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ON-FILE NSC RELEASE
INSTRUCTIONS APPLY

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OO 100900Z AUG 72
FM HENRY A. KISSINGER
TO WHITE HOUSE SITUATION ROOM

PLEASE TRANSMIT FOLLOWING MESSAGE TO AMBASSADOR BUNKER VIA SPECIAL CHANNEL.

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State Dept. review completed

TO: AMBASSADOR BUNKER VIA SPECIAL CHANNEL
FROM: HENRY . KISSINGER

MORI/CDF
C03353114

IMMEDIATE: DELIVERY OPENING OF BUSINESS

1. THERE FOLLOWS THE TEXT OF GVN MEMORANDUM ON OUR PEACE PROPOSAL WHICH WAS HANDED TO ME BY PRESIDENT THIEU AT OUR AUGUST 18 MEETING. YOU WILL BE RECEIVING SHORTLY BY SEPARATE MESSAGE OUR RESPONSE KEYED TO THE GVN DOCUMENT.

2. QUOTE MEMORADUM THE REPUBLIC OF VIET NAM'S ASSESSMENT ON THE US PEACE COUNTER PROPOSAL AND VIEWS ON THE US COUNTER PROPOSAL ON THE CONDUCT OF NEGOTIATIONS.

FOR REASONS OF CLARITY WE WILL CONSIDER THE US 2 POINT COUNTER PROPOSAL DATED AUGUST 17, 72 AS TWO SEPARATE PROPOSALS:

- A. -THE 10 POINT PEACE COUNTER PROPOSAL
- B. - THE COUNTER PROPOSAL ON THE CONDUCT OF NEGOTIATIONS
- A. - THE US 10 POINT PEACE COUNTER PROPOSAL

AFTER READING THIS PROPOSAL WE HAVE COME UP WITH THE FOLLOWING POINT-BY-POINT ASSESSMENT:

1. WITH REGARD TO POINT 1: WE WOULD CHANGE THIS POINT TO READ AS FOLLOWS: " THE UNITED STATES RESPECTS THE INDEPENDENCE , SOVEREIGNTY, AND TERRITORIA INTEGRITY OF NORTH AND SOUTH VIET NAM".
2. WITH REGARD TO POINT 2 : WE AGREE WITH YOU ON THIS POINT.
3. WITH REGARD TO POINT 3: WE AGREE WITH YOU ON THIS POINT.
4. WITH REGARD TO POINT 4: WE WILL GO BACK TO THIS POINT IN THE LAST ASSESSMENT.
5. WITH REGARD TO POINT 5: WE WOULD CHANGE AS FOLLOWS: "THE QUESTION OF THE NVA IN SVN SHOULD BE SETTLED IN THE FRAMEWORK OF A GENERAL CEASE-FIRE.

THE QUESTION OF VIETNAMESE ARMED FORCES IN SOUTH VIET NAM WILL BE SETTLED BY THE VIETNAMESE PARTIES IN A SPIRIT OF NATIONAL RECONCILIATION, AND MUTUAL RESPECT, WITHOUT FOREIGN INTERFERENCE".

6. WITH REGARD TO POINT 6: WE WOULD ALSO CHANGE THE 2ND PARAGRAPH TO READ AS FOLLOWS: "PENDING REUNIFICATION, NORTH AND SOUTH VIET NAM WILL PROMPTLY START NEGOTIATIONS TOWARDS THE REESTABLISHMENT OF NORMAL RELATIONS IN VARIOUS FIELDS ON THE BASIS OF MUTUAL RESPECT.

FURTHERMORE, WE WOULD ADD IN THE LAST SENTENCE OF THE 3RD PARAGRAPH AS FOLLOWS:

"..... TROOPS, AND MILITARY PERSONNEL, ON THEIR RESPECTIVE TERRITORIES EXCEPT FOR PURELY DEFENSIVE PURPOSES AND ON A TEMPORARY BASIS.

7. WITH REGARD TO POINT 7: WE WOULD CHANGE IT TO READ AS FOLLOWS:

"THE GENEVA AGREEMENTS OF 1954 ON INDOCHINA AND THOSE OF 1962 ON LAOS WILL BE RESPECTED BY ALL THE PARTIES. ON THE BASIS OF THESE AGREEMENTS THERE SHOULD BE THE IMPLEMENTATION OF THE PRINCIPLES THAT ALL ARMED FORCES OF THE FOUR COUNTRIES OF INDOCHINA MUST REMAIN WITHIN THEIR NATIONAL FRONTIERS.

THE PEOPLE OF EACH INDOCHINESE COUNTRY WILL SETTLE THEIR OWN INTERNAL AFFAIRS, WITHOUT FOREIGN INTERFERENCE.

