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 By NA NARA Date 2/23/84

## MEMORANDUM

THE WHITE HOUSE

WASHINGTON

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CLASSIFIED BY HENRY A. KISSINGER  
 EXEMPT FROM GENERAL DECLASSIFICATION  
 SCHEDULE OF EXECUTIVE ORDER 11652  
 EXEMPTION CATEGORY 5b (1,3)  
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## MEMORANDUM OF CONVERSATION

PARTICIPANTS: Mr. Nguyen Phu Duc, Foreign Policy Assistant  
 to President Thieu  
 Tram Kim Phuong, South Vietnamese Ambassador  
 to the U.S.

Henry A. Kissinger, Assistant to the President  
 for National Security Affairs  
 Major General Alexander M. Haig, Jr., Deputy  
 Assistant to the President for National Security  
 Affairs  
 Winston Lord, NSC staff

DATE AND TIME: Wednesday, November 29, 1972, 5:30 - 7:15 p.m.

PLACE: Dr. Kissinger's Office, Washington

Dr. Kissinger: You have made so many public demands that you have given the North Vietnamese a victory. Making your demands in private is one thing, but by publicly insisting upon them, we now have this problem.

What is most important is the commitments which the President made to you, which we will put on record in our files, commitments from the President of the United States. Secondly, the President would meet with President Thieu. He would emphasize that he is the President of South Vietnam and that the GVN is the only government. That is more important than legalistic clauses about the Council. Even your population which is not so sophisticated would understand the significance of your President with the President of the United States in a Head-of-State meeting with full honors, a highly publicized meeting between Presidents. Thirdly is the deterrence of North Vietnam. The President, having appeared side-by-side with President Thieu with the flags flying, could not afford the ridicule of permitting them to take over.

These are the fundamental realities, not legalistic clauses. When I was working on the Shanghai Communique everyone told us the importance of this clause or that clause. I said this was not the main thing. And therefore I think the major thing to do now -- we can talk about clauses too -- the major thing now, and as soon as possible, is to close public ranks. That is the most important thing. I assure you once an agreement is made Radio Saigon will have no reason to attack me.

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Mr. Duc: Oh?

Dr. Kissinger: It happened again yesterday.

Mr. Duc: Because I have limited time I will dwell on other points.

Dr. Kissinger: What do we do about the specific points?

Mr. Duc: I would like to say this. The President made quite clear to me -- and, of course, I agree -- that the support of the U.S. is the most important element. As far as the fundamental realities are concerned, as I explained to the President, we must take account of the psychological and political problems. The repercussions in Vietnam are so very important because if the South Vietnamese are not convinced that this is a success for our cause and does not negate the principles we fought for -- no matter what the circumstances, if that is the impression there, it will be very difficult to overcome the difficulties and make the agreement a success. We must get wording which we can explain in order to make it a success.

Dr. Kissinger: I will tell you what is possible. You decide. First of all, we have to restore Article 8(c). They want to drop that -- unless you want to release the prisoners. [Mr. Duc indicated he wasn't sure what Dr. Kissinger was referring to. Dr. Kissinger further explained.] The other side wants civilian prisoners to be released together with our prisoners, so you would be obligated to release them in 60 days. That we will not accept under any circumstances. If they insist, that will end the talks.

Mr. Duc: The most important issues that we mentioned to you are the North Vietnamese troops and the political solution. These are vital points and the other points we consider less important.

Dr. Kissinger: The problem now is that we are now at a point where the flexibility is limited. We must decide what is possible and what is not possible. First, we think we can get weakened the words "administrative structure."

Ambassador Phuong: You keep "administrative structure" in English.

Dr. Kissinger: Yes, but we will get "administrative" translated in a way that you do not object to.

Mr. Duc: How about the three components?

Dr. Kissinger: I don't believe we can get that out, but we can get in that the Council is to be appointed equally by both sides.

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Mr. Duc: The three components are so very important to us.

Dr. Kissinger: I don't think we can delete them.

