

The truth about U.S. aggression in Vietnam

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GDR authors unmask imperialist crimes

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imperialist crimes**



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Dear Reader,

The Vietnam Commission of the Afro-Asian Solidarity Committee of the GDR herewith presents you a collection of contributions which expose the illegal aggression of US imperialism in Indochina, particularly in Vietnam. The authors are well-known personalities, scientists and social organizations of our republic who have expressed an opinion in the course of the shameful escalation of the American aggression on various aspects of the criminal war. Out of their work - our selection makes that clear - a picture without any gaps has come into existence about this imperialist war, about its backgrounds, objectives and above all about its cruel inhuman methods.

It is proved over a period of several years that this war consists of an endless chain of frightful crimes against international law, against peace and against mankind. This testimony and investigations gain in topicality and significance just at present for "exposures" about the preparation and unleashing of the war in Vietnam are also being published in the USA. But what, for example, is "revealed" by the so-called Pentagon papers has long been known in the world and also in the GDR. The persons responsible for US policy have long been convicted of aggression.

The problems of the US war in Indochina are diverse; not all of them could be taken into consideration to the same extent in the selection presented here. We therefore refer you to a series of historic and chronological treatments about the development of Vietnam since 1945 which have appeared in the GDR. The most recent publication in this sphere is the book Vietnam - 1945-1970 by D. Weidemann and R. Wünsche, published in 1971 by the Verlag der Wissenschaften.

To tell the truth about the war in Indochina means at the same time to speak about the striking defeats of US imperialism and about the victories of the liberation fighters, the peoples. Therefore, this collection imparts not only knowledge for intensifying the protest against the crime but also in order

further to stimulate the energetic solidarity with the fighting peoples.

For that is our task so long as the US aggression in Indochina has not been ended.

Vietnam Commission
of the Afro-Asian Solidarity
Committee of the GDR

Statement of a Delegation of the Vietnam Commission of the
Afro-Asian Solidarity Committee of the GDR after a Visit to
the Democratic Republic of Vietnam in February 1968

I. Aggression and Violation of the Geneva Indochina Agreement

According to valid international law, aggression in the form of

the use or threat of force, particularly warlike acts to solve international conflicts

is a violation of international law and forbidden.

The legal basis for this are the

- Paris Treaty on Outlawing War
(Briand-Kellogg Pact) of 27 August 1928
- United Nations Charter of 25 June 1945
(Article II, paragraphs 3 and 4).

This principle of international law was also included in the London Four Power Agreement of 8 August 1945, which according to Article 2 also includes the Statute of the International Military Tribunal (IMT) as part of the Four Power Agreement. For our purposes it is not necessary to establish in more detail that the principles drawn up in the IMT Statute are valid international law, all the more so as the First UN General Assembly expressly confirmed the principles of the Statute in its Resolution No. 95 (I) of 11 December 1945.

According to Article 6 of the IMT Statute

planning, preparing or carrying out an offensive is a crime against peace.

The USA ratified the Briand-Kellogg Pact on 17 January 1929; it helped found the United Nations, deposited the ratification document on 8 August 1945 at the United Nations and is a permanent member of its Security Council; it signed the London Agreement of 8 August 1945. Thus, according to the rules of international law, it is not only bound by this ban on aggression like all other states, but bears a special responsibility to guarantee these norms of international law.

The Geneva Indochina Agreement of 1954 (in particular the Agreement on the cessation of hostilities in Vietnam signed on 20 July 1954 and the final declaration at the Geneva Conference of 21 July 1954) served to enforce the ban on aggression and the renunciation of force and establish concrete obligations to observe these norms in future in order to guarantee peace in Indochina. The Geneva Indochina Agreement provided the legal basis for further peaceful developments in Vietnam.

The USA participated in the Indochina Conference. In its declaration on the Geneva Agreement of 20 and 21 July 1954 at the closing session of the Geneva Indochina Conference on 21 July 1954 it committed itself

in conformity with Article 2 (4) of the UN Constitution, which deals with the obligation of the members of this organization, to abstain in their international relations from the threat or use of force, to abstain from the threat of force or its use with the aim of violating these agreements and paragraphs.

With this declaration, the USA agreed to decisive points of the Geneva Agreement and thus took over obligations in international law. The binding force of the Geneva Agreement has never been doubted by the Americans (compare Memorandum of the US State Department of 4 March 1966).

The USA has committed the crime of aggression - in violation of the Geneva Agreement - both in Vietnam as a whole and the DRV in particular.

The Starting Position

As a result of the Second World War, the Democratic Republic of Vietnam was established in the struggle against French and Japanese imperialism. It extended from Cape Ca Mau in the South to the Chinese border in the North and united 30 million Vietnamese in an independent and sovereign state. The first elections took place on 6 January 1946 in which 90 per cent of those entitled to vote took part. They ended with an overwhelming victory of the Viet Minh League. On 2 March 1946 the first meeting of the National Assembly elected Ho Chi Minh as President

of the DRV and confirmed the government under his chairmanship. On 6 March 1946 an agreement was signed in Hanoi between the government of the DRV and the French government, according to which the hostilities were to cease. France recognized the DRV as a free state with its own government, parliament and financial system. The road to a happy future seemed secured.

The then French government broke this agreement. It started a new war against the Vietnamese people to bring them completely or in part under the yoke of colonialism again. France - weakened by the Second World War - was only able to wage this war with the aid of the USA. In July 1950 US interference in the internal affairs of Vietnam were more or less unveiled, when former President Harry S. Truman sent a Military Assistance Advisory Group to Saigon with instructions to assist the French in the war against the Viet Minh people's liberation movement and at the same time to encourage the Vietnamese nationalists to opposition against France.

Under the slogan of serving the "interests of the free world", the American monopolies tried to take up the French colonial heritage in Indochina. General Henri Navarre, Supreme Commander of the French forces in Indochina in 1954, wrote about this: "We were in the paradoxical situation that, by accepting American aid, we would almost certainly lose Indochina, even if we had won the war as a result of this aid." (Henri Navarre: Agonie de l'Indochina, Paris, 1956, page 96)

The Attack on South Vietnam

The USA invested 2.6 thousand million dollars in the French war against the Vietnamese people between 1950 and 1954. US Secretary of State John Foster Dulles twice offered the use of nuclear weapons: Once for the relief of the fortress of Dien Bien Phu and the second time to bomb the Chinese-Vietnamese border area. Dulles himself admitted these monstrous offers in the American periodical Life. The then Vice-President of the United States, Richard M. Nixon - today President - did not play an unimportant part in this matter. After he had inspected the

South Vietnamese theatre of war in 1954, two American aircraft carriers with atomic bombs on board arrived in the Gulf of Tonkin. (Heinz Abosch: Der endlose Krieg (The Endless War); Stimme Verlag Frankfurt on Main, Special print from No. 1/2 1966 of the bi-monthly journal Stimme der Gemeinde, page 6) In face of the world-wide movement of protest, however, the French shrank from this and refrained from employing nuclear weapons. (Hans Henle: Chinas Schatten über Südostasien (China's Shadow over South-East Asia), Hamburg, 1964, page 100)

The military defeat of the French expeditionary corps could not be halted. The then President of the United States, Dwight D. Eisenhower, described the situation in his memoirs Mandate for Change as follows: "I was convinced that the French could not win the war because the internal political situation in Vietnam, weak and confused, badly weakened their military position. I have never talked or corresponded with a person knowledgeable in Indochinese affairs who did not agree that had elections been held as of the time of the fighting, possibly 80 per cent of the populace would have voted for the Communist Ho Chi Minh as their leader rather than Chief of State Bao Dai. As one Frenchman said to me, 'What Vietnam needs is another Syngman Rhee, regardless of all the difficulties the presence of such a personality would entail'." (Robert Scheer: How the United States Got Involved in Vietnam - A report to the Center for the Study of Democratic Institutions, Santa Barbara, California, page 11) The Syngman Rhee sought after was found in the person of Ngo Dinh Diem, a Catholic Vietnamese who had only an imperfect command over his mother tongue.

The plans pursued by the ruling monopoly group of the USA in South-East Asia can be taken from a speech which Senator John F. Kennedy held in the US Senate on 6 April 1954. He said: "To send money, material and manpower into the jungle without any prospect of victory would be dangerous, useless and fatal... No American aid, as immense as it might be, can defeat an enemy who is everywhere and nowhere at the same time, who enjoys the support and sympathy of the people."

Dwight D. Eisenhower had also realized this - as his memoirs prove. However, John F. Kennedy drew different conclusions from this realization than his opponent. Dwight D. Eisenhower did not believe that a government excluding the National Front of Vietnam (Viet Minh) could ever gain the confidence and support of the Vietnamese people. Therefore, he pleaded for a coalition government. John F. Kennedy opposed this plan, because - as he explained in his speech - the popularity of Ho Chi Minh and his followers in the whole of Indochina was so great that they would have immediately gained the leadership. John F. Kennedy set on Ngo Dinh Diem who had been recommended to him by Francis Cardinal Spellmann. He hoped that Diem would succeed in enticing the people away from the Viet Minh. He was for gaining time, pumping American goods into the country and carrying out anti-Communist propaganda. This was to be done by Diem. That is why John F. Kennedy advocated a government under Ngo Dinh Diem, help for this government to set up an army and "if necessary, commit ourselves with manpower." (Robert Scheer, page 15)

The principles laid down in John F. Kennedy's speech became the guiding line of American policy in Vietnam under Dwight D. Eisenhower. It is interesting to note that these principles were in conformity with the views of John Foster Dulles, then US Secretary of State, who had pointed out the great economic significance and immense strategic value of Indochina in a lecture on 29 March 1954. (Student World 1966, page 322)

Accordingly, the USA torpedoed all attempts to establish a coalition government with the participation of the Viet Minh and restore peace in Vietnam. Contrary to the principle of national sovereignty of the UN Charter, it was its aim to exclude the most influential people's organization, the Viet Minh, and prevent a democratic development.

The Geneva Agreement

The agreement concluded in Geneva on 20 and 21 July 1954 and the final declaration of the Conference on Indochina were

a good basis to secure peace in this part of the world and to make it possible for the Vietnamese people to take their future into their own hands. The main points of the Geneva Agreement were:

1. The participants of the conference pledged to respect the sovereignty, territorial unity and integrity of Cambodia, Laos and Vietnam and to refrain from any interference in their internal affairs.
2. Provisional zones north and south of the 17th parallel were established in Vietnam to regroup the military forces. It was stressed that this military demarcation line was only provisional and was definitely not to be considered a political or territorial border. Elections were to be held in Vietnam by July 1956, at the latest, to settle the political problems on the basis of respect for the country's independence, territorial unity and integrity.
3. It was forbidden to erect foreign military bases, send foreign troops and military personnel and supply foreign arms and ammunition to both zones of Vietnam.
4. Neither of the two zones were to be integrated into a military alliance or employed for an aggressive policy.

The USA did not sign the Geneva Agreement, but declared itself prepared to refrain from any violation. The declaration says: "The Government of the United States has taken note of the Agreement concluded in Geneva on 20 and 21 July 1954 between a) the French-Laotian Command and the Command of the People's Republic of Vietnam; b) the Command of the Royal Army of Khmer and the Command of the People's Army of Vietnam; c) the French-Vietnamese Command and the Command of the People's Army of Vietnam as well as paragraphs 1 to 12 of the Declaration presented to the Conference on 21 July 1954 and declares with regard to the above agreements and paragraphs that firstly, in conformity with Article 2, paragraph 4 of the United Nations Charter... it will refrain from a threat of force or its use for the purpose of violating these agreements and paragraphs,

and that secondly, any renewal of the aggression in violation of the above agreements ... would be considered by it as a serious threat to international peace and security." (The complete text of the US declaration is contained in Archiv der Gegenwart, (Archives of our Time), Essen, Vienna, Zurich, Volume 24, 1954, page 4636)

In the years that followed the US government showed that it was not willing to observe its declaration given in Geneva which was binding in international law. On the contrary, its interference and aggression in Vietnam became ever more obvious. US imperialism replaced the French colonialists in South Vietnam and attempted to turn it into a colony and military base to use it for its global strategic plans in South-East Asia.

At the same time the USA tried to integrate South Vietnam into its global encirclement system of the Socialist countries. For this purpose South Vietnam, Laos and Cambodia were incorporated (according to the supplementary protocol) as a "Security Zone" in the SEATO Pact founded in Manila on 8 September 1954 - South Vietnam and Laos without being asked, and Cambodia against its express protest. (Text of the SEATO Pact, published in Dokumentation der Zeit, No. 289, pages 37 and 38). That means the USA intensified its intervention in South Vietnam by forcing the population into an anti-Communist alliance.

The supplementary protocol mentioned is a violation of the sovereign rights of a state, in general, and of the ban on military alliances for Vietnam as stipulated in the Geneva Agreement (Article 19), in particular. The incorporation of South Vietnam into the SEATO Pact is on a par with Hitler's and Mussolini's Munich policy which turned Czechoslovakia into a German protectorate and was a gross violation of international law. So the international Control Commission's protest against this supplementary protocol was quite justified.

The Blood-Stained Regime of Ngo Dinh Diem

Two months after Kennedy's Senate speech and during the Geneva negotiations, in June 1954, the USA installed its

puppet Ngo Dinh Diem as "Prime-Minister" of the Bao-Dai government in Saigon. Under the banner of anti-Communism, Diem unleashed a wave of terror against all patriotic forces in South Vietnam. The toll of his terror regime from July 1954 to June 1963 was 156,000 dead, 370,000 prisoners in more than 1,000 jails, 8,000 children arrested and maltreated, more than three million people rounded up in concentration camps - camouflaged under various names like "agro cities", "welfare zones", "strategic villages". (Dokumentation der Zeit, No. 302, page 33)

Together with the system of police and informers the USA organized - as Senator J.F. Kennedy had demanded - a mercenary army for Diem, whose officers were trained in or by the USA. The International Control Commission also protested against this violation of the Geneva Agreement.

Commanded by American officers and advisers, the army suppressed all resistance to US colonialization and prepared itself, as Diem announced, for the "march to the North". (Dr. Renate Wünsche and Dr. Diethelm Weidemann: Vietnam - Land im Süden (Vietnam - Land in the South), Berlin, 1967, page 51) With this apparatus of power, Diem was able, on instructions from the USA, to sabotage the elections provided by the Geneva Agreement for 1956. Some years later the American journalist Walter Lippmann commented as follows: "As to the United States, it originally accepted the Geneva Agreement and particularly the regulations about the free elections, but opposed free elections as soon as it was realized that Ho Chi Minh would win them. General Eisenhower quite frankly admits this in his memoirs." (Walter Lippmann, New York-Herald Tribune, 21 April 1965, retranslated from the German) Lippmann is mistaken only in so far as the Americans did not realize they would suffer certain electoral defeat only in 1956. They knew that already in 1954 - as can be seen from Eisenhower's memoirs - and intended from the outset to suppress the people by force. Those are the historical facts. If the agreements concluded in Geneva had been fulfilled without intervention by the USA, then Vietnam would be a united, peace-loving state, a factor for peace in South-East Asia.

The "alternative" to Ho Chi Minh, so highly praised by the Americans, tottered. Ngo Dinh Diem was replaced by General Nguyen Khanh on 1 November 1963. But he, like all the puppets up to Ky and Thieu that followed proved completely incapable of setting up a proper administration, let alone gaining the confidence of the South Vietnamese people. Whereas the National Front for the Liberation of South Vietnam (NFL), founded on 20 December 1960, enjoys the confidence of the South Vietnamese population. Whoever still had any doubts whatsoever about the legitimacy of the NFL became convinced at the end of January 1968. All western observers of the Tet Offensive agreed that the complete secrecy of this large-scale operation was a clear decision of the people in favour of the NFL.

The Attack on the DRV

The situation of the Saigon regime was steadily deteriorating at the end of 1964. The French journalist Max Clos, witness of the decline, described the situation as follows: "All influential observers agreed on one point in December 1964: The collapse of South Vietnam under the blows of a powerful political and military Vietcong offensive will take place in spring 1965". (Max Clos in Le Figaro of 30 April 1965) And the big American periodical Newsweek headlined its report on Vietnam "Never grimmer". The subhead stated: "Chaos in Saigon, insecurity in Washington". The reporter wrote that the then ambassador in Saigon, General Maxwell Taylor, was of the opinion at the end of 1964 "that escalation is the only means to raise the morale of the war-weary South Vietnamese population to such a degree that the complete collapse of all government authority (meaning the Saigon regime - author) will be prevented."

This was the situation in which President Johnson, on the advice of Maxwell Taylor and supported by Secretary of Defence Robert S. McNamara, decided as from February 1965, to bomb the DRV from the air and powerfully increase the ground operations of American troops in the South.

In order to cloak its naked aggression, the US government

alleged that the DRV had begun with the "infiltration" of a regular division to the South at the end of 1964. This allegation was soon unmasked as a lie by the so-called "Mansfield report".

It was Senator Michael Mansfield, during a tour of South Vietnam together with other US Senators of the Foreign Affairs Committee, who discovered the true reason for the escalation. He wrote: "When the sharp escalation of the military efforts began at the beginning of 1965, it was estimated that only about 400 soldiers from North Vietnam were in the enemy forces which were at that time estimated at 140,000." But the situation of the Saigon puppet regime had been much more precarious. "To put it briefly" - the Mansfield report states - "a total collapse of the Saigon government authority seemed to be immanent in the first months of 1965". (quoted from Aussenpolitik, Freiburg im Breisgau, No. 5/1967, page 277)

In 1966 an opinion was submitted to President Johnson by 15 leading experts on international law which ascertains: "There is no doubt that South Vietnam ist ... only a temporary zone according to the Geneva Agreement. Moreover, the conflict in Vietnam is a civil war, since the Geneva Agreements recognized the whole of Vietnam as a single state (however, it is not a civil war in reality, but aggression by the USA - author), and foreign intervention is forbidden." (Congressional Record, Washington, 9 February 1966, page 2552; here quoted from Deutsche Aussenpolitik, No. 3/1968, page 283)

The alleged North Vietnamese "infiltration" with which the US government wanted to substantiate its aggression against the DRV has, therefore, according to the verdict of its own experts on international law and Senators, proven to be a pretext and thus legally indefensible. But the reason which the USA gave to begin the bombings proved to be a still more obvious sham. What happened in August 1964 has its historical parallel in the feigned attack on the Gleiwitz radio station by the nazis, which the fascists used to attack Poland on 1 September 1939 and thus begin the Second World War.

The Tonkin Incident

According to the official American version, the American destroyer "Maddox" is supposed to have been attacked while on patrol in the South China Sea (Gulf of Tonkin) by North Vietnamese torpedo boats, incidentally, without any visible effects. Washington spoke of an "aggression", of "a challenge", which could "have serious results", and announced its determination "not to tolerate provocations of this kind anymore".

In the early morning of 5 August the State Department announced that the "Maddox" and the destroyer "Turner Joy" which had rushed to its assistance, had again been attacked with North Vietnamese torpedos - again without showing any effects. Thereupon, Johnson declared the patience of the US government to be exhausted, the "aggressor" had to be punished. Congress granted Johnson full powers "to take all necessary measures". (Le Monde, Paris, 28-29 January 1968) Already ten hours later, US planes bombed the town of Dong Hoi and the coal mines of Hongai. In order to make the deception complete the World Security Council was convened at the urgent request of the USA.

These first American bombings aroused protests from broad circles throughout the world. They were considered a flagrant breach of international law and a crime against peace.

The USA as founder nation of the United Nations, as co-author of the UN Charter and as a permanent member of the Security Council is particularly obliged to observe the principles of this Charter. It has the duty to defend the basic principle stipulated in Article 2, clause 3, that all nations are legally bound to solve all arising conflicts peacefully. Above all, international law does not permit any such retaliatory measures. When the Security Council discussed retaliatory measures on 9 April 1964 it laid down as a principle that retaliatory measures (reprisals by force of arms) are contradictory to the aims and principles of the United Nations. (Year Book of the United Nations 1964, page 185 ff)

But by no means was the alleged attack on the "Maddox", - which left the ship undamaged - sufficient legal ground for the air raids on North Vietnamese localities.

Neither the alleged need for self-defence nor for "emergency aid" for the Saigon regime are able to give the US attacks on the DRV even the semblance of legality. In addition, there was no proportion of "danger" to "reprisal". Even anti-Communist jurists cannot but describe the US attacks on the DRV as a breach of international law (compare e.g. Walter Rudolf, Völkerrechtliche Aspekte des Vietnam-Konflikts (International Law Aspects of the Vietnam Conflict), Verlag Gehlen, 1967, pages 29-34). Thus the USA took the next step to violating the Geneva Agreements, as was also proved by facts in the Special Report of the International Control Commission for Indochina of 13 February 1965.

However, the attack on the DRV was seen in a new light when three and a half years later, the truth about the Tonkin incident came out. The affair was once more investigated in detail in the middle of 1967 on the initiative of Senator Fulbright on instructions of the US Senate's Foreign Policy Committee. After months of careful investigation the special commission headed by William Bader came to the following results (Le Monde, 28-29 January 1968):

1. The American destroyers covered an operation by warships of the Saigon puppet regime against the islands of Hon Me and Hon Mieu which are part of the DRV.
2. The destroyers were espionage ships. They cruised in territorial waters of the DRV with instructions to spy on and paralyze the air warning system of the DRV.
3. The torpedo attack did not take place at all. Commander John Harrick has admitted that observations were not possible because of the darkness. The noise registered by the sound detectors of the "Maddox", which allegedly originated from the sound of North Vietnamese warships firing torpedoes, was in truth the noise of the ships own screws.

4. The motion to grant him full powers, which Johnson had submitted to the Senate seemingly spontaneously on 6 August 1964, was - like the plan to bomb the DRV - prepared long beforehand.

When Robert McNamara, the Secretary of Defence, since resigned, declared in March 1964 that the United States would not exclude the possibility of the war also being extended to the territory of the Democratic Republic of Vietnam, he was only admitting an escalation which the US had prepared long ago and was already carrying out.

The facts submitted on the long prepared US attack on South and North Vietnam prove that the USA has violated Article 2, clause 3 of the UN Charter, Article 6 of the IMT Statute and the Geneva Indochina Agreements and is thus guilty of planning, preparing and carrying out an aggressive war and thereby committed a crime against peace.

II. Violation of the Rules of Warfare - A War Crime

War crimes, according to Article 6b of the IMT Statute, are: Violations of the Rules and Customs of War, like murder, assault and battery or deportation of slave labour or some other purpose of civilians from or in occupied territories, murder or assault and battery of prisoners-of-war or persons on the high seas, killing hostages, plundering public or private property, wilful destruction of towns, market places or villages, devastations not justified by military necessity.

Moreover, article 6b explicitly stresses that this enumeration is not exhaustible, but only gives illustrative examples. Any violation of internationally accepted rules of warfare represents a war crime and establishes the responsibility of the criminal.

The war crimes and crimes against humanity defined in Article 6 of the IMT Statute are based particularly on the following documents of international law as rules of warfare,

which the USA has also acceded to or signed:

- a) the 4th Hague Convention on the laws and customs of land warfare of 18 October 1907 including its annexes - convention on laws and customs of land warfare - Convention of the Hague on terrestrial war;
- b) the Geneva Protocol on the ban of asphyxiating, poisonous or similar gases as well as bacteriological means in war, of 17 June 1925;
- c) the 9th Hague Convention on shelling by naval forces in time of war, of 18 October 1907;
- d) the 1st, 3rd and 4th Geneva Agreement on the Protection of War Victims of 12 August 1949; (Articles I/19 and 24 ff and IV/13 ff and 18 ff)
- e) the Hague Declaration on the ban on projectiles which easily expand or flatten in human bodies, of 29 July 1899;
- f) the Convention of the protection of cultural objects during armed conflicts, of 14 May 1954 and the
- g) Resolution of the General Assembly of the League of Nations of 30 September 1938 on the protection of the civilian population against air raids.

In conformity with these legal regulations, on the basis of the experience of the military conflicts after 1945 and with the aim of augmenting the protection, especially of the civilian population,

the 20th International Red Cross Conference in Vienna in October 1965 solemnly declared

in its Resolution 28 - Protection of the Civilian Population against the Dangers of Indiscriminately Waged War - that all governments must observe at least the following principles in case of armed conflict:

- the parties involved in a conflict have no unlimited right in selecting the means of harming the enemy;
- it is forbidden to direct attacks against the civilian population as such;

- a difference must be made at all times between the persons participating in the hostilities and the civilian population, and in such a manner that the latter are spared as far as possible;
- the general rules of the law of war are also applied to nuclear and similar arms."

The towns and villages visited by us could in no way be called military targets. Neither was war material produced there, nor were military objects close by.

The anti-aircraft emplacements were situated outside the localities. Since the beginning of the open aggression against the DRV one can observe from the objects attacked that these crimes and their escalation were systematically planned.

During the first stage (beginning of February until the middle of June 1965) both the air attacks and the systematic artillery bombardments by ships of the US 7th Fleet were mainly directed against targets between the 17th and 20th parallels, and not only against barracks, lines of communication, ferries and bridges, but also against schools and hospitals.

During the second stage (middle of June until the middle of September 1965) the targets were the same with additional bombing of industrial installations, reservoirs and water regulating systems and entire villages south and west of Hanoi.

In the course of the third stage (from mid-September 1965 until late in June 1966), the US aggressors concentrated their air strikes on the regions north and east of Hanoi, bombing densely populated areas, power stations and communication lines.

During the fourth stage, Hanoi and Haiphong and the Red River Delta were included into the area of operations. The main targets during this stage were warehouses, dams and other water supply installations as well as - particularly from 1967 onward - schools, hospitals, power stations, temples, churches and pagodas.

The following is a list of the destruction of towns,

market places or villages which could not be justified by "military necessity":

1. Attacks by the American air force on the capital of the DRV, Hanoi.

Total area of the city: 567 square kilometres

Number of inhabitants: 1,100,000

Note: The highly populated centre of the city is approximately 100 square kilometres with 600,000 inhabitants.

The first attack by tactical aircraft of the US Air Force with bombings took place on 29 June 1966 on Hanoi-Gia Lam. It was not on the civilian airport, but on the residential areas in the outer suburbs. The airport is still intact today, but not a house is standing in Gia Lam. Since then, the capital of the DRV was attacked more frequently every year with bombs or air-to-ground missiles with American tactical aircraft. According to the report by the Investigating Commission to Expose American War Crimes of the DRV given to the study team on 10 February 1968 the following survey was made:

City of Hanoi	1966	1967	Total from 29 June 1966 to 31 December 1967
Air raids with bombing	19 times (of these twice on the city centre)	64 times (of these several times on the city centre, e.g. in April, May, Aug., Nov., and Dec.)	83 times
Number of tactical aircraft employed for the attacks by the US Air Force	200	1,197	1,307

Number of bombs dropped	692 explosive bombs 29 cluster bombs	3,895 explosive bombs 411 cluster bombs partly time-fuse bombs	4,557 explosive bombs 440 cluster bombs
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In spite of the partial evacuation of the population and timely precautionary measures for the inhabitants of the city, the American air raids killed and injured the civilian population and destroyed or heavily damaged housing, churches, pagodas, schools and hospitals. According to details given to the study team on 10 February 1968 by the Investigating Commission to Expose American War Crimes on the capital of Hanoi the following total survey up to 31 December 1967 was made:

Damage to persons and property in Hanoi	1966	1967	total from 29 June 1966 to 31 December 1967
Civilians killed	289	1,602	1,891
Civilians wounded	approx. 1,000	approx. 4,200	approx. 5,200
Destroyed or severely damaged dwelling houses	1,310	3,640	4,950
Destroyed or damaged churches	3	5	8
Destroyed or damaged pagodas	14	57	71
Destroyed or damaged hospitals bearing the Red Cross	1	1	2

On 10 February 1968, the study team of the Vietnam Commission convinced itself on the spot of the following destruction and devastation in the city centre of Hanoi.

Quan Thanh Street: Corner building destroyed by a heavy bomb.

Nguyen Thiep Street: Several buildings damaged, pagoda completely destroyed. The attack took place on 13 December 1966; six people were killed, among them three children.

Hospital of the Borough of Hoan Kiem: missile attack on 21 August 1967; a physician and a nurse were killed. A further physician and several patients were injured.

Hue Street: Attack took place on 22 August 1967 with aerial mines and missiles. An educational institution, a chemist's shop and several other shops were destroyed. Twenty people were killed and thirty injured.

