

Kissinger's Statement at News

Following is a transcript of the opening statement by Henry A. Kissinger yesterday at his news conference in Washington and excerpts from the question-and-answer period that followed, as recorded by The New York Times through the facilities of A.B.C. News:

OPENING STATEMENT

Ladies and gentlemen:

As you know, I have been reporting to the President and meeting with the Secretary of State, the Vice President, Secretary of Defense, Chairman of the Joint Chiefs and other senior officials and I'm meeting with you today because we wanted to give you an account of the negotiations as they stand today. I'm sure you will appreciate that I cannot go into details of particular issues but I will give you as fair and honest a description of the general trend of the negotiations as I can.

First let me do this in three parts:

What led us to believe at the end of October that peace was imminent;

Second, what has happened since;

Third, where do we go from here?

Proposal Was Presented

At the end of October we had just concluded three weeks of negotiations with the North Vietnamese. As you all know, on Oct. 8 the North Vietnamese presented to us a proposal which as it later became elaborated appeared to us to reflect the main principles that the President has always enunciated as being part of the American position.

These principles were that there had to be an unconditional release of American prisoners throughout Indochina.

Secondly, that there should be a cease-fire in Indochina brought into being by various means suitable to the conditions of the countries concerned.

Third, that we were prepared to withdraw our forces under these conditions in a time period to be mutually agreed upon.

Fourth, that we would not prejudge the political outcome of the future of South Vietnam. We would not impose a particular solution. We would not insist on our particular solution.

The agreement as it was developed during October seemed to us to reflect these principles precisely.

Then towards the end of October we encountered a number of difficulties. Now at the time, because we wanted to maintain the atmosphere leading to a rapid settlement we mentioned them at our briefings but we did not elaborate on them.

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Conference and Question-

-and-Answer Excerpts

Problems in October

But let me sum up what the problems were at the end of October.

It became apparent that there was in preparation a massive Communist effort to launch an attack throughout South Vietnam to begin several days before the cease-fire would have been declared and to continue for some weeks after the cease-fire came into being.

Second, there was an interview by the North Vietnamese Prime Minister which implied that the political solution that we had always insisted was part of our principles, namely that we would not impose a coalition government, was not as clear-cut as our record of the negotiations indicated.

And thirdly, as no one could miss, we encountered some specific objections from Saigon.

In these conditions we proposed to Hanoi that there should be one other round of negotiations to clear up these difficulties.

We were convinced that with goodwill on both sides these difficulties could be relatively easily surmounted.

And that if we conducted ourselves, on both sides, in the spirit of the October negotiations, a settlement would be very rapid. It was our conviction that if we were going to bring to an end 10 years of warfare, we should not do so with an armistice, but with a peace that had a chance of lasting.

3 Categories Offered

And therefore we proposed three categories of clarification in the agreement:

First, we wanted the so-called linguistic difficulties cleared up so that they would not provide the seed for unending disputes and another eruption of the war. I will speak about those in a minute.

Secondly, the agreement always had provided that international machinery be put in place immediately after the cease-fire was declared. We wanted to spell out the operational meaning of the word "immediately" by developing the protocols that were required to bring the international machinery into being simultaneously with the cease-fire agreement. This, to us, seemed a largely technical matter.

And, thirdly, we wanted some reference in the agreement—however vague, however elusive, however indirect—which did not, which would

make clear that the two parts of Vietnam would live in peace with each other and that neither side would impose its solution on the other by force.

These seemed to us modest requirements, relatively easily achievable.

Let me now tell you the sequence of events since that time.

We all know of the disagreements that have existed between Saigon and Washington. These disagreements are to some extent understandable. It is inevitable that a people on whose territory the war has been fought and that for 25 years has been exposed to devastation and suffering and assassination would look at the prospects of a settlement in a more, in a more detailed way and in a more anguished way than we who are 10,000 miles away.

Many of the provisions of the agreement, inevitably, were seen in a different context in Vietnam than in Washington. And I think it is safe to say that we faced, with respect to both Vietnamese parties, this problem. The people of Vietnam, North and South, have fought for so long that the risks and perils of war, however difficult, seem sometimes more bearable to them than the uncertainties and the risks and perils of peace.

Now it is no secret either that the United States has not agreed with all the objections that were raised by Saigon. In particular, the United States position with respect to the cease-fire had been made clear in October, 1970. It had been reiterated in the President's proposals of Jan. 25, 1972.

It was repeated again in the President's proposal of May 8, 1972. None of these proposals had asked for a withdrawal of North Vietnamese forces.

