

MAY 10 1972

NYTimes

16

c

WALDHEIM SEEKS VIETNAM SESSION

Sounds Out Delegates on Convening Council

By **ROBERT ALDEN**

Special to The New York Times

UNITED NATIONS, N. Y., May 9 — Secretary General Waldheim said today that "the time has now come when the full machinery of the United Nations should be used" to end the war in Vietnam.

"I wish to appeal to all the parties to act with the utmost restraint," Mr. Waldheim said in a formal statement. "The most recent developments have confirmed my conviction that a solution to the problem of Vietnam can only be found through negotiations."

Specifically Mr. Waldheim singled out the Security Council as the body at the United Nations charged with the responsibility for maintaining international peace.

While he has several times offered his good offices through diplomatic channels to bring about a cease-fire in Vietnam, his action today marked the first time that he has sought to employ the Security Council to bring about a cessation of hostilities.

In his statement, the Secretary General said that the United Nations should be used "first to achieve a cessation of hostilities and then to assist in the search for a peaceful and lasting settlement of the problem."

Meets Several Delegates

Recalling that the United Nations was set up 27 years ago "to save succeeding generations from the scourge of war," Mr. Waldheim said, "It is my earnest hope that even at this very late stage the parties to the conflict will agree to use the machinery of the United Nations in their own interest as well as in the interest of world peace."

Yesterday and today, the Secretary General held a series of meetings with delegates from the United States, the Soviet Union, Britain and France. He will meet with the China delegate tomorrow. These countries are the permanent members of the Security Council.

During the consultations, Mr. Waldheim explored the prospects of convening the Security Council to deal with Vietnam. All of the delegates, it was reported said that they would have to consult with their governments. However, there were indications that Britain and the United States backed Security Council action.

Yakov A. Malik, the Soviet delegate, stayed almost an hour this afternoon with Mr. Waldheim and called their conversation "very interesting, very comprehensive."

During these consultations Mr. Waldheim explored the prospects of convening the Security Council to deal with the Vietnam crisis.

While the Secretary General, under Article 99 of the United Nations Charter, convene the Security Council on his own authority—something that U Thant never did during his 10 years as Secretary General — Mr. Waldheim clearly does not want to call the meeting unless some good or useful action would result from it.

Once before, in 1966, at the request of the United States, the matter of the war in Vietnam was brought before the Security Council. But the effort foundered mainly as a result of objections by members of the Soviet bloc.

Bush Meets Waldheim

Even before President Nixon spoke last night, Mr. Waldheim, alarmed by the increasing tempo of the fighting and bombing in Vietnam, had spoken separately yesterday afternoon with Sir Colin Crowe, Britain's representative to the United Nations and to François de la Gorce, France's chargé d'affaires here about the feasibility of calling a Security Council meeting.

Then just before President Nixon made his television address to the nation, George Bush, the United States delegate, consulted with the Secretary General.

Mr. Bush informed Mr. Waldheim of the military actions the United States was taking and the general content of the President's speech. He also showed Mr. Waldheim a copy of his own letter to the President of the Security Council, which sets forth the legal basis for the American military action.

Charter Is Cited

Under Article 51, nothing in the charter "shall impair the inherent right of individual or collective self defense 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 article also requires that measures taken by members in the exercise of their right of self-defense shall be immediately reported to the Security Council.

Mr. Bush wrote: "The massive invasion across the demilitarized zone and international boundaries by the forces of North Vietnam and the continuing aggression of those forces against the people and territory of the Republic of Vietnam have created unprecedented dangers to the forces of the Republic of Vietnam, to the Republic of Vietnam and to those United States forces which remain in that country."