Delegation Of The RVN At The Official Meetings Between The Two South-Vietnamese Parties

REFERENCE

La Celle Saint Cloud Castle

BRIEF SUMMARY OF 90 DAYS OF THE IMPLEMENTATION OF THE PARIS AGREEMENT ON VIETNAM (JANUARY 27th 1973)
The chateau of La Celle Saint Cloud was built at the beginning of the 17th century, in the middle of a 68 acre park, 18 miles Southwest of Paris. Although of modest dimensions, the chateau of La Celle Saint Cloud can be justly proud of the visits made to it by French Kings, from Louis XIV to Louis XVIII.

The chateau of La Celle Saint Cloud has successively belonged to some 20 odd owners. The most famous among them was incontestably the marquise de Pompadour, a favorite of King Louis XV. She stayed there from 1748 to 1750.

The last owner of the chateau, the family of Dutreux Noroy, donated it to the French Government in 1951 with the condition that it be reserved for use by the Ministry of Foreign Affairs, at the disposal of its Minister, his family and his guests.

Thanks to the hospitality of the French Government and especially of the Minister of Foreign Affairs, the official meetings of the two South Vietnamese parties could be held beginning March 19, 1973 at the chateau of La Celle Saint Cloud.

For this kind hospitality of the French Government, Dr Nguyen Luu Viên, Vice Prime Minister and Chief of the Delegation of the Republic of Vietnam, has conveyed the deep appreciation of his Government.
BRIEF SUMMARY OF 90 DAYS OF IMPLEMENTATION OF THE PARIS AGREEMENT OF JANUARY 27, 1973

Three months have elapsed since the signing of the Paris Agreement of January 27, 1973 on ending the war and restoring peace in Vietnam.

All the signatory parties have pledged to abide by and carry out correctly a number of obligations clearly stipulated in the Agreement. In fact, strict implementation of the Agreement can not only create conditions for establishing new relations to stabilize the situation in Vietnam but can prove the good will of the signatory parties as to whether they are determined to engage in the path of negotiations to contribute to maintaining a lasting peace in Indochina and South East Asia.

In order to enlighten public opinion at home and at large 90 days after the coming into effect of the ceasefire, it is useful to review the results obtained, to see what the difficulties are, which party is responsible for creating these difficulties and delaying implementation of the Agreement.

The problems of implementation of the ceasefire, release of prisoners of war and civilian personnel captured, consultations between the two South Vietnamese parties, will be successively reviewed in parallel to facilitate comparison.
IMPLEMENTATION OF THE CEASEFIRE BY THE DEMOCRATIC REPUBLIC OF VIETNAM AND THE NLF.

The National Liberation Front does not implement the ceasefire seriously and asserts that its troops are maintaining their mobility, thus violating Article 3 of the Agreement which clearly stipulates that "The armed forces of the two South Vietnamese parties shall remain in place".

The Communist side has deliberately not assigned its personnel in full strength as prescribed by Article 15 of the Protocol on Joint Military Commissions.

North Vietnam had sent its delegates to the Regional Joint Military Commissions in the first month but afterwards pulled out all its personnel from the 2 regions of Hue and Da-Nang in complete disregard of the principle of unanimity between 4 parties and the recommendations of the International Commission of Control and Supervision.

The NLF has not designated its representatives for the 3 regions of Hue, Da-Nang and Pleiku and has only a token representation in the other regions. For the first 60 days, the NLF assigned only 213 out of a total of 825 members prescribed.
Neither the Delegation of the Democratic Republic of Vietnam nor that of the NLF has designated any representative to the 26 local teams of the Joint Military Commissions.

During the 90-day period from January 28 to April 28, 1973, the North Vietnamese communist forces and those of the NLF violated the ceasefire 12,314 times, causing the deaths of 4,322 military personnel of the Armed Forces of the Republic of Vietnam, wounding 21,236 others while 1,148 were missing. As to civilian losses, there were 707 persons killed, 2,009 wounded and 1,006 kidnapped.

