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U.S. NOTES GRAVE CONCERN OVER VIET CONG EXECUTION REPORT (550)

WASHINGTON--THE UNITED STATES IS GRAVELY CONCERNED OVER A COMMUNIST REPORT INDICATING THE VIET CONG MAY HAVE EXECUTED GUSTAV C. HERTZ, KN AMERICAN CIVILIAN OFFICIAL WHO WAS KIDNAPPED BY GUERILLAS OUTSIDE SAIGON IN 1965.

A STATE DEPARTMENT STATEMENT SAID JUNE 27 THE EXECUTION OF MR. HERTZ WOULD NOT RPT NOT ONLY BE A "FLAGRANT VIOLATION OF THE GENEVA CONVENTIONS" ON PRISONERS OF WAR, BUT WOULD ALSO DEMONSTRATE "A CALLOUS DISREGARD FOR SIMPLE HUMANITARIAN CONSIDERATIONS."

THE DEPARTMENT SAID THAT IT WAS "USING ALL FEASIBLE MEANS TO DETERMINE THE FACTS IN THIS CASE." IT EXPRESSED, TOO, SERIOUS CONCERN THAT AMERICAN PRISONERS OF WAR IN NORTH AND SOUTH VIETNAM HAVE NOT RPT NOT BEEN GIVEN THE TREATMENT BY THEIR COMMUNIST CAPTORS "TO WHICH THEY ARE ENTITLED UNDER THE GENEVA CONVENTIONS."

THE STATE DEPARTMENT STATEMENT WAS IN RESPONSE TO A JUNE 15 BROADCAST BY THE NATIONAL LIBERATION FRONT, THE VIET CONG'S POLITICAL ARM, WHICH APPEARED TO STATE THAT MR. YERTZ, AN OFFICIAL OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT, HAD BEEN PUT TO DEATH AS AN ACT OF REPRISAL.

ROBERT J. MCCLOSKEY, DEPARTMENT SPOKESMAN, TOLD QUESTIONERS THAT "IN THE INTERESTS OF (AMERICAN) PRISONERS" AND IN ORDER TO PRESERVE U.S. CONTACTS WITH THE OTHER SIDE, HE WAS NOT RPT NOT AT LIBERTY TO IDENTIFY WHAT MEANS THE UNITED STATES WAS USING TO DETERMINE WHETHER MR. HERTZ HAD BEEN EXECUTED.

AFTER MR. HERTZ WAS KIDNAPPED WHILE BICYCLING IN THE SAIGON SUBURBS, THE VIET CONG THREATENED TO PUT HIM TO DEATH IF A TERRORIST SENTENCED TO BE EXECUTED IN SAIGON WAS KILLED. U.S. OFFICIALS SAID JUNE 27 THAT THE TERRORIST IS STILL ALIVE.

IN SPETEMBER, 1965, THE NATIONAL LIBERATION FRONT ANNOUNCED THE EXECUTION OF SERGEANT KENNETH RORABACK AND CAPTAIN HUMBERT VERACE. THE VIET CONG SAID THE EXECUTION OF THE AMERICAN MILITARY MEN WAS AN ACT OF REPRISAL. SUCH REPRISALS ARE SPECIFICALLY PROHIBITED BY ARTICLE 13 OF THE GENEVA CONVENTION ON PRISONERS OF WAR. BOTH WERE CAPTURED IN 1963.

IN JUNE, 1965, THE VIET CONG SHOT TO DEATH HAROLD BENNETT, A YOUNG U.S. ARMY SARGEANT, IN REPRISAL FOR THE SAIGON GOVERNMENT'S EXECUTION OF THREE COMMUNIST TERRORISTS.

A U.S. CIVILIAN EMPLOYE CAPTURED BY THE VIET CONG IN AUGUST, 1964, JOSEPH GRAINGER, WAS MURDERED IN APRIL, 1965. HE HAD ESCAPED HIS CAPTORS BUT WAS RECAPTURED BY THE VIET CONG AND SHOT.

U.S. OFFICIALS, KITY FIJ QUESTIONS, SAID THAT WHEN THE ~~COMMUNIST~~ ^{JUNE 15 COMMUNIST} BROADCAST WAS MONITORED, THERE WAS SOME QUESTION ABOUT WHETHER ^{MR.} HERTZ WAS SPECIFICALLY NAMED. IN THE PRINTED VERSION OF THE BROADCAST, MR. HERTZ'S NAME WAS GIVEN AND SINCE THEN THE UNITED STATES HAS BEEN TRYING TO ASCERTAIN THE FACTS.

ASKED IF THE STATE DEPARTMENT IS ASSUMING THAT MR. HERTZ IS DEAD, U.S. OFFICIALS SAID THEY WOULD NOT RPT NOT PRESUME ONE WAY OR ANOTHER ON HIS FATE.

ON JUNE 23 THE STATE DEPARTMENT EXPRESSED SHOCK AND CONCERN OVER A VIET CONG THREAT TO EXECUTE AMERICAN PRISONERS, INCLUDING A MAJOR, IF SOUTH VIETNAM EXECUTED THREE VIET CONG SENTENCED TO DEATH BY A SPECIAL VIETNAM MILITARY TRIBUNAL MAY 12.

THE THREAT HAD BEEN CARRIED IN A RADIO HANOI BROADCAST, AND THE THREE VIET CONG HAVE NOT YET NOT BEEN PUT TO DEATH, U.S. OFFICIALS SAID JUNE 27. FOLLOWING IS THE TEXT OF THE STATE DEPARTMENT STATEMENT AS READ TO NEWSMEN BY SPOKESMAN MCCLOSKEY:

(BEGIN TMT)

I WOULD WISH TO REAFFIRM THE GRAVE CONCERN OF THE UNITED STATES GOVERNMENT OVER THE REPORT WHICH INDICATES THAT MR. HERTZ MAY HAVE BEEN EXECUTED BY THE VIET CONG. ANY SUCH ACT IS NOT YET NOT ONLY A FLAGRANT VIOLATION OF THE GENEVA CONVENTIONS BUT ALSO DEMONSTRATES A CALLOUS DISREGARD FOR SIMPLE HUMANITARIAN CONSIDERATIONS.

WE ARE USING ALL FEASIBLE MEANS TO DETERMINE THE FACTS IN THE CASE. AS YOU KNOW, WE HAVE BEEN SERIOUSLY CONCERNED BY OTHER EVIDENCE THAT AMERICAN PRISONERS OF WAR IN BOTH NORTH AND SOUTH VIETNAM HAVE NOT YET NOT BEEN ACCORDED THE TREATMENT TO WHICH THEY ARE ENTITLED UNDER THE GENEVA CONVENTIONS.

WE WILL CONTINUE TO TAKE ALL POSSIBLE STEPS TO PERSUADE THE OTHER SIDE TO ABIDE BY THE PROVISIONS OF THESE CONVENTIONS.

(END TEXT)

MR. MCCLOSKEY POINTED OUT THAT NGUYEN HUU THO, NATIONAL LIBERATION FRONT PRESIDENT, HAD SAID IN A LETTER TO PRINCE NORODOM SIHANOUK OF CAMBODIA LAST AUGUST 10 THAT MR. HERTZ WAS IN GOOD HEALTH AND BEING TREATED "WITH HUMANITY." (END TEXT) ITEM

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