

KISSINGER ENDS TALKS IN SAIGON; 'PROGRESS' CITED

Some Gain Toward a Peace Settlement Is Seen After 5 Days of Negotiation
OCT 24 1972

DETAILS REMAIN SECRET

White House Aide Departs, Apparently Without Having Won Conclusive Accord
NYTimes

Special to The New York Times

SAIGON, South Vietnam, Oct. 23 — Henry A. Kissinger left Saigon this afternoon after five days of secret talks. There were signs that he had achieved some success in the effort toward a settlement of the Vietnam war, but apparently without having reached a conclusive agreement with President Nguyen Van Thieu.

Neither American nor South Vietnamese officials would discuss the substance of the negotiations. A United States spokesman said in a terse statement, "We have made progress," adding that "talks will continue between us and the Government of South Vietnam."

There have been persistent rumors that President Thieu and Mr. Kissinger, the White House on national security, had agreed to a cease-fire in place.

[Prince Norodom Sihanouk, the deposed Cambodian leader, said in Peking that Le Duc Tho, North Vietnam's principal negotiator in Paris, had told him a week ago that "the most difficult and delicate part" of the Vietnam talks was still ahead, Agence France-Presse reported. Mr. Tho said, according to the dispatch, that he would be "intransigent" on the North Vietnamese demand for a three-part interim coalition in Saigon and for recognition of the existence of "two armies" in the South. Page 3.]

Veiled Warnings by Thieu

President Thieu has been issuing veiled warnings against a "temporary" cease-fire and emphasizing his position — which was also the American position in the last public allied peace proposal—that a cease-fire should extend to all of Indochina, not just Vietnam.

In recent weeks, he has ordered his Government to prepare cease-fire contingency plans. One of them, a proposed decree for his signature, is scheduled to come up for discussion by the Cabinet tomorrow, according to a high Government official.

On the more difficult and complicated issue of how political power would be parceled out between Communists, neutralists and pro-Government politicians after a cease-fire, Mr. Thieu has told scores of Cabinet officers, legislators and Government functionaries that they must stand behind him in resisting any form of three-sided regime, without saying

Continued on Page 2, Column 4

that Mr. Kissinger was trying to get him to agree to one.

Mr. Kissinger is believed to have proposed an electoral committee including Communist participation as a possible first step in leading to a government representing the entire Vietnamese political spectrum. Mr. Thieu is said to have resisted the idea under any form.

Severe Penalties Proposed

The proposed decree that is expected to be considered by the Saigon Cabinet tomorrow says that village and hamlet chiefs identified as Communists, lower level Communist agents, and tax collectors or liaison officers in the Communist network are subject to arrest and punishment by the death penalty. The text of the draft is dated today, Oct. 23.

The decree would also provide that persons possessing or displaying Communist flags or flags of "Communist-inspired" organizations can be arrested and punished by death.

It would provide that persons discovered to be paying taxes to the Communists could be punished by prison sentences of 5 to 20 years. Persons who sold goods or food to Communists would also be liable to prison terms of 5 to 20 years and persons who failed to report contacts with Communists or their agents would be subject to long imprisonment.

According to one high source, the Cabinet is to decide tomorrow, after getting guidance from Mr. Thieu, whether to approve the decree, which the

source described as "very tough."

Reds Would Be Outlawed

Such a measure, if put into effect during a cease-fire, would amount to outlawing Communists in territory the Government claims to control and giving the army and police authority to apprehend or shoot to kill any Communists or sympathizers they discover in those zones.

The draft decree is apparently one of a number of measures that have been drawn up by a cease-fire study committee established under Gen. Dang Van Quang, a close aide of President Thieu, on Oct. 7, for possible use in the event that the Americans and the North Vietnamese negotiated a cease-fire settlement over the head of the South Vietnamese Government.

Despite all the rumors, President Thieu has kept the substance of his talks with Mr. Kissinger a secret from all but a handful of Government officials.

One Cabinet officer said that he had second-hand information that President Nixon would announce a cease-fire on Wednesday and the North Vietnamese would then release all American prisoners of war. [Saigon officials said that President Thieu would go on television in the next few days, probably Wednesday, to address the nation, Reuters reported.]

Speculative Lists Drawn Up

A number of Saigon politicians figure in the lists of prospective interim Government officials in the rumored and published reports of the peace settlement package Mr. Kissinger is supposed to have agreed on with the North Vietnamese negotiator, Le Duc Tho, in Paris earlier this month. But today some of them professed what seemed to be genuine ignorance.

One is the Senate chairman, Nguyen Van Huyen, who under the joint United States-South Vietnamese peace proposals of last January would become caretaker head of Government in an interim period between the resignation of the President and Vice President and a new election one month later with Communist participation.

Mr. Huyen said in an interview tonight. "I can tell you the January formula is outdated, but that's all I know. From what I can gather, the new formula of the Americans involves the departure of Thieu but also the discarding of our whole Constitution, with elections for a constituent assembly."

But Mr. Huyen said that President Thieu, at a meeting with political leaders on Saturday morning, which the senate chairman attended, did not disclose anything about his discussions with Mr. Kissinger, which

had then gone on through their second full day.

'Only the General Situation'

"He talked only about the general situation," Mr. Huyen, a thin, distinguished-looking man, said. "He repeated his opposition to a tripartite coalition and said that the army would defeat the North Vietnamese offensive, and that a cease-fire would not solve anything. It was an indirect way of asking our support."

Other political leaders who attended the meetings Mr. Thieu has been having over the last few days gave similar accounts.

In a brief exchange with reporters this afternoon at Tansonnhut Airport here, Mr. Kissinger said his stay in Vietnam had been "very good" and productive.

Mr. Kissinger, looking relaxed and cheerful, his hands jammed in the pockets of his dark suit, talked and laughed briefly with Tran Kim Phuong, the South Vietnamese Ambassador to the United States, and Nguyen Phu Duc, President Thieu's special assistant for foreign affairs.

Returning to Washington with Mr. Kissinger aboard one of the President's white and blue Boeing 707's, were William H. Sullivan, Deputy Secretary of State for East Asian and Pacific Affairs, four aides on the National Security Council staff — Winston Lord, John Negroponte, Peter Rodman and James Engle—and a group of secretaries.

Abrams Also Departs

Shortly after 6 P.M., about three hours after Mr. Kissinger's party had embarked, Gen. Creighton W. Abrams, the Army Chief of Staff, also left Saigon for Washington.

Mr. Thieu spent most of today at the presidential palace in a meeting with several hundred officials of South Vietnam's 44 provinces and four military regions. Among the officials were provincial chiefs, elected councilors or representatives and senior police and military officers.

One well-informed palace official said that the President, in addressing the group, had analyzed the general situation of South Vietnam and discussed "the Communists' crafty plots behind their so-called peace proposals."

The official said Mr. Thieu also had "called on officials to be vigilant to suppress Communist attempts to cause trouble and disturbances."

Hanoi Calls for Accord

Special to The New York Times

PARIS, Oct. 23—The North Vietnamese delegation to the Vietnam talks here suggested today that if a peace agreement did not come to fruition soon,

sign of lack of goodwill in Washington's part. Observers considered the declaration an effort to put pressure on President Nixon in the hope that he would use American leverage to compel President Thieu to accept settlement terms.

it could mean that President Nixon has been mounting an elaborate electoral charade. The statement, issued by the delegation spokesman, Nguyen Thanh Le, said: "As we have frequently declared, all conditions are joined for a rapid settlement of the Vietnam