Mr. Duc: The question of being equally appointed is more or less implied from the beginning. That would not really be a very new point. The point of substance is the three components. First, the communists have always desired a coalition government; with three components, it will be interpreted as a coalition government without the name. Secondly, it is artificial.

Dr. Kissinger: I understand. Why not take the following line, that the communists couldn't get a coalition government so they needed a face-saver? It has no functions, etc. What can this miserable committee do? If it were created tomorrow, how would it function? What would be its first task? How can you say it is a government? It has no political functions, no courts, no army, no charter and it doesn't even come into being ... the parties are to do their utmost to establish it in three months. I frankly think you would be crazy to agree to it for months.

There are so many other provisions in the agreement. Suppose the other side refuses to demobilize? That provision is in the same section. Why not make the creation of the committee dependent on demobilization, or in other words withdrawals? You act totally defensively, as if the committee would be functioning the next day. All it says is that the parties would do their utmost to create it in three months. You can say that if national reconciliation is to be effected there must be demobilization. You can't be prevented from screaming about the troops. Foreigners can understand that.

Now with regard to the phrase concerning Vietnamese troops, I have sympathy. Suppose they say that they do have troops there. Then do they have to be demobilized?

Mr. Duc: If they want to mention specifically North Vietnamese troops it should be stated clearly that they will be withdrawn. If they do not mention North Vietnamese troops by name -- which we know is the case -- we believe there should be a reference indicating that they can't stay in South Vietnam.

Dr. Kissinger: The problem is how do we get from the point where we are. I tell you what I can do. I can take out the word "Vietnamese" and try to get in the word "South Vietnamese" armed forces in South Vietnam. That makes sense.

Mr. Duc: Why not try non-South Vietnamese forces?

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Dr. Kissinger: I tried, five hundred times, believe me. I offered your President the last time for him to look at the protocols of all the meetings in private since October 8. I will let you see the protocols. I tried. I spent 95 percent of my time on this question last week in Paris.

Mr. Duc: What reason did they give you?

Dr. Kissinger: (a) They have no forces there, and (b) under no circumstances will they ever agree to a statement on their forces that they have to be withdrawn or any implication to that end. If we bomb them another year maybe we could do it.

Mr. Duc: I am not talking about the actions, I prefer the words. If they don't maintain any forces in South Vietnam, why would they object to the use of the phrase "non-South Vietnamese troops"?

Dr. Kissinger: They know they have forces in South Vietnam.

Mr. Duc: If someone denies they are there why do they mind mentioning it?

Dr. Kissinger: Then the implication is that they have to get out.

Mr. Duc: That's the point.

Dr. Kissinger: What should be our practical position? That is what I am trying to determine, Mr. Duc and Mr. Ambassador. I am glad to tell you what is possible. We are down to a narrow range after the changes of last week which you have, Mr. Phuong.

Ambassador Phuong: Yes.

Dr. Kissinger: How do we proceed? You are raising issues that we cannot get by January 3. This is what we are worried about. We can't try to resume the bombing. The practical problem is that we will be voted out of the war by June. This way there is a chance. The other way the forces are still there. Even with your President's proposal to just negotiate prisoners for withdrawal, the North Vietnamese forces are still there.

Mr. Duc: Sometimes circumstances count. Sometimes the principles are of very great importance for reasons I explained to you.

Dr. Kissinger: I understand the principle. But you heard the President. I don't know what to say.

Mr. Duc: We must provide an idea to convey, no matter how subtly, [the principle of North Vietnamese withdrawal] and specifically help our government explain the agreement to the people of South Vietnam who have fought all these years. We must get this, even by implication. Otherwise how can the government explain the agreement to its people?

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Dr. Kissinger: You can explain it as a ceasefire pending a final settlement. You should maintain your principles. You can scream all over the world that they have no right to be in your country. We will make a unilateral statement that the North Vietnamese troops have no right to be there. You do not have to give up your principles. You should present it as a ceasefire to help the negotiations for the final settlement, and that as part of a final settlement they have to leave.

