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TEXT: KISSINGER JANUARY 24 PRESS CONFERENCE

Washington, Jan. 24 -- Following is the transcript of the press conference by Dr. Henry Kissinger, Assistant to the President for National Security Affairs, on the Vietnam Cease-fire Agreement:

(Begin text)

Dr. Kissinger: Ladies and gentlemen:

The President last evening presented the outlines of the Agreement and by common agreement between us and the North Vietnamese we have today released the text and I am here to explain, to go over briefly what these texts contain, and how we got there, what we have tried to achieve in recent months and where we expect to go from here.

Let me begin by going through the agreement which you have read.

The Agreement, as you know, is in nine chapters. The first affirms the independence, sovereignty, unity and territorial integrity, as recognized by the 1954 Geneva Agreements on Vietnam, agreements which established two zones, divided by a military demarcation line.

Chapter II deals with a cease-fire. The cease-fire will go into effect at seven o'clock Washington time on Saturday night. The principal provisions of Chapter II deal with permitted acts during the cease-fire and with what the obligations of the various parties are with respect to the cease-fire.

Chapter II also deals with the withdrawal of American and all other foreign forces from Vietnam within a period of 60 days and it specifies the forces that have to be withdrawn. These are in effect all military personnel and all civilian personnel dealing with combat operations. We are permitted to retain economic advisors, and civilian technicians, serving in certain of the military branches.

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Chapter II further deals with the provisions for re-supply and the introduction of outside forces. There is a flat prohibition against the introduction of any military force into South Vietnam from outside of South Vietnam, which is to say that whatever forces may be in South Vietnam from outside South Vietnam, specifically North Vietnamese forces, cannot receive reinforcements, replacements, or any other form of augmentation by any means whatsoever. With respect to military equipment, both sides are permitted to replace all existing military equipment on a one-to-one basis under international supervision and control.

There will be established, as I will explain when I discuss the protocols, for each side, three legitimate points of entry through which all replacement equipment has to move. These legitimate points of entry will be under international supervision.

Chapter III deals with the return of captured military personnel and foreign civilians, as well as with the question of civilian detainees within South Vietnam.

This, as you know, throughout the negotiations, presented enormous difficulties for us. We insisted throughout that the question of American prisoners of war and of American civilians captured throughout Indochina should be separate from the issue of Vietnamese civilian personnel detained partly because of the enormous difficulty of classifying the Vietnamese civilian personnel by categories of who was detained for reasons of the civil war and who was detained for criminal activities.

And secondly because it was foreseeable that negotiations about the release of civilian detainees would be complex and difficult and because we did not want to have the issue of American personnel mixed up with the issue of civilian personnel in South Vietnam.

This turned out to be one of the thorniest issues, that was settled at some point and kept reappearing throughout the negotiations. It was one of the difficulties we had during the December negotiations.

As you can see from the agreement, the return of American military personnel and captured civilians is separate in terms of obligation, and in terms of the time frame from the return of Vietnamese civilian personnel.

The return of American personnel and the accounting of missing in action is unconditional and will take place within the same time frame as the American withdrawal.

The issue of Vietnamese civilian personnel will be negotiated between the two Vietnamese parties over a period of three months, and as the Agreement says they will do their utmost to resolve this question within the three month period.

So I repeat, the issue is separated, both in terms of obligation and in terms of the relevant time frame from the return of American prisoners which is unconditional.

We expect that American prisoners will be released at the intervals of two weeks or fifteen days in roughly equal installments. We have been told that no American prisoners are held in Cambodia. American prisoners held in Laos and North Vietnam will be returned to us in Hanoi. They will be received by American medical evacuation teams and flown on American airplanes from Hanoi to places of our own choice, probably Vientiane.

There will be international supervision of both this provision and of the provision for the missing in action. And all American prisoners will, of course, be released, within 60 days of the signing of the Agreement. The signing will take place on January 27, in two installments, the significance of which I will explain to you when I have run through the provisions of the Agreement and the associated Protocol.

Chapter IV of the Agreement deals with the right of the South Vietnamese people to self-determination. Its first provision contains a joint statement by the United States and North Vietnam in which those two countries jointly recognize the South Vietnamese people's right to self-determination in which those two countries jointly affirm that the South Vietnamese people shall decide for themselves the political system that they shall choose and jointly affirm that no foreign country shall impose any political conditions on the South Vietnamese people.

The other principal provision of the Agreement that it implemented is the South Vietnamese people's right to self-determination. The two South Vietnamese parties will decide, will agree among each other, on free election for offices to be decided by the two parties at a time to be decided by the two parties. These elections will be supervised and organized first by an institution which has the title of National Council for National Reconciliation and Concord, whose members will be equally appointed by the two sides which will operate on the principle of unanimity, and which will come into being after negotiation between the two parties who are obligated by this agreement to do their utmost to bring this institution into being within 90 days.

Leaving aside the technical jargon, the significance of this Agreement, of this part of the Agreement, is that the United States has consistently maintained that we would not impose any political solution on the people of South Vietnam. The United States has consistently maintained that we would not impose a coalition government or a disguised coalition government on the people of South Vietnam.