The most serious cases of Communist violations are the attacks at Cửa Việt (QuảngTrị), Sa Huỳnh (Quảng-Ngãi), Tổng-Lê-Chân (TâyNinh), Tân-Châu (Châu-Dóc), Núi Gió (Thừa-Thiên, Tri Tôn and Hồng-Ngự (Châu-Dóc).

The Communist forces and their agents deliberately opened fire on civilian buses moving on the main roads, shelled schools with rockets and mortars, threw hand grenades and plastic charges in the midst of religious festivals. They indulged in attacks to grab hamlets and villages, causing destruction of thousands of homes. They went on further to endanger the security of the teams of the International Commission of Control and Supervision, as illustrated by the case of their shooting down a ICCS helicopter at Lao-Bao, causing the death of its 9 members.
In violation of Article 7 of the Paris Agreement which stipulates that'... From the enforcement of the ceasefire..., the two South Vietnamese parties shall not accept the introduction of troops, military advisers, and military personnel including technical military personnel, armaments, munitions and war material into South Vietnam', North Vietnam has infiltrated into South Vietnam:

30,000 troops and cadres
400 tanks of all types
300 heavy artillery of 122m/m, 130m/m and anti-aircraft guns of 23m/m, 37m/m and 57m/m.
7,000 military trucks and armored cars
27,000 tons of military supplies.

To conceal these violations, the Communist Delegations at the 4 Party and 2 Party-Joint Military Commissions have resorted to all means to hinder the activities and investigations of the ICCS.
IMPLEMENTATION OF THE CEASE-FIRE
BY THE GOVERNMENT OF THE REPUBLIC
OF VIETNAM

Upon the coming into effect of the cease-fire Agreement, the Government of the Republic ordered all its armed forces of all branches, as well as its irregular forces to remain at their positions and to stop all attacks on land, on rivers, at sea and in the air throughout South Vietnam.

Subsequently, the Government of the Republic of Vietnam set up all organs and structures prescribed by the cease-fire Agreement and the annexed Protocols and designated a personnel of 825 for that purpose. This has been fully accomplished.

During all this past period, the Government of the Republic of Vietnam granted all privileges and provided all kinds of facilities, means of transportation and communications as well as all guarantees for the security of the delegations participating in the 4-Party Joint Military Commission and in the 2-Party Joint Military Commission, and also of the Delegations of the member countries of the International Commission of Control and Supervision.

The Government of the Republic of Vietnam, together with the Government of the United States, successfully completed the withdrawal from South Vietnam of troops, military advisers and military personnel of the United States and of other Allies. This has been fully accomplished.

In order to ensure and consolidate a genuine and enduring cease-fire, the military Delegation of the Republic of Vietnam has repeatedly put forward many concrete and constructive proposals.

A/- At the inaugural meeting of the Two-Party Joint Military Commission on May 29, 1973, the military Delegation of the Republic of Vietnam solemnly affirmed that it was ready to exert all efforts in the spirit of national reconciliation and concord to stop bloodshed on the battlegrounds.

B/- In the course of the following meetings, the Military Delegation of the Republic of Vietnam proposed a very concrete cease-fire solution made up of the following measures:

- The two sides undertake to issue orders for an immediate cease-fire to all their units throughout the territory of South Vietnam.

- The Division Commanders of the opposing armed forces who are in direct contact
shall meet with a view to reaching an agreement on temporary measures to avert conflict, and ensure supplies and assistance to the wounded as stipulated in Article 4 of the Protocol on cease-fire.

C/- In many cases, the Military Delegation of the Republic of Vietnam initiated requests to the Joint Military Commissions as well as to the International Commission of Control and Supervision to open investigations in order to put an end to and to prevent violations of the cease-fire on the battlefield.