Mr. Duc: This is only the framework for a settlement. The situation in South Vietnam will be terribly difficult if nothing is said about this question. The May 8 proposal concerning a ceasefire . . .

Dr. Kissinger: Not a word was said in that about a withdrawal.

Mr. Duc: But there were no political clauses. It was just between the U.S. and the North Vietnamese. This is different.

Dr. Kissinger: We could go back to a two-party agreement and sign it, saying that the U.S. does so with the concurrence of the Government of Vietnam.

Mr. Duc: That is even worse. We have a complex, and that would put us on the defensive. The GVN is not a dependent of the U.S. It is a question of appearance. You attach no great importance to this because you are a great power. For us it is very important.

Dr. Kissinger: That I understand. I understood that it was for this reason that you did not wish to ride on my plane.

Mr. Duc: I say in all fairness, since we have been friends for so long, with regard to the question of a meeting between President Nixon and President Thieu personally, politically it would be a good thing only if the agreement was the right kind of an agreement for South Vietnam. Otherwise it would be counterproductive. It would produce exactly the opposite effect that you want.

Dr. Kissinger: Really?

Mr. Duc: Really.

Ambassador Phuong: It would be very bad.

Mr. Duc: You know the implications. I do not have to expand. For example, in the lesser scope of 1966 President Johnson had a summit meeting in Honolulu with Mr. Thieu who was chairman of the leadership committee, and Prime Minister Ky, and President Johnson thought he was helping

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Messrs Thieu and Ky with the endorsement of a superpower. In South Vietnam the effect was just the reverse, completely the opposite. They did not gain more respect, but less. And that was in a context which was much more minor than this, one which involved matters not so vital. We are Vietnamese; we have experience.

Dr. Kissinger: What happens if we go ahead anyway?

Mr. Duc: That would be disastrous.

Dr. Kissinger: I am almost certain this would happen.

Mr. Duc: These are problems which are overwhelming problems. If you present someone with a question, he does not wish to die either by taking poison or by a dagger. What kind of an answer do you expect?

Dr. Kissinger: We have great difficulty with your view of this agreement. We thought it was an enormous success. I was stunned when I got to Saigon. For four years we fought to keep President Thieu in office. No one in America thought this was possible. Every trip I took the commentators said I was going there to overthrow President Thieu.

Mr. Duc: If that were the major issue President Thieu would be happy to oblige. On the other issues he cannot. The issue is what happens to South Vietnam.

Dr. Kissinger: What in practice will happen now if you say this agreement is disastrous? You heard the President.

Mr. Duc: What remains is not too much.

Dr. Kissinger: How about getting a phrase which accepts the principle that countries cannot use military pressure against each other?

Mr. Duc: That is too vague.

Dr. Kissinger: They won't accept the principle that military forces must stay within their boundaries.

Mr. Duc: We must find some phrase that can be interpreted this way. How about "other non-South Vietnamese forces"?

Dr. Kissinger: We tried.

Mr. Duc: All the Communists have to do is to say no.

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Dr. Kissinger: We fought for four years. That is not the question. If we wanted to sell-out we could have done this earlier, easily.

Mr. Duc: I am not saying that. I can use the illustration of Honolulu in 1966. It is not a question of intention or lack of trust. We have lived under Communism and with the Communists near by. We think we know them. We have some experience which you do not have.

Dr. Kissinger: We are beyond that point. You must compare what we started out with with where we are. Maybe they have not given enough. The fact is that since October 1970 no proposal of ours has asked for North Vietnamese withdrawal. It was not in the January 25 plan nor in the May 8 plan.

Ambassador Phuong: But there was the sentence about implementing the principle that armed forces should remain within their boundaries. This was a provision for withdrawal of the North Vietnamese in the 8 points.

Dr. Kissinger: If you get this sentence would you accept everything else?

Mr. Duc: These are the vital issues. If these vital issues are solved satisfactorily there will be no major difficulty.

Dr. Kissinger: I don't think you have understood what the President said. There are no other issues. He is going to agree to something. That is the brutal fact. We waited seven weeks during which we have cut each other up. You have been fighting the wrong people. It would have been a thousand times better to have asked for three changes rather than 69 and to stick to those three.