If you examine the provisions of this chapter, you will see first, that the existing government in Saigon can remain in office; second, that the political future of South Vietnam depends on agreement between the South Vietnamese parties and not on an agreement that the United States has imposed on these parties; thirdly, that the nature of this political evolution, the timing of this political evolution, is left to the South Vietnamese parties, and that the organ that is created to see to it that the elections that are organized will be conducted properly, is one in which each of the South Vietnamese parties has a bid.

The other significant provision of this Agreement is the requirement that the South Vietnamese parties will bring about a reduction of their armed forces, and that the forces being reduced will be demobilized.

The next chapter deals with the reunification of Vietnam and the relationship between North and South Vietnam. In the many negotiations that I have conducted over recent weeks, not the least arduous was the negotiation conducted with the ladies and gentlemen of the press, who constantly raised issues with respect to sovereignty, the existence of South Vietnam as a political entity, and other matters of this kind. I will return to this issue at the end when I sum up the Agreement, but it is obvious that there is no dispute in the Agreement between the parties that there is an entity called South Vietnam, and that the future unity of Vietnam, as it comes about, will be decided by negotiation between North and South Vietnam; that it will not be achieved by military force; indeed, that the use of military force, with respect to bringing about unification, or any other form of coercion is impermissible according to the terms of this agreement.

Secondly, there are specific provisions in this chapter with respect to the Demilitarized Zone. There is a repetition of the Agreement of 1954 which makes the demarcation line along the 17th Parallel provisional, which means pending reunification. There is a specific provision that both North and South Vietnam shall respect the Demilitarized Zone on either side of the Provisional Military Demarcation Line, and there is another provision that indicates that among the subjects that can be negotiated will be modalities of civilian movement across the Demarcation Line, which makes it clear that military movement across the Demilitarized Zone is in all circumstances prohibited.

Now, this may be an appropriate point to explain what our position has been with respect to the DMZ. There has been a great deal of discussion about the issue of sovereignty and about the issue of legitimacy, which is to say which government is in control of South Vietnam.

And finally, about why we laid such great stress on the issue of the Demilitarized Zone. We had to place stress on the issue of the Demilitarized Zone because the provisions of the Agreement with respect to infiltration, with respect to replacement, with respect to any of the military provisions, would have made no sense whatsoever if there was not some demarcation line that defined where South Vietnam began. If we had accepted the proposition that would have in effect eroded the Demilitarized Zone, then the provisions of the Agreement with respect to restrictions about the introduction of men and material into South Vietnam would have been unilateral restrictions applying only to the United States and only to our allies. Therefore, if there was to be any meaning to the separation of military and political issues, if there was to be any permanence to the military provisions that had been negotiated, then it was essential that there was a definition of where the obligations of this Agreement began. As you can see from the text of the Agreement, the principles that we defended were essentially achieved.

Chapter VI deals with the international machinery, and we will discuss that when I talk about the associated protocols of the Agreement.

Chapter VII deals with Laos and Cambodia. Now, the problem of Laos and Cambodia has two parts. One part concerns those obligations which can be undertaken by the parties signing the Agreement - that is to say, the three Vietnamese parties and the United States - those measures they can take which effect the situation in Laos and Cambodia.

A second part of the situation in Laos has to concern the nature of the civil conflict that is taking place within Laos and Cambodia and the solution of which, of course, must involve as well the two Laotian parties and the innumerable Cambodian factions.

Let me talk about the provision of the agreement with respect to Laos and Cambodia and our firm expectations as to the future in Laos and Cambodia.

The provisions of the Agreement with respect to Laos and Cambodia reaffirm, as an obligation to all the parties, the provisions of the 1954 Agreement on Cambodia and of the 1962 Agreement on Laos, which affirm the neutrality, and right to self-determination of those two countries. They are, therefore, consistent with our basic position with respect also to South Vietnam.

In terms of the immediate conflict, the provisions of the Agreement specifically prohibit the use of Laos and Cambodia for military and any other operation against any of the signatories of the Paris Agreement or against any other country. In other words, there is a flat prohibition against the use of base areas in Laos and Cambodia.

There is a flat prohibition against the use of Laos and Cambodia for infiltration into Vietnam or, for that matter, into any other country.

Finally, there is a requirement that all foreign troops be withdrawn from Laos and Cambodia, and it is clearly understood that North Vietnamese troops are considered foreign with respect to Laos and Cambodia.

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Now, as to the conflict within these countries which could not be formally settled in an agreement which was not signed by the parties of that country, let me make this statement, without elaborating: it is our firm expectation that within a short period of time there will be a formal cease-fire in Laos which, in turn, will lead to a withdrawal of all foreign forces from Laos and, of course, to the end of the use of Laos as a corridor of infiltration.

Secondly, the situation in Cambodia, as those of you who have studied it will know, is somewhat more complex because there are several parties headquartered in different countries. Therefore, we can say about Cambodia that it is our expectation that a de facto cease-fire will come into being over a period of time relevant to the execution of this Agreement.

Our side will take the appropriate measures to indicate that it will not attempt to change the situation by force. We have reason to believe that our position is clearly understood by all concerned parties, and I will not go beyond this in my statement.

Chapter VIII deals with the relationship between the United States and the Democratic Republic of Vietnam.

As I have said in my briefings on October 26th and on December 16th, and as the President affirmed on many occasions, the last time in his speech last evening, the United States is seeking a peace that heals. We have had many armistices in Indochina. We want a peace that will last.