Mai Hagh De Street: Several dwelling houses in which about 100 people lived were destroyed on 22 August 1967. Two killed (children) and eight wounded.

2. Attacks by the American Air Force on the district capital Thanh Hoa.

Total area of the district town: 32 square kilometres

Number of inhabitants: 60,000

Note: No military targets were situated in the town.

The first attack and bombing by tactical planes of the US Air Force took place on 3 and 4 April 1965. From then on the district town of Thanh Hoa was increasingly attacked from year to year by American planes with bombs and air-to-ground missiles and shelling from ships of the US 7th Fleet. According to the report given to the study team by the Investigating Commission of the District of Thanh Hoa to Expose American War Crimes on 15 February 1968, the following table was compiled:

Total number of American aerial attacks on the urban area from 3 April 1965 to 31 January 1968	417 including 186 daylight attacks and 131 night attacks
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The total number of bombs, missiles and artillery grenades fired on the urban area	11,828 high explosive bombs
	3,823 missiles
	280 air-to-ground missiles
approx.	200 naval artillery grenades
	37 cluster bombs
	6 depth charges
Total	16,174

Note: This means 508 bombs, grenades or missiles per square kilometre of the town area.

Seventy-five per cent of the total urban area is destroyed or completely devastated; the remainder severely damaged.

The Lo Chum area is particularly badly affected.

All schools are destroyed. All hospitals are destroyed in spite of the red cross insignia.

All churches and pagodas are destroyed.

Almost all industrial enterprises and craft establishments are destroyed or severely damaged.

On 14 February 1968 the study team visited the following destroyed buildings and residential quarters:

Catholic convent hit by four high explosive bombs during a night raid on 15 January 1968. Because of timely air-raid warning no people were hurt. One building was completely destroyed, several damaged.

District hospital No. 2: Destroyed on 1 July 1966. Again attacked on 21, 22, and 23 September 1966 and on 29 January 1967 and on 4 February 1967, presumably used as target practice for the training of young pilots. There is no other explanation for the fact that ruins are bombed over and over again. The hospital had 600 beds and seven departments, 16

physicians and 100 nurses. Scientific research was carried out, but no institute had yet been founded. The individual departments were evacuated to the surrounding villages.

Borough Than An: Attack on 15 January 1968 on two schools with hostels for 2,000 pupils. Complete destruction of the buildings, no harm to human life. Pupils were evacuated.

Pagoda: Destroyed on 4 and 5 February 1967.

Borough Lo Chum: Completely destroyed by 100 high explosive bombs on 15 January 1968. Twenty-two people killed and 10 wounded.

Cemetery: Attacked and ploughed up on 4 and 5 February 1967. The three gates destroyed, the graves burst open. As the attacks on the pagoda and the cemetery took place during the Tet Festival, it can only be assumed that it was intended to offend the religious feelings of the population.

3. Attacks by the American air force on the other territories of the Province of Thanh Hoa which had no military targets. Besides the urban district of Thanh Hoa the following districts in the province were attacked again and again from 1965 to 1968:

District	Reconnaissance Flights	Aerial Attacks
Quang Xuang	-	46
Ha Gung	25	22
Uga Son	26	25
Han Loc	27	26
Han Dong Son	24	21
Hoang Hoa	47	31

Note: The village of Ten Hoa, 40 km south of Thanh Hoa, was attacked 254 times.

4. Attacks by the American air force on villages of the DRV

a) The village of Khanh Phu in the District of Ninh Binh

Area: 7.5 square kilometres

Number of inhabitants: 3,819 (half of them Catholics
and half of them
Buddhists)

Agricultural area, mainly rice cultivation

The village is situated 7 km from the nearest road.
According to the statements of Mayor Le Van Phu, the
village was bombed on five days during 1967 and 1968 in
a total of 16 waves of attack.

1st attack with high explosive bombs July 1967

2nd attack with high explosive bombs 19 November 1967

3rd attack with high explosive bombs 17 January 1968

4th attack with high explosive bombs
and cluster bombs 18 January 1968

5th attack with high explosive bombs
and cluster bombs 19 January 1968

Heavy loss of life, buildings and other objects. Total
losses caused from direct hits, bomb splinters or
cluster bombs:

99 dead

104 wounded.

Most of the houses and stables were destroyed.

On 19 January 1968 American planes attacked the
locality of Yen Ve and the fields immediately surrounding
it with cluster bombs. The result was minor damage to
buildings; however, due to the surface effect of the
cluster bombs

16 people were killed and

47 seriously wounded

while at work in the rice fields.

The study team visited the village on 16 February 1968.

b) The village of Gia Thien in the Province of Ninh Binh.

Agricultural area for rice and vegetable cultivation.

The village has 375 houses and 1,785 inhabitants.

It was attacked on 19 January 1968 by four American tactical planes of type AD 6 with 12 high explosive bombs of 2,000 pounds each.

The bombs dropped caused great damage to property (according to the mayor's information, the damage to property amounted to 296,000 Dong). Of the 375 houses, 145 were completely destroyed, some sank into the bomb craters.

11 people were killed
(including 1 child)

23 were seriously wounded.

The loss of life was relatively low because most of the inhabitants were at work outside the village at the time of the raid. The locality was visited by the study team on 16 February 1968. Up to that time the village had been attacked eight times.

- c) The village of Hai Thing in the province of Nam Ha.
Agricultural area, mainly rice cultivation. Number of inhabitants: 7,683

The village has been attacked most often in the province of Nam Ha

1965 - 6 attacks
1966 - 71 attacks
1967 - 81 attacks

The total number of bombs, missiles and artillery grenades fired on the village are:

high explosive bombs	903
aerial mines	8
time bombs	8
cluster bomb units	14
missiles	2,987
depth charges	180
artillery grenades	93

The village is for the most part destroyed.

When we visited it all that was left of the provincial capital of Ninh Binh was a signpost showing the name of the town. The provincial capital Nam Dinh was 60 per cent destroyed. There is hardly a town or village in the DRV which was not heavily damaged. The southern provinces, between the 19th and 17th parallels have suffered the most damage.

But it is not just a question of violating individual rules of war, of isolated war crimes. These are a manifestation of complex, systematic crimes against the Vietnamese people - crimes against humanity - genocide.

III. Crimes against Humanity - Genocide

According to Article 60 of the IMT Statute, crimes against humanity are defined as: Murder, extermination, enslavement, deportation or other inhuman acts committed against any civilian population before or during a war, persecution for political, racial or religious reasons.

In concretization and continuation of this, the 1948 Convention on Genocide, bans - after the experience of fascism before and during the Second World War - the killing, physical injury and impairment of the conditions of existence, in order to completely or partly exterminate a national, ethnical, racial or religious group of people (Article II of the Convention on the Prevention and Punishment of Genocide). The Convention demands the punishment of such actions.

It is important to know the motives for the US crimes against humanity or of genocide if one wants to pass legal and moral judgement. Here is a statement by Bernhard Full, professor of international relations at Harvard University, made in 1965: "The experience gained to date shows that the support by the people in a revolutionary war is a first-rate factor. However,

this does not exclude the possibility of developing completely new counter-revolutionary methods where new technical or tactical developments could make up for the support of the people. In any case, these ideas are taken widely into consideration for the experiment in South Vietnam..." (quoted from Izvestia of 4 November 1965) This simply means: If a people do not voluntarily desist from revolution it must be exterminated so that they die together with the revolution. Genocide as practised by the USA in Vietnam is marked by the use of poison gas, napalm and weapons of mass extermination; by the deportation and murder of women and children, atrocities against captured fighters of the Liberation Front and their mass murder. The director of the Children's Institute of Meroy College, New York, William Pepper, estimated that about 250,000 children in South Vietnam had been killed and about 750,000 wounded (compare Revue Ramparts, January edition 1967). In fact, most of the victims are women and children (according to estimates from several provinces covering the period from March 1965 to August 1966, they made up 67 per cent of those killed and 84 per cent of the wounded).

Since 1961 poisonous chemicals have been employed on a large scale. They are partly directed against the health and life of the people and partly against the vegetation. Against the people, the Americans employ CS, CN, DNOC, 2.4-D and adamsite. Lately, the use of "BZ" (belongs to the hallucinogenics) was also observed. Herbicides are also employed for so-called defoliation. Millions of tons of these herbicides have been scattered or sprayed.

The employment of poisonous chemicals against living creatures (human beings and animals) and the vegetation, led to losses in human beings and domestic animals in South Vietnam. The fertility of the soil was destroyed. Unfavourable effects on the climate have to be expected. Through the combined use of herbicides and napalm areas north of Saigon, near Da Nang and other places in South Vietnam are laid waste.

The areas contaminated with poison increased from year to year:

1962	11,000 hectares
1963	300,000 hectares
1964	500,000 hectares
1965	700,000 hectares

In 1965 150,000 people suffered from poisoning symptoms of various degrees.

A further and particularly disgusting aspect of this chemical warfare is the use of poison gas.

Nguyen Khanh, one of the innumerable chiefs of the Saigon puppet regime boasted that Saigon already possessed poison gases at the beginning of 1964 (Reuter, 22 March 1965). The first significant use of gas was on 25 January 1965 in the village of Phu Lao, province of Phu Yen. The village was attacked with high explosive and napalm bombs, and then gas bombs were used to force inhabitants to leave their underground shelters. Thus no inhabitant was spared. The combination of poison gases and high explosive grenades for the extermination of the civilian population is practised in South Vietnam up to the present day.

The member of the Commission to Investigate American War Crimes of the DRV, Mr. Truong Tan Phat, reported to our delegation on 11 February 1968 about the attempts by the USA to destroy the basis of life and existence of the South Vietnamese population, to extinguish the ethical and moral basis of the people, in order to break their will for liberty. It can be taken from his report that the Americans use medieval methods of torture, perfected by "modern" technical refinements, on the population. In those areas of South Vietnam, where they still exercise power together with their puppets, they have divided the population into three classes. According to their classification, personal liberties are limited or completely withdrawn. Freedom of the press and of speech do not exist. Use of words like independence and neutrality is punished. Weekly anti-Communist courses are carried out with the population in areas controlled by the puppet government. Those who do not participate are punished. In order to be informed about the opinion, the thinking and feeling of

the individual citizen, an informer system through so-called family stewards was organized. If someone makes derogatory remarks about the puppet regime or even about the Americans, he is to be denounced and is punished. If his remarks are not reported and become known just the same, the family steward is punished. Any member of the family may be selected as family steward.

For a time, the Americans and their accomplices had certain successes with such methods in the towns. In the countryside, however, in the villages and settlements, they were unable to break the resistance of the people. Therefore, they began using naked force. The people were forced to evacuate the villages. Villages and fields were devastated and the inhabitants resettled in so-called "strategic villages" - later also called "refugee villages" or "villages of new life".

Tens of thousands of people became the victims of cruel tortures. Cut-off breasts, mutilated genitals, cut-off ears and noses, torn-out tongues, quartered babies were the customary methods of torture. On 11 February 1968 our study team saw a film in Hanoi, made by western cameramen about tortures perpetrated on fighters of the NFL. This film is a shocking document about the crimes against humanity committed by the American army in South Vietnam.

1. Attacks on Settlements and Living Quarters in the DRV

The USA intentionally bombed residential areas. It systematically destroyed the homes of the population and their workshops. Most of them had been constructed or reconstructed after the liberation from French colonial rule. Proof for these crimes exists everywhere in the country. Whether it was in the coalfields at Cam Pha or the textile factories at Nam Dinh, the US pilots applied the same methods on order of the Pentagon: New factories and stone-built residential areas built by Vietnamese workers under the workers' and peasants' power in the DRV were turned into rubble. The policy of extermination directed against the population of the DRV is proved by the fact that

the most important towns of the country were time and time again subjected to most severe attacks from the air; the towns of Phu Ly, Nam Dinh, Thanh Hoa, Ninh Binh, Bao Giang, Yen Bai and Son La are completely or almost completely destroyed. Of the 30 provincial capitals 25 were attacked, the majority severely damaged and six completely destroyed. Seventy smaller towns were the target of terror attacks, 39 of these were completely or almost completely destroyed. There are provinces where every community has been raided several times.

These raids differ in the way they were carried out. On the one hand the raids were highly intensive (a large number of planes and many different weapons employed), on the other they were carried out over a long period. The attacks were steadily escalated from 1965 to 1967. Neither churches nor schools, pagodas or educational institutions were spared. Up to the end of 1966, bombs were dropped on 391 schools, 149 churches, 3 seminaries and 80 pagodas. They caused the death of 398 pupils, 417 were wounded. Among the barbarous methods used against the civilian population are minutely planned attacks on completely defenceless people. In several places we heard from eyewitness accounts that American pilots attacked groups of people working in the rice fields (women and youth without exception) after previously having carried out air reconnaissance for days and caused heavy losses in dead and wounded.

2. Attacks on the Economic Foundations of the DRV

On visiting destroyed localities, we noted that the bombing was not only directed against the residential quarters but also against public utilities, in order to make reconstruction more difficult for the population.

On the outskirts of Haiphong, which was visited by the delegation, the foodstuff factory, which solely produces the fish sauce Nuoc Nam, a metal enamelling factory for consumer goods, a paddy mill, a vegetable oil factory, a furniture factory, shipyards for fishing vessels, a sawmill and many similar enterprises serving to supply the civilian population,

were attacked and destroyed.

Medium and large size bombs turned the central market-halls of Haiphong into a crater landscape.

The lighthouse of Long Chan, which is indispensable for coastal shipping and fishing, was attacked more than 200 times by bombs and rockets from the end of 1966 up to April 1967. The lighthouse in the port of Cua Ong was also often the target of raids. By fire with Aircraft cannons and missiles, damaged fishing boats and even individual fishermen catching crabs on the shore were attacked innumerable times and 80 fishing boats were damaged or destroyed in the Haiphong area alone. Sixty fishermen were killed or wounded while fishing.

In the coastal area of Quang Ninh Province seven fishing boats were attacked from May 1966 to July 1967, causing the death of 15 fishermen. Peasants working on the fields and women shopping were attacked in the same manner with aircraft cannons and small missiles.

The open-cast coal mines in Hang Gai and Campha, which mainly work for export, were repeatedly attacked with high explosive and cluster bombs, particularly during the changing of shifts when very many workers were in the pits.

3. Attacks on Dikes and Irrigation Systems in the DRV

Contrary to all denials by official American authorities, dikes and irrigation systems were deliberately attacked: 78 times in 1965, 314 times in 1966 and 250 times in the first half of 1967. High explosive bombs on dikes, cluster bombs on human beings who tried to prevent more extensive damage by quick repair - that is an obvious crime against the civilian population, against their physical existence.

The delegation was shown conclusive evidence of the damage caused by US bombers on dams, dikes and irrigation systems, and examined photographs, documents and detailed reports of raids. In the urban and rural district of Haiphong and the province of Quang Ninh numerous flood protection installations were

bombed, for instance the dams near Ha Dong, Chien Thang, Bien Comg, Ha Nam and Yen Hung, the pumping station at Dai Ban and the dam near An Son. Some of these dams hold back the ocean during high tide for if cultivated land is flooded by salt water it lays the fields barren for several years. It is characteristic of the intentional destruction of the US that these dams were attacked during high tide and also most of the dikes on the rivers La, Ma, Lam, Day and the Song Cai (Red River) during high water level in the rainy season. The dike which protects Hanoi from the north against the flood waters of the Song Cai was attacked and damaged on 13 August 1966 when the water level was at its highest.

American planes raided the Dan Thach dam on the river Chu in the province of Thanh Hoa 14 times on 21, 22, and 23 August 1965. They dropped 236 high explosive bombs.

The river Chu is used to transport timber. The sluice in the Dan Thach dam is important for water regulation both to irrigate the fields and also to transport timber. By destroying this sluice 250 hectares of land were flooded. The fields of three districts to the south of the dam could not be irrigated sufficiently anymore. Two districts situated to the north were also affected as the power station in the sluice was also destroyed.

According to details given by the head of the water installations in the province of Thanh Hoa, Nguyen van Khang, 333 US air raids were carried out on water installations such as dams, dikes and sluices in the province, from 3 April 1965 to 31 January 1968.

A few days before the arrival of our study team in the province of Ninh Binh, dikes and irrigation systems were again bombed in this province, too. Thus on 19 January 1968 the dikes near the village of Han Nam were attacked by American bombers. Sixteen 2,000-pound bombs were dropped. Four direct hits on the dike ripped it open, leaving a gap of 60 metres. The remaining 12 bombs devastated the surrounding fields.

4. Attacks on Churches and Pagodas in the DRV

Schools, churches and pagodas in the DRV were systematically attacked and destroyed from the beginning of the aggression. When the church of Ha Thach was destroyed on 4 March 1966 sixty-three people were killed.

During the attack on the church of Hongai which is conspicuous on a hill above the town, seventeen people were killed and 30 injured. Most of them were on their way home from church or in small houses in the vicinity of the church. We saw the church ruins and spoke with the church-warden, Phan Van Quy. His two grandchildren were killed near the church by the air pressure of detonating aerial mines and his wife lost her left arm from bomb splinters in front of the underground shelter. We were able to convince ourselves of the almost complete destruction of the big pagoda at the harbour of Campha. We also saw the destroyed small pagoda in Nguyen Thiep Street at Hanoi which was raided on 13 December 1966.

The intentional destruction of churches and cloisters was particularly obvious in Phat Diem, which was attacked some 200 times. All churches are destroyed. The cathedral built in pagoda style in 1888 was damaged on 10 July and 1 November 1967. The cemetery at Phat Diem was ploughed up by bombs. We saw the latest example of such barbarism on 18 February 1968 in Phu Och, province of Nam Ha. During the first hour of 14 January 1968, a Sunday, an American plane aimed at the local church. It dropped a number of 2,000-pound bombs. One of them was a direct hit. It completely ripped off the nave. It is quite impossible to speak of a "mistake" in this case as there is no military objective in the vicinity.

5. Attacks on Educational Institutions in the DRV

After liberation from French colonialism, Socialist construction began in the North. The government started to organize and set up a Socialist educational and health system in a country which had known neither compulsory education nor a social service system. The people started to learn to read and write,

and many doctors, engineers, teachers, educationalists and scientists were trained in all branches of science with the assistance of the Socialist countries. Many new schools and training colleges for teachers were built. All these new educational institutions were bombed from the first day of the US aggression.

Our study team had the opportunity to visit several scenes of the crimes and speak with teachers and pupils. The school hours in the DRV are from 6.30 to 11 a.m. A systematic investigation of air raids on schools show that they are mainly carried out during instruction.

Example No. 1

27 September 1967, 7.30 a.m. US planes drop cluster bombs on the school in Ha Phu (Thanh Hoa Province). On 28 September 1967 the same school was raided at the same hour with 18 high explosive bombs of 750 pounds each and completely destroyed. Thirty-three pupils were killed during the two raids. Twenty-two pupils and two teachers were wounded.

Example No. 2

Chemistry teacher Nguyen Van Long of class 9 b in the third grade school (800 pupils) in Yen Hong, district of Yen, Nam Ha Province, reported to the study team:

"On 10 October 1967 class 9 b had physical training during the first hour. As it rained, physical training could not be carried out because our school had been evacuated from the provincial capital to the village of Yen Hong. The class rooms are distributed in 18 houses of the village. We no longer have a gymnasium. So the children and sports' teacher stayed in the class-room. At about 7.30 a.m. we heard the noise of engines and hurried into the underground shelters; immediately afterwards a series of explosions took place in the immediate vicinity. We hurried out of the shelter and ran to the house of class 9 b. The house and the underground had received direct hits. All pupils and the physical training teacher, Nguyen Van Ke were buried under the debris. We dug them out and found the teacher and 32 pupils to be dead, 18 pupils were seriously injured.

One girl is still under medical treatment. It was a terrible picture. An hour later, at about 8.30 a.m., an American reconnaissance plane flew over the village."

Number of bombs dropped: 10 of 2,000 pounds each

Example No. 3

The school in Qua Bac Street in Hanoi was destroyed during lessons on 26 October 1967.

Further, we were able to see the destroyed schools, kindergartens and crèches in the miners' settlement at Ha Tu (Quang Ninh Province).

In this completely destroyed locality we saw the rubble of the former library and the palace of culture.

We met many children who had been injured by time-fuse cluster bombs. According to the reports of various teachers and educationalists, the US pilots dropped the time bombs during the night at places through which the children had to pass on their way to school. The bombs were set to explode at the time when the children were going to school.

6. Attacks on the Red Cross and the Public Health Service of the DRV

Since the beginning of bombing raids on North Vietnam, the US planes systematically attacked public health institutions like hospitals, first-aid stations, sanatoria, scientific institutes and pharmaceutical factories. An obvious escalation of these raids could be noted from February 1965 (in February 1965 four health institutions were attacked, 7 in March, 11 in April and May, and from June to August 72). The system of the attacks can be noted from the fact that they were concentrated to destroy the central provincial hospitals and large specialized hospitals.

The whole public health system of the DRV which is a model for the whole of South East Asia, had suffered severely under

the bombings - banned by international conventions. Among the destroyed public health institutions are two world-renowned medical research and treatment centres: the Leprosy Research Institute with rehabilitation ward in Quinh Lap and Hospital and TB-Research Institute in Thanh Hoa. It is a proven fact that the Red Cross signs were completely ignored during the raids on the large tuberculosis hospital in Thanh Hoa with its 600 beds and the leprosy settlement of Quinh Lap with 2,600 places. Both institutions are situated at a distance from large traffic routes or military objectives. The leprosy settlement of Quinh Lap was attacked 39 times altogether from 12 June 1965 to 30 July 1966 and completely destroyed. Even the new emergency centre, near the village of Quinh Lap, for the leprosy patients who had been saved, was repeatedly attacked. In the course of the raids, 172 of the patients and members of the medical staff were killed and 156 injured.

Another example of intentional raids on public health institutions is the destruction of the provincial hospital of Yen Bai. On its premises are a medical school, a hygiene centre, dispensaries for the protection of mother and child, for combating tuberculosis, for combating trachoma and skin diseases. This health centre, which covers an area of half a square kilometre, is also situated four kilometres from the town of Yen Bai. Thirty buildings were hit, 58 people, mainly doctors, nurses, medical students and student nurses, were killed and 10 injured. The raids took place on three successive days, on 9, 10, and 11 July 1965, i.e., they started on the day after the destruction of the tuberculosis centre of Thanh Hoa and hardly three weeks after the bombing of the leprosy centre of Quinh Lap and the provincial hospital of Bac Thai in the mountain region. From this alone it can be concluded that the attacks on the public health centres were deliberate and systematic.

The raids also continued after the DRV Ministry of Health and numerous eye-witnesses and medical and scientific personages from all over the world had sharply protested against this crime. The US bombers destroyed 127 public health in-

stitutions in 248 raids from August 1964 to August 1967. Twenty-four of the 30 provincial hospitals, with 300 to 500 beds each, were destroyed. About one fifth of all district hospitals (39 in number), with 50 to 70 beds each, are destroyed. Nine specialized hospitals and sanatoriums and a scientific institute were bombed.

We saw the destroyed tuberculosis centre in Thanh Hoa, the destroyed hospitals in Hong Gai, the destroyed tubercular hospital in Haiphong, the destroyed children's hospital in Haiphong, besides numerous destroyed smaller first-aid and outpatient stations as in Hau Thu (Quang Ninh Province), in Yen Bai near Hanoi. We also visited the hospital of Campha, which was situated in caves after having been destroyed. After the American air reconnaissance had determined that the building was a hospital it was immediately attacked with high explosive and cluster bombs.

The delegation saw the traces of the raid and heard eyewitness accounts.

Decentralization of medical services, underground shelters and the highest personal dedication of the medical staff have no doubt prevented the breakdown of the public health system and the outbreak of epidemics. But that does not change the character of the crime.

The study team draws the following conclusions from the violations of the Red Cross Convention, which it has seen: The USA not only aimed to kill the population with bombs, rockets and air cannons, but, moreover, they tried to prevent any aid for the wounded. They thus brought about the danger of epidemics, with the aim of undermining public health. This method of warfare differs only in form from the scattering of bacteria and other means of bacteriological warfare.

7. Employment of Completely Banned Arms, with Mass Extermination Character, Used against the Civilian Population of the DRV

Ever since the beginning of its aggression, the USA has employed completely banned weapons in the DRV - particularly against the civilian population. The main types are cluster bombs and to a lesser extent napalm. In South Vietnam, toxic gases were used against the population and the forces of the NLF. At the same time warfare agents were used which laid waste whole regions. The use of newly developed or improved weapons gave the war against the Vietnamese people not only the features of an exercise, but also the character of an experiment.

a) The Cluster Bomb

Since 1966 the US Air Force is using cluster bombs (anti-personnel bombs) against the DRV. The constructional principle and the effects of these new types of arms violate international law and in particular the Hague Declaration of 29 July 1899. This declaration bans projectiles which expand or flatten in the human body.

The USA has steadily increased the mass destructive effect of the cluster bomb, e.g., by time fuses, by increasing the number of individual bombs and by making the pellets of plastic instead of steel. The plastic pellets can hardly be recognized on the X-ray photograph. This greatly hampers medical assistance.

The delegation was able to convince itself of the dangerousness of this weapon and its violation of international law by means of photographs, eye-witness testimony, the inspection of the organs of killed persons, an examination of medical report sheets and X-ray films.

The cluster bomb unit contains 500 to 650 cluster bombs similar in shape to a medium sized orange. Each of them contains approximately 300 steel or plastic pellets with a diameter of 6.5 mm. The plastic pellets are filled with poison.

The area which can be covered by a cluster bomb unit dropped from medium height is 250 x 1,000 metres. Therefore, a plane can kill all unsheltered people on a square kilometre by four cluster bomb units. The destructive effect was increased still further by the combined use of high explosive and cluster bombs.

The injuries by the blunt pellets - deformed on striking bones - correspond to injuries caused by dum-dum bullets. The track of the pellet is three to four times as wide as the diameter of the pellet. Bones are smashed, blood vessels torn and several pellet tracks are produced by the rebound in bony cavities (skull, thorax, spinal cord). The most numerous victims of this deadly weapon were peasant women on the fields, people shopping in the markets, workers in the open air (open-cast mining, road building, horticulture, fishing, salt-mining) and children on the way to school. Raids with cluster bombs took place usually during change of shifts, at the beginning of school hours, during church services, when fishermen came ashore and at market times, i.e., always when a gathering of people could be expected.

b) Incendiary Weapons

Various incendiary bombs (and grenades) were used since 1965. According to the press, the USA spent 40 million dollars for the further development of napalm in 1967 alone.

The following were used from 1965 to 1967:

- phosphorous bombs (known since the Second World War);
- napalm bombs (known since the Second World War);
- metallic napalm combinations (new US development, now being tested in Vietnam);
- new development or further development of magnesium incendiary bombs.

Since 1965, napalm has mainly been used in South Vietnam - but in several cases also in the north of the country. On 15 July 1966, for instance, American planes poured napalm

over the village of Ngu Thuy in Quang Binh Province. At the same time they shot at the peasants fleeing from the village and dropped cluster bombs on them.

The injuries by incendiary weapons like napalm, phosphorous, thermite and magnesium bombs are particularly serious. Examinations of people who had been killed by napalm showed that death had mostly been caused not by the burns alone but above all the carbon monoxide gases which arise from the explosion. The carbon monoxide gases paralyze the human being and make it impossible for him to flee from the fire zone and bring himself to safety.

- The type of weapons and the way they are used;
 - the raids on institutions of public health, housing areas, churches, pagodas and irrigation systems;
 - the systematic development and purposeful use of cluster and napalm bombs - weapons which are completely banned -
- do not permit the slightest doubt of the intention and determination of the US government to exterminate the Vietnamese people.