Mr. Duc: I think we have pointed out to you the two major issues which we consider vital. In addition, we have provided you with complete lists of changes, in our sessions and in our memos.

Dr. Kissinger: I now have a very concrete problem -- what do we do next Monday? This is no longer theoretical. We must go in on Monday. If you do this and we do that, there is nothing else to say. We have to reduce it to the issues that are remaining. This is the key. If you tell me that if they accept the principle of maintaining their forces within their frontiers and you will drop everything else, and we insist on that, maybe we can get it done.

Mr. Duc: We must also delete the reference to three segments.

Dr. Kissinger: I cannot get both unless you are willing to release civilian prisoners. Let's be realistic. If you want to release political prisoners at the same time as our prisoners, then I have a chance. If you are not willing to release them, and I think it would be a mistake to do so, then I cannot get it. That is where we are.

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Mr. Duc: They have linked the two together?

Dr. Kissinger: Right now they have withdrawn Article 8(c). We will make a major effort to restore it. We will not emerge from negotiations with a worse agreement than when we went in last week. So if they insist on that then there is no problem; we will not agree. I think you would make a terrible mistake to release the prisoners. The prisoners are something concrete in your hands that they want. The troops I can understand, though you made it a huge affair out of all proportion. The Council you should treat with total contempt. They wanted a coalition government and the resignation of Thieu.

Mr. Duc: Did Le Duc Tho say that the release of prisoners in South Vietnam - if they were released they would accept the two other things?

Dr. Kissinger: He said that if we accepted the release of prisoners, they would withdraw some forces in MR-1. I am telling you what he said.

Mr. Duc: There is a question of quid pro quo here.

Dr. Kissinger: There is no agreement to this. It would be an understanding.

Mr. Duc: Certainly. Still, there must be somewhere the principle that they have no right to be in South Vietnam. The withdrawal does not have to be immediate or unconditional, but this principle should be somewhere. It is not a question of de facto withdrawals if they can maintain the principle that they can stay.

General Haig: There is also the unilateral statement we can make.

Mr. Duc: That's a unilateral statement. We need a pledge in the agreement. Unilaterally one can say anything.

Dr. Kissinger: If they pledged, and then they don't keep their pledge, what good does it do?

Mr. Duc: We have to explain this to the people of South Vietnam. We need something. This was covered at Midway in the Joint Communique. We were both there and this was said in the Communique. You said then that we had done our utmost and could go no further. We said that.

Dr. Kissinger: Are you willing to maintain everything else if we can get the one clause accepting the principle of forces being maintained within their frontiers? That is my question.

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Mr. Duc: There are two points.

Dr. Kissinger: Impossible. I can't get the two. It is conceivable to get one if we let them have their three segments.

Mr. Duc: Why do they insist on three segments?

Dr. Kissinger: They have a face-saving problem. They have told their people certain things.

I understand the question of troops. But with respect to the Council, all our liberals have pointed out that it is a fraud. I say that I am proud that it is a fraud; that is exactly right. And you say it is a coalition government. Joseph Kraft has complained that the Council cannot work for aid. I. F. Stone has complained. Every liberal in the media is convinced that the Council cannot work.

The best thing is to link it to an understanding on the troop issue. That is what you can tell your people. I wouldn't let the Council come into being. I would then link it to demobilization and say that if there is no demobilization there will be no Council. I would set up task forces--treat them like you treat me and treat the Americans.

Mr. Duc: We are concerned about Vietnamese public opinion. We understand American opinion.

Dr. Kissinger: American public opinion doesn't give a damn about the troops. The only people who consider the Council a coalition government is yourself.

General Haig: The North Vietnamese are saying that they cannot give any more on the political question.

Mr. Duc: The question of the Council of National Reconciliation is the question of the co-existence of the so-called Provisional Revolutionary Government. I would like to point out the other words, such as their role to ensure democratic liberties. This could be interpreted as discarding our laws.