And, therefore, it is our firm intention in our relationship to the Democratic Republic of Vietnam to move from hostility to normalization and from normalization to conciliation and cooperation and we believe that under conditions of peace we can contribute throughout Indochina to a realization of the human aspirations of all the people of Indochina and we will, in that spirit, perform our traditional role of helping people realize these aspirations in peace.

Chapter IX of the agreement is the usual implementing provision. So much for the Agreement.

Now, let me say a word about the protocols. There are four protocols or implementing instruments to the agreement: on the return of American prisoners, on the implementation and institution of an International Control Commission, on the regulations with respect to the cease-fire and the implementation and institution of a joint military commission among the concerned parties, and a protocol about the deactivation and removal of mines.

I have given you the relevant provisions of the protocol concerning the return of prisoners. They will be returned at periodic intervals in Hanoi to American authorities and not to American private groups. They will be picked up by American airplanes, except for prisoners held in the southern part of South Vietnam, which will be released at designated points in the South, again, to American authorities.

We will receive on Saturday, the day of the signing of the agreement, a list of all American prisoners held throughout Indochina and both parties, that is to say, all parties have an obligation to assist each other in obtaining information about the prisoners, missing in action, and about the location of graves of American personnel throughout Indochina.

The International Commission has the right to visit the last place of detention of the prisoners, as well as the place from which they are released.

Now, to the International Control Commission. You may remember one of the reasons for the impasse in December was the difficulty of agreeing with the North Vietnamese about the size of the International Commission, its function, or the location of its teams.

On this occasion, there is no point in rehashing all the differences. It is, however, useful to point out that at that time the proposal of the North Vietnamese, was that the International Control Commission have a membership of 250, no organic logistics or communication, dependent entirely on its authority to move on the party it was supposed to be investigating and over half of its personnel were supposed to be located in Saigon, which is not the place where most of the infiltration that we were concerned with was likely to take place.

We have distributed to you an outline of the basic structure of this commission. Briefly stated, its total number is 1,160 drawn from Canada, Hungary, Indonesia, and Poland. It has headquarters in Saigon. It has seven regional teams, 26 teams based in localities throughout Vietnam which were chosen either because forces were in contact there or because we estimated that these were the areas where the violations of the cease-fire were most probable.

There are 12 teams at border crossing points. There are seven teams that are set aside for points of entry, which have yet to be chosen, for the replacement of military equipment. That is for article 7 of the agreement. There will be three on each side and there will be no legitimate point of entry into South Vietnam other than those three points. The other border and coastal teams are there simply to make certain that no other entry occurs and any other entry is by definition illegal. There has to be no other demonstration except the fact that it occurred.

This leaves one team free for use, in particular, at the discretion of the Commission and of course the seven teams that are being used for the return of the prisoners can be used at the discretion of the Commission after the prisoners are returned.

There is one reinforced team located at the demilitarized zone and its responsibility extends along the entire demilitarized zone. It is in fact a team and a half. It is 50 percent larger than a normal border team and it represents one of the many compromises that were made between our insistence on ~~two~~ teams, their insistence on one team and by a brilliant stroke, we settled on a team and a half. (laughter)

With respect to the operation of the International Commission, it is supposed to operate on the principle of unanimity, which is to say that its reports, if there are commission reports, have to have the approval of all four members. However, each member is permitted to submit his own opinion so that as a practical matter, any member of the commission can make a finding of a violation and submit a report at the first instance to the party.

The International Commission will report for the time being to the four parties to the agreement. We expect an international conference will take place at the Foreign Ministers' level.

Within a month of the signing of the agreement, that International conference will establish a relationship between the International Commission and itself, or any other international body that is mutually agreed upon, so that the International Commission is not only reporting to the parties that it is investigating, but for the time being, until the international conference has met, there was no other practical group to which the International Commission could report.

In addition to this international group, there are two other institutions that are supposed to supervise the ceasefire. There is, in fact, all, an institution called the Four Party Joint Military Commission, which is composed of ourselves and the three Vietnamese parties, which is located in the same place as the International Commission, charged with roughly the same functions, but as a practical matter, it is supposed to conduct the preliminary investigations. Its disagreements are automatically referred to the international commission, and more over, any party can request the International Commission to conduct an investigation regardless of what the Four-Party Commission does, and regardless of whether the Four-Party Commission has completed its investigation or not.

After the United States has completed its withdrawal, the four-party military commission will be transformed into a two-party commission composed of the two South Vietnamese parties. The total number of supervisory personnel, therefore, will be in the neighborhood of 4,500 during the period that the four-party commission is in existence, and in the neighborhood of about 3,000 after the four-party commission ceases operating and the two-party commission comes into being.

Finally, there is a protocol concerning the removal and deactivation of mines which is self-explanatory, and discusses the relationship between our efforts and the efforts of the DRV concerning the removal and deactivation of mines which is one of the obligations we have undertaken in the agreement.

Now, let me point out one other problem. On Saturday, January 27th, the Secretary of State on behalf of the United States, will sign the agreement bringing the cease-fire and all the other provisions of the agreement and protocols into force. He will sign in the morning a document involving four parties, and in the afternoon a document between us and the Democratic Republic of Vietnam. These documents are identical, except that the preamble differs in both cases.

