

Following is a transcript of a news briefing held by Henry A. Kissinger in Washington yesterday, as recorded by *The New York Times* through the facilities of A.B.C. News:

OPENING STATEMENT

We have now heard from both Vietnams and it is obvious that the war that has been raging for 10 years is drawing to a conclusion, that this is a traumatic experience for all of the participants.

The President thought that it might be helpful if I came out here and spoke to you about what we have been doing, where we stand, and to put the various allegations and charges into perspective.

First, let me talk about the situation in three parts: Where do we stand procedurally; what is the substance of the negotiations and where do we go from here?

We believe peace is at hand. We believe that an agreement is within sight on the May 8 proposals of the President and some adaptations of our Jan. 25 proposals, which is just to all parties.

It is inevitable that in a war of such complexity that there should be occasional difficulties in reaching a final solution. But we believe that by far the longest part of the road has been traversed and what stands in the way of an agreement now are issues that are relatively less important than those that have already been settled.

Let me first go through the procedural points.

The argument with respect to particular dates for signing the agreement.

As you know, we have been negotiating in these private sessions with the North Vietnamese for nearly four years. We resumed the discussions on July 19 of this year. Up to now the negotiations had always foundered on the North Vietnamese insistence that a political settlement be arrived at before a military solution be discussed, and on the companion demand of the North Vietnamese that the political settlement make arrangements which, in our view, would have predetermined the political outcome.

Separation of Issues Urged

We had taken the view, from the earliest private meetings on, that rapid progress could be made only if the political and military issues were separated. That is to say, if the North Vietnamese and we would negotiate about methods to end the war and if the political solution of the war were left to the Vietnamese parties to discuss among themselves.

During the summer, through many long private meetings, these positions remained essentially unchanged.

AS Radio Hanoi correctly stated today, on Oct. 8 the North Vietnamese for the first time made a proposal which enabled us to accelerate the negotiations. Indeed, for the first time they made a proposal which made it possible to negotiate concretely at all.

This proposal has been correctly summarized in the statements from Hanoi. That is to say, it proposed that the United States and Hanoi, in the first instance, concentrate on bringing an end to the military aspects of the war—

that they agree on some very general principles within which the South Vietnamese parties could then determine the political evolution of South Vietnam—which was exactly the position which we had always taken.

They dropped their demand for a coalition government which would absorb all existing authorities. They dropped their demand for a veto over the personalities and the structure of the existing government.

They agreed for the first time to a formula which permitted simultaneous discussion of Laos and Cambodia.

In short, we had for the first time a framework where, rather than exchange general propositions, and measuring our progress by whether dependent clauses of particular sentences had been minutely altered, we could examine concretely and precisely where we stood and what each side was prepared to give.

'Goodwill and Seriousness'

I want to take this opportunity to point out that from that time on the North Vietnamese negotiators behaved with goodwill and with great seriousness—and so did we.

And, we have no complaint with the general description of events as it was given by Radio Hanoi.

However, there existed—there grew up—the seeds of one particular misunderstanding. The North Vietnamese negotiators made their proposal conditional on the solution of the problem by Oct. 31. And they constantly insisted that we give some commitment that we would settle the war and complete the negotiations by Oct. 31.

I want to stress that these dates were not dates that we invented or proposed. I would like to stress that my instructions from the President were exactly those that were stated by him at a press conference—that is to say, that we should make a settlement that was right, independent of any arbitrary deadlines that were established by our domestic processes.

In order to avoid an abstract debate on deadlines which at that time still seemed highly theoretical, we did agree that we would make a major effort to conclude the negotiations by Oct. 31. And it is true that we did from time to time give schedules by which this might be accomplished.

It was, however, always clear, at least to us, and we thought we made it clear in the records of the meetings, that obviously we could not sign an agreement in which details remain to be worked out simply because in good faith we had said we would make an effort to conclude it by a certain date.