Could Not Agree With Saigon

And therefore we could not agree with our allies in South Vietnam when they added conditions to the established position after an agreement had been reached that reflected these established positions.

And as was made clear in the press conference here on Oct. 26, as the President has reiterated in his speeches, the United States will not continue the war one day longer than it believes is necessary to reach an agreement we consider just and fair.

So we want to leave no doubt about the fact that if an agreement is reached that meets the stated conditions of the President—if an agreement is reached that we consider just—that no other party will have a veto over our action.

But I am also—today this question is moot because we have not yet reached an agreement that the President considers just and fair.

And therefore I want to explain to you the process of the negotiations since they resumed on Nov. 20 and where we are.

The three objectives that we were seeking in these negotiations were stated in the press conference of Oct. 26, in many speeches by the President afterwards and in every communication to Hanoi since.

They could not have been a surprise.

Now let me say a word first about what were called linguistic difficulties, which were called these in order not to inflame the situation. How did they arise?

They arose because the North Vietnamese presented us a document in English which we then discussed with them, and in many places throughout this document the original wording was changed as the negotiations proceeded and the phrases were frequently weakened compared to the original formulation.

It was not until we received the Vietnamese text after those negotiations were concluded that we found that while the English terms had been changed the Vietnamese terms had been left unchanged and so we suddenly found ourselves engaged in two negotiations, one about the English text, the other about the Vietnamese text.

Having conducted many negotiations, I must say this was a novel procedure and it led to the view that perhaps these were not simply linguistic difficulties but substantive difficulties.

Now I must say that all of these except one have now been eliminated.

International Machinery

The second category of problems concerned bringing into being the international machinery so that it could operate simultaneously with the cease-fire and so as to avoid a situation where the cease-fire rather than bring peace would unleash another frenzy of warfare.

To that end we submitted on Nov. 20, the first day that the negotiations resumed, a list of what are called protocols—technical instruments to bring this machinery into being.

These protocols—I will not go into the details of these protocols and they're normally technical documents—and

ours were certainly intended to conform to normal practice despite the fact that this occurred four weeks after we had made clear that this was our intention and three weeks after Hanoi had pressed us to sign a cease-fire agreement. The North Vietnamese refused to discuss our protocols and refused to give us their protocols, so that the question of bringing the international machinery into being could not be addressed.

The first time we saw the North Vietnamese protocols was on the evening of Dec. 12, the night before I was supposed to leave Paris, six weeks after we had stated what our end was, five weeks after the cease-fire was supposed to be signed—a cease-fire which called for this machinery to be set up immediately.

List of Issues Reopened

These protocols reopened—they're not technical instruments—but reopened a whole list of issues that had been settled—or we thought had been settled—in the agreement. They contained provisions that were not in the original agreement and they excluded provisions that were in the original agreement.

They are now in the process of being discussed by the technical experts in Paris, but some effort will be needed to remove the political provisions from them, and to return them to a technical status.

Secondly, I think it is safe to say that the North Vietnamese perception of international machinery and our perception of international machinery is at drastic variance. And that, ladies and gentlemen, is an understatement.

We had thought that an effective machinery required, in effect, some freedom of movement. And our estimate was that several thousand people were needed to monitor the many provisions of the agreement.

The North Vietnamese perception is that the total force should be no more than 250, of which nearly half should be located at headquarters; that it would be dependent for its communication, logistics and even physical necessities, entirely on the party in whose area it was located. So it would have no jeeps, no telephones, no radios of its own; that it could not move without being accompanied by liaison officers of the party that was to be investigated—if that party decided to give it the jeeps to get to where the violation was taking place, and if that party would then let it communicate what it found.

It is our impression that the members of this commission will not exert themselves in frenzies of activity if this procedure were adopted.

Now, thirdly, the substance of the agreement. The negotiations since Nov. 20 really have taken place in two phases: the first phase, which lasted for three days, continued the spirit and the attitude of the meetings in October. We presented our proposals—some were accepted, others were rejected. But by the end of the third day we had made very substantial progress.

And we thought—all of us thought—that we were within a day or two of completing the arrangements.

We do not know what decisions were made in Hanoi at that point, but from that point on the negotiations have had the character where a settlement was always just within our reach, and was always pulled just beyond our reach when we attempted to grasp it.

'General Atmosphere'

I do not think it is proper for me to go into the details of the specific issues, but I think I should give you a general atmosphere and a general sense of the procedures that were followed.