The reason for this somewhat convoluted procedure is that, while the Agreement provides that the two South Vietnamese parties should settle their disputes in an atmosphere of national reconciliation and concord, I think it is safe to say that they have not yet quite reached that point; indeed, that they have not yet been prepared to recognize each other's existence.

This being the case, it was necessary to devise one document in which neither of the South Vietnamese parties was mentioned by name and, therefore, no other party could be mentioned by name on the principle of equality. So the four-party document, the document that will have four signatures, can be read with great care and you will not know until you get to the signature page whom, exactly, it applies to. It refers only to the parties participating in the Paris Conference, which are, of course, well known to the parties participating in the Paris Conference. (Laughter)

It will be signed on two separate pages. The United States and the GVN are signing on one page, and the Democratic Republic of Vietnam and its ally are signing on a separate page, and this procedure has aged us all by several years. (Laughter)

Then there is another document which will be signed by the Secretary of State and the Foreign Minister of the Democratic Republic of Vietnam in the afternoon. That document, in its operative provisions, is word for word the same as the document which will be signed in the morning, and which contains the obligations to which the two South Vietnamese parties are obligated.

It differs from that document only in the Preamble and in its concluding paragraph. In the Preamble it says the United States, with the concurrence of the Government of the Republic of Vietnam, and the DRV, with the concurrence of the Provisional Revolutionary Government, and the rest is the same, and then the concluding paragraph has the same adaptation. That document, of course, is not signed by either Saigon or its opponent and, therefore, their obligations are derived from the four-party document.

I do not want to take any time in going into the obtuse legalism. I simply wanted to explain to you why there were two different signature ceremonies, and why, when we handed out the text of the Agreement, we appended to the document which contains the legal obligations which apply to everybody--namely, the four parties--we appended another section that contained a different Preamble and a different implementing paragraph which is going to be signed by the Secretary of State and the Foreign Minister of the Democratic Republic of Vietnam.

This will be true with respect to the Agreement and three of the Protocols. The fourth Protocol regarding the removal of mines applies only to the United States and the Democratic Republic of Vietnam and, therefore, we are in the happy position of having to sign only one document.

Now, then, let me summarize for you how we got to this point, and some of the aspects of the Agreement that we consider significant, and then I will answer your questions.

As you know, when I met with this group on December 16th, we had to report that the negotiations in Paris seemed to have reached a stalemate. We had not agreed at that time, although we didn't say so. We could not find a formula to take into account the conflicting views with respect to signing. There were disagreements with respect to the DMZ and with the associated aspects of what identity South Vietnam was to have in the Agreement.

There was a total deadlock with respect to the Protocols, which I summed up in the December 16th press conference. The North Vietnamese approach to international control and ours were so totally at variance that it seemed impossible at that point to come to any satisfactory conclusion, and there began to be even some concern that the separation which we thought we had achieved in October between the release of our prisoners and the question of civilian prisoners in South Vietnam was breaking down.

When we reassembled on January 8th, we did not do so in the most cordial atmosphere that I remember. However, by the morning of January 9th it became apparent that both sides were determined to make a serious effort to break the deadlock in negotiations, and we adopted a mode of procedure by which issues in the Agreement and issues of principle with respect to the Protocols were discussed at meetings between Special Advisor Le Duc Tho and myself, while concurrently an American team headed by Ambassador Sullivan and a Vietnamese team headed by Vice Minister Thach would work on implementation of the principles as they applied to the Protocols.

For example, the Special Advisor, and I might agree on the principle of broader control posts and their number, but then the problem of how to locate, according to what criteria, and with what mode of operation presented enormous difficulty.

Let me on this occasion also point out that these negotiations required the closest cooperation throughout our government, between the White House and the State Department, between all the elements of our team, and that, therefore, the usual speculation of who did what to whom is really extraordinarily misplaced.

Without a cooperative effort by everybody, we could not have achieved what we have presented last night and this morning.

The Special Advisor and I then spent the week, first on working out the unresolved issues in the agreement and then the unresolved issues with respect to the Protocols and finally, the surrounding circumstances of schedules and procedures.

Ambassador Sullivan remained behind to draft the implementing provisions of the agreements that had been achieved during the week. The Special Advisor and I remained in close contact.

So by the time we met again yesterday, the issues that remained were very few, indeed, and while we settled relatively rapidly, I may on this occasion also point out that the North Vietnamese are the most difficult people to negotiate with that I have ever encountered when they do not want to settle. They are also the most effective that I have dealt with when they finally decide to settle. That is why we have gone through peaks and valleys in these negotiations of extraordinary intensity.

Now then, let me sum up where this Agreement has left us. First with respect to what we said we would try to achieve, and then with respect to some of its significance and, finally, with respect to the future.

First, when I met this group on October 26th and delivered myself of some epigrammatic phrases, we obviously did not want to give a complete check list, and we did not want to release the Agreement -- it then stood, because it did not seem to us desirable to provide a check list against which both sides would then have to measure success and failure in terms of their prestige.

At that time, too, we did not say--it had always been foreseen that there would be another three or four days of negotiations after this tentative agreement had been reached. The reason why we asked for another negotiation was because it seemed to us at that point that for a variety of reasons, which I explained then and again on December 16th, those issues could not be settled within the time frame that the North Vietnamese expected.

It is now a matter of history, and it is, therefore, not essential to go into a debate of on what we based this judgment. But that was the reason why the Agreement was not signed on October 31, and not any of the speculations that have been so much in print and on television.