The proof that the USA consciously perpetrates genocide can also be taken from a number of statements by prominent representatives of the ruling class in the United States. The world was shocked most by General LeMay's statement that the USA should "bomb (North Vietnam) back into the stone age" (quoted from Aussenpolitik, Freiburg im Breisgau, No. 5/1967, page 273). This expression is no individual example. The former supreme commander of the US army of intervention in Saigon, General Westmoreland, made a very similar statement to the British journalist Donald Wise, when he said: "We have written off this generation of Vietnamese... We shall force the enemy, with complicated arms which he cannot afford, to plead for mercy." (Daily Mirror, 24 March 1965, retranslated from the German)

Two years later General Westmoreland said in a press interview, that the Americans would exert a "maximum pressure" for so long and by all available means, "until Hanoi recognizes that its country is bled white to the brink of catastrophe". (Associated Press, Saigon 14 April 1967, retranslated from the German) A little later, officers of his staff who act as advisers to dictator Thieu, told American journalists: "Every useful target should be destroyed. Hanoi should feel every bit of the capability of the Americans to bomb North Vietnam out of existence." US News & World Report, 18 September 1967, page 39)

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the GDR

The US Aggression in Vietnam - a Crime against Peace
(January 1970)

The fundamental fact to be considered in an analysis of the Vietnam war from an aspect of international law is that the United States of America as one of the greatest military powers of our time is conducting a war against the Vietnamese people and their state, political and military establishments (embodied by the Democratic Republic of Vietnam and the Provisional Government of South Vietnam,) and thereby is intervening in an unparalleled way in the life of this nation of 30 million people and preventing them from exercising their due right of self-determination as derived from international law. Since modern international law has as its subject the regulation of interstate relations and with regard to the right of self-determination of the peoples even the basic organization of their relations, the war conducted by the USA in Vietnam raises the question of principle as to what at all gives the United States of America the right to carry out military actions in that country from which it is separated by a mighty ocean? Present-day international law allows states outside the organization of the United Nations only two possibilities to employ military force: individual or collective self-defence, which must be preceded by an armed attack against a state or a group of states, the combating of which, however, is not assumed by the Security Council.¹

The question of whether the USA is involved in a case of individual self-defence has been brought forward neither in the literature nor by the USA itself, since it is quite absurd even to consider the question of a Pearl Harbor caused by Vietnam. The political and ideological recourse on the part of the USA to a case of individual self-defence towards the Vietnamese peoples is thus simply excluded with regard to the persons responsible for this US aggression.

In view of the above established basic situation of international law there remains for the USA - since the case of individual self-defence is out of consideration from the very outset - theoretically only one way out to justify its military presence and activity in Vietnam juridically: it must nolens volens bring into play the right to collective self-defence if it does not want to appear - a priori and obvious for everybody - as a power which has subscribed to a policy of force which is just as inconsiderate as it is open. Since the ruling circles of the USA do not want to charge themselves with a violation of international law they in fact go this road by appealing to the right of collective self-defence which they are allegedly making use of in Vietnam.²

But this argument is coupled with a quite decisive weakness: The picture of the USA given in the memorandum of the Department of State, of the United States granting unselfish aid to a militarily threatened state in its struggle to preserve its own independence does not agree at all with the realities. In simple fact the material and legal prerequisites do not exist in Vietnam which could be referred to by the USA to justify a resulting right to collective self-defence.

The prerequisites demanded by present-day international law for the application of this right - in agreement with what has been presented above - are clear and simple:

First: There must be a state which could be the object of an armed attack and which could be granted to aid by other states;

second: There must in fact be a military (armed) attack against this existing state. Neither condition is to be found in Vietnamese reality (this will be gone into in the following exposition), so that there is no legal basis for the United States being able to make use of military force in Vietnam in accordance with international law. Nor do the necessary prerequisites for this come into being by the fact that their existence is repeatedly alleged by the USA, as is done in the quoted memorandum of the US Secretary of State and in other

statements in the American press.

If the historical facts are examined with their irreversible relevance in international law the following basic state of affairs emerges:

- In 1954 - when the USA began its direct intervention in the internal affairs of the Vietnamese nation - there was only one Vietnamese state: the Democratic Republic of Vietnam, which came into existence in September 1954 as a result of the entire Vietnamese people exercising their right of self-determination.

- In the agreements arrived at in Geneva in 1954 the DRV was legally assured that with the all-Vietnamese elections to be held two years later, that is in 1956, the establishment of the state unity of the Vietnamese people would be definitively completed and that for this reason no new - second - Vietnamese state was to be established for this short period in the southern zone of the country.

These two basic facts cause the juridical construction developed by the United States - that it was granting aid to a militarily attacked state within the framework of the right to collective self-defence - to collapse like a pack of cards and the political events in South Vietnam to appear as what they actually are: a consequence of the intervention or aggression by the USA in Vietnam in violation of international law, declared to be contrary both to general international law and the Geneva Agreement of 20 July 1954. For it was the USA which established a puppet regime subject to it since 1954 by means of continued intervention in the internal affairs of the Vietnamese people. The "cry for help" for military assistance against the "aggressive" north on the part of this puppet regime was to veil its own intervention and aggression. In the following sections we shall go into the above-mentioned state of affairs more closely.

The year 1945 was not only a time when a number of European nations threw off the yoke of foreign oppression, it was for the Vietnamese people, too, a year of great national deci-

sions. In August of that year the people of Vietnam rose after decades of struggle against the colonial domination established in the country in the 19th century³ - exploiting the defeat of imperialist Japan and the military weakness of the old colonial power France for national liberation - in a revolution whose most important national result was the foundation of the Democratic Republic of Vietnam on 2 September 1945.⁴

This significant event was the consequence of the seizure of political power in the whole of Vietnam by the national liberation movement, by the Viet Minh. The seizure of political power by the Viet Minh had its beginning in the north of Vietnam, in Tonking (Bac Ky); on 19 August 1945 the provisional government arising out of the Viet Minh took over power in Hanoi. The people's power then spread quickly via Annam (Trung Ky) to the south, to Cochinchina (Nam Ky). Already on 25 August 1945 the people of Saigon united in a mighty demonstration in front of the buildings of the old colonial power under the banner of the new political power (the red flag with the yellow star), in order to greet the seizure of power on behalf of the new provisional government by a committee of the Viet Minh. The new power had only to fight some skirmishes with the Japanese troops still in the country; afterwards the liberation movement had power throughout the whole country, in the north as well as the south of Vietnam.⁵

The shift in power which had come about in the country was for instance expressed by the abdication of the Emperor of Annam Bao Dai on 23 August 1945; two days later he - under the pressure of the masses - even handed over the symbol of the old imperial power at a mass political rally - the crown jewels - to the chairman of the Viet Minh, Tran Huy Lieu.⁶ That symbolically freed the road to the foundation of a new democratic state in Vietnam. The Central Committee of the Viet Minh gave expression in those days to this internal consequence of the national liberation struggle of the Vietnamese people under the leadership of the Viet Minh by making the historically important declaration:

"The Democratic Republic of Vietnam is founded. Our chains have been broken. At long last, we are experiencing days of joy throughout the country, days of happiness and liberty after the long years of French colonial domination."⁷

The Vietnamese people, after a struggle with many privations, finally successfully exercised their right to self-determination and established their national, independent state. From the standpoint of international law this sovereign act of the Vietnamese nation was of the greatest importance: as bearers of the right of self-determination they created an independent state out of the organs of the national liberation movement. From the point of view of international law this state was from the very moment of its establishment the organ competent for the sovereignty over the entire territory of Vietnam - also over that part of Vietnam which de facto was not yet under its power or which was again torn out of its power.

The founding of the state in September 1945 in Vietnam was borne by the will of the entire Vietnamese nation; therefore, since that moment the sovereignty of the Democratic Republic of Vietnam extended de jure over the entire territory inhabited by the Vietnamese nation. The presence of British and Chinese troops for the purpose of disarming and transporting Japanese military units still in Vietnam⁸ can thus never be assessed as a circumstance which could call into question the sovereignty of the DRV arising out of the self-determination of the Vietnamese people over the whole of Vietnam; nor could the later intrusion of the French legally change this situation.

With the recognition of the right of the peoples to self-determination in the Charter of the United Nations (Articles 1 and 55) the principle of self-determination of the peoples was given the character of a generally recognized norm of international law⁹, which confers legality in international law from this time on to the struggle of all peoples - and therefore also to the national struggle of the Vietnamese people - for the establishment of their own, independent state. This norm, moreover, legally protected the Vietnamese people and their state

organs against any new attempt by imperialist powers to call the existence of the national state into question once it has been established. After the right of the peoples to self-determination having been established as a generally recognized norm of present-day international law any attempt to torpedo Vietnamese self-determination, once this stage of development had been attained, represents a striking breach of international law - irrespective of the form of such an attempt.

The old colonial power in Indochina - France - was but little impressed in 1945-46 by this new situation in international law. Already in autumn 1945 it made the illegal attempt to strangle the young Vietnamese state and restore the old colonial exploitation in that country. The Vietnamese people brought about the failure of this first offence against the sovereignty and territorial integrity of the DRV by energetic resistance to the French troops. In addition they went to the polls on 6 January 1946 to elect a national assembly and thereby additionally strengthened the political power of the republic founded in September 1945.

On the basis of this military and political success of the young Vietnamese republic France finally had to agree to negotiations which the DRV could use to consolidate the position of the young Vietnamese state in international law. The Paris government had to attest to the independence of the Democratic Republic of Vietnam in the agreement concluded on 6 March 1946 between France and the DRV:

"The French government recognizes the Republic of Vietnam as a free state which possesses its own government, its own parliament, its own army and its own finances and which is a part of the Indochinese Federation and of the French Union." 10

The international status of the Democratic Republic of Vietnam was thereby unequivocally and irreversibly fixed (so far as the Vietnamese people did not themselves determine a new status in international law):

- The DRV was now also recognized as an independent state,

as a subject of international law, by the old colonial power France, but joined at first the French Republic in a relationship similar to a confederation.¹¹

In Article 1 of the treaty of 6 March 1946 the French government undertook the obligation to respect the will of the Vietnamese people concerning their decision on the unification of the three Ky (Nam Ky or Cochin China, Trung Ky or Annam, Bac Ky or Tonking) into a territorial and state entity.

The corresponding will of the Vietnamese people just recognized by France was then proclaimed in Article 2 of the Constitution of the DRV adopted in November 1946: The three regions were in future to be indivisible. The people of Vietnam had thus created in implementation of their right to self-determination an externally and internally democratic and united Vietnamese state - against the resistance of imperialist and colonial forces - a state which could claim for itself the protection of present-day international law like any other state.

The leading imperialist circles of France, however, did not stop at the first offence (autumn 1945) against the DRV. When they felt themselves to be stronger militarily and believed they had more chance of success with a second attempt to strangle the new state, they began an open war against the Democratic Republic of Vietnam in December 1946. The Vietnamese people unflinchingly took up the fight against the old colonial power France under the leadership of the Viet Minh and in the course of long and hard battles could retain 90 per cent of the country under their own control and sovereignty. Finally in summer 1954 France had to accept its decisive military defeat at Dien Bien Phu and declare its readiness to cease military operations. On 20 July 1954 the commander-in-chief of the armed forces of the French Union and the commander-in-chief of the People's Army of Vietnam, who was at the same time Deputy Minister of Defence of the Democratic Republic of Vietnam, signed the agreement on the cessation of hostilities between the two parties.¹² The cease-fire agreement - a legal treaty in international law between the subjects in international law France and the Democratic Republic

of Vietnam - had the sole function of confirming the cessation of operations and establishing regulations for the practical implementation of this intention of the two parties. It brought about - that unambiguously emerges from the entire content of the treaty - no new legal effects concerning the basic position of the DRV in international law. That could not take place because the treaty was signed by a representative of the DRV government with full powers. With its signature on the cease-fire agreement France again recognized the existence of the DRV as an independent state.

We recall the following regulations as the most important provisions of this agreement:

1. A military demarcation line was to be drawn at the 17th parallel, behind which to the south the French and to the north the Vietnamese troops were to be withdrawn;
2. a demilitarized zone was to be established extending five kilometres north and five kilometres south of the 17th parallel;
3. the regrouping of the troops of the two parties had to take place in precisely fixed stages;
4. neither of the parties was permitted to introduce new and additional troops into the regrouping zones; the shift in existing troops was exactly stipulated and was to be controlled;
5. the regrouping zones could not be affiliated to any of the then existing military alliances;
6. the regrouping zones could not be expanded into foreign military bases;
7. during the period from the coming into force of the agreement until the conclusion of the regrouping of troops civilians could shift from one zone to the other;
8. neither of the parties could threaten civilians with reprisals just because they had taken part in the hostilities; they were to be granted all democratic civil liberties;

9. the withdrawal of all French troops should be completed by the termination of the transitional period from 1954 to 1956

These and all other supplementary measures bore a primarily military and organizational character. This becomes especially clear from the fact that the southern and northern zones on both sides of the 17th parallel were not designated and considered as parts of newly arisen states but solely and alone in the sense of the cease-fire agreement as regrouping zones.

That the parties did not have the intention to fix the frontiers of two Vietnamese states is shown further by Article 14 of the agreement; it clearly expresses the intention of the parties of not intending to destroy the unity of the Vietnamese state with the enforcement of the cease-fire; rather it was emphasized that in the near future elections were to be held "which will implement the unity of Vietnam".¹³

Moreover, this agreement between France and the DRV was connected with Article 7 of the concluding declaration of the Geneva Conference of 21 July 1954.¹⁴ It assured the Vietnamese people and the state organs existing at that time, that is, the government of the DRV, that the elections will be held for the definitive establishment of the unity of the republic in 1956 under the supervision of an international commission; from July 1955, finally, relevant negotiations for the preparation of these elections were to be undertaken between the representatives of the two zones - that is, in fact between the representatives of the DRV and France or possible successors¹⁵.

In order from the very beginning to remove the basis for any attempt to make a false judgment of the line between the two regrouping zones, which might be made after 1954 (and in fact was), the participating states in the Geneva Conference determined in Article 6 of their concluding declaration "that the military demarcation line is only temporary and is under no circumstances to be interpreted as a political or territorial frontier".

It is indubitably clear on the basis of these provisions

that the military demarcation line on the 17th parallel was solely a provisional separation line erected between the troops of France and the People's Army of Vietnam, but would be and was to be automatically annulled by the intended political measures - the elections of the Vietnamese people for a national assembly representing the whole of Vietnam.

When the right of the Vietnamese people to self-determination is compared with the agreements of the Geneva negotiations it is obvious that the government of the Democratic Republic of Vietnam made a compromise with France in the cease-fire agreement. The recognition of the unity of Vietnam as the state representation of the Vietnamese nation at the time and of its state created on 2 September 1945, which from 1956 was to effectively exercise power over the entire territory inhabited by the Vietnamese people was an inalienable element of this compromise; without the recognition of this basic demand the conclusion of the Geneva Agreement would be scarcely conceivable. At a session of the Central Committee of the Party of Working People of Vietnam on 15 July 1954 Ho Chi Minh formulated the attitude of the party on the question of the establishment of regroupment zones and the military demarcation line connected with it as follows:

"A marking of the regroupment zones for the armed forces does not mean the division of our country, it is only a provisional measure for completing the reunification of the country." 16

The basic demands of the Vietnamese side outlined here finally had to be accepted at the concluding session of the Geneva Conference on 21 July 1954, and the states approving the concluding declaration pledged "to respect the sovereignty and independence, the unity and territorial integrity of Cambodia, Laos and Vietnam and to refrain from any interference in their internal affairs". 17

In summary the following situation in Vietnam emerges for the years 1954 to 1956 as stipulated in international agreements:

- France and the states participating in the Geneva Conference respect the right to self-determination of the Vietnamese people and assure them that they will live in a united, independent and sovereign Vietnamese state as from 1956.

- The regulations agreed upon between France and the Democratic Republic of Vietnam in the cease-fire agreement of 20 July 1954 create no basically new relations in international law but refer solely to the practical enforcement of the cease-fire, after the enforcement of which the Vietnamese people can prepare themselves for the holding of free elections, as a result of which all parts of Vietnam will be under a united and independent Vietnamese state power.

- France concludes the cease-fire agreement with the Democratic Republic of Vietnam and thereby necessarily recognizes the DRV as the only Vietnamese state, which up to 1956 is in a position to exercise its factual sovereignty only over part of Vietnam but in which from 1956 all parts of the country are to be united in one state.

- Until the final unification of the country in 1956 - that is, for a period of only two years - no new second Vietnamese state is to come into existence in the southern zone of Vietnam.

That is a compelling and extremely important conclusion which primarily arises out of the fact that the line on the 17th parallel was only a provisional demarcation line serving military purposes and that from 1955 the preparations for all-Vietnamese elections were to be begun, as a result of which the unification of all parts of Vietnam in the Democratic Republic of Vietnam was to be completed.

The last two statements are of special significance for the assessment in international law of developments in Vietnam since 20 July 1954; therefore, a few important considerations from the point of view of international law should be added to them.

After the beginning of its military actions in 1946 France

had sought to establish a Vietnamese counter-government under the leadership of former Emperor Bao Dai in parts of the DRV occupied by its troops as a result of an aggression;¹⁸ it even signed a treaty with the representative of this "government" on 4 June 1954 on the "independence" of Vietnam.¹⁹ But this treaty never became reality in international law, because it - a treaty requiring ratification - was never ratified by the parties. Finally France had to abandon its plans on the international law level, for it concluded on 20 July 1954 the cease-fire agreement with the government of the DRV without involving its puppet regime in this treaty. In this agreement the two contracting parties made themselves responsible in international law for its enforcement - the DRV for the northern part and France for the southern part of Vietnam. Linked with the provisions of the concluding Geneva declaration on the preservation of the unity of Vietnam, the recognition of its sovereignty, independence and territorial integrity this act indicates that the French Republic declared its renunciation in international law of setting up a second Vietnamese state alongside the Democratic Republic of Vietnam and to obtain international and national recognition for it.

There is no doubt that this concrete behaviour of the French Republic had a positive significance politically and from the point of view of international law. On the other hand it must be recalled in this connection that concerning Vietnam an international law situation had developed irrespective of that, a situation which never offered a platform for France juridically to create a second "Vietnamese" state. As already stated, when France unleashed its neo-colonialist predatory war in Vietnam in 1946 the Democratic Republic of Vietnam existed. It existed an All-Vietnamese state which the Vietnamese people had created for themselves in free self-determination - in the national liberation revolution of the summer of 1945. As a result the territory inhabited by the Vietnamese people was clearly subject de jure to the sovereign territory of the DRV.²⁰ After the recognition of the peoples' right of

self-determination and the prohibition of the use of force in the United Nations Charter the military attack by France on the DRV can be considered only as an offensive war in violation of international law, as an aggression. But this could not create for the aggressor state France any rights in international law concerning the illegitimate - but de facto - occupied region of the DRV. Insofar as it is assumed that France may have had rights in Vietnam in international law before the August revolution, they were quite certainly extinguished with the foundation of the DRV in September 1945 in agreement with the right of self-determination of the peoples. The French Republic was entitled on these grounds neither to a new annexation of the Vietnamese territory occupied by it, nor did it have the right to establish a "government" dependent on it to which France could grant the quality of being an independent "state".

Since a war of aggression is forbidden by international law, all other measures of the aggressor state - and this is an unavoidable consequence of this prohibition - directed at the de facto securing of the territory "acquired" by aggression, exert no constitutive effect in international law. The evidence of this juridical connection requires no further explanation. The state practice, which was introduced into international law under the term "Stimson Doctrine", and had been developed after the Briand-Kellog Pact had come into force, was based not least on this concept. When Japan occupied parts of China in 1931 and there "established" the puppet Mandchukuo state, the majority of the then existing states and the League of Nations refused to recognize this regime - precisely on the grounds that the establishment of this regime as a "state" was the direct result of Japanese aggression and intervention.²¹ Analogous to this event the states of the anti-Hitler coalition in the period of the Second World War denied the fascist aggressions and their direct consequences any constitutive effect in international law. Through the recognition of the peoples' right to self-determination and the prohibition of the use of force in

the United Nations Charter the above-described juridical connection between the illegality of aggressive actions and the juridical nullity of the de facto measures to secure them on the part of the aggressor has undoubtedly won importance from the standpoint of international law. It is impossible to pass over this connection in establishing aggressive acts; therefore, it must also be applied to the war of aggression unleashed by France in 1946 and the attempt to create a French puppet regime - declared as a second "Vietnamese" government. That means that even if France with its collaborator Bao Dai had concluded the above-named treaty with a formally necessary ratification the illegitimacy of such a regime in terms of international law would not have been doubted. These considerations are indispensable in view of the - as already explained - miscarried attempts of France to create a second "government" in Vietnam up to 1954; but they gain in significance when it is taken into consideration that after 1954 the USA openly assumed the position of France and went the road of creating its own puppet regime (the Diem regime).

After investigating the concrete conduct of the French Republic and outlining the general situation from the point of view of international law concerning Vietnam the following state of affairs arises: The Democratic Republic of Vietnam is in 1954 the only state legally existing on the territory of the Vietnamese people; the government of this state is the government whose representatives concluded the cease-fire agreement of 20 July 1954 with the French Republic; France therewith recognizes that this government represents the Democratic Republic of Vietnam in international law.

Along with France the other states approving the concluding declaration of the Geneva Conference also approved this situation in Vietnam.²² However, the United States of America is not one of them. The refusal of the USA to accept the view of the other conference participants is to be attributed to a decision of the then US Secretary of State John Foster Dulles;²³ he did not want to give progressive forces in Southeast Asia any clear argument

for substantiating the approval of the USA.²⁴

This attitude of the USA has certainly been of great political consequence because the future behaviour of the United States in the Southeast Asian region can be inferred from it; but it never had the juridical significance which the US memorandum of April 1966 would like to attribute to it: namely, not being bound by the Geneva concluding declaration and the regulations recognized in it. Even under these concrete conditions the USA is pledged to respect the results of the Geneva Conference - just like those powers which approved the concluding declaration. It must be fully clear that all states existing at that time were pledged in accordance with the general liability in international law to respect the right of the peoples to self-determination, to accept the results of the struggle of the Vietnamese nation for its self-determination in order to create an independent Vietnamese state. Even when the Vietnamese people and the state representing them in this process entered into a political compromise, neither France nor any other of the then existing states have the right to frustrate the implementation of this compromise - or other forms of the implementation of the Vietnamese people's right of self-determination. Thus there is not the slightest foundation for third states to intervene in the process of the dissolution of the colonial regime - a process which takes place between the nation striving for independence and the one-time oppressing colonial power. Third states must respect the results of this process just as the former colonial power itself, since they all are subject to the obligations arising out of the right of the peoples to self-determination.

To want to assume that the individual states were bound to the results of this national liberation struggle only on the basis of a concrete ad hoc approval means wanting to negate the extraordinarily significant circumstance that the right of the peoples to self-determination already obligates the states, in any case. After the United Nations Charter came into force it was simply no longer possible, in connection with the solution

of the Vietnam conflict, to adopt the point of view that the recognition of the peoples' right to self-determination in the United Nations Charter had no relevance for this case.

But even taking into consideration the fact that the government of the USA does not proceed from the above-characterized legal situation it has no grounds to draw the conclusion from the circumstance that it did not accede to the Geneva concluding declaration that it need not respect the results of the Geneva Conference. In international law as in constitutional law there is the basic principle that a legal subject C is not entitled to torpedo an agreement concluded between the legal subjects A, B, D and E under the excuse that C is not a party to the agreement concerned.²⁵

From whatever angle the matter is considered one thing is indisputable: The United States of America is obligated to respect the solution agreed upon at the Geneva Conference and to undertake no action directed against it. Every attempt by non-Vietnamese powers to alter the internal political relation of forces in Vietnam and to establish a second Vietnamese state alongside the Democratic Republic of Vietnam for the protection of the interests of reaction at home and abroad meant at that time as well as today a breach of international law and a disregard of the right of the people to determine their own destiny. The Vietnamese people made their decision in August and September 1945, which France intended to brush aside in misjudging the new historical constellation of forces.

Developments have proved that France was not successful in creating a counter-"government" rooted in the people; Bao Dai remained a puppet alienated from the people during the entire eight years of war by France against the DRV, a Vietnamese Quisling manipulated by the old colonial power. In July 1954 France finally officially renounced in Geneva the continuation of these efforts. It is obvious that a few months after the end of the Geneva Conference neither the internal political constellation of forces nor the situation of Vietnam in international law had changed; there was thus neither internal political nor

international and legal grounds for the establishment of a second state or a second government in Vietnam. If the USA wanted to change this situation - and this was indicated in the attitude of the USA at the Geneva Conference - it would have to intervene in the internal affairs of the Vietnamese nation, as there were no Vietnamese forces which were to be taken seriously which were in a position to represent the interests of the USA independently.

- 1 Cf. Article 51 of the Charter of the United Nations.
"Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security." The case of self-defence - individual or collective - is in fact not repealed by the provision of Article 2, paragraph 4 of the Charter, but this article envisages that primarily "all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations." Recourse to the right of self-defence is envisaged only when the obligations arising out of Article 2, paragraph 4 in the form of an armed attack are not observed, cf. on this G. J. Tunkin, Das Völkerrecht der Gegenwart (Present-day International Law), Berlin, 1963, p. 31: "According to the UN Charter a state can use force against another state in only two cases..."; that can "occur in accordance with the Charter only in the case of individual or collective self-defence", under the prerequisites fixed in Article 51 of the Charter; these are: 1. an armed attack must occur or have occurred; 2. the Security Council of the United Nations has taken no measures which it considers necessary for the maintenance of world peace and international security. Cf. also Manual of International Law, published by M. Sorensen, New York, 1968, pp. 739 ff and G. W. Scharmasanaschwili, "Der Begriff der Selbsthilfe im Völkerrecht" (The Term Self-defence in International Law) in Gegenwartsprobleme des Völkerrechts (Present-day Problems of International Law), Berlin, 1962, pp. 252-53
- 2 Cf. Memorandum from the Department of State, Office of the Legal Adviser, 4 March 1966, published in Congressional Record, Vol. 112, No. 43, of 10 March 1966, pp. 5274-5279; also reprinted in publication Vietnam and International Law issued in 1967 by the Consultative Council of the Lawyers'

- Committee on American Foreign Policy towards Vietnam, pp. 113 ff; cf. also F. B. Schick, "Some Reflections on the Legal Controversies Concerning America's Involvement in Vietnam" in International and Comparative Law Quarterly, Vol. 17, October 1968, p. 957
- 3 Cf. Vietnam, History, Documents and Opinions on a Major World Crisis, published by M. E. Gettleman, Greenwich, Connecticut, 1965, Fawcett Publications, pp. 17-25
 - 4 Cf. Ch. Fourniau, "La révolution d'août 1945 au Vietnam" (The August 1945 Revolution in Vietnam), in Cahiers du Communisme, Paris, 1961, No. 9, pp. 1424 ff.
 - 5 Cf. Gettleman, op. cit., pp. 41 ff
 - 6 Cf. Fourniau, op. cit., p. 1432; Bao Dai unmistakably expressed his renunciation of the exercise of power in the abdication declaration of August 1945 when he stated: "... we transfer the power to the democratic-republican government." This declaration is reprinted by Gettleman, op. cit., pp. 59-60
 - 7 Cf. Fourniau, op. cit., p. 1433
 - 8 Cf. Gettleman, op. cit., p. 42
 - 9 The principle of the self-determination of the peoples is recognized in general in Article 1, paragraph 2, and Article 55 of the United Nations Charter. Cf. on this R. Arzinger, Das Selbstbestimmungsrecht im allgemeinen Völkerrecht der Gegenwart (The Right of Self-determination in Contemporary International Law), Berlin, 1966, pp. 161-240 and 176-319
 - 10 Cf. Bulletin Hebdomadaire (Weekly Bulletin) Ministère de la France l'Outremer, No. 67, 18 March 1946; also in Gettleman, op. cit., p. 61
 - 11 In a confederation the members of this union of states retain their full status as subjects of international law; the establishment of joint organs does not revoke the independence of the powers taking part in this organ. The British Commonwealth, among others, is also organized according to this principle
 - 12 Cf. Further Documents Relating to the Discussions of Indochina at the Geneva Conference (Miscellaneous No. 20/1954, Command Paper, 9239), London; Great Britain Parliamentary Sessional Papers, XXXI (1953-54), pp. 27-38; also in Gettleman, op. cit., pp. 137-150, and Vietnam and International Law, op. cit., pp. 137-147

- 13 Gettleman, op. cit., p. 140; Vietnam and International Law, op. cit., p. 140
- 14 Gettleman, op. cit., p. 152; Vietnam and International Law, op. cit., p. 149
- 15 Ibid.
- 16 Cf. Ch. Chaumont, A Critical Study of American Intervention in Vietnam, published by the Permanent Committee of Enquiry for Vietnam, Brussels, undated, p. 14
- 17 Gettleman, op. cit., p. 153; Vietnam and International Law, op. cit., p. 149
- 18 Cf. Gettleman, op. cit., pp. 69 ff
- 19 The text of this "treaty" is published in the German language in W. Rudolf, Völkerrechtliche Aspekte des Vietnam-Konfliktes (International Law Aspects of the Vietnam Conflict), Bad Homburg v.d.H./Berlin (West)/Zürich, 1967, p. 79
- 20 Cf. Manual of International Law, op. cit., p. 316
- 21 Cf. ibid., p. 278
- 22 Cf. Gettleman, op. cit., pp. 154 ff
- 23 Cf. the attitude of the USA on the Geneva concluding declaration in Gettleman, op. cit., pp. 156-157; Schick, op. cit., p. 963; Peace in Vietnam, published by the American Friends Service Committee, Hill and Wang, New York, 1966, p. 41; Rudolf, op. cit., p. 12; also Bernard Couret in his article "Le Sud-Vietnam: colonie et base américaine" points out that the USA did not approve the Geneva concluding declaration. "Dès le 21 juillet 1954, lors de la séance de clôture de la conférence de Genève, le sous-secrétaire d'Etat Walter Bedell Smith, représentant du gouvernement américain, avait solennellement fait avoir savoir que, tout en s'abstenant de porter atteinte aux Accords de Genève, les Etats-Unis n'étaient pas partie aux décisions prises. Le même jour, le président Eisenhower déclarait que son gouvernement ne se considérait pas lié par les accords qui venait d'être conclus." Cf. Cahiers du Communisme, Paris, 1960, No. 12, p. 1972
- 24 Cf. Peace in Vietnam, op. cit., p. 41
- 25 Cf. on this Vietnam and International Law, op. cit., p. 94, footnote 56; also Chaumont, op. cit., p. 9

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On the War Crimes of the USA in Vietnam (February 1969)

The profoundly criminal nature of all imperialist aggression - such as the US aggression in Vietnam - logically expresses itself in the no less criminal ways in which it is carried out. Thus, in accordance with Article 6 and Article 5, respectively, of the statutes of the International Military Tribunals, proof is once again given of their applicability in Vietnam - especially after the crimes committed by the fascist aggressors which were justly condemned in Nuremberg and Tokyo:

Crimes of aggression, war crimes and crimes against humanity are most closely linked together, and the latter are only a particularly obvious and visible consequence of criminal aggression in general. The aims of imperialist aggression, which are hostile to humanity and international law - wherever they are realized by force and terror against the justified resistance of sovereign peoples - can make their appearance in no other form than by further crimes, especially crimes against the rules of warfare, crimes against humanity and genocide (which, incidentally was also evident in the Israeli aggression).