D/- The Military Delegation of the Republic of Vietnam has always displayed an attitude of positive cooperation and has repeatedly declared that it was willing to participate in all investigations, designate its liaison members, provide necessary means, and guarantee the security of the Joint Military Commissions as well as of the International Commission of Control and Supervision. This cooperation is entirely disinterested and without any condition.
RETURN OF PRISONERS OF WAR
BY THE DEMOCRATIC REPUBLIC
OF VIETNAM AND THE NLF

The North-Vietnamese Communists and the NLF turned over to the Government of the Republic of Vietnam only 4,608 men out of 31,818 military men whom they had captured and detained.

The Communist side has thus turned over only 14% of South Vietnamese soldiers and refused to release the 26,800 men still in Communist hands.

The Communists also withheld the release of 410 men whom they had previously agreed to return.

60% of the South Vietnamese prisoners of war turned over to the Government of the Republic of Vietnam had to be hospitalized on account of the inhumane treatment inflicted on them by the North Vietnamese Communists and the NLF in violation of international laws and practices on the treatment of prisoners of war and in violation of Article 8-a of the Protocol on Prisoners of war.
RETURN OF PRISONERS OF WAR
BY THE REPUBLIC OF VIETNAM

In strict observance of the Agreement of January 27, 1973 and the related Protocols and in the spirit of national reconciliation and concord, the Government of the Republic of Vietnam turned over the totality of 26,508 Communist prisoners of war which it detained, with the exception of 238 who had voluntarily chosen freedom and requested to remain in South Vietnam, and of 3 prisoners of war seriously ill and under treatment at hospital. The latter will be immediately turned over to the communist side upon their request.

The Republic of Vietnam has completed the return of prisoners of war at 100%. All these men are in good health thanks to the humane and correct treatment accorded to them by the Government of the Republic of Vietnam in conformity with the spirit and the letter of the Geneva Convention on prisoners of war.

All Communist prisoners of war have enjoyed the following measures:

- humane treatment since their capture
- internment in camps having adequate sanitary and other facilities.
- medical care
- adequate food
- payment for productive work
- freedom of religious worship and of cultural and recreation activities.
- communication with their families by correspondence, visits, and right to receive gift.
- in case of breaches of laws and regulations the prisoners enjoy all guarantees of the right and means of legal defense.
- visits of the camps and distribution of gifts by the International Red Cross and other humanitarian bodies.
RETURN OF DETAINED CIVILIANS
BY THE NORTH VIETNAMESE COMMUNISTS
AND THE NLF

The Republic of Vietnam has established complete files, with all necessary details, proving that 67,501 civilian personnel of the Republic of Vietnam have been captured and detained by the other side.

But the NLF at first gave only a list of 140 men to be turned over to us. Although this list has been subsequently expanded 4 times by driblets, from 200 to 400 and finally to 637, the last figure represents only 1 o/o of the total of civilians detained by the Communist side.

As of May 14, 1973, only 385 men had been turned over to the Republic of Vietnam.
RETURN OF DETAINED CIVILIANS
BY THE REPUBLIC OF VIETNAM

The Republic of Vietnam has proposed to return 5,081 civilians of the NLF.

It has also agreed to turn over the common law convicts whom the NLF identifies, in advance as its own people.

Up to now, the Republic of Vietnam has turned over 750 persons to the NLF.
DEVELOPMENT OF THE CONFERENCE AT LA CELLE SAINT CLOUD UNTIL APRIL 28-1973

At the expiration of the 90 days initial phase following the signing of the Paris Agreement on January 27, 1973 - the phase stipulated in Article 12-a of the Agreement for the consultations between the two South-Vietnamese parties to solve the internal questions of South Vietnam - the official meetings at La Celle Saint Cloud have not achieved any concrete result.

However, from March 19 to April 28, 1973, the two parties had opportunities to set forth their respective positions and proposals.

The essential features of these positions and proposals can be summarized as follows:

1/- At the Conference table, the Delegation of the Republic of Vietnam has put forward many constructive initiatives, as well as concrete and realistic proposals aiming at reaching an agreement to bring about a stable and enduring peace in South Vietnam.