It was always clear that we would have to discuss anything that was negotiated first in Washington and then in Saigon.

Right to Voice Accord

There has been a great deal of discussion whether Saigon has a veto over our negotiations, and I would like to ex-



The New York Times/Mike Lien

Henry A. Kissinger at the news conference yesterday in Washington.

plain our position with respect to that clearly.

The people of South Vietnam who have suffered so much and the Government of South Vietnam with which we have been allied and who will be re-

maining in that country after we have departed have every right to participate in the making of their own peace. They have every right to have their views heard and taken extremely seriously.

We, of course, preserve our own freedom of judgment and we will make our own decisions as to how long we believe a war should be continued.

But one source of misunderstanding has been that Hanoi seemed to be of the view that we could simply impose any solution on Saigon and that participation was not required.

But I also want to make clear that the issues that remain to be settled have a number of sources and I will get into them in some detail.

Saigon, as is obvious from the public record, has expressed its views with its customary forcefulness, both publicly and privately. We agreed with some of their views; we didn't agree with all of them and we made clear which we accepted and which we could not join.

In addition, while my colleagues and I were in Saigon we visited other countries of Southeast Asia and we had extensive conversations with American officials, and it appeared there that there were certain concerns and certain ambiguities in the draft agreement that we believed required modification and improvement.

One Brief Session Foreseen

But I want to stress that what we

mains to be done is the smallest part of what has already been accomplished, and as charges and countercharges fill the air we must remember that having come this far we cannot fail, and we will not fail over what still remains to be accomplished.

Now let me first go briefly over the main provisions of the agreement as we understand them and then let me say what in our view still remains to be done.

We believe incidentally what remains to be done can be settled in one more negotiating session with the North Vietnamese negotiators, lasting, I would think, no more than three or four days, so we are not talking of a delay of a very long period of time.

Let me, however, before I go into the issues that still remain, cover those that we have—that are contained in the draft agreement, of which on the whole a very fair account has been given in the radio broadcast from Hanoi. I don't refer to the last two pages of rhetoric. I'm referring to the description of the agreement.

The principal provisions were and are that a cease-fire would be observed in South Vietnam at a time to be mutually agreed upon.

It would be a cease-fire in place.

But U.S. forces would be withdrawn within 60 days of the signing of the agreement.

There would be a total prohibition on the reinforcement of troops—that is to say that infiltration into South Vietnam from whatever area and from whatever country would be prohibited.

Existing military equipment within South Vietnam could be replaced on a one-to-one basis by weapons of the same characteristic and of similar characteristics and properties under international supervision.

The agreement provides that all captured military personnel and foreign civilians be repatriated within the same time period as the withdrawal—that is to say, there will be a return of all American prisoners—military or civilian—within 60 days after the agreement comes into force.

North Vietnam has made itself responsible for accounting of our prisoners and missing-in-actions throughout Indochina and for the repatriation of American prisoners throughout Indochina.

There is a separate provision that South Vietnamese civilians detained in South Vietnam—their future should be determined, through negotiations among the South Vietnamese parties.

So the return of our prisoners is not conditional on the disposition of Vietnamese prisoners in Vietnamese jails on both sides of the conflict.

With respect to the political provisions, there is an affirmation of general principles guaranteeing the right of self-determination of the South Vietnamese people and that the South Vietnamese people should decide their political future through free and democratic elections under international supervision.

As was pointed out by Radio Hanoi, the existing authorities with respect to both internal and external politics would remain in office. The two parties in Vietnam would negotiate about the timing of elections, the nature of the elections and the offices for which these

elections were to be held.

There would be created an institution called the National Council of National Reconciliation and Concord whose general task would be to help promote the maintenance of the cease-fire and to supervise the elections on which the parties might agree.

That council would be formed by appointment and it would operate on the basis of unanimity. We view it as an institutionalization of the election commission that we proposed on Jan. 25 in our plan.