Mr. Lord: The agreement says "promoting" the insurance of democratic liberties.

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Mr. Duc: Even if the Council were paralyzed, its mere existence would mean the disregarding of existing institutions.

Mr. Kissinger: If that Committee works it is your own fault.

Mr. Duc: Why?

Dr. Kissinger: How can it work? Put clunkheads on it and one rabble-rouser. If you cannot frustrate a committee on which you appoint half the membership and which operates by unanimity and has no functions. . .

Mr. Duc: There are questions of principle and questions of substance. It is form as well as substance.

Dr. Kissinger: My problem is what in God's name are we going to do? This is a very important matter. Suppose we make an agreement next week? What will you do, taking into consideration all you say?

Mr. Duc: If we are very firm about it in our opinion they would have the feeling that they would have to yield somewhere too, after you have made so many concessions. There is a great pressure on us, feeling that we need it.

Let me come back to the point about a political solution. No less important than the composition and functions of the CNR is the co-existence of the PRG, two governments in one country. That is impossible.

Dr. Kissinger: How do we get that problem solved?

Mr. Duc: It is a matter of principle. It is not difficult to find a way-- you can choose some wording that will reflect it.

Mr. Kissinger: How?

Mr. Duc: For example, in the draft protocol on the ICCS, each time you refer to the PRG in the middle of it.

Dr. Kissinger: That is wrong. It is a State Department draft.

Mr. Duc: But we must sign it.

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Dr. Kissinger: The only question is the Preamble. The draft protocols will follow the main agreement. I think it will have to be listed in the Preamble.

Mr. Duc: If we accept the principle that we don't recognize the PRG as a government, then it should not be mentioned. If you mention them once, then it is a principle that we recognize them as a government, and solemnly put in the agreement.

Dr. Kissinger: We are going to have a fiasco if you maintain all your positions. If for the point in the Preamble you give up a number of other provisions, to get that one principle, that we can do. But we cannot go next time and have them yield on every issue and still give us paragraph 8(c). What do you think, Al?

General Haig: Let me follow that through. The talks will break off and they would surface the details of the conversations. There would be a debate on the Hill and we would be deprived of the ability to conduct the war. We must play it from where we are.

Mr. Duc: If they know and feel that you need to have something, they would make the most of it.

General Haig: They have made the most but they have given up a hell of a lot as well.

Mr. Duc: But they are very smart. They know Vietnamese psychology. If you publish an agreement where there is no reference to the North Vietnamese withdrawals, and the PRG is mentioned as a Government, they understand the repercussions. They would have a victory then, not us. We need something to explain to our people and forces to avoid a morale disintegration on these two vital issues.

There are other important questions, but these are the ones which I mentioned to you which are indispensable to us. We all know how much depends on U.S. support. We do not lightly present our disagreements with you.

Dr. Kissinger: That is not the issue. We have an agreement exceeding the recommendations of Congress. We have kept ahead of the sheriff, as the President said, because the Communists always ask us to overthrow the government. We have always said that we would not end the war by putting the Communist government in. I told your President that if they . . . when he asked me whether they had offered a ceasefire, I said they hadn't but if they did offer a ceasefire, that we would have to

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accept in exchange for withdrawals and prisoners. We told you to grab as much territory as you can. This also was not done. There are divisions in MR-3 that haven't fought during the whole offensive. There are some in MR-4 that haven't fought since March 30. How many times has Ambassador Bunker mentioned General Minh? If the North Vietnamese troops had been pushed out, there would be no problem now.

I understand your concerns. The only thing now is that you must give us your priorities on what is important. I am telling you that I will go with instructions to settle. You heard the President. This will be done.

Mr. Duc: The reaction of the American public depends also on the description and analysis of what the agreement contains.

Dr. Kissinger: The American public is ready to accept the overthrow of your President more than a coalition government and guarantee to the Communists. The American public would be willing if the Communists played on the resignation of President Thieu for another year. There would be such a commotion in this country that we would find ourselves in a very tough situation. I am saying that we have licked the coalition government problem. The Council is an absurdity.