There is hardly any legal evidence available which does not show that the USA has committed every conceivable crime in Vietnam within the meaning of international law.

As a member of a study group belonging to the Vietnam Commission of the GDR, which consists of medical specialists, jurists and other experts (the findings of which are presented in conference documents), I had the moving opportunity in February last year - and once again on another visit to the DRV a few weeks ago - to get a personal impression of these crimes.

We saw villages that had been razed to the ground, wiped off the map, and "pulverized" towns. We saw innumerable schools, churches, pagodas, temples, hospitals and other establishments

of culture and civilization, which, without any military significance whatsoever, had repeatedly been the targets of US air raids. We spoke with many people who were eye-witnesses to these crimes, who had been the victims or whose relatives had been victims, or whose property and possessions had been devastated by them. We saw the victims of such inhuman and absolutely prohibited weapons, used entirely against people and in particular against women and children, as cluster bombs and napalm bombs and chemical and poison gas warfare agents. We studied their diabolical mechanism and their terrible, inhuman effects. We saw destroyed dikes, irrigation installations, rice fields and fishing vessels. We spoke with the victims of horrid and bestial torture carried out in South Vietnam, with people who had themselves gone through the modern concentration camps in the South, the so-called strategic villages, or "new life villages", who had experienced the forced deportations and the "pacification" of South Vietnam. We saw in the Americans' own films the scarcely to be intensified sadism and barbarism of US and puppet mercenaries used against defenceless people.

According to the USA's own statistics, 22 per cent of the wooded area of South Vietnam and 76 per cent of the area under the control of the FNL, have been sprayed with toxic agents, and increasingly large sums have been spent on the production of poisonous agents for Vietnam:

1966	12.5 million dollars
1967	38.8 million dollars
1968	70.8 million dollars

By the end of 1968 some 100,000 tons of napalm bombs had been dropped over Vietnam, i.e., more than three times the quantity dropped in the Korean War. In this context, account must also be taken of the further development of napalm bombs.

However, these crimes were not reduced while contacts and negotiations were underway in Paris. On the contrary! In the period of limited bombing (from 1 April to 30 October 1968, i.e., for seven months), the period presented by the USA as that of

de-escalation and a token of good will, the intensity of air raids increased and the number of crimes went up. The number of monthly flights over the restricted target area - practically 1/15th of the entire territory of the DRV - increased from 3,500 in April to 7,200 in October 1968, while the monthly average during the first quarter of 1968 stood at 2,200. The number of high-explosive bombs dropped per month rose during these seven months from 10,000 to 96,000, time-fuse bombs from 2,000 to 18,000 and cluster bomb units from 300 to 4,000. In addition to this, 28,000 tons of bombs were dropped by B 52 bombers in carpet bombing, and heavy artillery fire from the 7th fleet must also be included.

Towns, such as the provincial capital Vinh with its 72,000 inhabitants, Than Hoa, Ha Tinh and Dong Hoi, which had been hard hit before, were completely wiped off the map during the period of limited bombing. The number of attacks on dikes and irrigation installations, which amounted to more than 600 at that time, are increasing.

But even after the bombing stop, the acts of war against the DRV were continued and its sovereign territory was regarded more or less as an area which could be spied upon and bombed at one's own discretion without one being bound by the norms of international law and then one could decide to stop the attacks for a period. In November and December 1968, 1,200 manned and unmanned reconnaissance planes penetrated DRV territory, and in January this year the number was 700. Paratroops were dropped and commando operations carried out. In several cases heavy ship artillery pounded DRV coastal areas and aircraft strafed Vietnamese territory with aircraft cannons. And, despite the pause in the bombing, there were repeated air raids. In December 1968 alone there were 48 such raids, especially in the southern provinces of the DRV - Nghe Anh, Ha Tinh, Quang Binh and in the Vinh Linh region, in which cluster bombs and shrike rockets were used. Thus, on 2 December 1968 two phantom aircraft dropped four cluster bombs on an agricultural production cooperative at 2 p.m. injuring 20 people; other phantom air raids of this kind

were registered in this region on 7 December 1968 and 10 January 1969 at 1 p.m. On 28 and 29 January 1969 air raids were carried out on the Nghe Anh and Ha Tinh provinces, and on 27 and 29 January 1969 the Vinh Linh region was under artillery fire.

The unilateral declaration of a stop to the bombing by the US government has, therefore, not proved to be reliable protection and security for the DRV. For this reason the absolute cessation of every aggressive act of war against the DRV and every violation of its sovereignty must be emphatically demanded and put into practice.

These crimes, which can only be sketched in outline here, but are dealt with in detail in the documentation submitted, do not appear to be isolated, if frequent, more or less accidental deviations by individual US soldiers who, so as to speak, have lost their nerve. These crimes are only possible because government initiative and government protection back them up. They are part of the system and are inherent in it, and indeed, inherent in the system of US aggression as well as in the imperialist system of rule in the USA as a whole. A country like the USA - closely followed by the West German Federal Republic - which has to take note of the sorry record of having the highest criminality and the largest number of criminals in the world, whose social life - carried out under the motto of maximum profits and business - takes account of millions, but which is infested with millions and millions of "legitimate" crimes, must, wherever it brings its imperialist influence into effect and wherever it exports its "American way of life", also exports crime. A country like the USA, whose representative upper strata hold up crime as an example - without punishment, in which political murder is on the agenda (e.g. of President Kennedy and his brother and of Martin Luther King), in which murder organizations such as the Klu Klux Klan enjoy official respect, and whose mass media propagate gangsterism at every level, can do nothing else than expose itself as criminal wherever its murder-drilled soldiers set foot in a dirty war. In the USA aggression against Vietnam, this general connection between

aggression and war crimes and crimes against humanity, between criminality and the imperialist system of rule, becomes especially apparent.

In the first place the point in question, then, is not whether this or that officer deliberately gave orders in breach of international law for the execution of such a crime, or whether this or that soldier consciously committed such a crime. The GDR's documentary film study by Scheumann and Heynowski has given an optical illustration of the naive and criminal physiognomy of those products of the criminal imperialist system of rule who are capable of committing the worst crimes without the slightest scruple.

The criminal quality of these offences against international law, especially war crimes and crimes against humanity, which have been given form by the conscience of the peoples, do not derive and cannot be derived from the subjective consciousness of guilt on the part of those creatures in human form who are deprived of every moral concept, but can only be analyzed on the basis of the criminal quality of a system of society which brings about such aggression and the tools of aggression as a matter of course, imperialism. This explains the systematic appearance of such crimes. They are conducted with such planning, perfection, technical ingenuity and with the systematic misuse of scientific findings that the intention to commit such criminal undertakings on the part of their initiators cannot be in doubt. To have personally seen the relevant evidence is a shattering experience.

But precisely because, as has been explained above, the advance of democracy, of the national liberation struggle of the oppressed peoples and of Socialism in East and South East Asia has caused the US global strategists to engage themselves fully in Vietnam in order to maintain their anachronistic positions, the US aggressors in Vietnam have been carrying out ruthless warfare in Vietnam, i.e., one without regard for the norms of international law. The US government is fully responsible for this.

The unshakability, the determination and the love of freedom of the Vietnamese people, as well as the aid of the Soviet Union and of the other Socialist countries, have thwarted the plans of the aggressors, and this in turn has increasingly led to the aggressors being caused to step up the escalation of their crimes. Thus the growing negation of modern international law in principle by the US aggressors specifically expresses the fact that they are not prepared to accept the victories of democracy and of Socialism, the growing self-liberation of the peoples, and the dwindling of their spheres of influence, and that, following Hitler's scorched earth policy, they are destroying everything around them in order to turn back the wheel of history. In this way, the war crimes and crimes against humanity committed by the US aggressors are an expression of their helplessness, of their lack of prospects and of their inevitable defeat.

This unscrupulousness and injustice in principle against the Vietnamese people is expressed by the fact that the people as such and as a whole have become victims of the aggression. The escalation of US crimes has reached the point where it is no longer a question of the subjugation of a country and its population, but of their destruction, of their extermination. The military actions of the USA and its henchmen in the south, and also the bombing of the north of the country, have long become a campaign of destruction which no longer has anything to do with the conduct of war. The flattening of whole areas, scorched earth, mass murder and mass mutilations are features of the crime of genocide committed by the US imperialists. These crimes bear a fascist character and call to mind the crimes of the Hitler fascists, the crystal night, Auschwitz and Lidice, and the planned large-scale action for the extermination of whole peoples.

The terroristic cruel military actions of the USA and its henchmen against the Vietnamese people are not only directed at the destruction of large sections of the population by murder, mutilation, making invalids of people and damaging their health

(in its own words, the USA has written off the present generation of Vietnamese). By the systematic destruction of whole areas of the country (following the motto: kill everything, burn everything, destroy everything), and the destruction of the basis of life (rice cultivation, fishing, forests), the USA is systematically creating the conditions directed at the physical destruction of at least large sections of the Vietnamese people.

Thus USA has thus fulfilled the provisions of Article II a-c of the Genocide Convention by making itself guilty of the crime of genocide - as the World Conference of Jurists in Grenoble pointed out. This is not altered by the - noteworthy - fact that the USA did not accede to the Genocide Convention. The crimes of genocide are, to be sure, already forbidden and punishable as crimes against humanity, and in so far present simply a concretization or speciality. To qualify this specific point of crimes against humanity clearly as genocide in accordance with general terminology and the terms of the Genocide Convention is not only judicially admissible, but is called for in order to appropriately counter this most serious of all crimes.

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The US Aggression against Vietnam - Crimes against International
Law (February 1967)

Peace-loving forces throughout the whole world are increasingly intensifying the struggle against the American aggression in Vietnam. This so-called local conflict conceals the monstrous danger of a third world conflagration. Indignation is growing throughout the world at the appalling brutality with which the American imperialists destroy peaceful cities and villages and impose tremendous suffering on the people of Vietnam.

The scars caused by German fascism in the Second World War on millions of people in many countries are not yet healed, but war crimes and crimes against humanity are already again being committed in an almost hitherto unknown extent. But the declared goal of the anti-Hitler coalition, to which the United States of America also belonged, was to prevent such crimes from ever being committed again. It corresponded to the legal consciousness of the peoples that the main war criminals of fascist Germany were punished at the International Military Tribunal in Nuremberg for all those misdeeds which they inflicted upon German people on other nations. At the same time that was a warning to all potential aggressors. It was precisely the American chief prosecutor Jackson who declared in his pleading on this problem:

"But the last step, of preventing periodically repeating wars, which are inevitable in case of international lawlessness, is to make statesmen responsible before the law. And let me put it quite plainly. This law is being applied here at first only to German aggressors, but it does and must include, if it is to be of use, condemning the aggression of every other nation, not excluding those who are now sitting in judgement here." (Retranslated from German)

Jackson hit the nail on the head. The principles of Nuremberg were not just created ad hoc to punish the main fascist war criminals but legal principles were established through the struggle of the peoples of the anti-Hitler coalition, principles

which today are generally recognized international law.² Accordingly the war criminals of today must be convicted just as those of yesterday.

Violation of the Geneva Agreements of 1954 and the UN Constitution

When after nearly ten years of heroic liberation struggle by the Vietnamese people the concluding declaration of the Geneva East Asia Conference was signed on 21 July 1954 the opportunity seemed to be given to the entire Vietnamese people, in accordance with the United Nations Charter, to implement their right to self-determination through the free organization of their social order. The participants in the agreement obligated themselves to respect the sovereignty and integrity of Cambodia, Laos and Vietnam and to refrain from any interference in their internal affairs. At the same time they gave assurance that when the agreement in question came into effect they would bring no troop reinforcements and supplementary military personnel to Vietnam, would introduce no weapons, ammunition or other war material in Vietnam and would establish no new military bases on the territory of Vietnam and tolerate no resumption of military actions.³ Characteristically the government of the USA refused to sign this agreement. However, in order not to lose face before world public opinion it declared itself prepared to refrain from any impairment of the agreement.

The following years showed that the American government did not intend to observe the declaration binding in international law given in Geneva. It sought in every way possible, first, to get its hands on South Vietnam. It changed heads of government at will, oppressed the population of South Vietnam by the most brutal means and finally began the attack on the Democratic Republic of Vietnam itself.

Thus, the USA has violated the Geneva Agreement of July 1954. Moreover, the American aggression represents a serious breach of the United Nations Charter. Article 2, paragraph 4 of the Charter expressly provides that the threat or the use of

force directed against the political independence of another state is forbidden. Article 2, paragraph 7 of the constitution prohibits the interference in the internal affairs of other states. The government of the United States of America is guilty of most serious breaches of international law with its aggressive actions.

Terror against the Civilian Population

But that is not all! With the conduct of the war with which the ruling circles of the USA seek to suppress the Vietnamese people, and which is comparable in brutality to the crimes of German nazism, the USA is violating all decisive agreements concerning the law of war as valid in international law in our days.

In the meantime the crimes which the American armed forces and their allies are committing against the civil population have experienced an immense expansion. It is notorious that the US armed forces in South Vietnam are mercilessly applying the practice of scorched earth developed by the German fascists. In this way dozens of villages have been destroyed in South Vietnam.⁴ These crimes were committed either directly by the ground forces or by the air force. According to the report of American Secretary of Defence McNamara the US Air Force flew an average of 13,000 air raids per month (!) against targets in South Vietnam in 1965.⁵ Thus, on 25 January 1966 alone 525 missions and on 9 March 648 missions were flown by the American Air Force against targets in South Vietnam.⁶ McNamara announced that a total of 638,000 tons of bombs had been dropped in 1966. That is some 91 per cent of the entire material employed by the USA in its war of aggression against the Korean People's Democratic Republic in three years.⁷

The systematic destruction of South Vietnamese coastal places by heavy batteries of the US 7th fleet began on 20 May 1965. On 30 November 1965 alone 300 5-inch shells were shot at the village of Thoi Tuan.⁸ According to the survey of the Commission to Investigate the War Crimes of the American Imperial-

ists the number of people who have been victims of the terror of the American imperialists and their allies from 1954 to 1965 runs to

- 170,000 killed
- 800,000 injured
- 400,000 imprisoned
- 5 million people held in concentration camps.⁹

Moreover, the Democratic Republic of Vietnam itself has been the target for American bombing attacks for more than a 10 year. Thus, nearly all towns and larger places have been bombed; the capital Hanoi and the port of Haiphong have been subjected to the bombing terror of American aircraft since August 1966.

These crimes are a basic violation of the agreement valid in international law. It is clearly stipulated in Article 22 of the Hague Convention on Land Warfare of 18 October 1907 that the countries conducting war have no unlimited right in the selection of means for injuring the enemy.¹¹ Article 23b expressly prohibits the treacherous killing or wounding of members of the enemy people or army. Article 25 of the same agreement explicitly forbids attacking or shelling undefended towns, villages, residential places or buildings with any means whatever. According to Article 1 of the Ninth Hague Agreement concerning shelling in times of war by naval forces of 18 October 1907 it is forbidden to shell undefended ports, towns, villages, residential places or buildings by naval forces.¹²

On the basis of experience which the peoples had with German fascism the Convention on the Prevention and Punishment of Crimes of Genocide was concluded on 9 December 1948. Article 2 of this agreement considers as crimes of genocide those actions which are committed with the intention of destroying in whole or in part a national, ethnic, racial or religious group as such. According to Article 1 of this agreement such actions, irrespective of whether they are committed in times of peace or of war, are crimes within the meaning of international law.¹³

Finally, civilians are expressly protected by the Fourth

Agreement on the Protection of Civilians in Time of War of 12 August 1949. According to Article 3 of the Fourth Geneva Agreement concerning civilians the following are prohibited everywhere and at all times:

- a) attacks on the life and person, namely, killing of every kind, mutilation, cruel treatment and torture;
- b) the taking of hostages;
- c) impairment of personal dignity, namely, humiliating and degrading treatment.¹⁴

The USA constantly violates the agreement with its entire conduct of the war.

Disregard of the Red Cross

Sick and wounded persons understandably enjoy special protection in battle operations. Special protection signs in the form of the red cross and the like¹⁵ have long been recognized.¹⁶ But what is the practice of the American aggressors in Vietnam?

Last year in the Democratic Republic of Vietnam alone all provincial and district hospitals in the provinces of Vinh Linh, Quang Binh, Ha Tinh, Nghe An, Thanh Hoa were destroyed. The leper station of Quynh Lap, in which 2,600 lepers were housed and cared for was bombed for ten consecutive days in June 1965. The US Air Force has destroyed 74 hospitals in the Democratic Republic of Vietnam.^{16a}

But what is said in Article 18 of the Fourth Geneva Convention on the Protection of Civilians of 1949?

"Civilian hospitals established for the care of wounded, sick and feeble persons and women in childbirth may under no circumstances be the object of an attack; they are preserved and protected at all times by the participants in the conflict.

"The civilian hospitals must, so far as they are authorized by the state to do so, be marked with the protection sign as is provided by Article 38 of the Geneva Agreement of 12 August 1949 for improving the lot of wounded and sick persons of the armed forces in the field."¹⁷

Torturing and Killing Prisoners of War

According to an announcement of the Committee to Condemn War Crimes of the American Imperialists and Their Accomplices in South Vietnam practically no prisoners are taken by the American armed forces and their allies. In general the captured members of the National Liberation Front of South Vietnam are tortured and killed.¹⁸

The imperialist armed forces in South Vietnam thereby violate the Third Geneva Agreement on the Treatment of Prisoners of War of 12 August 1949. According to Article 3 of this agreement prisoners of war may not be killed, mutilated or tortured. Article 4 of this agreement clearly describes who is to be treated as a prisoner of war. Paragraph 2 of this agreement states:

"Members of other militia and volunteer corps, including those of organized resistance movements who belong to a party taking part in the conflict and who are active outside of and within their own region, even when it is occupied, so far as these militia or volunteer corps including the organized resistance movement

- a) have a person at their head who is responsible for their subordinates;
- b) bear a permanent distinctive sign recognizable from afar;
- c) carry weapons openly and
- d) observe the laws and usages of war in their battle actions."

It is known that the armed forces of the National Liberation Front of South Vietnam exactly fulfil these conditions, that they are strictly organized and are subordinate to a central high command.

The Illegal Use of Chemical War Agents

Not even the German fascists dared to employ chemical and bacteriological weapons in the Second World War. It remained to the Americans in Vietnam to make use of such inhuman weapons on a large scale. The American air force has been spraying chemicals over broad regions of South Vietnam from aircraft

since 1961 with the perfidious intention of destroying the crops and the population. According to the news agency AFP the United States is continuing to use chemical substances in order to bring about the artificial defoliation of the jungle and rice fields. Primarily C 123 planes are employed for this purpose.¹⁹ And primarily dichlorophenoxy acetic acid, trichlorophenoxy acetic acid, arsenic trioxide, arsenite of alkali metal, arseniate of sodium, calcium, lead and manganese, dinitrophenol, dinitro-orthocresol and calcium cyanamide. Up to now more than one million hectares of arable land (1 hectare = 2.47 acres) have been poisoned. In 1965 alone 150,000 persons suffered from various degrees of poisoning as a result of the spraying.²⁰

These crimes are not even concealed by the American imperialists. Thus the American expert in gas warfare, retired General Rothschild, declared in an interview with the American news agency UPI:

"It leaves me quite cold when people maintain that gas warfare is inhuman. But since gas has become a dirty word we chase them (the opponent) out of their positions with phosphorous grenades and then shoot them down."²¹

The USA unscrupulously brushes aside decisive agreements on the law of war with unparalleled cynicism. Thus already in the Hague Declaration concerning the prohibition of the use of projectiles with suffocating and poisonous gases of 29 July 1899, stipulates that it is forbidden to use projectiles whose only purpose is to spread suffocating or poisonous gases.²² Article 23a of the Hague land warfare regulation of 18 October 1907 expressly forbids the use of poison or poisoned weapons.²³ The USA is in any case bound by these two agreements. But in particular the Geneva protocol on the prohibition of suffocating, poisonous and similar gases and of bacteriological means in war of 17 June 1925 is valid for the use of chemical and bacteriological weapons. According to it not only chemical weapons but also bacteriological weapons are prohibited.²⁴

Today the USA relies on the fact that it did not accede to this agreement. But this argument is not sound. In any case the

USA is bound by the agreement of 1899 and the Hague land warfare regulation. On the other hand the provisions of the 1925 agreement today undoubtedly correspond to general legal conceptions. This has also been expressed in the fact that the United Nations General Assembly on 5 December 1966 unanimously called upon all states to observe the provisions of the Geneva protocol of 17 June 1925 and, insofar as states have not yet signed this protocol, to do so. The USA is today undoubtedly bound by the prohibition of the use of chemical and bacteriological agents in warfare.

Agreements on the Law of War Are Valid

It cannot be disputed that the agreements cited here have full validity for the war operations in Vietnam. The USA can not rely on the fact that it had not officially declared war on the Democratic Republic of Vietnam. The act of aggression is today fulfilled according to Article 2, paragraph 4 of the United Nations Charter when in fact an aggression is being carried out, irrespective of whether there has been an official declaration of war or not.

On the other hand Article 1 of the Convention of the Prevention and Punishment of Crimes of Genocide of 9 December 1948, Articles 2 and 3 of the First Geneva Agreement of 12 August 1949, Articles 2 and 3 of the Second Geneva Agreement on Improving the Lot of Wounded and Sick Persons and Shipwrecked Persons of the Naval Forces of 12 August 1949, Articles 2 and 3 of the Third Geneva Agreement of 12 August 1949, Articles 2 and 3 of the Fourth Geneva Agreement of 12 August 1949 expressly provide that these agreements apply in all cases of a declared war or another armed conflict, even when a state of war is not recognized by one of the parties.

War Criminals Are Responsible in Penal Law

Since the Nuremberg and Tokyo trials of the main war criminals of fascist Germany and Japan it has been juridically undisputed before the world that war criminals are personally

responsible for their action in penal law. That is expressly stipulated in the Geneva Agreement of 1949. Thus Article 49 of the First Geneva Agreement of 1949 states:

"The high contracting parties pledge themselves to adopt all necessary legislative measures for the fixing of suitable penal regulations for persons who commit any of the serious crimes described in the following articles of this agreement or who issue the order for such a violation."

As serious violations of the agreement Article 50 lists intentional killing, torturing or inhuman treatment, including biological experiments, the deliberate causing of great suffering or the serious injury to physical ability or to health as well as the destruction and acquisition of property which are not justified by military necessity and which are undertaken illegally and arbitrarily on a large scale.

Article 51 expressly states that a party to the treaty can free neither himself nor another from the responsibility devolving on him or another party to the treaty on the basis of violations within the meaning of this article.²⁵ Analogous provisions are contained in Articles 50, 51 and 52 of the Second Geneva Agreement, Articles 129, 130 and 131 of the Third Geneva Agreement and Articles 146, 147 and 148 of the Fourth Geneva Agreement of 1949.

Article IV of the Convention on the Prevention and Punishment of the Crimes of Genocide of 9 December 1948 also explicitly states:

"Persons who commit the crime of genocide or one of the other actions listed in Article 3 are to be punished, irrespective of whether they are governing persons, public officials or private individuals."

Article VI of this agreement stipulates that persons who are charged with the crime of genocide or one of the other actions listed in Article III are to be brought before the competent court in the region in which the action was committed.

Under these circumstances it seems simply grotesque when the chief American delegate at the United Nations, Ambassador

Goldberg, represented the view in a message to the International Committee of the Red Cross that the Geneva Conventions of 1949 exclude any legal proceedings against captured American soldiers.²⁶ Characteristically Goldberg used the same arguments with which the defenders of the main fascist war criminals in Nuremberg sought to prevent their punishment. The Nuremberg Military Tribunal rightly pointed out that prisoners of war who have committed war crimes can as a matter of course be punished because otherwise the state of prisoner of war would be a protection against punishment.²⁷ In its judgement of 11 October 1946 the International Military Tribunal of Nuremberg unequivocally pointed out for all time:

"Crimes against international law are committed by people and not by abstract beings, and only by punishing every individual who commits such crimes can the provisions of international law become effective."²⁸

There can be no doubt that the war criminals of today will receive their just punishment sooner or later just as the war criminals of yesterday.

The Vietnamese people are not alone in their struggle for the right of self-determination and sovereignty against the illegal aggression of the American imperialists and their allies. In their declaration on the aggression of the USA in Vietnam the states of the Warsaw Treaty pointed out in all clarity in July 1966 that they will do everything possible to support the Vietnamese peoples in their struggle for liberation.²⁹

In his speech to the active members of the Socialist Unity Party of Germany in Halle county Walter Ulbricht answered the question of how the US aggression against Vietnam can be ended. He pointed out that the US aggressors can be defeated neither with political means alone nor with military means alone.

"They will be defeated by the interplay of the defence force of the Democratic Republic of Vietnam, the military and political struggle of the South Vietnamese Liberation Front and the political struggle of the peoples against the US interventionists and their accomplices. It is especially important that in West Germany all peace-loving

people force the Bonn government and the Bundestag to end their support for the USA's dirty war in Vietnam... It is necessary that a political solution of the questions be decisively found, on the basis of the Geneva treaties as was also said in the resolutions of the conference of the member-states of the Warsaw Treaty in Bucharest."30

Today, the Socialist states, together with the peace-loving forces of the world, are able to force the USA to end its aggression against Vietnam and to punish all those who have made themselves guilty of the most serious crimes against peace and humanity and of war crimes.

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- 1 Cf. P.A. Steiniger, Der Nürnberger Prozeß (The Nuremberg Trial), Rütten und Loening, Berlin, 1962, Vol. I, p. 90
 - 2 The UN General Assembly confirmed the principles of the Statute of the International Military Tribunal of 8 August 1945 as generally recognized principles of international law in its Resolution 95 (I) of 11 December 1946. Especially important is Article 5 of the Statute of the court which lists the following punishable actions:
 - a) Crimes against peace: Namely, the planning, preparation, introduction or carrying out of a war of aggression or a war in violation of international treaties, agreements or the promise or participation in a joint plan or in a conspiracy to carry out the above-named actions;
 - b) War crimes: Namely, the violation of the rules or usages of war.