Joint Commission Provided

There are provisions that the disposition of Vietnamese armed forces in the South should also be settled through negotiations among the South Vietnamese parties.

There are provisions that the unification of Vietnam also be achieved by negotiation among the parties without military pressure and without foreign interference, without coercion and without annexation. There is a very long and complex section on international supervision which will no doubt occupy graduate students for many years to come and which as far as I can tell only my colleague, Ambassador Sullivan, understands completely.

But, briefly, it provides for joint commission of the participants — either two-party or four-party — for those parts of the agreement that are applicable either to two parties or to four parties. It provides for an international supervisory commission to which disagreements of the commission composed of the parties would be referred, but which also had a right to make independent investigations.

And an international conference to meet within 30 days of the signing of the agreement to develop the guarantees and to establish the relationship of the various parties to each other in greater detail.

And, finally, a section on Cambodia and Laos in which the parties to the agreement agree to respect and recognize the independence and sovereignty of Cambodia and Laos; in which they agree to refrain from using the territory of Cambodia and the territory of Laos to encroach on the sovereignty and security of other countries.

There is an agreement that foreign countries shall withdraw their forces from Laos and Cambodia.

And there is a general section about a future relationship between the United States and the Democratic Republic of Vietnam in which both sides express their conviction that this agreement will usher in a new period of reconciliation between the two countries and in which the United States expresses its view that it will in the post-war period contribute to the reconstruction of Indochina and that both countries will develop their relationship on a basis of mutual respect and noninterference in each other's affairs, and that they move from hostility to normalcy.

Now, ladies and gentlemen, in the light of where we are, it is obvious that most of the most difficult problems have been dealt with. And if you'll consider what many of us—or what many of you might have thought possible some months ago compared to where we are, we have to say that both sides have approached this problem with a long-term point of view with the at-

titude that we want to have not an armistice but peace.

And it is this attitude which will govern our actions despite occasional ups and downs which are inevitable in a problem of this complexity.

What Are the Obstacles?

Now what is it then that prevents the completion of the agreement? Why is it that we have asked for one more meeting with the North Vietnamese to work out a final text? The principal reason is that in a negotiation that was stalemated for five years and which did not really make a breakthrough until Oct. 8, many of the general principles were clearly understood before the breakthrough.

But as one elaborated the text, many of the nuances on which the implementation will ultimately depend become more and more important.

It was obvious, it was natural, that when we were talking about the abstract desirability of a cease-fire that neither side was perhaps as precise as it had to become later about the timing and spacing of the cease-fire in a country in which there are no clear front lines. And also the acceptance on our part of the North Vietnamese insistence on an accelerated schedule meant that texts could never be conformed; that English and Vietnamese texts tended to lag behind each other and let ambiguities and formulations arise that require one more meeting to straighten out.

Let me give you a few examples and I think you will understand that we are talking here of a different problem than what occupied us in the many sessions I have had with you ladies and gentlemen about the problem of peace in Vietnam—sessions which concerned abstract theories of what approach might succeed. We are talking here about six or seven very concrete issues that with anything like the goodwill that has already been shown can easily be settled.

For example, it has become apparent to us that there will be a great temptation for the cease-fire to be paralleled by a last effort to seize as much territory as possible and perhaps to extend operations for long enough to establish political control over a given area.

We would like to avoid the dangers of the loss of life and perhaps in some areas even of the massacre that may be inherent in this, and we therefore want to discuss methods by which the international supervisory body can be put in place at the same time that the cease-fire is promulgated. And the Secretary of State has already had preliminary conversations with some of the countries that are to join this body in order to speed up this process.

Complex Relationships Noted

Secondly, because of the different political circumstances in each of the Indochinese countries the relationship of military operations there to the end of the war in Vietnam, or cease-fire there in relation to the end of the war in Vietnam, is somewhat complex, and we would like to discuss more concretely how to compress the time as much as possible.