Now, what did we say on October 26th we wanted to achieve? We said, first of all, that we wanted to make sure that the control machinery would be in place at the time of the cease-fire. We did this because we had information that there were plans by the other side to mount a ¹⁰major offensive to coincide with the signing of the Cease-Fire Agreement.

This objective has been achieved by the fact that the Protocols will be signed on the same day as the Agreement. By the fact that the International Control Commission and the Four-Party Military Commission will meet within 24 hours of the Agreement going into effect or no later than Monday morning, Saigon time; that the regional teams of the International Control Commission will be in place 43 hours thereafter, and that all other teams will be in place within 15 and a maximum of 30 days after that.

Second, we said that we wanted to compress the time interval between the cease-fire we expected in Laos and Cambodia and the cease-fire in Vietnam.

For the reasons which I have explained to you, we cannot be as specific about the cease-fires in Laos and Cambodia as we can about the Agreements that are being signed on Saturday, but we can say with confidence that the formal cease-fire in Laos will go into effect in a considerably shorter period of time than was envisaged in October, and since the cease-fire in Cambodia depends to some extent on developments in Laos, we expect the same to be true there.

We said that certain linguistic ambiguities should be removed. The linguistic ambiguities were produced by the somewhat extraordinary negotiating procedure whereby a change in the English text did not always produce a correlative change in the Vietnamese text. The linguistic ambiguities to which we referred in October have, in fact, been removed. At that time, I mentioned only one, and therefore I am free to recall it.

I pointed out that the United States position had consistently been a rejection of the imposition of a coalition government on the people of South Vietnam. I said then that the National Council of Reconciliation was not a coalition government, nor was it conceived as a coalition government.

The Vietnamese language text, however, permitted an interpretation of the words "administrative structure" as applied to the National Council of Reconciliation which would have lent itself to the interpretation that it came close or was identical with a coalition government.

You will find that in the text of this Agreement the words "administrative structure" no longer exist and therefore this particular, shall we say, ambiguity has been removed.

I pointed out in October that we had to find a procedure for signing which would be acceptable to all the parties for whom obligations were involved. This has been achieved.

I pointed out on October 25th that we would seek greater precision with respect to certain obligations particularly without spelling them out, as they applied to the Demilitarized Zone and to the obligations with respect to Laos and Cambodia. That, too, has been achieved.

And I pointed out in December that we were looking for some means, some expression, 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.

This is now explicitly provided, and we have achieved formulations in which in a number of the paragraphs, such as Article 14, 13 (E) and 20, there is specific reference to the sovereignty of South Vietnam.

There are specific references, moreover, to the same thing in Article 6 and Article 11 of the ICCS Protocol. There are specific references to the right of the South Vietnamese people to self-determination.

And therefore, we believe that we have achieved the substantial adaptations that we asked for on October 26th. We did not increase our demands after October 26th and we substantially achieved the clarifications which we sought.

Now then, it is obvious that a war that has lasted for 10 years will have many elements that cannot be completely satisfactory to all the parties concerned. And in the two periods where the North Vietnamese were working with dedication and seriousness on a conclusion, the period in October and the period after we resumed talks on January 3th, it was always clear that a lasting peace could come about only if neither side sought to achieve everything that it had wanted; indeed, that stability depended on the relative satisfaction and therefore on the relative dissatisfaction of all of the parties concerned. And therefore, it is also clear that whether this Agreement brings a lasting peace or not depends not only on its provisions, but also on the spirit in which it is implemented.

It will be our challenge in the future to move the controversies that could not be stilled by any one document from the level of military conflict to the level of positive human aspirations and to absorb the enormous talents and dedication of the people of Indochina in tasks of construction, rather than in tasks of destruction.

We will make a major effort to move to create a framework where we hope in a short time the animosities and the hatred and the suffering of this period will be seen as aspects of the past, and where the debates concern differences of opinion as to how to achieve positive growth.

Of course, the hatred will not rapidly disappear, and, of course, people who have fought for 25 years will not easily give up their objectives, but also people who have suffered for 25 years may at least come to know that they can achieve their realization by other and less brutal means.

The President said yesterday that we have to remain vigilant, and so we shall, but we shall also dedicate ourselves to positive efforts. And for us at home, it should be clear by now that no one in this war has had a monopoly of anguish and that no one in these debates has had a monopoly of moral insight, and now that at last we have achieved an Agreement in which the United States did not prescribe the political future to its allies; an Agreement which should preserve the dignity and the self-respect of all of the parties that together with healing the wounds in Indochina we can begin to heal the wounds in America.

I will be glad to answer any questions.

Q. Dr. Kissinger, what supervision do you envisage over the Ho Chi Minh Trail by an international agency?

Dr. Kissinger: We expect that the International Control Commission that exists in Laos will be reinstituted. We have also provided for the establishment of border teams, as you can see from the maps at all the terminal points of the Ho Chi Minh Trail into South Vietnam and therefore, we believe that there will be international supervision of the provisions, both within Laos and within South Vietnam.

Q. Dr. Kissinger, one of the major problems has been the continued presence of North Vietnamese troops in the South. Could you tell us, first, so far as you know, how many of these troops are there in the South now, and do you have any understanding or assurance that these troops will be withdrawn?