Such violations include murder, mistreatment or deportation for slave labour or for any other purpose of members of the civilian population from or in occupied regions; murder or mistreatment of war prisoners or persons on the high seas; the killing of hostages; the plundering of public or private property; the wilful destruction of towns, market places or villages or any devastation not justified by military necessity, without, however, being confined to them.
 - c) Crimes against humanity: Namely, murder, extermination, enslavement, deportation or other inhuman treatment committed on any civilian population before or during war, persecution for political, racial or religious grounds, committed in carrying out a crime or in connection with a crime for which the court is competent, irrespective of whether the action violates the law of the country in which it is committed or not.

- 3 Cf. Articles 12, 16, 17, 18 and 19 of the Concluding Declaration, Konferenzen und Verträge (Conferences and Treaties), Part II, Vol. A 4, Verlag A.G. Ploetz, Würzburg, 1959
- 4 Cf. in detail the documentations: Die größten Kriegsverbrechen unserer Zeiten (The Greatest War Crimes of Our Time), published by the Committee to Condemn the American Imperialists and Their Accomplices in South Vietnam, June 1966; DRV Commission to Investigate the War Crimes of the American Imperialists in Vietnam, October 1966
- 5 Cf. AFP of 20 January 1966
- 6 Cf. AFP of 10 March 1966
- 7 Cf. AFP of 20 April 1966
- 8 Cf. Documents of June 1966, p. 13
- 9 Report of October 1966, p. 7
- 10 Cf. Report of the Investigating Commission for October 1966, p. 13
- 11 Cf. Standke/Krumbiegel, Der Krieg im Völkerrecht (War in International Law), Deutscher Militärverlag, Berlin, 1961, p. 185'
- 12 Ibid., p. 227
- 13 Ibid., p. 159
- 14 Ibid., p. 403
- 15 According to Article 38 of the First Geneva Agreement on Improving the Lot of Wounded and Sick Persons of the Armed Forces in the Field of 12 August 1949 in addition to the Red Cross, the Red Crescent, the Red Lion with Red Sun and the Red Star of David on a white field are recognized as protective signs
- 16 The first agreement on the protection of wounded and sick persons was concluded as early as 22 August 1864
- 16a Cf. Documents of October 1966, p. 14
- 17 Cf. Standke/Krumbiegel, op. cit., p. 410
- 18 Cf. Documents of June 1966, pp. 11, 24, 25
- 19 AFP of 20 October 1966
- 20 Cf. Documents of June 1966, pp. 15 ff, and of October 1966, pp. 7 ff

- 21 UPI of 28 August 1966
- 22 Cf. Standke/Krumbiegel, op. cit., p. 173
- 23 Loc. cit.
- 24 Standke/Krumbiegel, op. cit., p. 193
- 25 Ibid., pp. 280-281
- 26 Cf. Archiv der Gegenwart (Archive of our Time), Bonn,
Series 30/1966, p. 12 626, point 12
- 27 Cf. Steiniger, loc. cit.
- 28 Cf. Steiniger, op. cit., p. 176
- 29 Cf. Neues Deutschland, 8 July 1966
- 30 Cf. Neues Deutschland, 14 November 1966

Protest Declaration of GDR Scientists against the Use of
Chemical Warfare Agents in Vietnam (February 1966)

We are observing the systematic extension of the inhuman warfare in violation of international law by the USA in Vietnam with great concern and abhorrence.

We must assume from the declaration of the National Front for the Liberation of South Vietnam of 13 March 1966 that this "chemical warfare" has entered a new stage.

First there were herbicide 2.4 dichlorophenoxy acetic acid (2.4 D) and 2.4.5 trichlorophenoxy acetic acid (2.4.5-T), which were employed from August 1961 within the framework of a "weed destruction plan" for the destruction of useful plant cultures and was to bring starvation to the people.

The next step was the use of the caustic herbicide calcium cyanamide (lime nitrogen) which injures the skin and mucous membranes of human beings and animals and the use of 2.4 dinitrophenol (DNP) and 4.6 dinitroorthocresol (DNOC). The dinitro substances DNP and DNOC interfere with the energy metabolism. Their use for combatting pests demands the wearing of protective clothing and breathing masks as well as continuous medical supervision. The loss of efficiency among 50 to 60 per cent of the draught animals in the regions concerned should be attributed to the dinitro substances. It was to be expected from the very outset that calcium cyanamide, DNP and DNOC, would therefore have destructive effects at the unprotected Vietnamese population.

The use of arsenic compounds must be considered as a further step. Arsenic trioxide, arsenite and arsenate have been employed. Arsenic trioxide 0.1 has a fatal effect. The likewise alleged pesticide lead arsenate used in Vietnam was forbidden in wine growing in Germany already in 1928. The use of arsenic preparations in combatting pests also requires protective eye and breathing devices.

The use of poison substances for the alleged combating of weeds in urban areas, for example, on Can Tho on 28 December

1965, clearly proves that direct injury to the population was the intention of the US aggressors. We learn from the declaration of the NLF of South Vietnam that the substances CN, CS and DM have also been employed by American troops.

In this way the US imperialists have again unmasked themselves and their dirty intentions.

The designation CN conceals the tear irritant chloracetophenon, CS designates a newly developed nose, mouth and eye irritant, presumably the o-chlorbenzylidenmadonitril and the code designation DM the phenarsazinchloride also known as adamsite.

These three substances of which adamsite can cause fatal injuries to the lungs clearly belong to the chemical warfare agents.

Deeply moved we take note of the cruel balance sheet of this unscrupulous chemical warfare mentioned by the declaration of the NLF of South Vietnam. In 1965 700,000 hectares of useful plant cultures were destroyed in 26 South Vietnamese provinces, thousands of people were killed and hundreds of thousands suffered from skin, intestinal and respiratory injuries.

Thus the offence mass extermination as a method of attack, declared to be a crime by the UN General Assembly on 9 November 1948, has again been committed by the USA.

These offences also clearly violate the Geneva Convention of 17 June 1925, according to which "the use of suffocating, poisonous and similar gases, liquids and solid bodies as well as bacteriological means" is prohibited in future wars.

We most sharply condemn chemical warfare, the entire dirty war of the USA, its aids and accomplices against the brave Vietnamese people fighting for their liberty.

But as Germans we also direct our protest against those circles in West Germany which continue with operations begun in the First World War and carried on with the mass extermination of millions of innocent people in the fascist concentration camps and the perfection of chemical warfare in the Second

World War through the development of organophosphates. By granting licences they are today not only indirectly involved in the mass murder but also directly by the construction of production centres for chemical poisons in Vietnam.

We recall that the organophosphates, namely Tabun, Sarin and Soman, which up to date are considered toxic chemical warfare agents and which have not lost their significance were produced by the IG-Farben trust, camouflaged as insecticide.

We demand the cessation of the operations in violation of international law, we demand "End the dirty war of the USA in Vietnam!"

Major General Obermedizinalrat Professor Dr. med. habil.
Hans-Rudolf GESTEWITZ, Merited Physician of the People

Colonel Medizinalrat Dr. med. Gerhard REHWALD

Colonel Medizinalrat Dr. med. Herbert-Peter LIPHARDT

Colonel Obermedizinalrat Dr. med. Karl-Heinz KELCH, Merited
Physician of the People

Lieutenant Colonel Pharmazierat Dr. rer. nat. Kurt KÖNIG

Lieutenant Colonel Medizinalrat Dr. med. Rainer RÜTHIG

Major Dr. med. Günter JASCHKE

Lieutenant Colonel Medizinalrat Dr. med. Horst KRENZ

Colonel Professor Dr. med. habil. Heinz-Werner HACKENBERG

Major Dr. med. Klaus SCHUMACHER

Major Dr. med. Gerhard SCHMIDT

Professor Dr. H.-R. G e s t e w i t z ,
Major General of the National People's Army of the GDR

A Chain of Imperialist Crimes against Humanity (May 1968)

In the course of the intervention in the internal affairs of South Vietnam, since the armed attack on the Democratic Republic of Vietnam monstrous crimes have been committed by the USA and its allies. The question inevitably arises to each person who sees the destruction caused by American bombs and shells in the towns and villages of North Vietnam, who speaks with the sorely-tried brave people: Why is the United States of America conducting a war in Southeast Asia far from its own country? Many ordinary people in Vietnam with whom we spoke said: "What have we done to the Americans?" We shall never forget the eleven-year-old boy in the hospital in Haiphong who did not want to talk any more. Both eyes had been put out by cluster bombs. He was blinded. "Why must I be blind, why can't I see any more? Why did the Americans do that? I could already read and write." He was not ready to say anything more, and the doctors and nurses said to us that he always asks only that one question.

I'll frankly admit that I, too, could not clearly answer that question at the beginning of our trip. Only when at the end of the trip I began to arrange my notes, only now, back home again, after I have examined all the material, do I know the answer. It is the imperialist "roll back" policy.

We stayed in Hanoi during the first days of our trip. We were informed by our Vietnamese friends about the various sides of the American crimes. The deputy of the National Assembly of the DRV, Tran Kim Ly, reported about the most execrable crimes which I have ever heard about. He reported about the long years of the attempt of the USA to destroy the foundations for the life and existence of the South Vietnamese population, to destroy the ethical and moral foundations of the people in order to break their will for liberty.

He prefaced his report with a word by Ho Chi Minh, who

said "The American crimes can be excused neither in heaven nor on earth. Not only people far and near are shocked, even nature must be moved and embittered with hatred."

The Americans proceed against the South Vietnamese people with medieval methods of torture perfected with technical refinements. In those regions of South Vietnam in which they still exercise power with their puppets they have divided the population into three classes, and personal liberty is limited depending on the classification.

Citizens of the first class are citizens of South Vietnam whom the Americans assume are adherents of the puppet government.

Citizens of the second class are those who must be counted as adherents of the Vietcong, as the Americans say. If hands are laid on them compulsory measures are introduced - torture, massacre, imprisonment, punitive camps, etc. The NLF fighters are not considered as soldiers and accordingly there are also no prisoner-of-war camps but freedom fighters are placed in prisons and forced labour camps or subjected to frightful torture.

Citizens of the third class are the so-called semi-legal citizens. They must report at given intervals at fixed administrative offices of the puppet regime.

Tran Kim Ly reported further: Tremendous sums are pumped into the country to shatter the ethical and moral foundations - up to 20 million dollars every day. The dance around the "golden calf" is to become the living idol. The consequences are the rise in criminality and prostitution in the towns. In Saigon alone there are at present an estimated 29,000 prostitutes of whom 40 per cent are believed to have venereal diseases.

If the Americans, supported by their accomplices, have had a certain success with these measures in the urban areas they have been unable to break the patriotic spirit of the people in the villages and settlements with these methods. There they employ naked force. The people are forcibly evacuated from the

villages, villages and fields are destroyed and the inhabitants requartered in the so-called "strategic villages", later "refugee villages" or "new life villages". According to the information given by Tran Kim Ly a total of 737,463 South Vietnamese citizens have been moved into such villages.

Ever more cruel methods of torture have been developed for punishment. Women's breasts were cut off or the genitals mutilated with heavy stakes. It has occasionally been observed that American soldiers run crying through localities: "Today is my murder day, no one will escape me."

Tran Kim Ly reported further that in South Vietnam some 70,000 children were killed from 1961 till now. To punish parents little children were bestially murdered by American soldiers in front of their eyes. One statistic shows that from March 1965 till August 1966 67 per cent of those killed were women and children.

But that is also not enough of the American barbarism. Large quantities of poisonous chemicals have been employed in South Vietnam since 1961. In part they are directed according to their effect against the health and life of the people, and in part against the vegetation. The Americans use CS, CN, DNOG, 2.4 D and adamsite against the people. Recently the use of "BZ" has been observed ("BZ" is one of the hallucinogens - bromo-benzylcyanide). According to an announcement by the American periodical Newsweek herbicides are used for the so-called defoliation operations. They seek to cut off the supply from the rear for the NLF fighters. Millions of tons of these herbicides have already been spread or sprayed.

The use of poisonous chemicals against living beings - human beings and animals - and against the vegetation has led to enormous losses of people and domestic animals in South Vietnam. The fertility of the soil has been destroyed to a great extent and the use of poisons will not remain without consequences on the climate. With the combined use of herbicides and napalm there are places north of Saigon, near Da Nang, and other places in South Vietnam which have been literally devas-

tated and laid waste.

Certainly the frightfulness and suffering caused by the Americans is great; but still greater are the courage and the determination of the Vietnamese people to fight. The political and military defeat of the USA during the great NLF offensive in January and February of this year was proved to the whole world. Here it was shown that all American actions against the Vietnamese people fighting for their rights and dignity are without success and will remain without success. The facts prove that Vietnam today is fighting for the enforcement of international law which the USA is violating every day.

The warfare of the Americans against the Vietnamese people and especially against the Democratic Republic of Vietnam has the character of a war of extermination. If one considers the tactics of the attack and the firepower employed by the American air force the aims are clear. They are aimed at the destruction of all new Socialist construction in the DRV so as to extinguish the example of human Socialist life in Vietnam.

Let us consider in detail the weapons and firepower employed. At present all modern bombers are employed against the Democratic Republic of Vietnam. Fifteen different types have been observed. They are the F 100 C D employed as a fighter bomber, the F 105 D, the F 4 C, the F 111 - you have read in the newspaper that this machine has also been shot down - the F 104 is employed as an escort fighter, also the fighter bomber F 4, as bombing planes the B 52 and C 130, in fact a transport aircraft that is employed for dropping depth charges, as reconnaissance aircraft the F 101, F 147, R 0 136. And the US Marine Corps which also participated in the attack uses as fighter bombers the A 4A, A 6A, F 4, and as reconnaissance aircraft the R F 8 and the R A 5. These most modern fighting aircraft are loaded with the most varying types of bombs and shells.

The Americans are currently testing a whole series of new-types of projectiles which in part have undoubtedly been

developed in violation of international law. Bombs weighing from 250 to 3,000 pounds have been dropped. Up to the Second World War only bombs of up to 1,000 pounds were known; the 2,000 and 3,000-pound bombs are new developments which today are being employed in Vietnam. A 3,000-pound bomb causes, for example, a bomb crater of nine to ten metres deep with a diameter of 24 to 28 metres. A building, even a large one, completely disappears in such a crater. If now, as we have heard, up to 500 bombs are dropped on a square kilometre then this area is ploughed up, completely devastated. Then there is no longer any military necessity for proceeding against the civilian population of the Democratic Republic of Vietnam with such density of firepower. That is direct evidence of the attempt by the American air gangsters to commit genocide.

You have certainly heard of the cluster bombs. Their mechanism has become generally known. Nevertheless, I want to describe again how the cluster bombs are employed and what their effect is. The Americans have been working on the development of this weapon since 1962. First they developed the so-called pineapple bombs. They are about the size of a man's fist. They have a wall of 8.0 millimetres. About 300 individual little pellets with a calibre of from 5.0 to 6.0 millimetres are embedded in this housing, just as with the cluster bombs. The pineapple bomb is filled with an explosive, has a percussive fuse and extrudable rods devised for keeping the depth of soil penetration as slight as possible. The range of effectiveness of the pellets contained in the casing is about 20 metres. The pineapple bombs are fired from platforms secured on the aircraft. The firing platform is tube-shaped with each platform having 19 holes with a clear width of 75.0 millimetres each. The platform is about 1.50 metres long so that in each of the 19 holes six pineapple bombs can be stored. Thus, with one platform $(19 \times 6) = 114$ pineapple bombs can be fired. The F 105 carries four such platforms. As a further development the Americans have produced the so-called cluster bomb. These little bombs are spherically shaped and about the size of a tennis ball. The

cluster bomb consists of a spherical shaped metallic hollow body filled with explosive. Like the pineapple bomb it has about 300 little spheres or pellets embedded in the some 8.0 millimetre thick metal housing. Each of the pellets is from 5.0 to 6.0 millimetres in size. The cluster bombs are transported in a sheet metal capsule shaped like a bomb. From 560 to 640 cluster bombs are contained in this sheet metal capsule (the mother cluster bomb), in each of which in turn are 300 pellets in their housing. They have a refined sensitive percussive fuse. With the disintegration of the mother bomb the cluster bombs are given a strong twist and weights are forced downwards by the centrifugal force. This presses a pin against the fuse which makes the bomb explode at the slightest contact with any object. If about 600 such cluster bombs fall on an area of 200 x 800 metres, which have an explosive effect of from 5 to 10 metres that means that the 180,000 pellets released with one shot are spread through the area and that at the same time every square metre of this region (200 x 800 metres) is struck by seven pellets. The destruction thus caused is exceptionally great.

But it is also clear that this weapon can be employed exclusively against living objects for their penetration force can scarcely be effective against armoured vehicles or cover. So the Americans use these cluster bombs against workers in the rice fields, against groups of people on market squares, against working people on the way to work. But they not only do that. We had the opportunity to talk to teachers and children on our trip and they reported that the Americans aim their explosive and cluster bombs especially against schools and do not drop them haphazardly but give careful consideration to the fact that in Vietnam school begins in the morning at 7.30 a.m. and ends at 11.30 a.m. And an analysis of cluster bomb attacks shows that the schools are bombed with cluster and explosive bombs almost exclusively at times when the children are being instructed.

In view of these systematically committed crimes against

children and adolescents the words of the President of the Democratic Republic of Vietnam moved us profoundly. They penetrated deeply into our hearts. Ho Chi Minh said: "When a soldier falls we mourn for him, but we also know that he gave his life in battle for our homeland. But when a child is murdered then our mourning for it is endless and the flames of hatred and anger against the US aggressors flare up brighter, higher and more terribly."

But napalm is still more odious than pineapple and cluster bombs. Napalm is the further development of the already known phosphorous bomb which the Americans used on Dresden and later in Korea. In burning napalm develops a temperature of up to 3,000 degrees. It is a viscous, easily splashable burning mass, sticking very firmly to objects and it cannot be wiped off. The attempt to remove napalm with the hands leads to the severest burns.

But much worse is the fact that in burning poisonous substances are released at the same time. Heavy gases develop which flow into cavities in the soil, that is, in shelter holes, communication trenches, shelters, etc. And the people who seek cover against the attack have the terrible choice of either suffocating from the gas or being burned in the flames of the napalm. Napalm burns with black, coal-like residues; it floats on water and can be extinguished only by the withdrawal of O_2 , that is by smothering the flame. It must therefore be submerged in water or covered with mud or similar substances.

Napalm wounds are frightful. There are deep burns. Even the slightest squirt causes terrible wounds. You know the pictures of Vietnamese citizens who have been horribly mutilated by napalm. Some 35 per cent of those affected die immediately; they suffocate in the maddening heat. By inhaling toxic gases the mucous membranes of the nose and mouth are burned. The larynx is seized by cramp and people die as a result.

The Americans use this napalm especially where people think they have found cover. And to make the matter still more criminal they combine the dropping of napalm with the dropping

of explosive and cluster bombs. They want every shot of napalm "to pay for itself".

A little drop of napalm burns for at least thirty minutes, assuming that the burning process is not interfered with.

But even this is not enough to make the full extent of the crime clear. In burning napalm develops toxic substances which lead to the loss of one kilogram of weight per day by persons affected. After some 30 days such an injured person has lost at least 20 per cent of his bodily weight. This opens up the possibility of all kinds of complications. Those people with extensive scars who survive may find that cancerous tumours are forming after some 14 to 16 months. That means that the Americans are not only seeking to overwhelm the population of Vietnam with fire and explosive charges but they are also spreading - if you choose - the scourge of cancer. And the Americans know that, they know it very well.

This report may shock some people, but also perhaps have caused them to reflect about the horrible imperialist crimes which are being committed wherever the US aggressors appear.

Our task was and is to gather factual material in order to make known as widely as possible the monstrous crimes of the US imperialists and their allies.

There is no doubt that the US imperialists and their accomplices are making themselves guilty before the whole of mankind of the crime of aggression, the crime against humanity. That corresponds to the nature of imperialism of today with which we are directly confronted in the shape of West German imperialism. The report is to be added to the already available extensive material about imperialist crimes against humanity as further documentary evidence.

But we were not only eye-witnesses of the crimes of aggression of the USA against the Vietnamese people. We experienced the unforgettable meeting with an unyielding, invincible Vietnam confident of victory. That moved us most strongly in comparison with all other experiences.

The privations and frightfulness which the American war has imposed on the people of the Democratic Republic of Vietnam have led to the formation of a determined and powerful fighting alliance of all strata of the people under the leadership of the Party of Working People of Vietnam. Bold and life-affirming, the people are fighting for their homeland and for further Socialist construction.

The American multimillionaires and their agents in the White House and Pentagon stand with a mixture of rage and perplexity before the fact that such a small, heroic people are bringing their entire global strategy into confusion.

It is the soldiers and officers of the Vietnamese People's Army, the people's militia, the entire Vietnamese people, and it is the fraternal aid of the Socialist camp and all peace-loving forces, it is the proletarian internationalism of the working class throughout the world, proclaimed by Karl Marx, it is this powerful supplemental international anti-imperialist action which is wrecking the US aggressors' concept of their genocidal policy and condemning it to failure. Our constant and growing solidarity is to help drive the aggressors out of Vietnam as quickly as possible.

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Professor Dr. G. G r ü m m e r ,
Professor at the University of Rostock

Genocide with Herbicides (June 1971)

Vietnam, one of the three brave countries of Indochina, has known no peace for decades because imperialist powers have tried time and again to subjugate this land by force. Japanese occupation forces succeeded the French colonial authorities and, in their turn, were replaced by French colonial troops. The United States of America has been trying to include this small but strategically important country in its sphere of power since 1954. They subjected the south of the country to their global strategy interests in breach of the Geneva Agreements on Indochina which provided every possibility for peaceful and democratic developments throughout Vietnam. The US engagement contradicts international law and the means and methods being employed within its framework range from neo-colonialist pressure through political and economic interference to open warfare against the population which, a handful of traitors aside, fought the American intruders from the first day onward and, with the foundation of the National Liberation Front in 1960, found the force that mobilizes, organizes and leads them.

US imperialism has now expanded its Vietnam war into an Indochina war. Shaken by the military and political blows struck by the peoples of Vietnam, Laos and Cambodia, it is taking refuge in one new criminal adventure after another instead of agreeing to a reasonable political settlement on the basis of the proposals of the liberation movements in Indochina. US imperialism is still hoping to keep at least part of Indochina in its sphere of influence: as an anti-Communist barrier, a military base and, not least, as a testing ground for the American military and the arms industry.

Washington, and the Pentagon generals in particular, shrink from no means or methods to reach at least this objective. And so this war that is being waged in contravention of international law consists of a ghastly sum of individual

crimes which are being committed day in and day out, hour after hour.

One of its most horrible chapters is the use of herbicides.

My main job during my journey was investigating the effects these crimes were having, and helping the Vietnamese people to organize effective and suitable counter-measures.

A few preliminary remarks shall serve to make the aims clear which the United States wants to reach with its herbicide missions. This is what I can report on the grounds of the impressions I gained during my tour:

In essence, the US armed forces and the Saigon mercenaries are in control of the towns and the so-called strategic villages which were built throughout the country as concentration camps for the population.

They are a kind of a fortress and as such are encompassed by several barbed-wire fences. Minefields have been laid outside these fences as have other kinds of protective girdles. Herbicides have been put out to destroy the entire vegetation in the surroundings. These belts are several hundred metres broad. Those that encircle the towns are frequently even several kilometres wide, making the area "vegetation free". "Obtaining a full field of fire" is the object of this exercise. People who want to enter a hamlet are subjected to strict check-ups and watch towers are manned round the clock to keep the inhabitants under strict control. Only a few roads lead to these concentration camp villages and so the American and Saigon armed forces are severely restricted as regards mobility. They are trying to overcome this immobilization with cruel terror attacks against the liberated areas. These attacks are chiefly aimed against the civilian population and entail the use of every available means of warfare.

These are the weapons in use:

Bombs of all kinds and sizes, among them many new types that were especially developed for terror raids on the population. They include the notorious cluster bombs which, when

dropped, explode, eject hundreds of small steel pellets in every direction and so wound people dangerously. The spider bomb is a more recent development. This bomb does not explode. It falls to the ground and then ejects a metal anchor which is attached to eight lengths of nylon twine. The anchor lands several metres away from this dangerous bomb which only explodes after someone or something touches one of the lengths of twine.

Napalm (product of naphthalene and coconut oil and a basic substance of jellied petrol). Human skin that comes into contact with napalm is burned severely, and these burns are hard to heal. Napalm is also used on an extensive scale to reduce villages in liberated areas to ashes. Napalm has lately been used as supernapalm, i.e., a napalm and white phosphorous compound. Its victims have deep burns that are hard to heal and, frequently, also suffer from phosphorous poisoning as well.

Chemical warfare agents, including herbicides, which inflict disastrous damage on human beings, animals and plants as we shall now prove.

Herbicides are used in many countries today as chemical weed killers. Their application can increase labour productivity substantially. In Indochina, and particularly in South Vietnam, some of the same substances are being misused to destroy crops and woodland areas over large parts of the countryside. Not only for military reasons, e.g., obtaining full fields of fire, but also to subject the population to starvation, to harm the people in every possible way.

Lessening the damage that is being done to plants, animals and human beings requires research into, and the organization of, appropriate counter-measures. Agricultural officials, physicians, medical orderlies and army officers will have to be taught various methods that they will be able to use on the fields. This will enable them to combat - right down to the tiniest village in their sphere of operations - the serious consequences of these criminal operations.

One cannot yet report fully about the technical and organizational details that are connected with this job. These counter-measures are a problem which cut across every single group of questions, and this book can only give an outline of the chapter on this subject.

Most of the scientific work required is being performed in Hanoi. A comprehensive research program has been drawn up on the basis of a host of ideas which were obtained in the course of many long discussions. But some of the investigations have to be carried out directly in the affected areas as well. In certain cases, at least material has to be taken to Hanoi where it can then be further examined.

The GDR can cooperate in this research work in two respects. We can on the one hand train Vietnamese students and young scientific workers as specialists for certain tasks. They will be able to start tackling some of the many jobs that face their country as soon as they arrive back home. On the other hand, we in the GDR can investigate material sent from Hanoi in suitable laboratories and send back all our findings to Hanoi in order that they may then be evaluated there. That would be a new form of solidarity with our brothers in Vietnam.

Chemical Warfare Agents in Use in South Vietnam

AGENT ORANGE

Active ingredients: 50 % each of the n-butyl ester
of 2.4-D and 2.4.5-T

Solvent: kerosene

Rate of application: 24 lbs/acre (approx. 27 kg/ha)

Maximum rate of application allowed in the USA: 3 lbs/acre

Use: principally to destroy forests

Principal manufacturers in the USA: Dow Chemical Corporation
Diamond Alkali Corporation
Monsanto Corporation

AGENT WHITE

Active ingredients: 39.6 % of the triisopropanolamine salt
of 2.4-D

10.2 % of 4-amino-3,5,6-trichloro picolinic acid, i.e., picloram

Solvent: kerosene

Use: Chiefly in forest destruction. Exercises a stronger and more protracted effect on plants than Agent Orange.

Picloram's protracted soil persistency does not make its use on arable land practicable.

Manufacturer: Dow Chemical Corporation

DESICCANT AGENT BLUE

Active ingredients: 3.9 % of cacodylic acid = dimethylarsinic acid

22.6 % of the Na salt of cacodylic acid

Solvent: water

Use: Primarily to destroy rice crops. Not admitted for use on edible crops in the USA because of its possible conversion into highly toxic compounds.

Manufacturer: Ansul Company, Marinette, Wisconsin.

The Tropical Rain Forest Is Dying

A large part of the herbicide missions are flown over dense forest areas. The tropical rain forest, the distinctive mark and, at the same time, the greatest wealth of many of the moist and warm tropical countries, and that of Vietnam, too, is disappearing to an ever-larger extent.

Tropical rain forests are valuable not only because of their composition and on the grounds of the products that can be won from the forest flora. They are the most highly developed of all plant communities and as such also provide research workers with a much favoured subject for their studies. Gigantic trees as well as smaller ones in the half shade grow there along with a host of creepers, ferns and orchids which grow in the forks of their branches, and mosses that flourish on their trunks and even on their leaves. To this must be added a multitude of shrubs and herbaceous plants.

A tropical rain forest contains at least seven times as much organic substance as does an equally large acreage of the best woodlands in Central Europe. Numerous plants whose roots do not reach down to the ground have various contrivances with which they can store water after it has stopped raining. We shall return to this water retaining power later on, and will just mention the fact now that it is this great power which makes these forests particularly valuable for the entire water economy.