There were certain ambiguities that were raised by the interview that the

North Vietnamese Prime Minister, Pham Van Dong, gave to one of the weekly journals in which he seemed to be, with respect to one or two points, under a missapprehension as to what the agreement contained, and at any rate we would like to have that clarified.

There are linguistic problems in which for example, we call the National Council of Reconciliation an administrative structure in order to make clear that we do not see it as anything comparable to a coalition government. We want to make sure that the Vietnamese text conveys the same meaning. I must add that the word "administrative structure" was given to us in English by the Vietnamese, so this is not a maneuver on our part.

There are some technical problems as to what clauses of the Geneva accord to refer to in certain sections of the document and there is a problem which was never settled in which the North Vietnamese, as they have pointed out in their broadcast, have proposed that the agreement be signed by the United States and North Vietnam—we on behalf of Saigon; they on behalf of their allies in South Vietnam.

We have always held the view that we would leave it up to our allies whether they wanted a two-power document or whether they wanted to sign themselves a document that establishes peace in their country. Now they prefer to participate in the signing of the peace.

And it seems to us not an unreasonable proposal that a country on whose territory a war has been fought and whose population has been uprooted and has suffered so greatly that it should have the right to sign its own peace treaty.

This again strikes us as a not-insuperable difficulty, but its acceptance will require the redrafting of certain sections of the document, and that again is a job that will require several hours of work.

Any Date of Their Choice

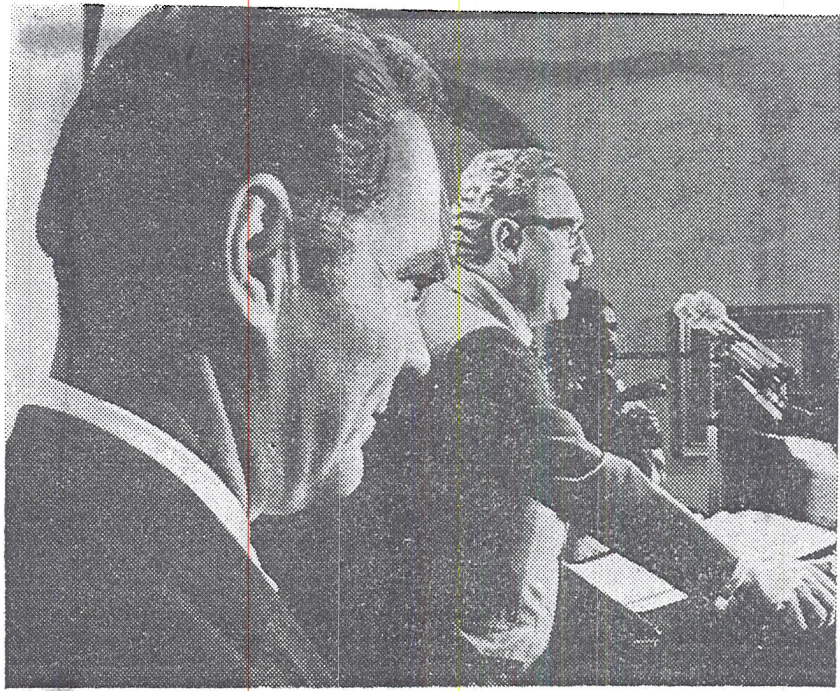
We have asked the North Vietnamese to meet with us on any date of their choice. We have, as have been reported, restricted our bombing in effect to the battle area in order to show our goodwill and to indicate that we are working within the framework of existing agreements.

We remain convinced that the issues that I have mentioned are soluble in a very brief period of time. We have undertaken, and I repeat it here publicly, to settle them at one more meeting and to remain at that meeting for as long as is necessary to complete the agreement.

So this is the situation in which we find ourselves with respect to Hanoi. We understand its disappointment that a schedule towards the realization of which it had made serious efforts could not be met for reasons beyond the control of any party.