In form, the Delegation of the Republic of Vietnam has proposed that the parties would hold private meetings to exchange their viewpoints in a frank and sincere manner without
any propaganda objective in mind.

In substance, the Delegation of the Republic of Vietnam constantly advocates an overall solution to resolve all problems at the same time, without posing any question as prerequisite. This Delegation is of the opinion that the two parties must exchange points of view to remove all mutual, legitimate concerns.

In the implementation of the Agreement, the Delegation of the Republic of Vietnam holds the view that the two parties must assume equal obligations which are, if not identical, at least correlative and equivalent.

In brief, the Delegation of the Republic of Vietnam comes to the Conference table with all its good will and determination to solve the problems quickly.

The basis of the solution to these problems is founded, on the one hand, on a mutual accord in the spirit of reconciliation and concord and, on the other hand, on the genuine right to self-determination of the South Vietnamese people.

2/- By contrast, the NLF has displayed a wholly negative attitude.

In form, it rejects the proposal to hold private meetings between the two parties without any propaganda. In fact, it intends to transform the Conference at La Celle Saint Cloud into a forum for propaganda purposes.
In substance, the Delegation of the NLF has eluded discussion of the problem of the presence of Vietnamese armed forces in South Vietnam, a problem which has been clearly mentioned in Article 13 of the Paris Agreement of January 27, 1973 and which the two parties are bound to settle through consultations. And yet, it was only at the 8th session that the Delegation of the NLF finally chose to touch upon this problem in very vague terms.

But even at this session, the NLF bared its true intentions through its 6 point proposals, which call for the following remarks:

a/- The Delegation of the NLF has posed some questions as preconditions, demanding settlement of one problem before agreeing to discuss the next one etc... This processus of presenting problems as preconditions will inevitably lead to impasse since the NLF needs only to refuse to carry out its obligation on a problem to jeopardize all chance of progress at this Conference. Hence, the questions of prime importance, namely, general elections and the question of Vietnamese armed forces in South Vietnam, may never be discussed.

b/- As to the problems the NLF wants to be discussed first, the NLF Delegation insists that the Republic of Vietnam must unilaterally carry out measures wholly advantageous to the NLF without taking any concrete measure on its part.
Such a manner of posing problems shows that for the Delegation of the NLF, the Republic of Vietnam has to satisfy all the concerns of the Front whereas the latter has not cared in the least about the concerns of the others.

To sum up, the Delegation of the NLF has totally lacked good will and wants to play for time. It has had no intention whatsoever of settling the problems in a spirit of reconciliation and concord or of upholding the right to self-determination of the South Vietnamese people and its aspirations for peace.

If the Delegation of the NLF does not change its negative position and attitude, the Conference of La Celle Saint Cloud runs the risk of marking time.

With the aim of shedding light on the problems and enabling our readers to form an opinion with full knowledge of the facts, we reproduce hereafter some important speeches delivered by Dr Nguyen Luu Vien, Vice Prime Minister and Chief of the Delegation of the Republic of Vietnam at the official meeting between the two South Vietnamese parties.
Dear Compatriots,

The South Vietnamese people as a whole are following our work at this Conference with keen interest in the hope that we will rapidly reach a solution susceptible to restoring a stable and enduring peace for our country. Fully conscious of these feelings, we come here with the determination to arrive at concrete and satisfactory results as soon as possible. On your part, you have repeated that you are equally motivated by the same concern. But in fact, our meetings have so far been delayed from the outset by the problem of establishing an agenda. It is important that we settle this problem without delay.

In the light of your declarations during the last two meetings, we note that we still disagree on 2 points:

1/- On our side, we have proposed to inscribe in the agenda the problem of Vietnamese armed forces and of measures for the reduction of military effectives and for the demobilization of the forces being reduced, but you have not replied in a clear-cut manner whether you accept our proposal or not.
2/- On your side, you want discussions on democratic freedoms mentioned in Article 11 to be inserted as a separate chapter in the agenda whereas we propose that these discussions be included within the framework of discussion on the problem of general elections.