The United States is currently engaged in the systematic destruction of all of South Vietnam's valuable woodland regions. There is a danger of only negligible remnants of Vietnam's primordial tropical rain forest surviving this war.

There are examples to show that the forests which are being destroyed now in this manner are lost beyond recall:

A volcano on a small island between Sumatra and Java erupted in 1883. It is very probable that the island's entire vegetation was destroyed at that time. New plants started growing on the island as soon as the lava had been decomposed into fresh soil. Several expeditions have been sent out to observe all the important plant resettlement stages in detail. But even now, nearly 90 years after the event, the forest community has not been restored to its original state by far.

Cambodia's historic temple city of Angkor provides a second example. Angkor was the capital of the Khmer Kingdom from the 12th to the 14th century. The city was destroyed some time later and deserted by its inhabitants. The forest has had about 600 years to cover the once cleared area with replacement vegetation. True, a forest has grown up again over this period, but not the valuable primary rain forest community. A secondary forest of lesser value is what stands there now.

Conditions are far less favourable for the forest areas, particularly the mountainous ones, that are now being destroyed with herbicides. An area's nutritive substances are practically all stored in the vegetable matter under the conditions that

prevail in moist and tropical regions. Plants will soon be able to absorb through their roots the substances that are released through the decomposition of dying plants, or parts of plants. The nutritive substances will be released in their entirety if a large-scale mission destroys all the vegetable matter in the area. There are no root systems left to absorb the free minerals. The tropical rains will wash out the nutritive substances in a short time and wash them away into the waterways. So an extreme shortage of mineral substances in the soil will prevent a replacement of a valuable cover of plants in the affected area.

The forests of Vietnam have suffered damage over the past centuries for many reasons. Clearing the mountain regions, the taking of wood by the peasants, tornadoes, and the mismanagement of the colonial era. But even in their entirety, these factors did not do so much damage as the United States is now doing in this war with its herbicidal destruction of the woodland regions. Nearly half of the forest lands in the south of the country have already fallen prey to the US Air Force which has frequently flown large-scale missions to spray the chemical warfare agents.

Wholly new tasks will face Vietnam's forestry after the war. So research will already have to evolve suitable measures today in order that reforestation may go ahead smoothly, swiftly and, above all, at a low cost in the future. However, the point is not going to be restoring what has been destroyed to its original state, but rather planting the most valuable forests and plantations possible which will then supply the country not only with hardwood timber and soft wood, but with rubber and kapok, colophony and turpentine, tanbark, curatives and many other products as well. In addition, Vietnam is a mining country and so requires pit props in large quantities. Finally, it will have to be ensured that enough woodland is left for the peasants, i.e., woods from which the villagers will obtain their fuel.

Postwar Vietnam will not be the country it was before the war. And that does not only apply to its forests.

The systematic use of herbicides in forest destruction has become the principal reason for the enhanced danger of floods. This danger becomes the greater the more one moves southwards into the deforested areas.

The danger of a flood occurring outside the normal rainy season is something completely new for Vietnam. The well-stocked tropical rain forests were well able to store the rain water in the soil and its upper stratum, and both on and in the plants, and then gradually to release it again. The peasants planted their crops in such a way that they could harvest them - by no means accidentally - during the months of November and December when there is but little rain. Normally, there was never any danger of a flood at that time of the year.

This is no longer the case. I, for instance, saw how a relatively small amount of precipitation, approximately 30 mm of rain, managed to turn a small, 50-metre wide river into a broad, 1.5-km broad river within a short space of time in late November, i.e., right in the middle of the rice harvest. The result was that a fertile plain, which had practically been sown entirely to rice, was covered by flood water which reached a depth of one-and-a-half metres.

The reason was easily found: herbicides had destroyed two thirds of the woodlands in the river's catchment area.

The extent of which forests have been destroyed, and the greatness of the danger of flood occurrence differ and depend on the type of active ingredients applied. Agent White is the most dangerous of all for the forests and above all the water economy, whereas Agent Orange exercises the most harmful effects on human beings.

Agent Orange slashes the significance woodland areas have for the water economy by about 75 per cent. Agent White, on the other hand, reduces a forest's flood-protection value to one tenth and, in the long run, to an even lower level. For the soil can be subjected to powerful solar irradiation after complete deforestation with the result that microorganisms will

dry up and be greatly damaged. Rainfall will wash away a considerable proportion of the surface soil when the micro-organisms have been so affected. As soon as the above destruction has reached completion most of the rain water flows off along the surface, and into the rivers a little later where it will lead to floods.

At least four-fifths of all Vietnam's woodland areas must be classified as protective forests, i.e., forests that protect the water economy. The example I quoted shows that the destruction of these forests results in severe floods - especially in the plains: the principal settlement areas and, above all, the main rice cropping centres. The aggressors are deliberately bringing about catastrophic floods and using them for their own purposes. Many people are being forced to leave their homes, and US pilots just shoot them down like game during open season when they take to flight.

The harvest campaign is a matter of life and death under these difficult conditions. I have seen peasants, and woman peasants, too, standing up to their hips in the water that had flooded the fields at harvest time, and gathering the panicles off the completely submerged rice plants. I was able to satisfy myself that the entire crop had been harvested by the time the water level had dropped a few days later. The flag of the Republic of South Vietnam flew over the fields - in defiance of the American interventionists.

The NLF fighters have to cope with even more arduous living, working and combat conditions. I visited a partisan unit - young people for the most part who are living in self-made shelters. They have to spend more time below ground than in the light of day. There are hardly any roads in their fighting zone; only trenches.

The partisans do a lot of farm work when they are not in action in spite of all their privations. They grow most of their food themselves and supply their unit with it. They even grow rice although they do not have any draught animals. They

work the land with hoes.

In the evening the commander told me about the battles the unit had won. Afterwards, the political officer spoke about the unit's successful farming record: food production is a political task over and above everything else in these parts. The fact that this unit has asked its command for neither provisions nor ammunition for a number of months now is not only due to unit-based production. These partisans are living in the neighbourhood of a so-called strategic hamlet. The population of this entire area has been forced to reside there. Some partisans spent their childhood in the hamlet and joined the unit as soon as they were old enough to carry a rifle. In many cases their parents and relatives are still living in the hamlet. And communications with the strategic village are quite obviously adequate - in spite of minefields and electric fences. Just one more bit of evidence of the 'liberation forces' close connections with the population.

Malaria - Scourge of the Tropics

The systematic herbicide missions of the American aggressors over large areas of the country are also having a profoundly detrimental effect on the public health system. Malaria control is problem No. 1 in all moist and tropical countries. Once the gravest of all epidemics, malaria was in many ways instrumental in checking the economic and social rise of these peoples.

The Democratic Republic of Vietnam carried out an extensive anti-malaria campaign which resulted in an exceptionally large drop in the incidence of this disease. The public health system no longer needs to treat malaria as a priority problem in Socialist Vietnam. Its retroactive effects on public health are relatively small.

Malaria control was also launched successfully in the liberated areas of the south, but there have been considerable setbacks there in recent years. In the first place a new form

of malaria has appeared there as a result of the medicines the US Army gives all servicemen within the scope of the prophylactic measures it is carrying out against this disease. The new strain is resistant to the remedials that are generally used in Vietnam. Secondly, the many floods have increased the danger of malaria.

There are in the main three measures one can take to organize malaria control:

Treatment of the sick with medicaments;

Isolating the sick from the healthy in order to lessen the danger of their catching the disease;

Mosquito control (mosquitoes are the carrier of the malarial excitant).

The aggressors are disrupting all three measures with a view to increasing the danger of malaria.

The destruction of the well-known Quyn Lap leprosy sanatorium supplied an analogous case. Many leprosy patients lived there, far from any other human habitation. US aircraft bombed this leprosarium to the ground. The patients had to be evacuated. Redisseminating this dangerous and contagious disease among the population was the obvious object of this exercise.

The aggressors are trying to reach the same goal with malaria today. Floods serve this purpose above all other things. Everyone knows that mosquito larvae live in water. There are three species of malarial parasites in Vietnam, as well as over a dozen insect species, all of which can transmit this disease.

Plant and animal life has at first largely been killed off after each forest destruction. The insect species are the first to return. Mass propagation is already taking place fourteen days after the forest has been destroyed. They multiply in numbers that far exceed their normal density, the reason being that many other animal species, as well as some birds and reptiles, which feed on insects have been killed off too, and they only return and start multiplying after a very much longer time.

Stagnant water provides extremely favourable conditions for mosquito propagation - and there are a host of stagnant ponds, puddles and water-logged bomb craters in any destroyed forest. But the decisive factor is furnished by the nutrient content of these waters. Water that is poor in nutrient content offers mosquito larvae unsuitable conditions, but water that is rich in nutrient content can supply food for any number of mosquito larvae. Stagnant water amasses a vast amount of organic matter in consequence of defoliation and forest destruction, and it furnishes the mosquito larvae with an excellent nutrient substratum.

The following observation also bears witness to the fact that the US aggressors are deliberately bringing about this plague of mosquitoes: Bombs are frequently dropped on woodland areas shortly after herbicides have been put out over them. These bombings even occur when the region is sparsely populated. They are evidently aimed at creating extra bomb craters where water and nutrient substances will be gradually collected. This measure is instrumental in substantially increasing the danger of mosquitoes and thereby the spreading of malaria.

Counter-measures will have to be taken consistently in order to prevent a redissemination of malaria. Combatting the mosquito with the help of insecticides is the most important measure.

The knapsack sprayer and duster (type S 100) which the GDR has been delivering in large quantities to the DRV and the RSV is playing a highly significant part in this campaign. Several people assured me that this implement is doing a very good job and that, of course, it is also being used for normal pest control. Even though it is rather heavy I saw women who worked with our knapsack sprayer for quite lengthy periods. The friendly states also supply most of the insecticides that are used there for malaria control. These supplies constitute still another kind of solidarity action.

But the US crimes I have described not only affect malaria

control dangerously. There has been an increasing occurrence of other contagious diseases which are transmitted by insects. They include a form of dengue that is hard to cure by therapeutic means.

Another grave consequence of the herbicide missions is the way they are endangering the country's traditional pharmacy. It manufactures numerous medicaments from indigenous plants or animals which are very important for the country since a modern pharmacy finds it very difficult to develop under war-time conditions. Woodland plants are the principal material from which medicaments are made. The flora of a tropical rain forest is far richer and more manifold than ours is. This means that it naturally offers a host of different possibilities for the manufacture of medicaments, possibilities that have been used for centuries. Nearly every village has a "specialist" who makes these remedies.

Extensive forest destruction has made a large number of woodland plant species comparatively rare. Among them are species that used to grow in abundance. The hospitals in the south have to send out regular expeditions now to gather the important medicinal plants.

Some of the Vietnamese plants used to produce medicaments

- Dichroa febrifuga* LOUR., leaves; against malaria
- Alstonia scholaris* R.BR., bark; against malaria
- Kinospora crispa* (?), stalks; against malaria
- Cinnemomum camphora* NESS et EBERM., bark; tonic
- Caesalpinia sappan* L., (To moc), leaves; against diarrhea
- Leonurus heterophyllus* SWEET, (Ich man); against dysmenorrhea
- Rauwolfia verticillata* L., (Ba gac); relaxative
- Lactuca indica* L., (Bo vong anh) leaves; against furunculosis
- Lonicera japonica* THUNB., (Kim ngan Hoa), flowers; against
inflammations
- Xanthium strumarium* L., (Ke dan Ngua), fruit; against furuncu-
losis
- Quisqualis indica* L., (Su quan Tu), fruit; against worms

Stemona tuberosa LOUR., (Bach bo), roots, cough remedy
Plantago asiatica L., (Ma De), leaves; diuretic
Orthosiphon stamineus BENTH., (Rau Meo), leaves; diuretic
Cassia tora L., (Thao Quyet Minh), grains; laxative
Ardisia spec., (Cay Khoi), leaves; against stomach ulcers
Siegesbeckia orientalis L., (Hy thien); against rheumatism
Fibraurea tinctoria FOUR., (Hoang Dang), stalks and roots;
against dysentery
Eolipta alba HASSK., (Nho noi); haemostatic, also checks
inflammations
Panax pseudo-ginseng WALL., (Tam That); tonic
Acanthopanax spec., (Ngu gia Bi); tonic
Holarrhena antidysenterica WALL., (Muc hoa Trang); against
dysentery

A start is now being systematically made to make botanical maps of the places where these plants are still growing to protect what remains of them, and to keep them available for medicament manufacture. It is also intended to take suitable measures to prevent people from making excessive use of stocks, and to achieve a state of equilibrium between stock increment and utilization. In some cases a start has even been made to cultivate formerly common plant species. The Vietnamese have taken this step in order to ensure that backwood regions are in no danger of not receiving their supplies of some of the important medicaments. A call has been issued to all the villages to join in this campaign.

Priority attention is being paid to the manufacture of many of these medicaments - many of which are used to fight malaria. Some of these remedies are used to control the malarial parasites while others are administered to combat malaria indirectly. One has to try to get a malaria patient's temperature down, boost and stimulate his circulatory system, and do a lot of other things to make him well again. Medicaments that serve these purposes are also made from woodland plants which used to grow in abundance but have now become rare.

Making medicament production more difficult is another thing the high command of the US armed forces in Saigon is doing deliberately. Keeping in mind the link that exists between malaria control and the social and economic rise of a nation, one cannot but draw a single conclusion from this practice: He who makes malaria control more difficult in a country, wants to make isolation measures ineffective, creates opportunities for an increased multiplication of malaria carriers, and damages the medicament industry, wants to exclude the people concerned from an economic and social upswing for a long time to come and push them back to the position from which it started along its arduous road many years ago.

Poisonings and Hereditary Lesions

The herbicide missions that are being flown in Vietnam affect the state of health of the people involved directly and most detrimentally. These effects are caused exclusively by the excessive rates at which the herbicides are put out. They are generally used as formulations which exceed by ten-fold and, in part, even by 50-fold the rate of application permitted in the United States, or in our own country.

Aerial spraying covers vast stretches of land with the result that people who live in the mission area have no chance of escaping the herbicides.

Asthenia (Physical debility)

The skin, eyes, nasal and pharyngeal organs of a person whose body surface has absorbed large quantities of 2.4-D, 2.4.5-T and other substances will suffer extensive damage. There are people who were surprised by a herbicide mission while working in the fields or the woods. Their health is impaired for weeks and months, and they are unable to work in the fields quite a time.

The name given by doctors to this clinical picture is asthenia or general physical debility. Its most striking symptoms are: muscular atony, physical atony, and extreme fatigue

after doing anything for a short time that entails making an effort.

In other cases, a person's eyes will react most sensitively, particularly the cornea. It is not yet certain whether the active ingredients of the applied compounds cause the damage, or the solvents. Some people suffer so badly that impaired vision makes them incapacitated for work for some time.

There are a few cases of persons whose skin reacts very sensitively to the oil-ester formulations. They break out in a rash which is hard to heal. The peripherious nerve endings are frequently affected as well. There is, for instance, the soldier who is now lying in one of the NLF hospitals after having been caught up in one of these missions when he was with his unit. That happened one-and-a-half years ago. He lost all sense of touch in the skin of his head, his hands, his tongue and in his pharynx, i.e., everywhere where either his skin or mucous membranes were directly exposed to the compounds that had been sprayed. His greatest sorrow is that the doctors have been unable to restore his fighting capability in spite of all they have done.

I met a peasant woman in Vinh Linh who had been sprayed with a compound herbicide (probably Agent Orange) last August while on her way to the fields. She fainted, vomited blood and had to be sent to hospital. She still has fits of repeated fainting today, and has stomach pains all the time. General physical debility forced her to stay at home for months on end. She had to be nursed, and was unable to work in the fields.

It must be understood that all these symptoms are caused by substances that are not aimed directly against human beings, but are primarily used to kill off plants. The American aggressors are trying to destroy the forests, but they are fully aware of the fact that they are at the same time demolishing the foundations upon which the people have built up their life, and impairing their health.

Birth Deformities

What is probably the worst effect US herbicide missions are having on the population may be observed among the newborn. In the spring of 1969 the Pentagon and the US President received a report to the effect that laboratory animals had been experimented on with Agent Orange, and that it causes birth deformities in mother animals who are exposed to this active ingredient during gestation. The report was at first kept secret.

In July 1969 a Saigon paper published the first report about the large number of birth deformities that had been observed in newborn babies in the vicinity of the city. Attempts were made later to suppress similar reports in the Saigon press, but fresh reports about the increasing incidence of birth deformities have continue to leak out.

The American report on birth deformities in newborn animals was finally released in the US press. It could well be that opponents of this criminal policy used a security gap to raise the alarm with the public.

We shall now have to outline the fundamentals of this phenomenon:

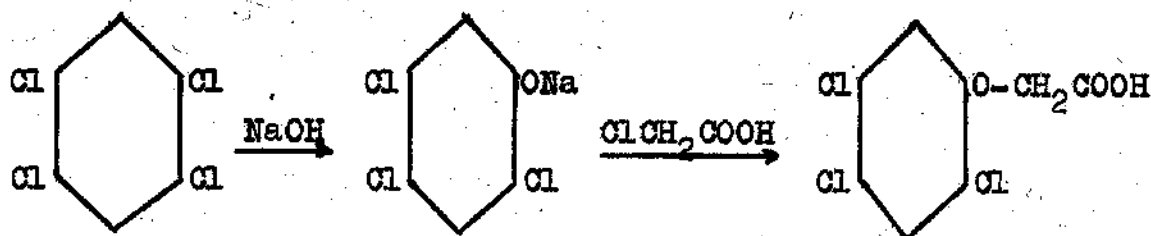
Agent Orange contains two active ingredients which have become well-known under their abbreviated designations: 2.4-D and 2.4.5.-T. During the manufacture of 2.4.5-T tetrachloro-dibenzo-dioxin (which will hereafter be referred to as dioxin to simplify matters) is produced in more or less large quantities as a by-product.

The epispastic effects of dioxin were discovered several years ago. Serious skin injuries had already occurred during the 1950s among Dow Chemical Corporation workers who operated the 2.4.5-T plant.

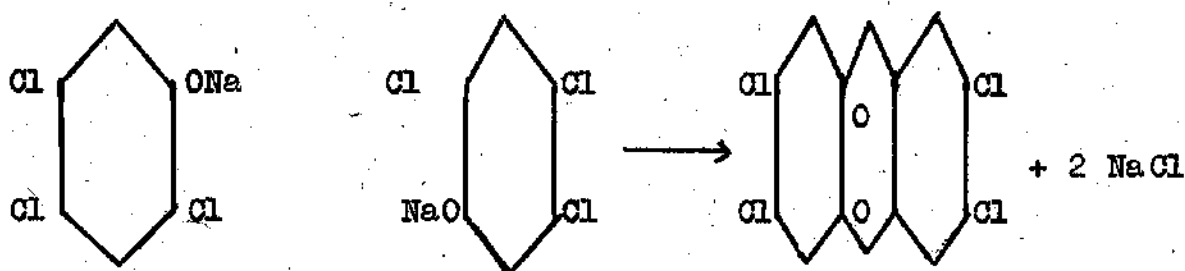
The above-mentioned by-product was discovered and investigated in greater detail in consequence of these injuries. It has a powerful effect even though it only obtains in small quantities.

The Formation of Dioxin and its Effects

1,2,4,5-tetrachlorobenzene is the starting material for the synthesis of 2,4,5-trichloro-phenoxy acetic acid. The process entails the saponification of one chlorine atom by NaOH in a methanol solution. Trichloro-phenylate is thus produced and subsequently decomposed doubly with monochloroacetic acid.



The first-mentioned reaction takes place under pressure and at a temperature of approximately 160°. It is here that small quantities of 2,3,6,7-tetrachloro-dibenzo-dioxin are produced as a by-product. Its formation takes place as follows:



The quantities in which the by-product is produced depend upon the temperature at which the reaction takes place. Elevated temperatures have a favourable effect on its formation.

The Dow Chemical Corporation improved its production plants in 1965 after many of its workers started suffering from severe acne, an ailment that had been caused by plant leakage. The result was a drop in the dioxin content of 2,4,5-T to below 0.5 ppm (0.5 mg/kg). But the specified dioxin content of Diamond Alkali Corporation products is over 50 times as high, namely, 27 ± 8 ppm.

According to Oettel (Mod. Unfallverh. 8, 1963-64, 19) dioxin causes "severe, fatal hepatic necroses" in rabbits and

"above all serious, hardly reversible changes in the skin of human beings".

Teratogenic effects: The normal percentage of deformed progeny of laboratory animals that have been experimented on ranges from seven to thirteen. A dose of 4.6 mg 2,4,5-T with its impurities let this percentage rise to 39, and it reached 100 after the application of a dose of 46.4 mg/kg.

Laboratory animals were experimented on with purified dioxin (content 51 %). Ninety-eight per cent of their progeny were still-born after the application of dosages of only 0.0091 mg/kg. That both dioxin and 2,4,5-T exercise a synergistic effect cannot be ruled out.

The Pentagon started out by trying to play down the report by saying that it had not been verified and that it was unsound. However, several scientific institutions have in the meantime explicitly confirmed that the deformities do result from the causes suspected.

Observations made in the Saigon area have made it highly probable that dioxin has the same dangerous effects on human beings. Absolute certainty cannot be obtained because experimenting with such a dangerous substance on human beings is in itself prohibitive. But current observations indicate that expectant mothers will in many cases give birth to deformed babies if they come into contact with Agent Orange during the second to fourth month of pregnancy - either by breathing it in, or by absorbing it through the skin, or by eating or drinking contaminated food or drinking water.

Several of these children have now been thoroughly examined at the Viet Duc Hospital in Hanoi which is currently being reconstructed with the help of the GDR. Several cases of Down's syndrome have been confirmed. Down's syndrome is the most serious hereditary disease known to man.

The disease is caused by a surplus chromosome - the outcome of an anomalous meiosis. Children with Down's syndrome have 47 chromosomes and not 46 like normal people. They have three

chromosomes 21 instead of the normal two. Hence the term trisomia 21.

The clinical picture was established over a century ago, but only a little more than ten years have passed since its cytological foundations were investigated. Isolated cases occur in every nation. This deformity afflicts every 2,500th child* that is born to younger mothers, i.e., 0.04 per cent, but this percentage rises appreciably in the case of older mothers.

Children who have such a surplus chromosome will at best have attained the physical constitution of a ten-year-old child when they are adult. They remain small in stature, their limbs are short and stunted, and their bodies are clumsily structured. The neurocranium is not infrequently smaller than normal. There is, in addition, an occurrence of various, frequently highly typical, physical deformities. We shall expound these deformities with the help of examples later on.

Children who suffer from Down's syndrome will at best have acquired the mental status of a normal seven-year-old when they are grown up. This means that as adults they will at best be able to do the work of the first year of school. So the harm done to their minds is even graver than the damage suffered by their bodies. Development and growth are so severely retarded with many of these children that they cannot even reach the above values.

Over one quarter of all babies that are born during certain months in regions that have been sprayed extensively with Agent Orange, and at the rates of application that are generally used over South Vietnam, are born with either such or other serious deformities. Or they are stillborn since these chromosomal malformations also increase the number of stillbirths substantially. The normal occurrence of Down's syndrome has been increased by 500-fold at least in this part of the world.

This is what Walter Sullivan had to say about this subject in the International Herald Tribune of 31 December 1970:

"In the 1959-1968 period more than 4,000 deformed children were born in the children's hospital in Saigon. After the rapid increase in the extent of forest devastation with chemicals in 1966 a sudden increase in deformities was noted. Split palates and a deformation of the spine, the so-called spina bifida, occurred especially frequently...

"In the Tay Ninh provincial hospital, in the center of a favourite operational area of the ranch hands, there were 64 cases of deformity among 1,000 new-born babies. In Saigon the figure is 26 out of 1,000." (retranslated from German)

Exact numbers cannot be quoted positively at present, but their magnitude can be assessed. We know how large the sprayed areas are and the percentage that were sprayed with Agent Orange. Accurate data on the size of the population of these areas has been recorded. This means that one knows how many people the missions affected. Other known factors are the birth rate in these regions, and the percentage of the defective newly-born. So one can give an approximate estimation of the number of birth deformities.

Provided that it be understood that this estimate cannot be anything but a cautious one, it may be assumed that there are at least 25,000 children with hereditary defects in South Vietnam. This figure does not include all the as yet unborn babies whose mothers were sprayed during the missions that were flown in recent months. But it does include all those who were stillborn, or died soon after birth, on account of their serious chromosomal defects. Even after the war, it will probably be possible to arrive at only an approximation of the entire scale of this crime since one will only be able to examine the survivors when the time comes.

We shall now look into the case histories of two South Vietnamese children who were born with Down's syndrome:

1. Hoang thi thu Thuy. The little girl was born on 7 Decem-

ber 1967. Her mother, Le thi nhu Mai, is 40 years old, was born in Quang Nam - just south of the 17th parallel. From 1964 to 1969 the mother lived in areas that were polluted several times with herbicides. After the missions, she ate food and drank water that had been contaminated by Agent Orange.

She suffered from neither complaints nor illness during her pregnancy. She took no medicines, nor was she X-rayed. Delivery was uncomplicated. She nursed her child for 12 months.

Hoang thi thu Thuy was 21 months old before she could sit and 32 months old before she was able to stand, but even now she has to be supported. Her condition is caused by hypotonia. Now, at the age of three, this little girl cannot say a single word and is usually absolutely apathetic.

Other symptoms: The wrist-joints are easily bent back. The eyelids are drawn very far back and form an "epicanthus fold" in the greater canthus. The eyes are spaced far apart (hyper-telorism), and the child has a pronounced squint. The position of her legs is unnatural: a factor that made learning to stand and walk harder. She was born without one of the lines of her hands.

2. Nguyen thi Thuy. This little girl was born on 9 December 1969. Her mother, Thran thi Cuo, 23, comes from Quang Tri Province. This province borders on the 17th parallel. She lived in a mountain village for three years. Agent Orange was sprayed over this village several times, and she was caught up in one such mission while working in the woods during her second month of pregnancy.

The mother enjoys the best of health. She suffered from no complaints during pregnancy, took no medicines, and was not X-rayed. She was brought to North Vietnam one-and-a-half months after the last herbicide mission. She had her baby in Hanoi. It weighed 2.5 kg (5 lbs 8 oz) at birth.

The deformities were immediately apparent. The child suffers nearly continuously from respiratory disorders and she

has always got her head bent far back in order to be able to breathe at all. A hollow appears between her collar bones with every breath she takes.

There is an abnormal cavity in the roof of the mouth. The greatly reduced size of the neurocranium (a so-called microcephalism) is the most striking symptom of all. The child's ears are enlarged and her eyebrows are very pronounced.

Her physical development at the age of ten months was highly subnormal: Weight - 5 kg; length - 41 cm; circumference of the cranium - 31 cm.

The child is entirely without reflexes. She can neither crawl nor turn from one side to the other when she is lying down. Nor can she stand or walk. She reacts only to food, cannot speak, and gives no sign of any appreciable mental development.

There are very slight prospects for her further physical and mental growth, and the prospects for her life expectancy are very slight as well.

These two little girls have to be nursed all the time - as do other, similarly afflicted children. Even if the conditions under which they will grow up are favourable, and even if they receive the best of care, they will never be able to earn their living or lead a life of their own.

Attempts are being made to improve the health of children who have Down's syndrome with the help of medicaments. But these efforts have not proceeded beyond the very initial stage. The only thing one might possibly be able to improve is their muscular tension. This would enable them to learn to stand and walk. But any kind of a cure, anything even approaching a restoration of their normal mental or physical development and functions lies quite outside the realm of possibility.

Apart from Down's syndrome, there have been a certain number of cases of so-called multiple aberrations. Several chromosomes have been damaged in some way in this event. A piece of a chromosome can, for instance, break away and become lost,

or attach itself to another chromosome where its incorrect placing will prevent it from being able to exercise its normal functions in collaboration with the other genes (position factor). Nor will the genes be able to do the job they are meant to in the process of the organism's further development if chromosomes break apart and then grow together again in a wrong position.