From the Communist point of view, how do they explain this to their cadre? I can assure you that Madame Binh is not throwing her hat in the air. What has Madame Binh won? How does she explain her losses? They have no territory, no accession to power, no participation in the government, one-third the membership and one-half of the third segment on a committee which has no power, and their prisoners remain in your jails.

Mr. Duc: If the agreement is described as a ceasefire, return of prisoners and self-determination for the South Vietnamese people, not only would the U.S. Congress agree to it but I would agree to it too. If it is described as allowing the North Vietnamese troops to remain in South Vietnam and having two governments in South Vietnam, the reaction is bound to be different. It depends on how you describe the agreement. If you present certain aspects that's one thing, but the two major aspects we presented to you are very important.

Dr. Kissinger: You heard the President. He is going ahead. I have been trying to tell you this. You had chosen to believe that I was making it up. But the President, if anything, has been stronger than I. You

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make your own judgment, whether you think he is going ahead. Al?

General Haig: Yes, he has said it before.

Dr. Kissinger: He has said it in three letters and on that basis we have acted.

Mr. Duc: We expressed our concerns, the repercussions on the Vietnamese public opinion. We consider this a very important element for a successful solution. As I understand it, the President understood this concern and said we must try to find the proper wording.

Dr. Kissinger: Within very narrow limits. If you want to clarify, we can go back in and see him. But believe me, we are under enormous criticism for not having settled this last week. But if you like you can come in for half an hour tomorrow morning and he will tell you what he meant. I will be glad to arrange it. Maybe at 11:30.

Mr. Duc: If you think it is useful.

Dr. Kissinger: Okay. That will definitely be done. There will be a brief meeting, and he will tell you exactly what he thinks. He will explain what he meant by wording changes. He and I went over what was possible. It is like what I told you in Paris, in effect Option 2. The President was talking about Option 2. He will tell you this tomorrow.

Mr. Duc: This includes the phrasing of the composition that is equally appointed by both sides?

Mr. Kissinger: Yes.

Mr. Duc: And the structure of power?

General Haig: It would include three equal segments but say that both sides would be equally appointed.

Mr. Duc: This is very little.

Dr. Kissinger: If it is not important that is good to know, and we will fight for something else.

(Dr. Kissinger leaves the room to talk to the President.)

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General Haig: I am very concerned. I know what is going to happen. I have been explaining this for three weeks. I think we should go over precisely what is stated on the context of the negotiations and decide priorities.

Mr. Duc: You [Haig] were present at most of the meetings with Le Duc Tho? Almost all of them?

General Haig: Yes.

Mr. Duc: What is his manner usually? What reaction did you have to him as a man?

General Haig: Generally he mixed some good humor with a routine way of negotiating. When there is a tough issue, you can usually tell when he is tense. They want to settle. They don't want to face another year of conflict in the present context. They are now in a position that they have published an agreement with the thought that they had made great concessions. Now if they add too many more, while this might be acceptable for individuals, there will be fundamental changes in the Politburo. In fact, I think there will be changes in the Politburo in North Vietnam as the result of this agreement. If they make further concessions, in their own mind they figure they can't make it.

Mr. Duc: Can we have a copy of the 69 points you presented to Le Duc Tho?

(Dr. Kissinger who had been talking with the President returns)

I was asking for the 69 points you presented.

Dr. Kissinger: We can put this together by tomorrow. He [the President] will see you at 11:30. He will confirm what he said, that he was talking about Option 2.

Mr. Duc: I mentioned to the President the inquiry of President Thieu as regards the May 8 proposal. What are your views on that?

Dr. Kissinger: There are two choices and only two. Either you go along with this agreement which allows you to negotiate your political future, or you will not. We cannot change the modalities of the negotiation. I would like to be more diplomatic but I must tell you the truth. The President said again--I was talking to him on the phone--that he is getting extremely impatient. We don't have that choice. They will publish what has been discussed. And not one American in a hundred will understand what you are talking about. That doesn't make it wrong.