Dr. Kissinger: Our estimate of the number of North Vietnamese troops in the South is approximately 145,000. Now, I want to say a number of things with respect to this. First, nothing in the Agreement establishes the right of North Vietnamese troops to be in the South.

Secondly, the North Vietnamese have never claimed that they have a right to have troops in the South, and while opinions may differ about the exact accuracy of that statement, from a legal point of view it is important because it maintains the distinction that we do maintain.

Thirdly, if this Agreement is implemented, the North Vietnamese troops in the South should, over a period of time, be subject to considerable reduction. First, there is a flat prohibition against the introduction of any outside forces, for any reason whatsoever, so that the normal attrition of personnel cannot be made up by the reinfiltration of outside forces. I am talking now about the provisions of the Agreement.

Secondly, there is a flat prohibition against the presence of foreign forces in Laos and Cambodia, and, therefore, a flat prohibition against the use of the normal infiltration corridor.

Thirdly, as the Agreement makes clear, military movement of any kind across the Demilitarized Zone is prohibited, both in the clause requiring respect for the Demilitarized Zone, which by definition excludes military personnel, and second in the clause that says only modalities of civilian movement can be discussed, not of any other movement between North and South Vietnam.

Fourth, there is a provision requiring the reduction and demobilization of forces on both sides, the major part of which on the South Vietnamese communist side is **believed**, by all knowledgeable observers, to have arrived from outside of South Vietnam.

Therefore it is our judgment that there is no way that North Vietnam can live up to that Agreement without there being a reduction of the North Vietnamese forces in South Vietnam, without this being explicitly stated.

Of course, it is not inconceivable that the Agreement will not in all respects be lived up to. In that case, adding another clause that will not be lived up to specifically requiring it, would not change the situation.

It is our judgment and our expectation -- it is our expectation -- that the Agreement will be lived up to and, therefore, we believe that the problem of these forces will be taken care of by the evolution of events in South Vietnam.

Q. Dr. Kissinger, can I try to get a clarification of just that point? Several times, I think, you have said it is understood that North Vietnamese troops in Laos and Cambodia are considered foreign troops.

Dr. Kissinger: That is right.

Q. Are they so considered?

Dr. Kissinger: I said it once, Peter.

Q. You said it in answer to Marvin's question, but is it so considered in South Vietnam? Is North Vietnam a foreign entity in South Vietnam according to this Agreement?

Dr. Kissinger: This is one of the points on which the bitterest feeling rages and with which it is best not to deal with in a formal and legalistic manner.

As I have pointed out, in this Agreement, there are repeated references to the identify of South Vietnam, to the fact that the South Vietnamese people's right of self-determination is recognized by the DRV and the United States, to the fact that North and South Vietnam shall settle their disputes peacefully and through negotiation, and other provisions of a similar kind.

Therefore it is clear there is no legal way by which North Vietnam can use military force against South Vietnam.

Now, whether that is due to the fact that there are two zones temporarily divided by a provisional demarcation line or because North Vietnam is a foreign country with relation to South Vietnam, that is an issue which we have avoided making explicit in the Agreement, and in which ambiguity has its merits from the point of view of the international positions, and from the point of view of the obligations of the Agreement.

There is no legal way by which North Vietnam can use military force vis a vis South Vietnam to achieve its objective.

Q. Dr. Kissinger, on that subject, by what means was the United States able to convince President Thieu to accept the presence of North Vietnamese troops in South Vietnam?

Dr. Kissinger: First of all, it is not easy to achieve through negotiations what has not been achieved on the battlefield, and if you look at the settlements that have been made in the post-war period, the lines of demarcation have almost always followed the lines of actual control.

Secondly, we have taken the position throughout that the Agreement cannot be analyzed in terms of any one of its provisions, but it has to be seen in its totality and in terms of the evolution that it starts.

Thirdly, we have not asked President Thieu, nor has he accepted, the presence of North Vietnamese troops in South Vietnam as a legal right, nor do we accept that as a legal right.

We have, since October 1970, proposed a cease-fire in place. A cease-fire in place always has to be between the forces that exist. The alternative of continued war also would have maintained the forces in the country.

Under these conditions, they are cut off from the possibility of renewed infiltration. They are prevented from undertaking military action. Their re-supply is severely restricted.

And President Thieu, after examining the totality of the Agreement, came to the conclusion that it achieved the essential objectives of South Vietnam, of permitting his people to bring about self-determination and of not posing a security risk that he could not handle with the forces that we have equipped and trained.

Q. Because of a news report from Paris this morning that actually there were some 15 to 20 Protocols of which only four are being made public, were there any secret Protocols agreed to?

Dr. Kissinger: The only Protocols that exist are the Protocols that have been made public.

Q. What about understandings?

Dr. Kissinger: There are, with respect to certain phrases, read into the record certain statements as to what they mean, but these have been explained in these briefings and made clear.

There are no secret understandings.

Q. Dr. Kissinger, it has been widely speculated that the 12-day saturation bombing of the North was the key to achieving the Agreement that you found acceptable. Was it, and if not, what was?

Dr. Kissinger: I was asked in October whether the bombing or mining of May 8th brought about the breakthrough in October, and I said then that I did not want to speculate on North Vietnamese motives. I have too much trouble analyzing our own.

