



## NATIONAL LEAGUE OF POW/MIA FAMILIES

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### VIETNAM'S ABILITY TO ACCOUNT FOR MISSING AMERICANS

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Family members, veteran organizations and other POW/MIA supporters throughout the country consistently opposed steps to improve economic and political relations with Vietnam until their leadership decided to cooperate fully to resolve the POW/MIA issue. The League supported a policy of reciprocity – steps by the US to respond to efforts by Vietnam to locate and return remains and provide issue-related archival documents. During the initial stages of the normalization process, important leverage was lost without commensurate results; however, there has since been much greater responsiveness.

One way of viewing what the US knows concerning Vietnam's ability to respond more fully is to look at what US intelligence and other data confirmed at the end of the war. At that time, 196 missing Americans were last known alive in captivity or reliably reported alive in close proximity to capture. Vietnam knows that these highest priority cases are directly related to the live prisoner issue and has improved responsiveness, but thus far has accounted for fewer than expected of these Americans by returning identifiable remains or archival evidence as to why neither was possible. In that regard, archival documentation is as yet incomplete. In all but very few of these cases, joint field investigations have reportedly been sufficient to confirm death. Logically, if deceased, remains of these Americans should be recoverable, as they were in captivity or on the ground in proximity to Vietnamese forces (other than those who died in captivity in South Vietnam). Also, logically, Vietnam should possess and be able to provide helpful records; thus, recent initiatives by Vietnam to conduct unilateral recoveries and increase access to working level archival research and records are encouraging and most welcome.

US wartime and post-war reporting on specific cases, captured Vietnamese documents concerning the handling of US prisoners and casualties, and wartime debriefs of communist Vietnamese captives, reinforced by US-monitored directives and other reporting, form a clear picture of a comprehensive Vietnamese system for collection of information and remains, dating back to the French-Indochina War. Specific sources, such as the mortician in 1979, substantiated by others in the 1980s, highlighted remains collection and storage as a key aspect of Vietnam's policy leading to eventual discussions with the US. Indeed, through arduous and sustained negotiations, the US and Vietnam reached agreement to return remains of Americans that had been stored for years. Thus far, the number repatriated has not met evidence-based US expectations.

During the war and since, Vietnam's leadership placed great value on recovery and/or recording of burial locations of US remains. In wartime, if jeopardized by imminent discovery or recovery by US forces, burial to hide remains was immediate; remains were later disinterred, photographed when possible, then reburied or, when feasible, transferred to Hanoi. Evidence of this complex process was confirmed by US intelligence.

Community-wide intelligence assessments served as the basis for long-standing US estimates that Vietnam could account for hundreds of Americans by unilaterally locating and returning remains. In 1986-87, the entire intelligence community maintained higher predictions. The evidence was subsequently evaluated to establish the most realistic targets for Vietnam's government to meet. A thorough assessment has been pending in DPAA to weigh cooperation to date against earlier evidence-based expectations and determine realistic goals.

Forensic evidence serves as another basis for establishing expectations. Scientific evidence of above or below ground storage, or both, exists on less than 200 of the 674 identified remains returned from Vietnam since the end of the war in 1975. The count, repeatedly confirmed by DPAA forensic scientists, is far below US expectations, based on reliable intelligence indicating that many more were recovered and stored by the Vietnamese government and could be repatriated, if authorized by Vietnam's leadership. During a September 1982 ABC "Nightline" program, and after no results in 1979-80, the late Vietnamese Deputy Prime Minister Nguyen Co Thach denied that Vietnam was holding any US remains, as did other senior officials throughout the Carter Administration. In 1983, Vietnam returned eight remains with clear evidence of storage.

Vietnam later admitted storage of remains. In 1985, following up an initiative through a regional government, a US National Security Council (NSC) official met privately with a Vietnamese Politburo member during an NSC-led US delegation to Hanoi, in which the League Executive Director participated. The carefully drawn plan was for negotiations on live prisoners and remains, but the minister indicated live prisoners were not on the table for discussion. Rather, as discussed through a third party, the subject was large numbers of remains.

Negotiations in 1985 for a two-year plan brought the largest number of remains obtained to that point; nearly all showed evidence of long-term storage. In order to confirm the scope of Vietnam's knowledge, two specific cases were officially presented to officials in Hanoi in 1985-86 with a request for their unilateral assistance. Both losses were assessed by US officials as having occurred in Laos, in areas under Vietnamese control during the war. One was returned unilaterally in 1988, 98% complete and stored above ground since his 1972 incident along the border between Vietnam and Laos; the other is still missing. From 1985 – 1989, 168 remains were repatriated, the vast majority showing clear evidence of long-term storage. Vietnam has unilaterally repatriated stored remains from Cambodia and very remote locations, relating to incidents spanning the entire war, not just highly populated areas.

There is continuity. In 1991 and 1993, the Vietnamese provided grave registration lists with names of unaccounted-for Americans. Inclusion of these names appears to have been an intentional signal, as was the filtering through private channels of photographs of deceased Americans, some of whose remains have yet to be returned. Vietnamese leaders directed combat photography; their soldiers did not own personal cameras, much less carry them. Regardless of mixed or conflicting assessments, these and other actions by Vietnamese officials were apparently intended to signal the US of remains availability for diplomatic and/or economic purposes. At the time, remains fragments in Vietnam's possession were not repatriated, believed not to be identifiable. DPAA's ability to identify very fragmentary remains has dramatically improved. If not yet repatriated, now is the time for any fragmented remains to be returned.

Information obtained from post-war US field operations reveals that central Vietnamese authorities systematically recovered American remains. Eyewitnesses reported central-level supervision of remains recoveries of US personnel not yet repatriated. Vietnam's leaders have repeatedly pledged to renew and increase their own efforts to locate and return remains and provide relevant documents and have moved incrementally. In recent years, responsiveness has continued to increase, but more needs to be done. Establishment of comprehensive bilateral relations, including strategic dialogue, and increased military-to-military cooperation, means now is the time for Vietnam to accelerate unilateral efforts to close historic gaps.

President George W. Bush formalized criteria for steps Vietnam should take unilaterally to be fully responsive on the accounting effort. His March 20, 2002, Certification to Congress was followed and further defined by Secretaries of State Powell and Rice three additional times and, on March 7, 2008, the Bush Administration issued its Determination to Congress stating in part, *"...we urge Vietnam to work aggressively to improve tangibly its unilateral provision of POW/MIA-related documents and records, focused initially on archival data pertaining to Americans captured, missing or killed in areas of Laos and Cambodia under wartime Vietnamese control. Vietnam should also focus greater attention on locating and providing information on discrepancy cases with priority on those last known alive in captivity or in immediate proximity to capture, and to locating and repatriating the remains of those who died while in Vietnamese control that have not yet been returned. The United States also calls upon Vietnam to continue permitting our recovery teams to have access to restricted areas for the sole purpose of conducting our humanitarian accounting operations."*

**Vietnam's cooperation has continued to improve, including provision of some archival documents. There remain sensitive areas seldom accessible by US officials, but most are no longer off-limits. Importantly, SRV officials are now unilaterally conducting investigations, locating witnesses and making them available. In addition, with the DoD decision to restrict travel, DPAA canceled all joint field operations for most all of 2020. In the interim, SRV officials authorized unilateral recoveries in various areas, a long-sought, welcome development with positive results. One USN pilot, initially listed MIA in 1967, was unilaterally recovered in a sensitive area off the coast of North Vietnam and reportedly identified on March 1, 2021. This is a long-sought goal that hopefully will increase results to end the uncertainty of Vietnam War POW/MIA families.**