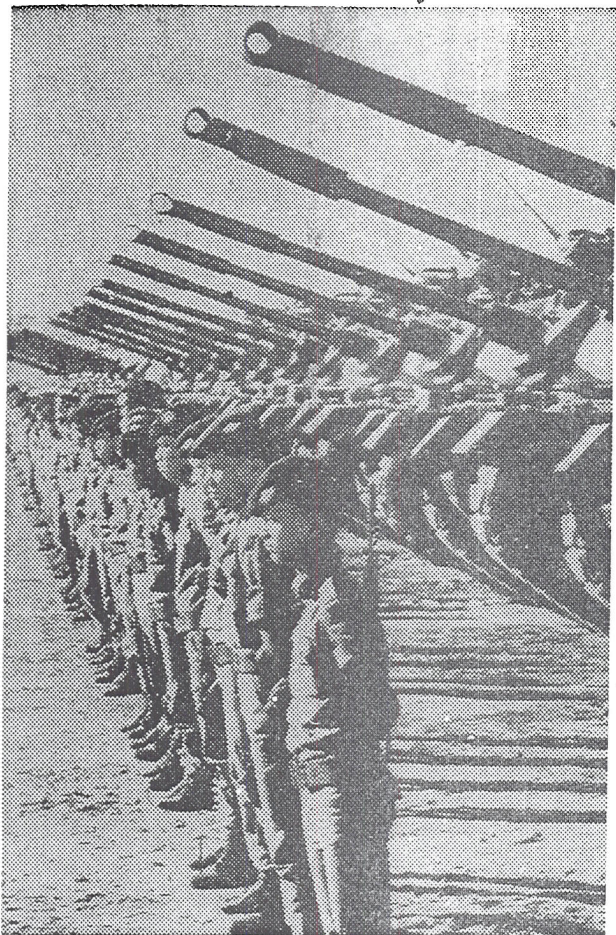
When we returned on Dec. 4, we were—we of the American team—thought that the meetings could not last more than two or three days because there were only two or three issues left to be resolved.

You all know that the meetings lasted nine days. They began with Hanoi withdrawing every change that had been agreed to two weeks previously. We then spent the rest of the week getting back to where we had already been two weeks before, and by Saturday we thought we had narrowed the issues sufficiently. Where, if the other side had accepted again one section that they had already agreed to two weeks previously, the agreement could have been completed.

At that point the President ordered General Haig to return to Washington so that he would be available for the mission that would then follow of presenting the agreement to our ally.

At that point we thought we were sufficiently close so that experts could meet to conform the texts so that we would not again encounter the linguistic difficulties which we had experienced previously and so that we could make sure that the changes that had been negotiated in English would also be reflected in Vietnamese.

When the experts met they



United Press International

ACTIVATION CEREMONIES: Members of newly formed South Vietnamese tank unit, supplied with American M-48 tanks, stand at attention yesterday at Longbinh.

were presented with 17 new changes in the guise of linguistic changes. When I met again with the special adviser the one problem which we thought remained on Saturday had grown to two and a new demand was presented.

When we accepted that it was withdrawn the next day and sharpened up. So we spent our time going through the 17 linguistic changes and reduced them again to two.

Then on the last day of the meeting we asked our experts to meet to compare whether the 15 changes that had been settled of the 17 that had been proposed, whether those now conformed in the two texts. At that point we were presented with 16 new changes including four substantive ones, some of which now still remain unsettled.

Now I will not go into the details or into the merits of these changes. The major difficulty that we now face is that provisions that were settled in the agreement appear again in a different form in the protocols, that matters of technical implementation which were implicit in the agreement from the beginning have not been addressed and were not presented to us until the very last day of a series of sessions that had been specifically designed to discuss them.

'Tempting To Continue'

And that as soon as one issue was settled a new issue was raised. It was very tempting for us to continue the process which is so close to everybody's heart implicit in the many meetings of indicating great progress.

But the President decided that we could not engage in a charade with the American people.

And we are now in this curious position. Great progress has been made in the talks. The only thing that is lacking is one decision in Hanoi to settle the remaining issues in terms that two weeks previously they had already agreed to.

So we are not talking of an issue of principle that is totally unacceptable and secondly to complete the work that is required to bring the international machinery into being in the spirit that both sides have an interest of not ending the war in such a way that it is just the beginning of another round of conflict.

So we are in a position where peace can be near but peace requires a decision.

And this is why we wanted to restate once more what our basic attitude is.

With respect to Saigon we have sympathy and compassion for the anguish of their people and for the concerns of their Government.

More Than Armistice Wanted

But if we can get an agreement that the President considers just we will proceed with it.