I will give the same answer to your question, but I will say that there was a deadlock which was described in the middle of December, and there was a rapid movement when negotiations resumed on the technical level on January 3 (January 2) and on the substantive level on January 8. These facts have to be analyzed by each person for himself.

I want to make one point with respect to the question about understandings. It is obvious that when I speak with some confidence about certain developments that happen with respect to Laos and other places, that this must be based on exchanges that have taken place, but for obvious reasons I cannot go further into them.

The formal obligations of the parties have all been revealed, and there are no secret formal obligations.

Q. Dr. Kissinger, the amount to which the United States is committed in rebuilding construction you referred to in North Vietnam, the reparation or whatever it is to be -- is there any dollar amount suggested?

Dr. Kissinger: We will discuss the issue of economic reconstruction of all of Indochina, including North Vietnam only after the signature of the Agreements, and after the implementation is well advanced, and the definition of any particular sum will have to await the discussions which will take place after the Agreements are in force.

Q. Dr. Kissinger, is there any understanding with the Soviet Union or Communist China that they will take part in an international conference or will help toward the preservation of this ~~framework~~ of the Agreement?

Dr. Kissinger: Formal invitations to the international conference have not yet been extended. But we expect both the Soviet Union and the People's Republic of China to participate in the international conference which will take place within 30 days of the signature of the Agreement.

We have reason to believe that both of these countries will participate in this conference.

Now, with ⁶respect to their willingness to help this Agreement become viable. It is, of course, clear that peace in Indochina requires the self-restraint of all the major countries and especially of those countries which on all sides have supplied the wherewithal for this conflict.

We, on our part, are prepared to exercise such restraint. We believe that the other countries, the Soviet Union and the People's Republic of China, can make a very major contribution to peace in Indochina by exercising similar restraint.

Q. If a peace treaty is violated and if the ICC proves ineffective, will the United States ever again send troops into Vietnam?

Dr. Kissinger: I don't want to speculate on hypothetical situations that we don't expect to arise.

Q. Dr. Kissinger, what agreement or understanding is there on the role that will be played by the so-called Neutralist or Third-Force Group in Vietnam in the National Council of Reconciliation?

Dr. Kissinger: We have taken the position throughout that the future political evolution of South Vietnam should be left, to the greatest extent possible, to the South Vietnamese themselves and should not be predetermined by the United States.

Therefore, there is no understanding in any detail on the role of any particular force in South Vietnam. The United States has always taken the view that it favored free elections, but on the whole, the essence of this agreement is to leave the political evolution of South Vietnam to negotiations among the various South Vietnamese parties or factions.

Q. Dr. Kissinger, about a year ago, President Nixon outlined a peace proposal which included a provision for President Thieu to resign prior to elections. Is there any similar provision in this Agreement?

Dr. Kissinger: That proposal was in a somewhat different context. In any event, there is no such provision in this Agreement and this again is a matter that will have to be decided by the Vietnamese parties within the context of whatever negotiations they have, but there is no requirement of any kind like this in the Agreement.

Q. Dr. Kissinger, when do you expect the first American planes to arrive in Hanoi to pick up the prisoners?

Dr. Kissinger: Our expectation is that the withdrawal, as well as the release of prisoners, will take place in roughly equal increments of 15 days over the 60 day period, so within 15 days of January 27th. That is the outside time. It could be faster.

Q. I wanted to know the earliest time.

Dr. Kissinger: I can't give any earlier time than within 15 days.

Q. Dr. Kissinger, you have addressed yourself to this general area before, but the question keeps coming up. Would you just review for us briefly how you feel that the Agreement that you have reached differs from one that could have been reached, say, four years ago?

Dr. Kissinger: Four years ago the North Vietnamese totally refused to separate political and military issues. Four years ago the North Vietnamese insisted that as a condition to negotiation the existing governmental structure in South Vietnam would have to be disbanded and only after this governmental structure had been disbanded and different one had been installed would they even discuss, much less implement any of the other provisions of the Agreement.

Therefore, until October 8th of last year, all of the various schemes that were constantly being discussed foundered on the one root factor of the situation, that the North Vietnamese, until October 8th of this year, demanded that a political victory be handed to them as a precondition for a discussion of all military questions. But in that case, all military questions would have become totally irrelevant because there was no longer the political structure to which they could apply.

It was not until October 8th last year that the North Vietnamese ever agreed to separate these two aspects of the problem and as soon as this was done, we moved rapidly.

There was the second phase, which I have described, which included the changes that were made between October and January, which produced this Agreement.

Q. Dr. Kissinger, earlier you said that as of December 16th there were various disagreements which then existed and the first one was the question of the Demilitarized Zone and associated aspects over what identity South Vietnam should have under the Agreement.

Can you elaborate on this, and most particularly can you elaborate on it from the standpoint of whether you are referring here to President Thieu's objections?

Dr. Kissinger: I have made clear what exactly was involved. We have here several separate issues. One, is there such a thing as a South Vietnam even temporarily until unification?

Secondly, who is the legitimate ruler of South Vietnam? This is what the civil war has been all about.

Thirdly, what is the demarcation line that separates North Vietnam from South Vietnam?

Now we believe that the Agreement defines adequately the demarcation line. It defines adequately what the identity is to which we refer. It leaves open to negotiation, among the parties the political evolution of South Vietnam and therefore, the definition of what ultimately will be considered by all South Vietnamese the legitimate ruler.

