number of political trials. He was counsel, for example, for his fellow-lawyer Mr. Huu Khue, whose arrest followed the so-called "March 11." Nguyen Long has been consistently advocating negotiations between Saigon and the NLF. On 24th March 1965 he was arrested by the Saigon Government for "interfering with the autonomy of Saigon University."

In 1970 he was set free from the prison he had been transferred to and founded the Saigon Student Union. His latest arrest was on 20th May, 1972, during a large round-up of student leaders. At the time he was captain in the Army Training College, National Police Headquarters. One of the five, Tran Huu Khue, who was arrested in the same incident, was sent to Chi Hoa.

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**TON THAT BINH TRANG**

A freelance journalist in Saigon until his arrest on 25-7-72, Ton That Binh Minh is charged as a result of having reported on the activities of the National Police Headquarters in Saigon and on the activities of the Vietnamese National Front (VNLF) and the Indochina Solidarity Movement. His translation was being serialised in one of Saigon's daily papers, Aho Zop.

Amnesty International has had no more news of Mr. Binh Minh in February 1973, when it learned of a reliable source in Saigon that his crutches had been removed, and that as a result his body is badly ulcerated from lying on the floor of his cell.
Thanh's husband and family live in Saigon. The Saigon police claimed to have documentary evidence showing her connections with the NLF. Mrs. NGUYEN HOANG NGUYEN PHUOC QUYNH TIEN ceded that she had been included in the list of prisoners to be exchanged with the PRG (see page 11). She was reportedly held in a prison unit for common criminals. On April 14th she went on a hunger strike and suffered a severe asthmatic attack which brought on heart failure. Her doctor was summoned to the court and announced she was in "immediate danger of dying". The judge agreed to postpone her trial, adding that she must return to prison. Since then there has been no further attempt to bring her to trial.

In late December Mrs. Thanh was transferred from Chi Hoa to a prison in Bien Hoa near Saigon, where she was brought before the Military Court in Saigon on March 22nd 1972, she was carried in on a stretcher and suffered a severe asthmatic fit at her trial. "The judge had decided in a controversy between monks and nuns that only the monks had the right to live in the local pagoda. Reports about what happened to the judge as he left the courthouse differ. He apparently tripped and fell, and the investigating magistrate in Saigon claimed that Mrs. Thanh was responsible. Witnesses have asserted that Judge Tho slipped of his own accord. One report mentions that Mrs. Thanh was originally held simply for abusing Judge Tho verbally, but this charge was changed two days later to assault.

On August 19th 1971, Mrs. Thanh was detained in Thu Duc prison near Saigon pending trial. On September 11th she was released again following a court order. Two days later she was re-arrested and taken to the National Police Headquarters in Saigon where she was brought to trial before the Military Court in Saigon on March 22nd 1972, she was carried in on a stretcher and suffered a severe asthmatic attack which brought on heart failure. Her doctor was summoned to the court and announced she was in "immediate danger of dying". The judge agreed to postpone her trial, adding that she must return to prison. Since then there has been no further attempt to bring her to trial, but this time she was placed in a special unit of the security office of the soldiers for 'special treatment'.

MRS. NGO BA THANH

Mrs. Thanh became a lawyer after studying at the universities of Paris and Barcelona. She received a masters degree in comparative law from Columbia University in New York, where she was offered an honorary post in June 1973. After returning to Saigon she became the first director of the Institute of Comparative Law. During the unopposed re-election in October 1971, of President Thieu, she took charge of an organization called the Vietnamese Women's Movement for the Right to Live, and worked in support of General Vo Van 'Big' Minh, Thieu's major opponent, who withdrew from the election maintaining that it was rigged.

Mrs. Thanh has been arrested a number of times. Her most recent arrest took place on August 31st 1971. At that time she was charged by the senior investigating magistrate in Saigon with assaulting a judge on June 22nd 1971, in the Saigon suburb of Gladiol. On that occasion she and a group of Buddhist nuns had gathered outside the courthouse to protest a ruling of Judge Nguyen Van Tho. Judge Tho had decided in a controversy between monks and nuns that only the monks had the right to live in the local pagoda. Reports about what happened to the judge as he left the courthouse differ. He apparently tripped and fell, and the investigating magistrate in Saigon claimed that Mrs. Thanh was responsible. Witnesses have asserted that Judge Tho slipped of his own accord. One report mentions that Mrs. Thanh was originally held simply for abusing Judge Tho verbally, but this charge was changed two days later to assault.

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AMNESTY INTERNATIONAL is a worldwide human rights movement which is independent of any government, political faction or religious creed. It acts on behalf of men and women who are imprisoned for their beliefs, colour, ethnic origin or religion, provided they have neither used nor advocated violence.

AMNESTY INTERNATIONAL opposes the use of torture in all cases and without reservation. It is now conducting an International Campaign for the Abolition of Torture.

AMNESTY INTERNATIONAL has consultative status with the United Nations, UNESCO, the Council of Europe and the Organisation of American States and is recognised by the Organisation of African Unity.

AMNESTY INTERNATIONAL, in its work for Prisoners of Conscience, seeks observance throughout the world of the Universal Declaration of Human Rights, particularly Articles 5, 9, 18 and 19:

Article 5: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 9: No one shall be subjected to arbitrary arrest, detention or exile.

Article 18: Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or beliefs, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19: Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.