With respect to Hanoi our basic objective was stated in the press conference of Oct. 26. We want an end of the war that is something more than an armistice. We want to move from hostilities to normalization and from normalization to cooperation.

But we will not make a settlement which is a disguised form of continued warfare and which brings about by indirection what we have always said we would not tolerate.

We have always stated that a fair solution cannot possibly give either side everything that it wants. We have—we are not continuing a war in order to give total victory to our allies. We want to give them a reasonable opportunity to participate in a political settlement. But we also will not make a settlement which is a disguised form of victory for the other side.

Therefore we are at a point where we are again—perhaps

we are closer to an agreement than we were at the end of October if the other side is willing to deal with us in good faith and with goodwill.

But it cannot do that every day an issue is settled a new one is raised, that when an issue is settled in an agreement it is raised again as an understanding and if it is settled in an understanding it is raised again as a protocol.

'Trustee of So Many Hopes'

We will not be blackmailed into an agreement. We will not be stampeded into an agreement. And, if I may say so, we will not be charmed into an agreement, until its conditions are right.

For the President, and for all of us who have been engaged in these negotiations, nothing that we have done has meant more than attempting to bring an end to the war in Vietnam. Nothing that I have done since I am in this position has made me feel more the trustee of so many hopes as the negotiations which I have—in which I have recently participated.

And it was painful at times to think of the hopes of millions—and indeed of the hopes of many of you ladies and gentlemen who were standing outside these various meeting places—expecting momentous events to be occurring, while inside one frivolous issue after another was surfaced in the last three days.

And so what we are saying to Hanoi is: We are prepared to continue in the spirit of the negotiations that were started in October. We are prepared to maintain an agreement that provides for the unconditional release of all American and allied prisoners, that imposes no political solution on either side, that brings about an internationally supervised cease-fire and the withdrawal of all American forces within 60 days.

It is a settlement that is just to both sides, and that requires only a decision to maintain provisions that had already been accepted, and an end to procedures that can only mock the hopes of humanity.

And on that basis we can have a peace that justifies the hopes of mankind and the sense of justice of all participants.

QUESTIONS AND ANSWERS

Now I'll be glad to answer some of your questions.

Q. What do you think Hanoi's motive was in playing such a charade?

A. I don't want to speculate on Hanoi's motives, and I have no doubt that before too long we will hear a version of events that does not exactly coincide with ours.

I have attempted to give you as honest an account as I'm capable of. I believe—and this is pure speculation—that for a people that have fought for so long, it is paradoxically perhaps easier to face the risks of war than the uncertainties of peace. And it may be that they are waiting for a further accentuation of the divisions between us and Saigon, for more public pressures on us, or perhaps they simply cannot make up their minds.

Q. Dr. Kissinger, from your account, one could conclude that the talks are now ended in terms of the series you have completed. Is that true? And, secondly, if it is not true, on what basis will they be resumed?

A. We do not consider the talks completed. We believe that it would be a relatively simple matter to conclude the agreement because many of the issues that I mentioned in the press conference on Oct. 26 have either been settled or substantial progress toward settling them has been made.

Therefore, if there were a determination to reach an

agreement, it could be reached relatively quickly. On the other hand, the possibility of raising technical objections is endless. So if we have—as Le Duc Tho said yesterday—we would remain in contact through messages. We can then decide whether, or when, to meet again.

Q. You have not discussed at all the proposals that the United States made on behalf of Saigon, which required changes in the existing agreement that had been negotiated. Can you discuss what they were and what effect they had on stimulating Hanoi—if they did—to making further proposals.

A. As I pointed out, there were two categories of objections on the part of Saigon. Objections which we agreed with, and objections which we didn't agree with.

The objections that we agreed with are essentially contained in the list that I presented at the beginning, and those were the ones we maintained. All of those, we believe, did not represent changes in the agreement, but either clarifications, removal of ambiguities or spelling out the implementation of agreed positions.

In the first sequence of meetings, between Nov. 20 and Nov. 26, most of those were—or many of those—were taken care of. So that we have literally—as I have pointed out before—been in the position where every day we thought it could, and indeed almost had to be, the last day.

The counterproposals that Hanoi had made were, again, in two categories. One set of changes that would have totally destroyed the balance of the agreement and which, in effect, withdrew the most significant concessions they had made. I did not mention those in my statement because in the process of negotiations they tended to disappear. They tended to disappear from the agreement, to reappear in understandings, and then to disappear from understandings to reappear in protocols. But I suspect that they will, in time, after the nervous exhaustion of our technical experts, disappear from the protocols as well.