The President made clear yesterday that as far as the United States is concerned, we recognize President Thieu. This is a situation that has existed in other countries and these were the three principal issues involved, of which two have international significance, and were settled within the Agreement, and the third has significance in terms of the political evolution of South Vietnam, and that has been left to the self-determination of the South Vietnamese people.

As to the question of President Thieu ... (garble) comments and so forth, we said on October 26th that obviously in a war fought in South Vietnam, in a war that has had hundreds of thousands of casualties of South Vietnamese, enormous devastation within South Vietnam, it stands to reason that the views of our allies will have to be considered.

There is nothing wrong or immoral for them to have such views.

Secondly, their perception of the risk has to be different from our perception of the risks. We are 12,000 miles away. If we make a mistake in our assessment of the situation, it will be painful. If they make a mistake in the assessment of the situation, it can be fatal and therefore they have had a somewhat less flexible attitude. Where we, in some respects, have at some points been content with more ambiguous formulations, they were not.

Nevertheless, it is also obvious to any readers of the Saigon press and of their official communications that we did not accept all of their comments, and that we carried out precisely what the President had said and what was said at the various press conferences in which I presented the U.S. Government view, namely, that we would make the final determination as to when American participation in the war should end.

Those parts of their comments that we thought were reasonable we made our own; those that we did not, we did not. And once we had achieved an agreement with the North Vietnamese that we considered fair and just and honorable we presented it with great energy and conviction in Saigon.

Q. This is what I am asking you, Doctor. You say you made some of his points your points. What did he get in January that he didn't have in October?

Dr. Kissinger: I do not want to discuss what he got. I pointed out the list of objectives we set ourselves in October and what was achieved. I pointed out the changes that were achieved between October and January. We believe them to be substantial, and I do not want to make a checklist of saying which originated in Saigon or which originated in Washington.

Q. Dr. Kissinger, did you personally feel strengthened in the negotiations as a result of the saturation bombing?

Dr. Kissinger: The term "saturation bombing" has certain connotations. We carried out what was considered to be necessary at the time in order to make clear that the United States could not stand for an indefinite delay in the negotiations.

My role in the negotiations was to present the American point of view. I can only say that we resumed the negotiations on January 8th and the breakthrough occurred on January 9th and I will let those facts speak for themselves.

Q. Dr. Kissinger, what is now the extent and the nature of the American commitment to South Vietnam?

Dr. Kissinger: The United States, as the President said, will continue economic aid to South Vietnam. It will continue that military aid which is permitted by the Agreement. The United States is prepared to gear that military aid to the actions of other countries and not to treat it as an end in itself.

And the United States expects all countries to live up to the provisions of the Agreement.

Q. Dr. Kissinger, you say, "The two South Vietnamese parties shall be permitted to make periodic replacements of armaments, munitions, and war material which have been destroyed." Why do we have to put any more materials in there? Why should they be in there and will these materials come from the United States or what countries?

Dr. Kissinger: Let's separate two things, what is permitted by the Agreement and what we shall do. What is permitted by the Agreement is that military equipment, as you said, that is destroyed, worn out, used up or damaged, can be replaced.

The reason for that provision is, if for any reason the war should start at any level, it would be an unfair restriction on our South Vietnamese allies to prohibit them from replacing their weapons if their enemies are able to do so.

The degree, therefore, to which these weapons have to be replaced will depend on the degree to which there is military activity. If there is no military activity in South Vietnam, then the number of weapons that are destroyed, damaged or worn out will, of course, be substantially less than in other circumstances. But that military activity is permitted by the Agreement. The United States is prepared to gear that military aid to the actions of other countries and not to treat it as an end in itself.

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Dr. Kissinger: Let's separate two things, what is permitted by the Agreement and what we shall do. What is permitted by the Agreement is that military equipment, as you said, that is destroyed, worn out, used up or damaged, can be replaced.

Secondly, what will be the United States' position? This depends on the overall situation. If there is no military activity, if other countries do not introduce massive military equipment into Vietnam, we do not consider it an end in itself to give military aid. But we believe that it would be unfair and wrong for one country to be armed by its allies while the other one has no right to do so. This is what will govern our actions.

Q. Dr. Kissinger, what is the plan for the rather sizable United States military force off shore and warships off South Vietnam and also B-52 bases in Thailand? Will these forces be reduced, and is there an understanding with the North Vietnamese that you have not mentioned to us here that would reduce those forces?

Dr. Kissinger: There is no restriction on American military forces that is not mentioned in the Agreement. One would expect, as time goes on, that deployment of our naval forces will take account of the new situation.

As you know, we have kept many of our forces on station for longer than the normal period of time, and we have had more carriers in the area than before, but this is not required by the Agreement. It is simply a projection of what might happen. The same is true with respect to Thailand. There are no restrictions on our forces in Thailand. It has always been part of the Nixon Doctrine that the deployment of our forces would be related to the degree of the danger and has not an abstract quality of its own.

So that as a general rule one can say that in the initial phasing of the Agreement, before one knows how it will be implemented, the deployment will be more geared to the war situation, and as the Agreement is being implemented, the conditions of peace will have a major impact on it. But this is simply a projection of our normal policy and is not an outgrowth required by the Agreement.

The Press: Thank you, Dr. Kissinger. (End Text).