But they know or they should know, and they certainly must know now, that peace is within reach in a matter of weeks or less, dependent on when the meeting takes place, and that once peace is achieved we will move from hostility to normalcy and from normalcy to cooperation with the same seriousness with which we have conducted our previous

"The North Vietnamese ... have proposed ..."
See Flora Lewis, NYTimes 27 Oct 72, col. 2,
and footnote.



The New York Times/Mike Lien
Henry A. Kissinger and his deputy, Gen. Alexander M. Haig Jr., left, at their news session yesterday.

less fortunate relationships with them.

As far as Saigon is concerned, it is of course entitled to participate in the settlement of a war fought on its territory. Its people have suffered much and they will remain there after we leave. Their views deserve great respect.

In order to accelerate negotiations we had presented them with conclusions which obviously could not be fully settled in a matter of four days that I spent in Saigon. But we are confident that our consultations with Saigon will produce agreement within the same time frame that I have indicated is required to complete the agreement with Hanoi and that there will be no — and that the negotiations can complete — can continue on the schedule that I have outlined with respect to the American people.

We have talked to you, ladies and gentlemen, here very often about the negotiations with respect to the peace. And we have been very conscious of the division and the anguish that the war has caused in this country. That's one

reason why the President has been so concerned with ending the war by negotiations and ending it in a manner that is consistent with our principles, because of the hope that the act of making peace could restore the unity that had sometimes been lost at certain periods during the war.

And so that the agreement could be an act of healing rather than a source of new division. This remains our policy. We will not be stampeded into an agreement until its provisions are right. We will not be deflected from an agreement when its provisions are right. And with this attitude and with some cooperation from the other side we believe that we can restore both peace and unity to America very soon.

I'll be glad to answer your questions:

QUESTIONS AND ANSWERS

Q. Do you feel that this program could not have been achieved four years ago?

A. There was no possibility of achieving this agreement four years ago because the other side consistently refused to discuss the separation of the political and military issues, because it always insisted that it had to settle the political issues with us and that we had to predetermine the future of South Vietnam in a negotiation with North Vietnam. As the statement from Hanoi said on Oct. 8, Hanoi for the first time made a what it called "a very significant proposal" in which it accepted the principles that the military issues should be settled first and that the political issues should be left essentially to negotiation among the South Vietnamese parties with just the most general principles to be settled in the private negotiations.

Could I have the text, I'll find it.

Well, as they say "with a view to making the negotiations progress" this is reading from the Hanoi statement—"at the private meeting on Oct. 8 the DRVN side took a new, extremely important initiative. It put forward a draft agreement and proposed that "the government" and so on "immediately agree upon and sign this agreement to rapidly restore peace in Vietnam. In that draft agreement the DRVN side proposed the cessation of the war throughout Vietnam, a cease-fire in South Vietnam and a total withdrawal of U.S. forces." And then it said, "The two South Vietnamese parties shall settle together the internal matters of South Vietnam within three months after the cease-fire comes into effect."

This is not an exact description of what the agreement says. The agreement does not say it must be done within three months. The agreement say

that the two parties will do their utmost to get it done within three months.

The exact text to which I referred is as follows:

"Therefore, as the U.S. side has many times proposed, the Vietnam problem would be solved in two steps. The first step is to end the war in Vietnam, to have a cease-fire in South Vietnam, to end U.S. military involvement in South Vietnam. In the second step the South Vietnamese side will jointly solve South Vietnamese internal problems."

This has been our position since the beginning of these negotiations. It was never accepted four years ago, three years ago or two months ago. The first time it was accepted was on Oct. 8. As soon as it was accepted we completed within four days a rough draft of an agreement from which we have since been operating.

No Time Limit on Truce

Q. What is their recourse if the negotiations for the elections break down? That has been a point which North Vietnam has often said in the past.

A. The question is what is the recourse if the negotiations for the elections break down. The agreement provides that the cease-fire is without time limit.