The following case, which was examined thoroughly in Hanoi, serves as a pertinent example:

Hoang thi Hien. This little girl was born on 19 May 1969. A cytological analysis disclosed that she is suffering from multiple chromosomal aberrations. Her mother, Hoang thi Lan, 38, comes from Quang Tri Province. She has two older, healthy children: A 17-year-old daughter, and a son who is 15. The mother was caught in three herbicide missions at home - the last one when she was in the second month of pregnancy. She was brought to the north of Vietnam later on, and had her baby in Hanoi. The child weighed 3.3 kg at birth.

The child suffers from general muscular debility. One foot has six toes - the result of chromosomal malformations. The fifth and the sixth toe of this foot have grown together. A roentgenogram showed that the bones of both of these joined toes (syndactylism) grew separately. The position of several other toes is abnormal while others are stunted.

In addition, there are many other kinds of aberrations, including aberrations of the internal organs. The girl's head has an extremely odd shape. The back of her head is flattened in a very pronounced degree - a symptom which indicates that her mental processes are in all probability disturbed in a very substantial measure.

The child was born with chronic purulent opthalmia. Doctors have made every effort to cure this malady, but to no avail.

The position of the thumb is striking, too. Its terminal phalanx is so thickened that it looks like a drumstick. It has not grown in opposition to the fingers, but on one and the same

level with them. This position of the thumb has largely reduced the hand's grasping capacity.

The child can neither sit nor stand on account of her muscular debility, and she is unable to crawl forwards when she is laid face down.

Down's syndrome or multiple aberrations occur in over one quarter of all the new-born in certain age-groups in several regions of South Vietnam that have been sprayed with chemical warfare agents. There have also been isolated cases of even graver deformities. Saigon papers printed a photograph of a four-legged stillborn baby. The supernumerary limbs were somewhat shorter than the normal legs. The supernumerary left limb had grown together with the normal left leg - as had the supernumerary and normal right legs. There have also been several cases of spinal deformations and palatoschisis.

When chromosomal defects or supernumerary chromosomes occur in such large numbers one can safely assume that thorough cytological and clinical analyses would also disclose genetic lesions in other children of the same age. These investigations will have to be carried out after the war - despite the major expense they entail - in order to obtain a more detailed picture of the degree in which US chemical warfare has afflicted the people with hereditary defects. This is one of the difficult tasks facing the Vietnamese health service in the future.

The following observation is also indicative of the fact that substantial sections of the population may well have incurred serious injuries: Leukemia, a pathological increase in white blood corpuscles, is very widespread among adults and the new-born in those areas that have been sprayed with Agent Orange. Leukemia is frequently coupled with Down's syndrome and other genetic lesions. Hence, it is not out of the question that, in addition to those children who have obvious deformities which the doctors can easily diagnose, there are large parts of the population who have been gravely harmed by the chemical warfare agents.

Tasks for the Scientists

We know as yet very little about this group of problems. That is why science needs to investigate it in great detail. We shall now list a number of questions to which there is no reliable answer at present in order to make the whole problem understandable:

a) How high is the dioxin content of the products of the individual firms? Do the charges of one and the same production plant differ in content? Upon what does the dioxin content depend? Are all the 2.4.5-T preparations that are currently being used in pest control really innocuous? Only some of them have been proved to be harmless.

b) How is dioxin absorbed? In what quantities is it absorbed by the skin? How can one protect oneself against the absorption of dioxin? In what quantities is dioxin detectable in drinking water? How does the content change in the course of time? Is washing oneself with stagnant water dangerous after a mission has been flown, and for how long would this danger obtain? What kinds of food could contain the poison? For how long does dioxin remain detectable?

c) Can the human body store dioxin? For how long would it be stored? Is it decomposed or is it excreted, and how? Are there means which could be used to protect the body against the noxious effects of dioxin?

d) Are the hereditary defects restricted to unborn babies? During which months of pregnancy is the danger the greatest? How can one protect mother and child against these effects? Have defects also occurred in other parts of the population? What is the reason for the frequent incidence of leukemia in the mission areas?

Science must tackle, and will have to solve all these problems. Many a scientific worker in the United States has joined in on their investigation because he is in disagreement with the US administration's policy of aggression or because he is at least in disagreement with these criminal

herbicidal missions.

There are many reasons as to why this is particularly important: For instance, certain investigations have to be performed in the mission areas in order to collate comprehensive evidence which will, in particular, remove all doubt about the link prevailing between herbicidal missions and the occurrence of birth deformities. Another reason is that protective measures can only be put into effect in the fighting zones. On-the-spot investigations would also make the dimensions of the crimes that are being committed in South Vietnam even more obvious.

Senator Nelson told the US Congress in August 1970:

"Mr. President, in 1962, with no idea of what the consequence would be, the United States began a new form of warfare on the environment of Vietnam that is likely to have future disastrous reactions on all forms of life in that small South-east Asian nation. In a little more than eight years, the United States has sprayed more than 100 million pounds of assorted herbicide chemicals over more than 5 1/2 million acres of Vietnam to defoliate forests and kill food crops allegedly grown to supply enemy forces. The United States has sprayed enough chemicals to amount to six pounds for every man, woman, and child in that country.

"Never in history has any nation ever declared war on the environment of a nation...

"This nation may well have set an ecologic time fuse in Vietnam that will reverberate down the life chain causing widespread destruction by wiping out forms of plant, animal and aquatic life that can never be replaced, with implications for the people who live there that cannot be evaluated until some time in the future."

West Germany's Contergan (a thalidomide preparation) scandal comes to mind in this connection. This scandal got quite a measure of publicity only recently when the legal proceedings that had been instituted against the manufacturers

(if one wants to give them this name) petered out without much ado. There are at least 2,500 children with deformed limbs and defective nervous systems in the Federal Republic of Germany because their mothers took Contergan during pregnancy. The manufacturers - Chemie-Grünenthal - had advertised the soporific widely for four-and-a-half years, and sold it at a vast profit for the same length of time.

It must be clear that the cruelty of the herbicidal crimes in South Vietnam surpasses by far both in scope and in effects the already horrible sufferings Contergan children and their parents have to bear.

In the first place the number of deformed children is much larger - probably ten times as large. And this number is steadily increasing since criminal missions are still being flown with Agent Orange even though evidence of its barbaric effects has been presented. All the Pentagon's attempts to divert attention from this fact have been unmasked.

Secondly, and with the exception of a few very serious cases, Contergan children were mostly afflicted with bodily deformities. Down's syndrome cripples most people mentally.

Thirdly, Contergan did not give rise to hereditary defects. The deformities it causes are by nature only modicative. Dioxin, however, damages the chromosomes, and these defects are hereditary. Medical literature already contains important references to this effect. There are seven women with Down's syndrome who had eight children in all. Four of these children, i.e., exactly 50 per cent, suffer from the same serious mental and physical defects. Where multiple aberrations are concerned, we must even count on the entire progeny having physical and mental defects. And we have no idea at all of the number of cases of new-born babies who have slight, not immediately obvious chromosomatic defects which may perhaps only become apparent in their future progeny.

An International Conference of Scientific Workers on the Conduct of the Chemical War in Vietnam adopted the following

resolution (from which we shall present excerpts) in Paris on 12 December 1970:

"There is today proof that defoliants and herbicides exercise a direct effect on the population and the fauna. There are well-founded reasons for assuming that exposure to defoliants can cause visual disorders and hereditary defects.

"Irrefutable is the evidence of the direct effects these defoliants have on food crops, forests and the entire plant world. They bring about general famine and immeasurable suffering among the civilian population whose life is disrupted profoundly. Their long-term effects include grave and possibly irreparable disturbances of the ecology, the soil and the climate of vast regions of Vietnam.

"The magnitude of the loss of human life, and the various kinds of damage that have been done to nature, allow for the conclusion that we are faced here by genocide and an overlapping biocide."

("Il existe aujourd'hui des preuves que les défoliants et herbicides ont des effets directs sur la population et sur la faune. On est fondé à penser que l'exposition aux défoliants peut entraîner notamment des troubles de la vision et des lésions génétiques.

"La preuve des effets directs de ces défoliants sur les plants vivrières, les forêts et sur toute la végétation, est incontestable. Ils entraînent une famine généralisée et d'immenses souffrances parmi les populations civiles dont le mode de vie est profondément perturbé. Leurs effets à long terme entraînent des bouleversements profonds, pouvant être irréversibles, de l'écologie, du sol et du climat de vastes régions du Vietnam.

"L'ampleur des pertes humaines, les atteintes de toutes sortes contre la Nature, permettent de conclure que l'on se trouve en face d'un génocide doublé d'un biocide.")

The following needs to be said after all this has been

ascertained: This intentional use of chemicals to destroy the foundations of a people's life, to poison it, and to afflict it with hereditary defects is a misuse of science and at the same time the biggest war crime since atomic bombs were dropped on Hiroshima and Nagasaki.

The worldwide protest against this systematically pursued murder of the people of Vietnam - the extension of the war threatens Laos and Cambodia with the same fate - has not yet succeeded in forcing the aggressor to abandon his dirty work. The Pentagon has ordered the production of 700,000 gallons of Agent Blue (over 2,640 tons) and 600,000 gallons of Agent White (over 2,250 tons) for use in South-East Asia during the 1970-71 fiscal year alone. No data were published about Agent Orange.

Informing the world public about the monstrous dimensions of these crimes must therefore be our objective. We must force US imperialism in worldwide, common struggle to stop its aggression, which is in violation of international law, in Vietnam and the whole of South-East Asia, and to withdraw its troops at once and unconditionally. The peoples who have suffered so terribly over the past years will then be able to solve their problems themselves, and to heal the wounds of war.

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M. K l a m a r / R. W u n s c h e
Members of the staff of the Vietnam Commission

The Paris Vietnam Negotiations (December 1969)

The brave Vietnamese people, supported by the Socialist countries and in the first place by the Soviet Union, the international working class and the whole of progressive mankind, are conducting a heroic struggle against the American aggressor and his satellites, for the withdrawal of all foreign troops and the reunification of Vietnam. The organized liberation struggle of the Vietnamese patriots is comprehensive and comprises the political, military, economic and ideological as well as the diplomatic field. Only on account of this comprehensive struggle could the important successes up to now be obtained. Especially the struggle on the diplomatic level, which is today primarily manifested in the Paris negotiations, is inseparably linked with the entire course of events.

How Did the Negotiations in Paris Come about?

First, the most important historical facts should be recalled. US imperialism considered and still considers Indochina and especially Vietnam an important link in the chain of its aggressive strategy on Asia directed against the Socialist countries and the national liberation movement. Immediately after the adoption of the Geneva Agreements it set course on an open breach of the agreements. One of its decisive steps in this direction was the formation of a puppet regime in South Vietnam. The US found willing tools in the political adventurer Diem and among reactionaries of all shades, not least the big landowners. In open violation of the Geneva Agreements Diem proclaimed the "Republic of Vietnam" which was immediately included in the zone of protection of the aggressive SEATO pact. The USA thereby erected a puppet regime in South Vietnam in union with South Vietnamese reaction and in violation of the Geneva Agreements and international law. After its installation a campaign of terror began against all democratic forces in the south which ranged from discrimination against the minorities,

the suppression of the Buddhists, the forcible abolition of the results of the land reform, the prohibition of all democratic organizations to the mass physical extermination of former resistance fighters.

Instead of fulfilling the Geneva provisions everything was done to undermine them, the necessity of a "march to the north" was propagated and South Vietnam was gradually transformed into an American military base. That was the situation in which the first armed self-defence troops were formed by the South Vietnamese people until finally in 1960 the progressive and revolutionary forces of the country united in the National Liberation Front (NLF) which set itself the task of consistently implementing the Geneva decisions also in the southern part of Vietnam.

The union of the patriotic forces of the National Liberation Front of South Vietnam, the formation of regular liberation forces quickly showed the isolation of the Diem regime and the fragility of the American positions among the population of the South. It increasingly recognized in the NLF the legitimate representative of its interests. In view of this development the USA had its tool Diem murdered and installed an open military dictatorship which, however, in 1963-64 under the blows of the powerfully grown people's movement in South Vietnam staggered from putsch to putsch and in spring 1965 was on the verge of a total catastrophe. Now the so-called hawks of the military-industrial complex of the USA came on the scene and "punished", as they put it, the Democratic Republic of Vietnam for the successes of the South Vietnamese patriots. Finally the USA shifted over to the use of its own soldiers and a powerful military technology in South Vietnam in order to intervene directly in the war and thus launched one of the biggest genocidal operations in history.

Despite its material superiority it became ever clearer in the course of the aggression that the USA is not in a position to force a military solution in its sense. The heroic struggle of the Vietnamese people in the North and South, the successes

of the air defence of the DRV and of the national liberation forces of the NLF of South Vietnam imposed heavy losses on the aggressor. The Soviet Union and the other Socialist countries including the GDR granted the Vietnamese people varied and growing political, moral and material aid and considerably contributed to the fact that American imperialism did not attain its goals. Not least important in this was the international solidarity throughout the world, including the USA. The isolation of the USA and the pressure of international public opinion for ending the Vietnam war steadily increased. In this connection the main document of the International Conference of Communist and Workers' Parties aptly pointed out:

"The war in Vietnam most convincingly proves the contradiction between the aggressive plans of imperialism and its ability to implement them. The mightiest imperialist power, American imperialism, is suffering defeats in Vietnam. That is of historic importance."¹

It should be remembered that the USA was forced to declare its readiness to negotiate over a political solution of the Vietnam problem. On this question it was no longer in the offensive; it had to yield to the pressure of events. At the same time its position during these negotiations is also clear. It seeks in every way possible to make the talks difficult, to burden them, to drag them out and finally cause their failure by all kinds of unacceptable proposals and at the same time and parallel to the talks to further escalate the war in Vietnam. The patriots in Vietnam are therefore faced with the task in Paris of pushing through their just proposals, exposing the manoeuvres of the opponent and utilizing the talks as an international tribune for condemning the aggressor before the world.

The DRV - USA Preliminary Negotiations

After long delay on the part of the USA² the official talks between the DRV and the USA began on the Vietnam problem on 10 May 1968 in Paris. On 1 April 1968 Johnson had to order the limitation of the air war against the DRV to the "area near the frontier" between North and South Vietnam, without which the preliminary negotiations could not have begun.

The negotiations centred on the question of completely ending the bombing as a prerequisite for beginning the negotiations proper. The DRV quite rightly demanded the unconditional stoppage of the bombing. As the victim of the US aggression, it decisively resisted letting the conditions for negotiations be dictated by the aggressor. The complete and unreserved ending of the bombing was a fundamental question for further negotiations. Already in its four-point statement the government of the DRV had unequivocally underlined this demand and was thus in full agreement with the five-point program of the NLF of South Vietnam. These programs of the DRV and the NLF further contained, as is known, the demand for the withdrawal of all foreign troops from the territory of South Vietnam, respect for the basic national rights of the Vietnamese people to independence, sovereignty, unity and territorial integrity. In substance they were clearly based on the Geneva Agreements of 1954 and were suitable to help implement these regulations binding in international law.

The positions of the DRV during the preliminary negotiations were clearly outlined from the very beginning and were designed to submit constructive proposals.

But the USA still believed at that time that it would be able to coerce the DRV. It blocked the talks with demands for "bilateral de-escalation", for "respect for the demilitarized zone", the "stoppage of attacks on the towns from the side of the Vietcong" and for the "reduction of Vietcong attacks" in general. It submitted no proposals for the real main subject of the preliminary negotiations, the unconditional stoppage of the bombing. Instead it sought to impede and delay the debates with such provocative questions. These delaying tactics in Paris were accompanied by a growing activity on the part of the USA in Vietnam itself. The USA sought to establish an example. As it believes that the struggle in South Vietnam can be conducted only with the aid of the North it thought it would be able to seal off the South from the North by means of concentrated bombing of the area between the 17th and 19th paral-

lels and in this way finally be able to dictate the negotiations in Paris through unequivocal military successes. Between May and October 1968 the USA covered the region between the two parallels, which amount to only one seventh of the entire territory of the DRV, with almost three times as many bombs as beforehand on the whole of the DRV. In addition this region was subjected to the uninterrupted attacks of the American battleship "New Jersey". Wilfred Burchett wrote:

"While the American astronauts were preparing for their flight to the moon American aircraft and warships were transforming a region in which four million Vietnamese live into a moon landscape."³

But the Americans did not attain their real aims. On the battlegrounds they again saw for themselves that no matter how enormous use of material can enforce any decisions and in Paris they had to free themselves from the mistaken idea that the DRV could wish to negotiate about problems of South Vietnam without the NLF.

Under the pressure of events in Vietnam and of international public opinion the USA finally saw itself forced to stop the bombing. On 31 October 1968 Johnson announced the complete ending of the air attacks on the DRV and further declared the USA's agreement to begin quadripartite negotiations in Paris. The negotiations scheduled for 6 November had to be postponed, however, since the Saigon regime refused to take part in talks with the NLF of South Vietnam. It first required bilateral talks between the USA and Saigon before agreement on the modalities of participation could be reached. The US Department of State unilaterally declared that it was "a conference of two sides": on the one side the separated delegations from Saigon and the USA - on the other side the DRV and the NLF of South Vietnam, which would be regarded as one delegation. This further delay could only postpone the beginning of negotiations, but not prevent them.

All further attempts of the aggressor and his allies to avoid talks about the political solution of the Vietnam problem failed as a result of the resistance of the Vietnamese people

and the worldwide solidarity of the forces of peace, especially of the Socialist countries.

The Paris Quadripartite Negotiations

With the beginning of the four-party conference on 25 January 1969, in which the Democratic Republic of Vietnam, the National Liberation Front of South Vietnam, the USA and the Saigon administration took part, a new phase of negotiations on the political solution of the Vietnam problem, the heart of which is the problem of South Vietnam, began. The delegation of the Republic of South Vietnam founded in June 1969 was formally accepted by the USA and the Saigon administration as negotiation partner.

At the opening session the representative of the DRV and the NLF of South Vietnam submitted their constructive proposals based on the well-known programs and declared the political settlement of the Vietnam problem to be the aim of the negotiations. Their main demands embraced the ending of the aggression, the complete and unconditional withdrawal of the US and satellite troops and the formation of a coalition government.

In view of the unsuccessful manoeuvre during the preliminary negotiations one might have assumed that the USA would itself be interested in a quick political solution of the Vietnam problem. But it soon became obvious that neither Johnson nor Nixon were paving the way for such negotiations, but on the contrary were again heating up the military conflict in Vietnam. Paris was to become the sign of the Americans' good will, whose "proposals" are not accepted by the DRV or the NLF, while at the same time in Vietnam, especially in South Vietnam, military decisions were to be brought about.⁴

The plans of the USA were directed at bringing about a separation between the North and South in every possible way so as to retain South Vietnam under its influence. So they proposed, among other things, a "bilateral" retreat of forces and linked the retreat of American troops with the retreat of "North Vietnamese forces" to the north. The "clarification" of this mil-

itary problem was to be separated from the political problems. The Saigon administration was to be responsible for the "settlement" of the political questions in order thereby to legitimize and revalue it and at the same time blur the entire problem of the American aggression against Vietnam. The DRV and the NLF rightly rejected all such proposals since the USA bears the main responsibility for the South Vietnamese problem and the Saigon regime is not legitimate.

Parallel with its "proposals" in Paris which were unacceptable from the very beginning, the USA intensified its warfare in South Vietnam. Its air force and warships which up to then had been operating against the DRV were now additionally employed in South Vietnam. In particular the concentric air attacks were to considerably weaken the liberation front, instil fear and anxiety in the rest of the population and separate it from the NLF. The "Phoenix" plan was to fulfil a special function within the framework of this new escalation. Its content was the physical annihilation of 80,000 NLF functionaries. The USA sought with this plan to liquidate the organizing force of the people's resistance in the entire South. As terrible and at the same time utopian as this plan was and is it can nevertheless also be assessed as a confession on the part of the USA that it cannot break the influence of the NLF with any other means than physical annihilation.

But the NLF's spring offensive in 1969 showed that the USA and its South Vietnamese satellites had again reckoned without their host. The aggressors again had to accept big losses, had to abandon broad regions to the NLF and instead of isolating the NLF from the people of South Vietnam brought about a still closer relationship between them. At the same time the delegation of the National Liberation Front of South Vietnam submitted at the Paris negotiations a program for the regulation of peace in Vietnam and thus there, too, again took the offensive. This ten-point program contained principles of a global solution of the South Vietnam problem⁵ and for the delegations of the DRV, the NLF or the Republic of South Viet-

nam the basis for negotiation in order to arrive at a quick stoppage of the US aggression, the complete and unconditional withdrawal of the troops of the USA and its satellite countries, for the formation of a provisional coalition government and the reestablishment of peace in Vietnam.

Because of the stubborn refusal of the USA to accept the just demands of the DRV and the NLF of South Vietnam there has been no solution up to the present moment. The USA is still trying to sidetrack the main problem and push through its line of separating military and political problems. In this it is aiming at excluding the NLF from the political life of South Vietnam and the disregard of the basic rights of the Vietnamese people. Those who have up to now frustrated the elections stipulated in the Geneva Agreement for 1956 now speak of elections and demand international supervision for them.

In the course of the Paris Vietnam talks up to now two basic questions have increasingly come to the fore: the formation of a coalition government as an expression of the right of self-determination of the South Vietnamese population and the question of the withdrawal of troops as the central military problem.

On the Formation of a Coalition Government

The formation of a coalition government has become of great importance for the course of the further negotiations in Paris and also above all for further developments in South Vietnam itself. The Saigon regime was never and will never be considered as the legitimate representative of the interests of the South Vietnamese people. This regime can assert no rights either historically or in international law. The NLF which has long had the larger part of the people of South Vietnam on its side, people who exercise power directly with it in the liberated regions, therefore, in agreement with the DRV, considers it to be one of the most urgent tasks to form a coalition government embracing all strata and classes of the South and representing the entire South Vietnamese people.

The USA and the Saigon regime have refused from the very beginning to agree to the formation of a coalition government. In view of the existing relation of forces the reactionary forces of the Saigon administration were not prepared to permit the formation of a Saigon peace cabinet as a coalition partner of the NLF of South Vietnam. As they could not permanently reject all proposals of the DRV and the NLF without exposing themselves they seized upon a new trick in this connection. Puppet President Nguyen van Thieu proposed direct negotiations with the NLF. This so "reasonable" sounding proposal directly aimed at misleading the public. It was - and that was in fact counted on - therefore unacceptable to the NLF because the puppet regime would therefore officially and subsequently be reevaluated into a negotiating partner in fact. A further manoeuvre of the Saigon administration consisted of orienting on elections which were to be held under the present (or altered) Saigon regime with the presence of US troops and under international control. Such a variant is not acceptable to the NLF of South Vietnam for elections are realistic only after the unconditional withdrawal of all US and satellite troops under the control of the provisional coalition government. Also here the experience proves true that the second step should not be taken before the first.

As so often, the reactionary forces were finally overtaken by events on this question, too. The Provisional Revolutionary Government of the Republic of South Vietnam was formed in June 1969. The basis of this republic is very broad as a consequence of the long years of struggle of the NLF for the inclusion of the broadest strata of the people and the development of constructive programs for orienting these strata. A look at the political composition of the Consultative Assembly formed to support the government shows these facts: It unites representatives of the Communists, the NLF, officers and soldiers of the Liberation Front, Buddhist and Catholic dignitaries and representatives of various sects including the Hoa Hao and the Cao Dai sects. The Provisional Revolutionary Government strives for

a coalition government in South Vietnam to which representatives of still broader strata and classes should belong and has determined the next steps and tasks in an action program.⁶

The Saigon administration reacted to these developments with a "six-point program" for holding "free elections", on which van Thieu openly declared: "We shall never agree to a coalition government with the Communists."

He added that anyone who still spoke about such a government will be punished as he would be acting contrary to the "constitution". He demagogically declared himself willing to accept a limited participation of Communists in government work if that should be decided by free elections in the country.

The spokesman of the DRV delegation in Paris showed in July 1969 what insidious aims these new "proposals" for "free elections", pursued in reality:

- "A struggle against the formation of a provisional coalition government of national union and the broad association of all strata of the people as was clearly set forth in the ten-point global solution.

- "The maintenance and 'legalization' of the Thieu-Ky-Huong clique and the structure of the Saigon puppet administration with its so-called constitution.

- "The patriotic forces of South Vietnam are to be forced to lay down their weapons in order to surrender and accept the structure of the puppet administration erected by the United States."⁷

It is clear that the DRV and the NLF or the Revolutionary Government of South Vietnam will reject all such proposals.

On the Problem of the Withdrawal of Troops

The implementation of the demand for the complete and unconditional withdrawal of the US and satellite troops from South Vietnam is a key question for the solution of the South Vietnam problem. At present there are 542,500 US troops in South Vietnam. The USA is the aggressor and it and its allies alone must withdraw their troops from the territory of Vietnam. There can be absolutely no question of a "bilateral" withdrawal of troops.

Such a demand means placing the victim of aggression on the equal footing as the aggressor and negating the sacred right of the Vietnamese people to defend themselves. All proposals submitted in Paris must be examined from this angle as to their genuine character. US President Nixon had first announced in July the withdrawal of 25,000 soldiers from Vietnam, which was to be completed by the end of August, and he indicated the possibility of withdrawing further troops. In deciding about further troop reductions the following "criteria" were to be decisive for the Nixon government:

- The ability of the South Vietnamese to take over a larger part of the defence.
- Progress in the Paris Vietnam talks.
- The extent of "Communist fighting activity" in Vietnam.
- Bilateral troop withdrawal.⁸

These presumptuous demands were sharply rejected by President Ho Chi Minh in his appeal of 20 July 1969 on the occasion of the 15th anniversary of the signing of the Geneva Vietnam Agreement and he unambiguously declared:

"The Vietnamese people energetically demand the withdrawal of all US soldiers and those of their satellites - not the withdrawal of 25,000 or 250,000 or 500,000, but total, complete and unconditional withdrawal. That is the only possibility for the USA to regain its honour and be able to avoid the necessity of thousands of young Americans dying uselessly in South Vietnam resulting in suffering and distress being brought to thousands of families."⁹

Thus, it depends entirely on the USA itself how this question develops further. The realistic proposals of the DRV and the Republic of South Vietnam are on the table, only serious negotiations are required. US imperialism, however, wants to maintain its positions in South Vietnam with the smallest possible engagement on its own part. Nixon's present tactic on questions of troop withdrawal and the so-called de-Americanization of the war in South Vietnam is subordinate to this aim not least for the purpose of gaining time.¹⁰

On the Further Course of the Paris Talks

The USA alone bears the full responsibility for the fact that the Paris Vietnam talks are stagnating. Although it talks a lot about "respect for the right of self-determination" of the South Vietnamese population it in fact does everything possible against the formation of a coalition government, refuses the full and unconditional withdrawal of its troops and those of its satellites and further supports the rotten Saigon regime.

Even the New York Post had to admit that the US government's readiness for peace is hypocritical:

"It is important for the country to know that the new attacks of the Vietcong (meaning the offensive operations of the NLF in 1969 - author) ... are essentially rather a reply to our actions than a planned and arbitrary attempt, ... to torpedo the negotiations."¹¹

The progressive international public supports the just demands of the DRV, the NLF and the Revolutionary Government of the Republic of South Vietnam. The GDR also joins in their demands. Thus, Willi Stoph, Chairman of the GDR Council of Ministers, declared:

"It is necessary to recognize the basic national rights of the Vietnamese people. Progress at the Paris quadripartite conference depends solely on the government of the USA seriously and realistically approaching the new proposals of the National Front for the Liberation of South Vietnam... The Council of Ministers of the German Democratic Republic completely supports the ten-point proposal of the National Front for the Liberation of South Vietnam of 8 May 1969 and decisively demands respect for the right of the South Vietnamese people to self-determination."¹²

The non-slackening resistance struggle of the Vietnamese people, the aid of the Socialist countries and especially of the Soviet Union and the support of peace-loving mankind to this struggle will finally force the US imperialists to take realities into account. The just demands of the Vietnamese people will be met.