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They just won't understand it. Have you seen the press? We are barely keeping the press at bay. If I come back without an agreement next week you will think back with nostalgia to me. I will be around, but then the Congress will go crazy and the press will go crazy.

Mr. Duc: What are your major objectives in a settlement?

Dr. Kissinger: Our major objectives are to keep your government in office, to maintain the structure of the South Vietnamese government with over 90 percent of the population, to enable you to win the political contest that is going to start afterwards, and to prevent the Communists from extending their control over South Vietnam. Look at us. What position would we be in if a year from now if the Communists are in Saigon? We will be finished.

Mr. Duc: You want your prisoners of war.

Dr. Kissinger: Of course, we want back the prisoners. That is a high objective.

Mr. Duc: And withdrawal.

Dr. Kissinger: That is minor. Prisoners are very important. Withdrawal is not an issue.

General Haig: They are not an issue any longer.

Mr. Duc: How about a settlement which returns prisoners for termination of bombing and mining and leaves negotiations and political issues to the Vietnamese parties?

Dr. Kissinger: It is too late for that now. They would ask for the end of economic and military aid.

General Haig: That is the price.

Dr. Kissinger: We can get it for the end of economic and military aid.

Mr. Duc: I would like to go over the two major issues. On North Vietnamese troops what kind of wording do you envisage?

Dr. Kissinger: If we drop everything else and say we accept Chapter IV as it stands, and insist on that principle, they still won't take it. I

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think they will take language on forces staying within the national boundaries in this case. If we keep Chapter IV totally unchanged and say we must have this principle, and give up our demand for unilateral withdrawal, we might be able to get one sentence.

Mr. Duc: Perhaps you can find a way to mention the withdrawal of non-South Vietnamese forces.

Dr. Kissinger: That is impossible. If we went to them and said that we respect your political principle and you must accept our principle on withdrawals, and if we say we give up our changes on the political chapter and demobilization, that we want only one thing, this sentence, then we might get it.

Ambassador Phuong: Just demobilization and not one-for-one.

Dr. Kissinger: One-for-one is not crucial. I would rather have three months. If we play it ruthlessly enough, and you could say no demobilization and no political changes, they still might not accept.

Ambassador Phuong: The chapter as it was Wednesday night?

Dr. Kissinger: It would be without the fifteen days or the six months timetables.

Mr. Duc: We should spell out that there are four Indochinese states. Otherwise they will say they are just in Vietnam.

Dr. Kissinger: That is impossible.

General Haig: You can claim that there are four states.

Ambassador Phuong: A claim unilaterally is not good enough.

General Haig: It is for your people.

Mr. Duc: We should have a clause referring to the Geneva Agreement. We should add a phrase "respecting each other's territory in accordance with the Geneva Agreement of 1954."

Dr. Kissinger: That is possible. I do not exclude it. It depends on what else we try to get.

Mr. Duc: Either the 1954 agreement stands or it doesn't. If it stands, it stands in its entirety, and one should not pick out specific

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references.

Dr. Kissinger: We presented so many changes. If we had had a rational dialogue and picked five changes and stuck with them we would have done better. Instead we started with 69 changes and made it easy for them.

Ambassador Phuong: Only one change could mean 35 changes. These are of varying importance.

Dr. Kissinger: I still think it was a tactical mistake.

Mr. Duc: Every change, every little small reference, when you add them up it sounds unreasonable. I also pointed out that there are only two issues.

Dr. Kissinger: I suggest that you think it over tonight. You've shown great ingenuity with formulations. Let's meet at 9:00 tomorrow. Not many things are possible. If you want we can throw all our power behind one change. That we can do.

Mr. Duc: If we can agree on a principle, there is always some way to solve it. The principle is the important thing.

Dr. Kissinger: We have tried. I would rather get something concrete but if you want the principle.

Mr. Duc: This is very important. We have analyzed Vietnamese psychology. There are just two issues, and these are very disadvantageous for us-- the question of North Vietnamese troops and the political solution.