Q. Did President Thieu go along with this whole deal?

A. As I have pointed out, the South Vietnamese agreed with many parts of it and disagree with some aspects of it. And we agreed with some of their disagreement and not with all.

Q. Were the South Vietnamese informed of the negotiations?

A. The South Vietnamese were informed of the negotiations as they went along. However, the negotiations were really composed of two phases:

There was the negotiations between July 19 and Oct. 8. In that negotiation, the other side constantly proposed various formulas for the institution of a coalition government which would replace the existing Government in Saigon and which would assume governmental powers.

And Saigon was informed. I took a trip to Saigon in the middle of August to have a long discussion with the South Vietnamese Government. My deputy, General Haig, took another trip to present to them the various formulations that had been developed.

On Oct. 8, for the first time, Hanoi presented the different approach which they have correctly described in their statement. They then insisted that we, on the basis of this approach, begin to draft the outline of an agreement in order to meet their deadline for Oct. 31.

Now if we had wanted to protract negotiations, we could easily have said that we have to return to Washington first or return to Saigon for further consultation.

We believed that this was such an important step on the part of the North Vietnamese, that took into account so many of the proposals that we had made, and such a significant movement in the direction of the positions consistently held by the Administration, that we had an obligation—despite the risks that were involved—of working with them to complete at least an out-

line of an agreement.

And we spent four days—sometimes working 16 hours a day—in order to complete this draft agreement, or at least the outline of this draft agreement.

I mention this only because if we had wanted to delay, we had many much better opportunities than to raise a few objections of the kind that I have described at the very end. But we did insist—and we constantly emphasized

this—that we could not conclude this agreement without a full discussion with our allies in Vietnam.

And I want to make clear another thing: That many of the concerns I have expressed here, while they are also shared by Saigon, are ours as well. And the particular issues that I raised would require resolution if the agreement is to bring a real peace, and if it is not to lead immediately to endless disputes as to what its provisions mean.

Paris Prepared as Site

Q. Why are you waiting for Hanoi to propose the date of your next meeting and why don't you suggest that you start tomorrow?

A. Because—the question is, "Why do we leave it to Hanoi to propose the date of the next meeting; why don't we propose that it start tomorrow"—because we are not eager to start debating points. Obviously, the North Vietnamese negotiators had to get wherever we're going to meet from where they are.

We have told them that any day they are ready to meet, we will be there. We have suggested Paris, but we have also told them that we would meet in other locations that might be more convenient for them.

Q. Would you go to Hanoi, Dr. Kissinger?

A. I think we should complete the agreement elsewhere.

Q. You are, in effect, alerting the American people that you're on the brink of peace. By coincidence, this happens to come—by coincidence, you say, at any rate—this happens to come at a time when the American people are about to vote for a President. What assurance can you give the American people that this will not somehow fall down, that it will not come off after the election?

A. We can only give the assurance of our record. We have conducted these negotiations for four years. And we have brought them to this point with considerable difficulties and with considerable anguish.

We cannot control if people believe or if people choose to assert that this is simply some trick. We have negotiated seriously and in good faith. We stand by what we have agreed to.

And we give the assurance that we will stick by what we have negotiated and what we have achieved so laboriously. And as for the point that this is by a so-called coincidence, I can only repeat that the deadline was established by Hanoi and not by us. And that we were prepared to keep this whole agreement secret until it was consummated. And we would not have revealed it if it had not been consummated be-

fore the election.

Q. Dr. Kissinger, what are the main differences between Saigon and Washington now, and what will happen if agreement is not reached?

A. I don't think—the question is, What are the main disagreements between Saigon and Washington, and what will happen if agreement is not reached?

We are confident that agreement will be reached. No useful purpose would be served by going into details of consultations that are still in process. But we are confident that we will reach agreement within the time frame that I have described to you.

