

SAIGON YIELDING ON PRISONER ISSUE

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'Would Not Refuse' to Free
Political Foes to Get U.S.
P.O.W.'s Out, Aide Says
NYTimes

By CRAIG R. WHITNEY
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SAIGON, South Vietnam, Dec. 7—South Vietnam's Foreign Minister, Tran Van Lam, said today that the Saigon Government "would not refuse to do whatever can be done to free the American prisoners of war" and could even agree to release political prisoners in its jails to help bring about an acceptable cease-fire accord.

Such a concession would be significant if the South Vietnamese empowered Henry A. Kissinger, the United States negotiator, to offer it in Paris this week.

Mr. Lam made it clear in an interview that he was resigned to the emergence of an accord less than fully acceptable to his Government, but expressed hope that Mr. Kissinger would succeed in negotiating some concessions from the North Vietnamese in the current round of talks.

'Very Difficult' to Sign

If the cease-fire agreement, now in draft form, is not substantially modified, he said, "it would be very difficult, very difficult, very difficult" for Saigon to join in signing it. But he did not rule that out or say that President Nguyen Van Thieu would refuse to give an accord his approval, indirectly if not by signing.

But the burden of what Mr. Lam said during a 45-minute interview was that in all the previous sessions between early October — when the United States and North Vietnam negotiated the draft agreement—and the resumption of the private sessions in Paris this week, the North Vietnamese had been "stubborn and

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unyielding" on almost every major point, and that the United States was ready to sign anyway.

Saigon had been insistent on getting the North Vietnamese to agree on paper to withdrawing their troops from South Vietnam, but Mr. Lam implied that that agreement had not been obtained.

"Mr. Kissinger and Ambassador Bunker understand our point of view perfectly," Mr. Lam said in French. "And our envoy, Nguyen Phu Duc, also explained to President Nixon last week, and I think President Nixon was quite sympathetic to our point of view. We tried to persuade the Administration to press the Communists, to wring more concessions out of them. I hope Kissinger is going to succeed. We will see, we will see."

"As It Stands, It's the End"

Mr. Lam, a courtly, French-educated diplomat who may leave the Cabinet and return to the Senate if there is a Government change after a cease-fire, expressed personal sadness at the terms of the accord.

"As it stands, it's the end," he said. "The Communists will pretend that the North Vietnamese troops are Vietcong and they will be standing behind us, over our shoulders, and it would amount to delivering 17 million people over to Communism."

Mr. Lam said that the Nixon Administration had indirectly and discreetly let the South Vietnamese know that it would be difficult to get the United States Congress to continue economic and military aid to Saigon if it balked at a cease-fire agreement. But Mr. Lam added that President Thieu did not seek a rupture between the two countries.

For the South Vietnamese to agree to release the thousands of political prisoners held in Government jails would be a major concession, one demanded by the Vietcong but not clearly spelled out in the draft peace agreement originally revealed by the North Vietnamese on Oct. 24.

But Mr. Lam, in explaining his Government's reluctance to refuse to sign an agreement and jeopardize the return of the American prisoners of war, said "we will try to go further, to do what we can to help get them back—we could agree to free all prisoners if we must."

Mr. Lam's statements supported earlier assertions by sources close to President Thieu that the South Vietnamese might stop short of a refusal to sign, even if they still did not agree with the final cease-fire terms.

First Article of Accord Cited

According to informed Vietnamese sources, President Thieu summoned high officials of the lower house and the Senate to the presidential palace yesterday and told them that although some of Saigon's demands still remained unsatisfied, the Government would perhaps be able to accept an accord now. None of the legislators reported to have been present at the meeting could be found for comment today.

Ambassador Bunker also met with Mr. Thieu today, for an hour and twenty minutes this morning, but the substance of their talk was not disclosed. Mr. Lam said he was not informed either.

Mr. Lam said that the principal objection Saigon had to the agreement concerned the lack of provision for immediate withdrawal of the North Vietnamese troops on South Vietnamese soil. But he was much less insistent on this point today than he has been in the past. Instead he spoke of principles that, according to him, the United States considered less important than the South Vietnamese did.

"Our allies came here to help us fight in the good cause of independence and freedom," he said. "Now to admit that the North Vietnamese have a right to keep troops in the South is to concede that the United States is the aggressor."

He added that the North Vietnamese insisted that "in Article 1 of the treaty that the United States will respect the independence, sovereignty, unification and territorial integrity of Vietnam" but all the world should admit that, not just the United States.

Control Machinery Viewed

"They insist," he continued, "that the wording stay the same. That means the United States is the aggressor, and since it came here to support us, then we are the oppressor. We told the Americans we must negotiate on that point some more. But Dr. Kissinger said, aggressor or liberator, in his mind, that does not matter. And I understand that, the United States is a great power, but for us smaller countries it is a very important point. It will go down in history."

Although there has been a reported modification of the peace terms that would allow a virtual free flow of arms to both sides, Mr. Lam said:

"The agreement also provides for limitation of new armaments to both sides in South Vietnam. There is not a similar condition for North Vietnam. Perhaps there will be an agreement, an 'understanding' among the great powers not to supply such arms to them anymore. We hope so, but it's not on paper, not on paper."

He continued:

"The agreement also creates the National Council of Reconciliation and Concord—it is a government, and they insist that it should be.

"They insist that it will organize 'general elections'—that means everything, a new constitution, parliament, and so on.

"We say it should be controlled by the United Nations or the control commission, and have limited powers, but they insist on ascribing fundamental powers to it. It's a government. The Americans don't realize that it is really a danger, they are not Vietnamese—we think it's very dangerous."

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* See NYTimes 9 Dec 72,
"Saigon Clarifies Stand
on Prisoners."