Dr. Kissinger: I cannot get both. I know it is impossible. The only approach possible would be to say to the other side that we recognize their principle on the political solution and they have to recognize ours on troops. We can also get the word "administrative" changed in Vietnamese. That we can insist on. We have always had that position.

Mr. Duc: It is now "governmental structure." You would change it to "administrative organ"?

Dr. Kissinger: Not "organ."

Mr. Duc: In Vietnamese "structure" means a whole apparatus. How about deleting three components?

Dr. Kissinger: It depends on what else you want.

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General Haig: The political chapter is tough. I think that is because they have given the most there and that is a problem with the VC.

Mr. Duc: If the membership is to be appointed by both sides, why do they insist on three components? They appoint half, and we appoint half.

General Haig: Their concerns show how ridiculous the situation is. It is to your advantage.

Dr. Kissinger: Right.

Mr. Duc: We have to gain the support of the Vietnamese public and present it as a success. If the three components are mentioned, it has to do with the communists formulation for a coalition government for so long that that will be taken as the meaning behind it.

General Haig: That is the second problem. The third problem is one-for-one.

Dr. Kissinger: They want the principle.

General Haig: Where are the problems and priorities, and we can take away the other nonsense.

Mr. Duc: You listed 69 changes. It is easier for you. With so many changes, concessions are fewer.

Dr. Kissinger: We have to get Article 8 (c) back. We will get 8 (c) back with great effort and get concessions if we give everything except the word "administrative" and then insist on one sentence on troops. If we give up unilateral withdrawal and all else, and say we need that one sentence, we might get it. In the DMZ chapter we might get the sentence about each other's territory. It's conceivable. It is the easiest place to put it. If you want, we can try to get respect for each other's territory in accordance with Article 24 of the 1954 Agreements, without mentioning troops. But this would require our asking nothing else except the three-month clause for demobilization. But then we would have to drop any unilateral withdrawals. This would be tougher for us domestically. Thus we could try a sentence "in respect of each other's territory in accordance with Article 24 of the Geneva Agreement."

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Mr. Duc: So "governmental structure" will become "administrative structure." On the three components, I have to come back to that. For good or bad our government is saying so much on this question that we cannot back down. It would have a very damaging effect. If it were new, it would be one thing. But this has been going on for many months. Now if it is in practice in the agreement it will be impossible to consider the agreement as a victory.

Dr. Kissinger: Why can't you ridicule it?

Mr. Duc: Everyone in Vietnam knows about the equal components.

Dr. Kissinger: We haven't accepted it yet.

General Haig: Setting priorities are important.

Dr. Kissinger: We must put changes in order and discuss again tomorrow morning at 9:15. We should try to figure out what we can say about the three components.

Mr. Duc: The difficulty is with the word three and not with the word components. Logically it makes no sense. It is a very important symbol.

Dr. Kissinger: The New York Times and others have already written editorials that it doesn't mean anything.

Ambassador Phuong: With the ceasefire in-place and their propaganda this becomes very important. The PRG is mentioned in the preamble.

Mr. Duc: If the words are there it has an effect.

Dr. Kissinger: It doesn't give them anything.

Mr. Duc: Compare their position to before. All the obligations are on us. The North Vietnamese have no obligations. We have to withdraw, stop the bombing and the mining, dismantle bases. . .

Dr. Kissinger: There is nothing to be dismantled.

Mr. Duc: Militarily, North Vietnam is there, and they have the right to tell South Vietnam what kind of elections, what kind of framework. Compare this to the Geneva Agreements in 1954. They are completely different. The 1954 Geneva Agreements had parallel obligations for

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both sides. This is very different. It is difficult to say that this is a great victory for us. We are trying to salvage and trying to demonstrate that this is not the end of South Vietnam. That's all. If the PRG is mentioned even once that means there are two governments in South Vietnam. That is an impossible situation.

Dr. Kissinger: We have an impossible situation now. It is impossible to get an agreement this way. We are in a position that it is impossible for us. Let's both think these things over and meet tomorrow morning at 9:15 a.m.