

CURRENT PEACE SESSION NEAR END; THIEU'S SOVEREIGNTY BID AT ISSUE; U.S. LIKELY TO SEND AIDE TO SEE HIM



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Henry A. Kissinger, center, back to camera, at Neuilly after meeting with William J. Porter, left, of the U.S., and Xuan Thuy of North Vietnam, peace negotiators.

LONG MEETING HELD

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Kissinger Is Expected to Fly Home Tonight to Report to Nixon

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PARIS, Wednesday, Dec. 13 —The current phase of the Vietnam peace negotiations is coming to an end here with one difficult unresolved question.

The issue is President Nguyen Van Thieu's insistence that any cease-fire agreement state unequivocally that the Saigon Government has the sole sovereign right to control all the territory it held before the Vietnam war began.

According to responsible officials, Mr. Thieu has agreed that, if North Vietnamese troops are permitted to remain in South Vietnam under the cease-fire agreement, it must be made clear that they are there illegally, and that their presence in no way implies any diminution of the Saigon regime's sovereign rights.

Opposed in Principle

It is understood that the South Vietnamese National Liberation Front, or Vietcong, opposes any such statement of principle, and that it has been supported in this stand by the Government of North Vietnam.

Henry A. Kissinger met for four and a half hours yesterday with Le Duc Tho, the chief North Vietnamese negotiator. It was their seventh meeting in the current bargaining round here and the 14th since they reopened discussions of the draft cease-fire agreement that was drawn up in October.

Mr. Kissinger, who is President Nixon's national security adviser, and Mr. Tho met, with their staffs, during the afternoon at Gif-sur-Yvette, a suburb southwest of Paris. During the morning there were two concurrent sessions of technical experts from the two sides.

Meeting Planned Today

One more negotiating session was scheduled later this morn-

ing here. But unless there is then some unforeseen new concession by Saigon or Hanoi on the critical issue, Mr. Kissinger is now expected to fly to Washington tonight to report to Mr. Nixon on this latest phase of the Paris talks.

Thereafter, it is expected that Mr. Kissinger, or perhaps some other Presidential envoy—in view of the Saigon regime's recent public attacks on Mr. Kissinger—will go to South Vietnam in a final effort to persuade President Thieu to sign the cease-fire agreement and void a separate peace between Washington on the one hand and Hanoi and the Vietcong on the other.

So far as is known here, President Nixon has not told President Thieu in so many words that he is now prepared to sign the agreement, with or without Mr. Thieu's signature.

These are some points other than the sovereignty issue to be settled. For example, the question of a simultaneous cease-fire in Laos has apparently been resolved in the last few days, but the question of a simultaneous cease-fire in Cambodia is still unresolved and will take more negotiation and help from the Peking Government.

President Nixon has hesitated to tell Mr. Thieu that he would reach a settlement by a specified date, partly because his political opponents have in-

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sisted all along that he would never get the cooperation of the Saigon regime unless he did, but also partly because he prefers to get as clear a cease-fire accord as possible to avoid misunderstandings later.

Nevertheless, even since Mr. Kissinger announced late in October that "peace is at hand," the implication has been clear that the United States intended to sign roughly on the basis of the truce terms announced by Hanoi and confirmed by Mr. Kissinger at that time. These would be subject only to clearing up certain technicalities, and the issue of sovereignty was not one of those technicalities then and is not described as one of them now.

In short, the impression here is that the United States Government, while it would have preferred that the sovereignty

issue not be raised, recognizes the merits of the argument on both sides. It insists, however, that this is an issue to be settled later by the Vietnamese and is not a matter that, if unresolved, would justify the United States in carrying on the war.

The United States, then, is not bound by the calendar on the question. But at the same time it is making clear to the South Vietnamese that it will not give them a veto on Washington's making a separate peace, if necessary.

Prisoners' Return Is Factor

Officials here are leaving the impression that, at best, Washington wants a cease-fire and at least some prisoners of war home by Christmas, while, at worst, it wants a settlement, alone if necessary, by Jan. 20, so that President Nixon will not go into his second term with the Vietnam war still in progress.

The current phase of the talks here has apparently been very tough. The negotiations have been very tiring for all concerned, so much so that a pause was agreed upon for last weekend to give everyone time to rest and to allow Saigon and Hanoi time to reconsider. But when the talks resumed with the long session yesterday afternoon, there was no chance in either side's position on the sovereignty issue.

It is understood that Mr. Kissinger's position was that the issue of sovereignty was one to be settled by the Vietnamese themselves and not by the United States. Militarily, North Vietnamese forces control a part of northern South Vietnam.

Along with their Vietcong allies, they also hold various areas much closer to Saigon.

President Thieu's insistence on the principle of sovereign control of all South Vietnamese territory is understood by Washington, but the basis of the United States' compromise cease-fire draft agreement was that it should be a cease-fire in place, with both sides holding the territory they had won or held on the battlefield. The question of sovereignty was to be settled later.

Compromise Plans Rejected

It is also known that Washington instructed Mr. Kissinger to propose several compromise formulas to resolve this impasse. But after weeks of disputation, it became what Mr. Kissinger is said to have regarded as an "almost theological dispute" between the North Vietnamese and South Vietnamese.

The United States has stressed to the South Vietnamese that an enduring peace depends not on a few words on paper pro-

claiming Saigon's legal claim to territory in possession of the North Vietnamese but on more practical considerations.

For example, it is understood that the draft cease-fire agreement states that while armaments can be replaced on both sides, military personnel cannot be replaced.

Accordingly, it is assumed by the United States that, if Hanoi keeps the agreement as it now stands, it will eventually have to reduce the number of men it now has in South Vietnam. Conversely, if Hanoi does not keep the truce agreement—even the part of it that Saigon is willing to accept—no clause in the cease-fire will actually "guarantee" Saigon's "sovereignty."

Terms Acceptable to U.S.

As to Washington's position, it is emphasized by United States officials in Paris that the United States has been offering for months to agree to a cease-fire without insisting on the withdrawal of North Vietnamese troops or without mentioning the question of Saigon's sovereign rights over territory in the hands of the North Vietnamese.

The debate goes on, but the impression here is that Washington will not let it run on indefinitely on the sovereignty issue without agreeing to sign, however reluctantly, without President Thieu if necessary.

The negotiating session yesterday began with concurrent meetings in suburban Neuilly, at a villa used by the Americans, and at Choisy-le-Roi in a villa used by the North Vietnamese. Participating in the higher-level meeting, at Neuilly, were William J. Porter, the United States representative at the formal Vietnam peace conference here, who until yesterday had not been a participant in the secret talks, and William H. Sullivan, Deputy Assistant Secretary of State.

Xuan Thuy and Deputy Foreign Minister Nguyen Co. Thach represented North Vietnam. The group worked for four hours.

Unexpectedly, Mr. Kissinger joined them about half an hour before they broke up to drive to Gif-sur-Yvette for the full meeting. The United States team that had attended the other morning session also turned up unexpectedly at the last minute, and had to wait some time before the villa's high garden gate was opened.

That team, composed of four members of Mr. Kissinger's National Security Council staff, had been meeting with a team of Hanoi's experts at Choisy-le-Roi in a villa used by the North Vietnamese. Two of the Americans involved are Vietnamese language experts. They had worked on comparing English and Vietnamese texts of the October draft.