



Department of State

UNCLASSIFIED 5554

PAGE 01 STATE 277251

44/07
ORIGIN L-02

INFO OCT-01 EUR-12 EA-10 IO-10 ISO-00 DES-05
CODE-00 FM-03 H-02 INR-07 NSAE-00 NSC-05
PRS-01 SF-02 SS-15 USIA-15 /093 R

DRAFTED BY: L/DES:RUBEN TABER:CHEVANS DOD:MESSRS ALMOND
APPROVED BY: L/MR. ALDRICH
EA/VN:MR. WENZEL
L/EA:MRS. VERVILLE
EUR/CE:MR. FLATIN (DRAFT)
TO/UNP:MR. SCHALLER (DRAFT)
DOD/OSD/ISA:MR. ANDERSON

R 182217Z DEC 74
FM SECSTATE WASHDC
TO AMEMBASSY GERN
INFO USMISSION GENEVA
USDEL JEC PARIS
AMEMBASSY SAIGON
USMISSION USUN NEW YORK

UNCLAS STATE 277251

C O R R E C T E D C O P Y (PARA 1 LINE 18 OMITTED)

R.C. 11652: N/A
TAGS: VS
SUBJECT: U.S. RESPONSE TO PRG ACCESSION TO GENEVA
CONVENTIONS

1. AMEMBASSY IS REQUESTED TO SEND A NOTE TO THE FEDERAL
POLITICAL DEPARTMENT STATING IN SUBSTANTIVE PART AS FOLLOWS:

"REFERENCE IS MADE TO A TELEGRAM DATED JANUARY 18, 1975
A NOTE OF THE SAME DATE BY WHICH THE FEDERAL POLITICAL
DEPARTMENT OF THE SWISS CONFEDERATION INFORMED THE DEPARTMENT
OF STATE OF THE DEPOSIT BY THE FEDERAL POLITICAL DEPARTMENT

UNCLASSIFIED



Department of State

TELETYPE

UNCLASSIFIED

PAGE 02 STATE 277251

TIONARY GOVERNMENT OF THE REPUBLIC OF SOUTH VIET-NAM? OF ITS INSTRUMENTS OF ACCESSION TO THE FOUR GENEVA CONVENTIONS OF 1949 FOR THE PROTECTION OF WAR VICTIMS, SUBJECT TO CERTAIN STATED RESERVATIONS.

"THE GOVERNMENT OF THE UNITED STATES OF AMERICA RECOGNIZES THE GOVERNMENT OF THE REPUBLIC OF VIETNAM AND DOES NOT RECOGNIZE THE 'PROVISIONAL REVOLUTIONARY GOVERNMENT OF THE REPUBLIC OF SOUTH VIETNAM' AS A GOVERNMENT. BEARING IN MIND, HOWEVER, THAT IT IS THE PURPOSE OF THE GENEVA CONVENTIONS THAT THEIR PROVISIONS SHOULD PROTECT WAR VICTIMS IN ARMED CONFLICT, THE GOVERNMENT OF THE UNITED STATES OF AMERICA NOTES THAT THE 'PROVISIONAL REVOLUTIONARY GOVERNMENT OF THE REPUBLIC OF SOUTH VIETNAM' HAS DECLARED ITS ACCEPTANCE OF THE PROVISIONS OF THE GENEVA CONVENTIONS OF AUGUST 12, 1949, FOR THE PROTECTION OF WAR VICTIMS, AND HAS INDICATED ITS

INTENTION TO APPLY THEM SUBJECT TO CERTAIN RESERVATIONS. THE RESERVATIONS EXPRESSED WITH RESPECT TO THE THIRD GENEVA CONVENTION GO FAR BEYOND PREVIOUS RESERVATIONS, AND ARE DIRECTED AGAINST THE OBJECT AND PURPOSE OF THE CONVENTION. OTHER RESERVATIONS ARE SIMILAR TO RESERVATIONS EXPRESSED BY OTHERS PREVIOUSLY AND CONCERNING WHICH THE GOVERNMENT OF THE UNITED STATES HAS PREVIOUSLY DECLARED ITS VIEWS. THE GOVERNMENT OF THE UNITED STATES REJECTS ALL THE EXPRESSED RESERVATIONS, BUT WILL, WITHOUT RECOGNIZING THE 'PROVISIONAL REVOLUTIONARY GOVERNMENT OF THE REPUBLIC OF SOUTH VIETNAM' AS A PARTY TO THE CONVENTIONS, ACCORD TO THE PERMISSIONS OF THE 'PROVISIONAL REVOLUTIONARY GOVERNMENT OF THE REPUBLIC OF SOUTH VIETNAM' THE TREATMENT PROVIDED BY THE CONVENTIONS."

2. PLEASE NOTIFY DEPARTMENT TELEGRAPHICALLY ATTENTION ASSISTANT LEGAL ADVISER (TREATY AFFAIRS), WHEN NOTE HAS BEEN DELIVERED AND SEND COPY TO DEPARTMENT. KISSINGER

UNCLASSIFIED