

# COMMUNISTS INSIST U.S. SIGN ON OCT. 31

## In Paris, They Demand That It Honor a Commitment on Date on 9-Point Pact

NYTimes OCT 27 1972

By FLORA LEWIS

Special to The New York Times

PARIS, Oct. 26—North Vietnamese and Vietcong delegates here demanded today that the United States observe what they said was a firm agreement to sign a Vietnam cease-fire in Paris next Tuesday, Oct. 31.

Nonetheless, they said they would be back again next Thursday for the 165th session of the formal Paris conference on Vietnam. Hanoi's chief delegate, Xuan Thuy, avoided a question whether private negotiations would continue with the United States if the draft agreement were not signed as it stood.

"Wait and you will see," he said, grinning broadly.

He conducted a news conference personally after the formal session, instead of leaving it to his spokesman. The only other time he has done that was on the announcement of an agreement halting the bombing of North Vietnam on Oct. 31, 1968.

Earlier today, the Hanoi radio broadcast a Government statement that said that the United

Continued on Page 17, Column 1

Continued From Page 1, Col. 7

States and North Vietnam had agreed in Paris on a cease-fire to be signed in Hanoi and Paris this month. It reported what it said were details of the agreement.

Mr. Thuy, in a statement to the delegates at his news conference, said Hanoi's release of details about secret negotiations with Henry A. Kissinger, President Nixon's adviser on national security, "serves the cause of peace and in no way affects negotiations."

It was done, he said, so that world opinion would "know the truth" about what North Vietnam charged was an American retreat from a fixed and firm nine-point settlement entitled "Agreement on Ending the War and Restoring Peace in Vietnam."

### Delay on Signing

Hanoi said the United States had originally promised to sign it today, had postponed sign-

ing twice until Oct. 30, then Oct. 31, and then asked last Monday that negotiations be reopened because of "difficulties in Saigon."

Mr. Thuy several times repeated his belief that the difficulties were only an "American pretext to prolong the negotiations and to prolong the war." He said that the United States and his Government had already given "undertakings that no change should be made in the agreed text of the agreement."

### Vietcong Statement

The United States was fully responsible for Saigon's position, Mr. Thuy said, since it had "put the Saigon Administration in place and represented it in the negotiations."

Later, the Vietcong spokesman, Ly Van Sau, said that his delegation had sought direct secret negotiations with the United States but that Washington had refused. Therefore, he said, the National Liberation Front, or Vietcong, had agreed that North Vietnam and the United States should each represent its ally in the South in the talks.

The chief American representative, William J. Porter, told the North Vietnamese: "Your decision is all the more surprising in the light of your own assessment of the significant progress that had been achieved and since we consider that negotiations have not ended."

After the meeting, he said he would have no comment on what he called "Hanoi's version of events."

In his speech, Mr. Thuy said, United States refusal to sign Oct. 31 and its request for more negotiations "has created an extremely serious situation which jeopardizes the signing" of the agreement. He said Hanoi and the Vietcong, which publicly endorsed the plan disclosed by Hanoi, had shown "maximum good faith" in negotiating it.

Mr. Thuy said that when, on Oct. 17, North Vietnam reached agreement with the United States on all but two points of a draft, it decided to accept United States proposals on those points to speed signing of the agreement. The two points, he said, were arms shipments after a cease-fire and release of prisoners.

The agreement as disclosed provides that only replacement of used or damaged weapons — of the same kind — is allowed on a one-for-one basis.

### Supervision Arrangements

The limitation on arms is to be supervised by a mixed military commission represent-

ing the two South Vietnamese belligerents and by an international control commission. Mr. Thuy did not say what, if anything, Hanoi had sought before yielding to the American proposal.

On prisoners, however, he

said his delegation had sought release of all those captured or detained by both sides. The Americans "wanted to get their servicemen back, but they didn't want to release the people [held] by them or Saigon," Mr. Thuy said. "They claimed 'they weren't responsible and that those people were the responsibility of the Saigon administration.'"

"To show our goodwill," the North Vietnamese negotiator continued, "we agreed that all military and foreign civilian personnel held on both sides would be returned simultaneously with withdrawal of American troops and 'that the two operations would be completed on the same day."

The exchange of Vietnamese civilians held by each side would be negotiated within a 90-day period after the cease-fire "in order to banish hate and in the interests of national concord," Mr. Thuy said.

### Another Nixon Message

According to Mr. Thuy, after the North Vietnamese delegates accepted these two points, President Nixon sent a message to Premier Pham Van Dong in which, according to Mr. Thuy, he said "he appreciated the goodwill" of North Vietnam and confirmed that the text of the agreement "was considered to be completed." Mr. Thuy went on: "But in the same message, he also raised a number of complex questions."

Mr. Thuy said that Hanoi had replied, "clearly explaining its viewpoint," and that on Oct. 22, 1972, Mr. Thuy said, other message expressing "his satisfaction with the explanation." Thus, the text of the agreement "was completed on Oct. 22, 1972, Mr. Thuy said.

The South Vietnamese delegate, and later his spokesman, stressed points on which they said Saigon needed far more assurances. They were the following:

¶The 14 North Vietnamese Army divisions that Saigon says are outside North Vietnam's frontiers in South Vietnam, Laos and Cambodia. The usual demand for full withdrawal of these forces was not mentioned. But Nguyen Xuan Phong, deputy delegate filling in for the principal dele-

A statement issued by the North Vietnamese Government and transmitted abroad by its press agency said the two sides had approved the full text of an "Agreement on Ending the War and Restoring Peace in Vietnam," which was to be signed by the "foreign ministers of the two countries" in Paris on Oct. 31 after it had been initiated in Hanoi. A cease-fire would come into effect 24 hours after the agreement was signed. Accusing the United States of stalling under the pretext of "difficulties in Saigon," Hanoi denounced the Nixon Administration for "lack of goodwill and seriousness."

how much of South Vietnam's territory or population is now under the control of their forces. But the Vietcong spokesman said his side had added 2.5 million people to those it had previously "liberated" during the offensive of the last six months and that these included people in "areas neighboring the big cities, such as Saigon."

above the Saigon administration and Vietcong officials and similar bodies, at lower levels. A matter to be negotiated, Mr. Thuy said, is how far down the scale of political units councils would be formed. Below the central council, the question was left open whether there would be regional, provincial, district or even village and hamlet councils. The lower they go, the more likely is the emergence of a coalition administration and the less certain would be the dominion of Saigon or the Communists in territories they now rule. Neither the Saigon nor Vietcong spokesman would estimate

reject the idea of a cease-fire that leaves each side in administrative control of territory it now holds, and of a three-part National Council consisting of Communists, representatives of the Saigon administration and neutralists chosen jointly by the two others is the substitute proposal Hanoi has offered in relinquishing its demand for a three-part government. It would help arrange details of a cease-fire, assure that it would be carried out, and prepare for national elections. Hanoi's proposal provides for a central council

Pham Dang Lam, who is in Saigon, said there would have to be "a clear-cut answer" from the Communists on "the problem caused by the presence and the activities" of these forces. ¶An Indochina cease-fire, Mr. Phong reiterated Saigon's insistence on a cease-fire covering Laos and Cambodia as well as Vietnam, and on "effective guarantees." ¶A political settlement, Saigon's spokesman said there would have to be "firm guarantees for strict respect of the right of self-determination for all the people of South Vietnam."

Reject Council Idea The spokesman appeared to

\* See intv of Cora Weiss, KPFA 1 Nov 72, p. 2, this file.

\*\* SEE FLORA LEWIS 26 44 73