But then there were a whole series of technical counterproposals which were absolutely unending and which hinged on such profound questions whether if you state an obligation in the future tense you were therefore leaving open the question when it would come into operation and whether you—a matter that reached the metaphysical at moments and which as soon as one of them was settled another one appeared and which made one believe that one was not engaged in an effort to settle fundamental issues but in a delaying action for whatever reason.

'Complicating Feature'

Now it is clear that the interplay between Saigon and Hanoi is one of the complicating features of this negotiation. But the basic point that we want to make clear is this:

We have had our difficulties in Saigon. But the obstacle to an agreement at this moment is not Saigon because we do not as yet have an agreement that we can present to them.

Q. Can an agreement be made operative without Saigon's signature?

A. Well this is a question that has not yet had to be faced but—and which we hope will not have to be faced.

Q. Must there be, according to the President's terms, a substantial withdrawal of North Vietnamese troops from the South?

A. The question of North Vietnamese forces in the South has two elements: the presence of the forces now there—it has three elements—the presence of the forces now there, their future and the general claim that North Vietnam may make with respect to its right to intervene constantly in the South.

With respect to the last question, we cannot accept the proposition that North Vietnam has a right of constant intervention in the South. With respect to the first question of the forces now in the South, the United States has made three cease-fire proposals since October, 1970, all of them based on the de facto situation as it existed at the time of the cease-fire, all of them approved by the Government of South Vietnam and therefore we did not add that condition of withdrawal to our present proposal which reflected exactly the positions we had taken on Jan. 25 and on May 9 of this year, both of which had been agreed to by the Government of the Republic of Vietnam.

Q. Are we back to the beginning now in negotiations?

A. No, we have an agreement that is 99 per cent completed as far as the text of the agreement is concerned. We also have an agreement whose associated implementations are very simple to conclude if one takes the basic provision of international supervision that are in the text of the agreement, provisions that happen to be spelled out in greater detail

in the agreement than almost any other aspect and therefore we are one decision away from a settlement and Hanoi can settle this any day by an exchange of messages after which there would be required a certain amount of work on the agreement which is not very much and some work in bringing the implementing instruments into being.

Q. Could you tell us what that one per cent is?

A. You know, I have found that I get into trouble when I give figures. Let me not insist on one per cent. It is an agreement that is substantially completed but I cannot go into that but that in any event is not the—that alone is not the problem.

Q. Of what remains, would you describe it as fundamental or one of these technical problems. Because you've ranged between the two. I'm a little lost as to what is left.

A. The technical implementing instruments that they have presented are totally unacceptable for the reasons which I gave. On the other hand I cannot really believe that they are serious. What remains on the agreement itself is a fundamental point. It is however a point that has been accepted already two weeks previously and later withdrawn, so we are not raising a new fundamental point. We are raising the acceptance of something that had already once been accepted.

Q. Is it political?

A. I really don't want to go into the future of the Paris peace talks. I think that the sort of discussions that have been going on in the Paris peace talks are not affected by such temporary ups and downs as the private peace talks, so I'm sure that Minister Xuan Thuy and Ambassador Porter will find many subjects for mutual recrimination.

Q. Isn't the fundamental point the one you raised about the right of North Viet-

namese forces to intervene in the future in South Vietnam?

A. I will not go into the substance of the negotiations.

Q. It is the U.S. insistence that the two parts of Vietnam should live in peace with each other. Is that not the fundamental disagreement here?

A. I can't consider it an extremely onerous demand to say that the parties of a peace settlement should live in peace with one another and we cannot make a settlement which brings peace to North Vietnam and maintains the war in South Vietnam.

Q. Isn't it that Vietnam is one country and this peace agreement is supposed to ratify that point?

A. The question is whether their position isn't that Vietnam is one country and this agreement is supposed to ratify that point.

(Another voice) This will be the final question as Henry has to leave now.

A. I was wondering how he would conclude this thing.

Q. Did you tell Hanoi ahead of time that you would talk to us?

A. The answer to that is no, but I suspect you will get that message from them very quickly.

Q. Was there any understanding in Paris before you left that each side would be free to express itself without damaging the possibility of future talks?

A. Le Duc Tho correctly stated our agreement at the airport—that we would not go into the substance of the talks. Now I recognize that what I'm doing here goes to the edge of that understanding. But the President felt that we could not permit a situation to continue in which there was daily speculation as to something that was already accomplished while the record was so clearly contrary and therefore we owed you an explanation not of the particular issues but of the progress of negotiations and exactly where they stood.