'A Hypothetical Question'

Q. Are you prepared to sign a separate agreement with North Vietnam if President Thieu refuses to sign an agreement?

A. I don't see any point in—the question is, Are we prepared to sign a separate agreement with North Vietnam if President Thieu refuses to sign an agreement?

I see no point in addressing a hypothetical question which, as I have said, we are confident will not arise and, as I have indicated, the particular objective which we seek for ourselves in the remainder of the negotiations are all views which we strongly hold as the United States Government.

Q. Do you believe the North Vietnamese will leave on the negotiating table the proposals they've accepted thus far if you don't make the Oct. 31 deadline?

A. I cannot believe that, when this major progress has been made, that an arbitrary deadline should be the obstacle to peace. And we believe that the negotiations will continue.

Q. With respect to the 8th of November deadline, what is to assure them that our side will not harden our negotiating stance once the pressure of the election is over?

A. Our negotiation has not been framed by the election. We have not revealed any of our positions throughout the election, and had not Hanoi revealed the text, or the substance of the agreement, we would have had no intention of disclosing it until or unless an agreement had been reached.

We have given a commitment that a text that will be agreed to at the next session will be the final text and that no new changes will be proposed.

We will maintain this commitment. We are not engaged in Vietnam for the purpose of conducting a war, and I would like to suggest to you, ladies and gentlemen, that while it is possible to disagree with provisions of an agreement, the implication that this is all a gigantic maneuver which we will revoke as soon as this period is over is

Continued on Following Page

Kissinger Scorns Idea That Proposals Are a U.S. Ploy

Continued from Preceding Page

unworthy of what we have gone through.

Status of U.S. Support

Q. Is there a formal explanation there to cover the status of continuing U.S. support?

A. The question is the status of continued U.S. support. There is no limitation of any kind on economic aid. Military aid is governed by the replacement provisions that I have described. There is no limitation of any kind on economic advisers. And the military presence is governed by the withdrawal provisions.

Q. Does that include bombing—is that covered in the concept of withdrawal of U.S. forces also included?

A. Well, obviously there would be—the question is whether withdrawal covers an end to bombing. It covers an end to all military activities over the territory of North Vietnam, from whatever direction.

Q. What effect does it have on Thailand and the Seventh Fleet?

A. There are no limitations on American forces in Thailand, nor on the fleet.

Q. Dr. Kissinger, do you think that the mining of the harbor and the bombing of North Vietnam contributed to the acceleration by the North Vietnamese of negotiations?

A. Oh, I don't want to—the question is: Do I believe the mining of the harbors and the bombing of North Vietnam—whether they contributed to the acceleration of the negotiations. I don't want to speculate on North Vietnamese motivation.

Q. What concessions did the United States make to get this agreement, in your judgement?

A. What concessions did the United States make? The United States made the concessions that are described in the agreement. There are no secret side agreements of any kind.

Issue of Participants Avoided

Q. What countries would participate in improvising the cease-fire and in the conference?

A. The first question—I must answer Jerry Schecter's question first—Is it still possible to achieve their deadline? We are committed to achieving an agreement in another session of several days' duration. And it is up to the other

side to determine when they want to meet.

Which countries participate? Until these countries are approached, I don't think it would be proper for me to—until all countries have been approached, it would not be proper for me.

Q. Is the United States one of them?

A. The United States is a party, and it cannot be part of the supervisory mechanism. But the United States is a party to the four-power joint military commission that is one of the bodies that supervises those provisions that apply to the four parties. But it is not part of the international party. But it is part of the international conference.

Q. How broad would the conference be? A. Again, it would be inappropriate to list the countries until they've been approached.

Q. When was Hanoi advised that one more meeting was necessary?

A. Hanoi—when was Hanoi advised that one more meeting would be necessary? I believe on—on Sunday—Saturday night our time here—Sunday morning our time here* and we also informed them that we would stop military activities north of the 20th Parallel.

* 22 008