- 1 "The Tasks of the Struggle against Imperialism in the Present Stage and Unity of Action of the Communist and Workers' Parties, All Anti-imperialist Forces", document of the Moscow Conference of 1969, in Neues Deutschland, Berlin, 18 June 1969
- 2 These delaying tactics from the American side also appeared, among others, in connection with the choice of the place for holding the negotiations and in the dispute about the form of the negotiating table. Cf. Wilfred Burchett, "The Paris Negotiations and the Vietnam War", in New Times, Moscow, 1969, No. 16
- 3 W. Burchett, loc. cit.
- 4 Cf. I. Shchedrov, "A New Phase in the Struggle of the Vietnamese People", in Probleme des Friedens und des Sozialismus, Berlin, 1969, No. 1
- 5 Cf. "Principles and Content of a Global Solution of the South Vietnam Problem for the Purpose of Reestablishing Peace in Vietnam", in New Times, Moscow, 1969, No. 27
- 6 Cf. Information of the Vietnam Commission of the Afro-Asian Solidarity Committee of the GDR, 1969, No. 12
- 7 Cf. Information of the Embassy of the DRV in the GDR for July 1969
- 8 Cf. Memorandum of the Ministry of Foreign Affairs of the DRV on the occasion of the 15th anniversary of the signing of the Geneva Agreement of 1954, in Bulletin of the Embassy of the DRV in the GDR, July 1969
- 9 Appeal of President Ho Chi Minh on the occasion of the anniversary of the signing of the Geneva Agreement of 1954, in Bulletin, loc. cit.
- 10 Cf. I. Andronov, "On the Battles in South Vietnam", in New Times, Moscow, 1969, No. 33. This attitude on the part of the USA can be seen in all other questions of the Paris talks, for example, in the demand for the immediate stoppage of the aggressive actions by the USA, the problem of the demilitarized zone, questions of international supervision and the question of reparations and the exchange of prisoners.
- 11 New York Post, 6 March 1969
- 12 Neues Deutschland, Berlin, 24 May 1969

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"To waste the enemy" - Ideology of Genocide (April 1971)

The trial of US First Lieutenant William Calley actually is not a trial of the man, but rather an exposition of the imperialist society in one of its many revolting manifestations. In view of the bitter experiences of our own history, we are disturbed by the spirit that has driven not only Calley, but also an entire people to crime.

Calley acknowledged that "I was sent to Vietnam with the absolute philosophy that the USA is in the right."

What is the nature of the right in which Calley sought justification? He stated in front of the six military judges in Fort Benning, Georgia:

"We were under enormous pressure to improve our body count, we wanted to match the other divisions, and the companies competed between themselves to attain the highest possible body counts."

The lieutenant had to account for each one of his own dead with at least ten dead Vietnamese. His order for Son My was "Waste the enemy". "Waste" is a euphemistic substitute for the harsh word "kill", which is prohibited by the fifth commandment of the Christian catechism. But the word "waste" is in fact more than just a mere paraphrase. It reflects the spirit in which imperialist America is conducting this campaign of extermination against the courageous Vietnamese people.

Langenscheid's Pocket Dictionary published in 1951 gives the following equivalents for the adjective "waste": desolate, desert, uninhabited, useless, superfluous; for the noun: refuse, scrap, useless remains, rejects; for the verb: lay waste, devastate, wane, throw away, etc. The word is also frequently used in combinations such as waste-paper basket, waste-pipe, etc.

We must recall the full spectrum of the word in order to

comprehend the meaning of the order that has to be executed by the US Army in South Vietnam as a whole - and not only by First Lieutenant Calley. According to the barbarous conception of the ruling class in the USA, it is not people who are being killed in violation of the fifth commandment, but rather "useless, superfluous dirt" is being thrown in the "waste-paper basket". This is the true meaning of the expression "to waste the enemy!".

This inhuman attitude gives rise to other synonyms for the Vietnamese people such as "dinks", "gooks" or "slopes" which are not contained in Langenscheid's dictionary because they come from the gutter and are unworthy of civilized people.

There are startling parallels. The older people among us remember a similar vocabulary, which include such expressions as "Jewish-Bolshevist sub-men" and used to poison the minds of people during the fascist era. Gus Hall, General Secretary of the Communist Party of the USA, recently referred to these parallels before the National Committee of the party. He said:

"What anti-Communism was to German fascism, white chauvinism is to the fascist movement in the USA. It is a decisive element in all anti-democratic movements."

Anti-Communism in fascist Germany and white chauvinism in the USA have different historical traditions, which were or are still used by the respective ruling class in a shrewd manner. We shall not and cannot give a historical survey of the persecution of Jews in Germany in the present report. Excellent scientific presentations are available on this topic. It will suffice to bear in mind that the persecutions of Jews in the Middle Ages and at the beginning of the Renaissance has led to an isolation of the Jews, which helped to foment anti-Semitic prejudices in Europe and especially in Germany over the centuries. After the great minds of the Enlightenment, the Communist Party of Germany was the first energetically to act against anti-Semitism. The special issue of the Rote Fahne published underground in 1938 is a good example of this. The issue appearing in November 1938 contained a long article

against the "Kristallnacht" (crystal night) under the heading "Against the Disgrace of the Jewish Pogroms". The scientific propaganda article of the German Communists is a counterpart of the speech delivered by Gus Hall, referred to in the foregoing, in which he elucidated the program of action of the Communist Party of the USA against white chauvinism and against racist terror.

Just as in Europe and Germany, where anti-Communism arose out of very real interests of the ruling classes of the time, so white chauvinism arose out of the class interest in the exploitation of black workers in the USA. Racism is not a recent manifestation. It can be traced back several centuries; it is characterized by the extermination of the native population of America - the Indian tribes - and by the establishment of the slave economy in the South, in the "black belt" of the United States. As early as the 17th century, ideologists of the colonizers introduced the lie that the Indians were unable to assimilate into modern civilization and that Negroes were only fit to be slaves, as a result of their biological inferiority. This line is being continued. The archeologist Gliddon together with the anthropologist Nottom wrote a book entitled Typen der Menschheit (Types of Mankind), which was published in 1854. In this unscientific concoction, the authors classify Negroes as an inferior race on the basis of facial measurements - we all remember the craniometry practised by fascist race theoreticians - and other anthropometrical characteristics.

After the condemnation of the German fascist racism at the Nuremberg Court of the peoples, one would think that the incorrigible ones in the USA, too, would be put in their place. But only one year after Nuremberg, in 1947, American Senator Bilbo wrote a book entitled Choose Between Segregation and Becoming Half-castes. The fundamental thesis of the author is that the theory of racial equality is false. There is nothing holier than racial purity. That is why he supports the expatriation of all Negroes living in America to Africa. Another startling parallel: Alfred Rosenberg demanded in the 1930s the

creation of a Jewish reservation in Palestine which was to be under British supervision.

The reactionary American philosopher John Dewey who died in 1952, reasoned along the same lines. He declared other peoples as "inferior races" and referred to the USA as the "natural leader of mankind". This reactionary philosopher was one of the leading brains of so-called pragmatism, a typical Anglo-Saxon philosophy, many of whose doctrines stem from the German philosopher Friedrich Nietzsche. To the pragmatists, the criterion of truth is the usefulness, the utility, the success rather than conformity with objective reality. Applied to morals, there are not moral norms that are obligatory for all people. Reducing truth and morals to the usefulness and success determined by the interests of the individual or a group was an ideologically made-to-measure suit for American imperialism. On the basis of this philosophy, every action by American imperialism can be declared as true and moral.

Let us return to the crime of Son My. The road from John Dewey to William Calley, who came to Vietnam with the absolute philosophy of being in the right and of being justified in perpetrating any crime in the name of the USA, is a straight one. The servant copies his master. The decadent face of imperialist society is reflected by Calley.

The press of the Federal Republic does not want to face this plain truth. Die Welt, a newspaper published in Hamburg, wrote on 31 March of this year:

"My Lai (My Lai is the synonym for Son My) is not the fault of the system, but rather a result of human failure."

This obvious twisting of the truth is intended to mean that the Calley case has been a slip in an otherwise honest system of American society. But in the meantime almost all West Europeans - particularly the peoples of the Socialist community of states - have become convinced that the whole of Vietnam is one big Son My, caused by American imperialism and characterizing its moral decadence.

The Communist Gue Hall has challenged this system. The social democrat Willy Brandt puts up with it by declaring:

"In politics as well as in the economy and elsewhere, I shudder at the 'untinged fools', the successors of Parsifal, the bloodless reformers of the world, who believe that man could be fundamentally recast."

(Bulletin of the Press and Information Office of the Federal Government, No. 92, 11 June 1969, page 788)

What does Brandt want, or better still: what does he not want? He certainly does not want to eliminate the social roots of violent politics; because this would mean the elimination of capitalist society. But he also shudders at the ideologists of capitalist society who want to reform politics with the aid of morality, i.e., he clings to a society in whose moral abilities and values he no longer believes himself. This contradiction explains why the social democrat Brandt is obstinately silent on Son My and on the genocide practised in Vietnam.

Can anti-Semitism and racism be uprooted? The citizens of the GDR can answer this question in the affirmative with an easy conscience. By changing the social relations the prerequisites for "fundamentally recasting" man were created, to use Herr Brandt's terminology in the positive sense. But this requires a social force that believes in the good in man. The party of the working class, the Socialist Unity Party of Germany, whose philosophy is based on freedom from exploitation and oppression, freedom from war and racism, friendship among all peoples of the earth, between peoples of all colours.

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Current Problems of the Development of the Resistance Struggle
of the Peoples of Indochina Against American Aggression
(April 1971)

The renewed escalation of the American aggression in Vietnam and in Indochina as a whole in recent weeks fills us with anger and indignation. The US Air Force is continuing its barbarous terror raids against the Democratic Republic of Vietnam. The policy of genocide is being continued in South Vietnam. Powerful formations of Saigon's puppet troops, supported by the USA, have invaded the peace-loving country of Cambodia in violation of international law, and finally 30,000 invaders, supported by American bomber squadrons, military helicopters and artillery, began their aggression against Laos.

We were happy and proud to hear about the new victories by our friends over the aggressors. Under fire from Laotian liberation forces, which were supported by the People's Liberation Forces by operations against the enemy's central positions in South Vietnam and Cambodia itself, the aggressors were forced to flee Laos in panic.

The fleeing interventionists presented a sorry picture. Even bourgeois newspapers carried eye-witness accounts such as:

"Saigon's soldiers literally stuck to American helicopters, clinging even to the landing gear, many falling to the ground from great heights."

These results once again clearly demonstrate to the entire world that imperialism is not in a position to force a military solution. American imperialism and its accomplices have once again exposed themselves as aggressors. The sympathy and active solidarity of peace-loving humanity are on the side of the courageously fighting peoples of Indochina.

We are in full agreement with the assessment made at the 24th Congress of the Communist Party of the Soviet Union: "All those who are in a position to see things realistically must

realize that the determination of the Vietnamese people to be masters in their own country can be broken neither by direct military intervention, nor by torpedoing the negotiations or by increasing the number of mercenaries. There is only one way to solve the Vietnam problem. It has been clearly marked out by the proposals submitted by the government of the DRV and by the Provisional Revolutionary Government of the Republic of South Vietnam - proposals which we wholeheartedly support."

In view of the chain of clear defeats suffered by imperialism in Indochina, the question arises as to the immediate and underlying causes for the repeated adventures in which imperialism keeps involving itself. There are a number of political, economic, ideological and domestic and foreign policy reasons for this. The main cause is to be found in the fact that imperialism has become weaker, but, and precisely for this reason, it has become more aggressive. The development of the American aggression against Vietnam is a particularly clear proof of the correctness of this Marxist-Leninist analysis of the nature of present-day imperialism.

The open military intervention of the USA in the conflict between progress and reaction taking place on Vietnamese soil is a flagrant violation of the 1954 Geneva Agreement which is binding in international law, and unmasks the full scope of the aggression, against both the Democratic Republic of Vietnam and against the population of South Vietnam.

The propaganda claim of American imperialism that it is acting in response to the request of a legitimate government in defence against aggression from the north is absurd. It is not the Democratic Republic of Vietnam and the so-called "Republic of Vietnam" - that "state" of the Saigon puppets supported by the USA - that are confronting each other, but rather the Vietnamese people represented by the Democratic Republic of Vietnam and the National Front for the Liberation of South Vietnam - since June 1969 the Republic of South Vietnam - on the one hand, and American imperialism and a group of traitors to their country around Thieu, Ky and Khiem, who are exercising

administrative functions exclusively as a result of the military presence of the USA, on the other.

We can also state that the strategic, military and political conception of US imperialism has failed in the north as well as in the south of Vietnam as a result of the heroic resistance of the Vietnamese people who are being supported by the Socialist community of states and by the democratic peoples throughout the world. The cessation of the criminal air war against the DRV in November 1968 and the initiation of negotiations in Paris in the year 1969 were a public admission by the USA of its defeat, which was at the same time a defeat for world imperialism.

And finally, we can state that the acceptance of the National Front for the Liberation of South Vietnam and later on of the Republic of South Vietnam as negotiation partners by the USA was actually a confirmation that it is a subject under international law and consequently of the aggressive nature of the USA's own operations in Vietnam. Washington has been and still is faced by the task of drawing the military, political and moral consequences from this state of affairs and of accepting the Four-Point Program proposed by the Democratic Republic of Vietnam and the Ten-Point and Eight-Point Programs proposed by the Republic of South Vietnam as the only realistic way to find a political solution of the Vietnam problem.

And this is the present situation:

The strongest imperialist power, the USA, despite its superiority in numbers and in arms, is not in a position to decide the war waged for many years with methods of genocide and cynical unscrupulousness in its favour. American imperialism is faced by the greatest military, political and moral defeat in its history, a defeat inflicted by a quantitatively small people, which has been recorded in the consciousness of the reactionary America as one of many colonial peoples and which is proving invincible as a result of its courage, its determination and its friendship with the Socialist countries,

especially with the Soviet Union.

The reactionary forces of America and the president of that country, Nixon, do not want to face this fact. Instead of facing reality and taking advantage of the opportunity presented by this Vietnam Conference to find a political settlement of the war, American imperialism is looking for a positive way out. It clings desperately to such prestige slogans as: A defeat of the USA in Vietnam is out of the question. Or: No peace under humiliating conditions - the immediate cessation of aggression and the complete withdrawal of all troops from Vietnam demanded by peace-loving mankind is viewed as a "humiliation" of the United States -, and it clings to the narrow-minded thesis that the unfavourable geographic conditions in Vietnam are the main cause of the failure of its aggression.

These factors plus the growing war weariness in the USA and the increasing aversion on the part of Washington's allies to committing themselves in the Vietnam question on behalf of the USA have caused Nixon and his advisers to look for new military recipes. Nixon's Guam doctrine, which has emerged from the abortive American aggression in Vietnam, is a dangerous plan to extend the aggression. After the failure of such variants of warfare as the creation of "strategic hamlets", the helicopter tactics, the barbarous bombing raids against the DRV, the so-called pacification operations, etc., the Guam doctrine is another hopeless attempt to reach a pro-American turning-point in this war with new methods. This aggressive doctrine is the continuation of the Asian policy pursued by the USA in the past years on the basis of the Johnson doctrine.

The thesis of the Vietnamization of the war is an essential component of the Guam doctrine. Carefully prepared rightwing putsches, the raising of the status of the regime in Saigon dependent on the USA and the intensification of pressure on the revolutionary forces of South Vietnam.

The USA propagated a partial withdrawal of its troops from

South Vietnam in conjunction with these endeavours, which have led to a sharpening of the contradictions among the rightwing circles of these countries. American imperialism constantly claims that the Vietnamization is a "de-escalation" and "peace program". This is intended to paralyze the domestic political and international opposition to the continued American aggression and to slander the Democratic Republic of Vietnam in the eyes of the world as a country opposed to peace. But behind the screen of Nixon's "peace measures", the Pentagon was preparing a territorial escalation of the aggression by surprise offensive operations against Cambodia and Laos.

The creation of a continuous ground front was intended to destroy the democratic forces in Indochina, and above all to bring about a territorial and military isolation of the National Front for the Liberation of South Vietnam. The NLF was to be militarily destroyed, its political base among the South Vietnamese people liquidated and the DRV forced to accept an armistice agreement whose terms would be favourable to US imperialism. Parallel to this, the US-oriented regimes in Asia were to be consolidated, elevated in their political status and combined into a rightwing bloc. The final objective of the war in Indochina is to alter the strategic situation in the whole of South-East Asia in favour of imperialism with the aid of "Vietnamization".

To attain these objectives, the USA intended to shift the main burden of the conflicts onto the shoulders of the puppets under its control. Vietnamese were to fight against Vietnamese, against Laotians and Cambodians, and finally Asians against Asians, and thus safeguard American interests in this dirty war. The conflict was to appear as a so-called inner-Asian affair in the eyes of the world.

To what extent has the US been able to realize this conception?

In line with the propagated policy of "Vietnamization", the USA has directed its efforts at constantly increasing the

participation of Saigon units in direct offensive operations against the liberated areas of the RSV. This thesis of the "civil war" had worn out and was to be strengthened by the withdrawal of some American units. A total of 115,000 Americans have been withdrawn from South Vietnam in the course of 16 months up to 1970. But there are still nearly 450,000 American soldiers and officers stationed in South Vietnam, the US 7th fleet is patrolling the Vietnamese coast, there are still 70,000 South Korean, Thai, Australian and New Zealand mercenaries in Vietnam and Saigon's army strength has increased to 850,000. In addition, the puppet regime has received another 350 million dollars and military equipment from the USA. We can say with certainty that Saigon's troops are still an instrument of American imperialism and can operate only with its aid.

It was soon seen, however, that the relatively independently fighting Saigon units suffered heavy losses at the hands of the National Liberation Forces. The heavy fighting that has taken place towards the end of 1969 and the beginning of 1970 near the delta region and in other parts of South Vietnam have ended with heavy defeats for the Thieu and Ky mercenaries. This was a shattering blow to the policy of "Vietnamization" in South Vietnam itself and has forced the aggressor to adopt new variants of this policy. American bombers have once again intensified their terror raids against the South Vietnamese population. The use of chemical and bacteriological agents has again been increased and resulted in further aggravations in the living conditions of the population in the liberated areas.

At the same time, the policy of "Vietnamization" has been extended beyond the boundaries of South Vietnam. American imperialism directed its main thrust against the liberated areas of Laos in order to make an example of the development planned by it in South Vietnam by the devastation.

In the autumn of 1969, American imperialism forced its agents in Laos to conduct wide-scale operations against the

Pathet-Lao armed forces. The Laotian national movement led by the Neo Lao Haksat controlled about two-thirds of the territory at that time and the people's position was firmly entrenched in the area round Sam Neua in Northern Laos.

The US attack against the Pathet-Lao regions was not only another flagrant violation of the agreements reached in Geneva in 1962, but it also abolished the modus vivendi that had existed for several years, according to which the Vientiane government troops staged only hesitant and sporadic attacks despite continuous American pressure, as a rule respected the territory under Pathet-Lao control and the official representation of the National Liberation Forces in Vientiane continued its work. The military operations conducted in 1969 and 1970 were directed primarily against the Pathet-Lao positions in the southern regions of the country, in the Plain of Jars and in Northern Laos. Assisted by massive American air support - more than 500 air attacks were carried out daily in December of 1969 against Laos alone - and by a large staff of US advisers, the forces of reaction were able to score some initial successes and bring the Plain of Jars under their control at the cost of the destruction of numerous villages. But it became apparent that both reaction at home and its masters in the USA completely underestimated the fighting strength of the Laotian national movement and of its armed forces.

The Neo Lao Haksat has mobilized the population in the liberated territories of the country, adjusted itself to the new situation created by the American bombing war and, making use of the experience gathered by the national forces in the Democratic Republic of Vietnam, launched a general counter-offensive in spring 1970 after having strengthened and re-organized the national armed forces. Thanks to the excellent fighting achievements of the Pathet-Lao soldiers, the Plain of Jars was liberated despite the terrorist US air war following heavy fighting and spearheads of the Pathet-Lao troops have additionally penetrated all surrounding areas of the country.

Parallel to its military successes, the leadership of the Neo Lao Haksat submitted a Five-Point Program in December 1970 designed to end the war and to make peaceful development in Laos possible.

The Socialist states and democratic world public reacted to the escalation of the American aggression with determination. A TASS declaration issued on 28 February 1970 stated:

"The barbarous bombing raids by the American air force against Laotian territory and the other aggressive acts in Laos and the violation of the neutrality of this country by the USA are condemned in the Soviet Union and the just demands of the Patriotic Front of Laos to put an immediate end to the armed intervention in the internal affairs of the Laotian people are supported."

This Laos adventure of the aggressors also proved a failure. Instead of the intended development of the "policy of Vietnamization", American imperialism was forced to engage itself completely in this country. Its covert aggression that has been committed for years came out into the open and triggered a storm of protest among people throughout the world and resulted in a further loss of prestige on the part of the aggressor.

But far from drawing realistic conclusions, American imperialism spread its aggression to Cambodia with the absurd justification that it wanted to destroy the headquarters of the National Front for the Liberation of South Vietnam, which was allegedly situated in this country. But its real intention was to integrate Cambodia in its political and military sphere of influence in South-East Asia. That is why American imperialism brazenly interfered in the internal affairs of this country, whose sovereignty, neutrality and right of self-determination it trod underfoot. It threatened Cambodia with military operations and encouraged the country's rightwing forces to seize power.

These forces led by Lon Nol and Sirik Matak staged a coup d'état, took power and requested military aid from the USA. The new regime immediately established close relations with the American puppets in Saigon and the US armed forces in Bangkok

and at the same time staged a bloody campaign of persecution and extermination against the 400,000-strong Vietnamese minority in Cambodia by inciting centuries-old nationalist or racist prejudices. A West German journalist reported from Cambodia on the events of that time:

"A scene of horror presents itself to a traveller crossing the Mekong river by ferry near the Cambodian town of Kompong Cham. Corpses are floating in the yellow water towards the sea. The hands of all of them are tied behind their back, and some have been tied together in groups of ten. Some bodies show bullet wounds, cut throats or severed heads."

Nixon and his advisers took advantage of developments in Cambodia, which had been instigated by them, in order to launch an aggression that had systematically been prepared in the Pentagon over a period of many years against this South-East Asian country. Confident of an easy victory, the American and Saigon troops moved into Cambodia in the early hours of 1 May 1970, while US President Nixon declared in a televised statement with unprecedented demagoguery:

"We are taking these measures not to spread the war to Cambodia, but to end the war in Vietnam and to achieve a just peace, which we all want. I have promised to end the war. I shall keep this promise. I have promised to reach a just peace. I shall keep this promise. We shall prevent a spreading of the war, but we are also determined to end this war."

Today, one year later, these words arouse even greater hatred among the peoples of the world against these warmongers and their representative, the president of the United States of America, in view of the events that have taken place in the meantime.

Supported by continuous air raids, the aggressors in early May 1970 concentrated in several thrusts, moved into south-western, western and north-western Cambodia. Just as in Vietnam, they left behind them devastated towns, burnt villages, fields and plantations, murder and rape, the abduction of resident Vietnamese to South Vietnam and wholesale plunder. American imperialism had to take a direct part in the aggression in order

to take advantage of the element of surprise and thus score some temporary successes. But also in this case the relation of forces was soon altered following a regrouping of forces and vigorous organizational measures of the national resistance by the National United Front of Cambodia. The National United Front of Cambodia controls the greater portion of the country, stages continuous attacks against strategically important towns and communications and stabilizes its own ranks, while the contradictions in the camp of the rightwing forces - such as the recent resignation of Lon Nol - are constantly growing.

We note that the conception of American imperialism is doomed to failure in Cambodia, too. It is up to its neck in quagmire in Indochina and every attempt it makes to spread its aggression brings it closer to its doom. Even a West German newspaper admits with regard to Cambodia that "only the presence of South Vietnamese troops and the American air war can keep the shaky bamboo fortress of Cambodian defence from collapsing."

In its helpless rage over the unending train of defeats, American imperialism constantly resorts to new adventures. The USA has resumed its bombing raids on the Democratic Republic of Vietnam after these defeats, it had openly blocked the Paris talks on Vietnam and with relentless ferocity and considerable military and economic engagement done everything possible to destroy the liberated areas in South Vietnam.

In principle, the Americans are now trying physically to exterminate the population of South Vietnam. They fly up to 300 missions a day dropping bombs and chemical agents. Approximately 45,000 tons of poison gas and nine times as much bombs have been dropped in South Vietnam as in the course of all the Pacific operations during the Second World War. Despite this, the National Liberation Army of the Republic of South Vietnam is continuing its attacks against the enemy bases at Da Nang, Bien Hoa and Nam Ran, in the Mekong delta and at Hue.

In connection with the intensified operations of the

national struggle in South Vietnam, Cambodia and the stabilization of the positions of the liberation forces in Laos, the aggressors have made another attempt against the movement, which represents another modification of the Vietnam program and which was to be implemented according to the principle "Asian soldiers plus American air force". Saigon's mercenary troops that have been drilled by Americans penetrated into Laos at the beginning of this year. Their mission was to cut Laos in half by taking strategically decisive bases and to seal off the liberated areas. Today, the aggressors are frequently heard talking about the "Koreanization" of Indochina, by which they refer to the attempt to divide the countries of Indochina and to create firm areas of influence for themselves.

In this connection it has been declared in Washington that the fate of the entire American strategy in Indochina depends on the results of the invasion in Laos. That is why the USA is concentrating so much of its air power against Laos. A total of 1,500 aeroplanes and 600 helicopters have flown more than 3,000 missions over Laos from the beginning of February to the middle of March 1971, the B 52s alone dropped some 900 tons of bombs a day on the southern part of the country, while helicopters have flown nearly 30,000 missions in the same period. American aircraft brought mercenaries to Laos, transported military equipment and heavy guns to the scenes of battle, cleared the way for tanks and supported Saigon's troops in the fighting.

Even if Adelbert Weinstein, the notorious military commentator of the West German Frankfurter Allgemeine Zeitung, had to admit in view of these facts that "Naturally America is also taking part in the present invasion of Laos by South Vietnam", that is still only a half truth. The USA is not only taking part, it is the actual initiator and perpetrator of this new aggression. The American air force plays the main role in the intervention. And despite this concentrated air cover, Saigon's ground forces have not been able to conquer a single foot of Laotian territory. They have been thrown back to their original

positions.

This success of the Laotian liberation forces in the south received direct support from the National Liberation forces of South Vietnam, who have launched rocket and mortar attacks against Khe Sanh - the most important US logistic base - put 3,000 enemy soldiers out of action, 2,000 of whom were Americans, shot down 100 aircraft and blew up oil depots with thousands of tons of fuel.

US imperialism and its puppets have experienced the united forces of the national resistance of the peoples of Indochina this spring and were forced to conclude that they are powerless against these forces.

Even from these few facts we see that the strategic objective of the escalation of the Vietnam aggression into an Indochina war actually has not attained anything. It did not precipitate the defeat of the democratic forces in Laos and Cambodia nor did it bring about the isolation and operative paralysis of the NLF in South Vietnam. The grandiloquently announced formation of a rightwing bloc has not materialized and on top of this the political and moral prestige of the aggressor has suffered further setbacks in the eyes of the world, particularly in recent months.

The events of the past two years have shown that the policy of "Vietnamization" is nothing but a policy of spreading the aggression. The thesis of Asians fighting Asians in Indochina is unrealistic if for no other reason than the fact that the reactionary cliques in South Vietnam, Laos and Cambodia would not be able to withstand the national resistance without American presence in these countries and would be swept away by it.

In Indochina the peoples of these countries, the progressive forces of Vietnam, Laos and Cambodia are facing the aggressive forces of these countries supported by US imperialism. These are the true fronts in this struggle. These are also the class fronts in Indochina, which cannot be obscured by

such phrases as "Vietnamization" or "Asians fighting Asians".

For this reason we must unequivocally state that the American Vietnamization program has been aimed at escalating the war from the very beginning. All assurances of the US imperialists to the effect that they will withdraw from South Vietnam, that they will leave Cambodian soil and - as stated by Nixon in June 1970 - that the US has given no air support in Cambodia, that Laotian neutrality would be respected, etc., have proved to be lies. Now that the situation has been created, there is open talk in Washington about the significance of the American air force in the fighting in Laos and Cambodia, about reconsidering the plans to withdraw troops from Vietnam and threats to use American air squadrons wherever this might prove necessary in order "to protect US troops". Most recent reports indicate that there is cynical talk of a long-term American military presence to protect the Saigon regime. And finally, along these lines the Thieu clique is demanding that the aggression be spread to North Vietnam.

The peoples of Indochina do not stand alone in their courageous struggle. They are being supported by the Socialist countries, especially by the Soviet Union, by the non-aligned countries of Asia and Africa and by millions of peace-loving people throughout the world. The 24th Congress of the Communist Party of the Soviet Union has pledged the Soviet Union's continued comprehensive support for the peoples of Indochina in their struggle. We are proud that the GDR is part of the worldwide solidarity front.

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