THE POLITICAL PROBLEMS EXISTING BETWEEN THE INDOCHINESE COUNTRY WILL BE SETTLED BY THE INDOCHINESE PARTIES ON THE BASIS OF RESPECT OF EACH OTHER'S INDEPENDENCE, SOVEREIGNTY, TERRITORIAL INTEGRITY AND NON INTERFERENCE IN EACH OTHER'S INTERNAL AFFAIRS".

8. WITH REGARD TO POINT 8: WE AGREE WITH YOU ON THIS POINT.

9. WITH REGARD TO POINT 9: WE AGREE WITH YOU ON THIS POINT. WE WOULD ADD HOWEVER IN THE 2ND SENTENCE OF THE 3RD PARAGRAPH TO READ AS FOLLOWS:

"..... INTO ANY OF THE FOUR COUNTRIES OF INDOCHINA..."

10. WITH REGARD TO POINT 10: WE AGREE WITH YOU ON THIS POINT. WE WOULD HOWEVER CHANGE THE LAST SENTENCE OF PARAGRAPH (A) TO READ AS FOLLOWS:

"..... WILL BE AGREED UPON BY THE BELLIGERENT PARTIES PRIOR TO THE CEASE-FIRE"

WE WOULD ALSO CHANGE PARAGRAPH (B) TO READ AS FOLLOWS: "THERE WILL BE AN INTERNATIONAL GUARANTEE FOR THE RESPECT OF THE CEASE-FIRE

THE RESPECT OF THE INDOCHINESE PEOPLE'S.....AND THE FORM OF GUARANTEE WILL BE AGREED UPON BY THE BELLIGERENT PARTIES".

11. WITH REGARD TO POINT 4: THIS POINT RAISES VERY DELICATE CONSTITUTIONAL ISSUES RELATING TO THE FOUNDATION OF THE RVN.

WE VIEW THAT THIS IS THE MOST IMPORTANT POINT WHICH CONCERNS NOT ONLY THE LEGAL REGIME OF OUR NATIONAL BUT ALSO DETERMINES THE LIFE AND DEATH OF ALL THE PEOPLE OF SVN. IT IS FOR THOSE REASONS WE NEED MORE TIME TO STUDY IT WITH THE SPIRIT OF SINCERE GOODWILL TO END THE WAR AND WITHIN THE SPIRIT OF NATIONAL RECONCILIATION. WE WILL MAKE OUR ASSESSMENT AND FORMULATE OUR VIEWS ON THIS POINT IN THE FORTHCOMING PERIOD.

-3-

B- THE US COUNTER PROPOSAL ON THE
CONDUCT OF NEGOTIATIONS

OUR VIEWS ON THE CONDUCT OF NEGOTIATIONS ARE OUTLINED IN OUR MEMORANDUM DATED AUGUST 17 , 72 (PAGES 7 AND 8).
HOWEVER, WE HAVE SOME SPECIFIC OBJECTIONS TO MAKE:

1. WE OBJECT TO THE USE OF THE WORDS PRG TO DESCRIBE THE NLF, AND WE ALSO OBJECT TO THE WORDS " PRG OF RSVN" AND "SAIGON ADMINISTRATION" AS USED BY THE COMMUNISTS IN THEIR PROPOSAL.
WE EMPHASIZE THAT WE SHOULD BE DESIGNATED AS THE GOVERNMENT OF THE REPUBLIC OF VIET NAM (GRVN) AND THAT THE NLF SHOULD BE DESIGNATED AS SUCH.

2. ON THE BASIS OF THE PRINCIPLE OF NATIONAL SOVEREIGNTY OF THE RVN WE OBJECT TO THE FACT THAT THE FORUM OF PRIVATE MEETINGS BETWEEN THE US AND HANOI CAN RESOLVE THE PRINCIPLES AND GENERAL CONTENT OF THE POLITICAL QUESTIONS AFFECTING THE SETTLEMENT OF THE VIETNAMESE PROBLEM.

3. WE DO NOT ACCEPT A TRIPARTITE FORUM BETWEEN GRVN/HANOI/NLF TO DISCUSS THE INTERNAL POLITICAL PROBLEMS OF SVN AND THE PROBLEMS BETWEEN NORTH AND SOUTH VIET NAM, BECAUSE LOGICALLY IT IS UNCONCEIVABLE TO HAVE HANOI IN THE INTERNAL POLITICAL PROBLEMS OF SVN (THIS WOULD BE AN INTERFERENCE ON THE PART OF HANOI) AND THE PRESENCE OF THE NLF IN THE DISCUSSION OF THE PROBLEMS BETWEEN NORTH AND SOUTH VIET NAM (THIS WOULD BE INTERPRETED AS A DUAL GOVERNMENT IN SVN).

IN BRIEF: - ON THE PROBLEMS BETWEEN NVN AND SVN THERE SHOULD ONLY BE A FORUM BETWEEN SAIGON AND HANOI
- ON THE INTERNAL POLITICAL PROBLEMS OF SVN THERE SHOULD ONLY BE A FORUM BETWEEN GVN AND NLF. UNQUOTE

3. WARM REGARDS

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