In order to break this impasse, we think that it is necessary for us to give all necessary clarifications as to the reasons which led us on March 19, 1973 to propose a 3-chapter agenda:

1/- In the first place, we are determined to implement, to the letter, the provisions of the Paris Agreement of January 27, 1973. Our business here at present is to hold consultations for the implementation of the Agreement the aims of which are described by the Agreement itself as follows:

a. Article 12-b of the Agreement mentions consultations between the 2 parties to agree on the "institutions for which the general elections are to be held".

b. Article 12-a of the Agreement mentions the holding of consultations to set up a "National Council of National Reconciliation and Concord".

c. According to Article 13, "the question of Vietnamese armed forces in South Vietnam shall be settled by the two South Vietnamese parties" who will also deal with measures aiming at the reduction of military effectives and the
demobilization of troops being reduced.

Apart from these 3 above mentioned problems, the Paris Agreement does not mention any other problem to be the subject of consultations between the two South Vietnamese parties. This is the reason we have proposed that only these 3 problems be inscribed in the agenda.

2. We do not want to include the problem of democratic freedoms in a separate chapter of the agenda for the reason that, on the one hand, the Republic of Vietnam has already guaranteed these democratic freedoms to the population under its control and continues to do so through a juridical system and through institutions which are known to everyone, and, on the other hand, because this population is fully enjoying such freedoms, as is evidenced by the existence of numerous newspapers, many political parties, innumerable labor unions and syndicates of various trends as well as many groups and individuals of the opposition which are free to criticize the government.

Of course, you are entitled not to share our viewpoint and to criticize it. This is an undeniable fact since one can hold wholly divergent opinions on the problem of democratic freedoms. It is public knowledge that non-communist countries have a conception of democratic freedoms wholly different from that of communist countries and, even among nations of the communist bloc, there are divergent views on this subject.
Whatever the case, the implementation of democratic freedoms must be determined by the laws of the land and entails some restrictions for the good of the public. People who do not share the same conception on democratic freedoms can disagree and offer criticisms with regard to the required restrictions. That is why persons who do not belong to the government are inclined to accuse the latter of non-observance of democratic freedoms. Thus, in a country like France, which is playing host to this Conference, the Communist party ceaselessly labels its Government as anti-democratic while, in all fairness, you must recognize with us that France today is a country where democratic freedoms are effectively respected.

Therefore, it is not easy for people who have a fundamentally different conception of democratic freedoms or who, because of the difference between their respective situations, uphold different positions on democratic freedoms, to agree on this question.

To discuss this problem is to engage in endless and fruitless polemics. We think that this was why in the Agreement the question of democratic freedoms was not prescribed as subject to consultations between the two parties. It is clear that the Paris Agreement only recommends to the two South Vietnamese parties to guarantee democratic freedoms to the population living under their control.
For our part, we have strictly carried out this recommendation in the territory which we control and we urge you to do the same with regard to the population placed under your control.

We hold the view that this problem belongs solely to each interested party. Thus, there is no need to inscribe it in a separate chapter of the agenda of the current consultations. The point that we must discuss to reach an accord refers only to the conditions of democratic freedoms which must be insured by both parties during the period of general elections in order that these elections can be really free and can faithfully reflect the aspirations of the population. This is why we have proposed to include in the agenda discussions on democratic freedoms under the chapter of elections.

3. As to the settling of the question of Vietnamese armed forces clearly mentioned in Article 13 of the Agreement, we consider it an essential condition for the exercise of the right to self-determination of the South Vietnamese people. You should concur with our view that the right to self-determination of the people cannot be fully exercised as long as there is interference from outside. According to Article 9 of the Agreement, the Government of the Democratic Republic of Vietnam undertakes to respect the "sacred, inalienable right" of the South Vietnamese people to self-determination. Thus, the present Democratic Republic of Vietnam is considered by the Agreement as a state external to
South Vietnam and, therefore, has no right whatsoever to impose any political tendency or personality on the South Vietnamese people.

As long as the Democratic Republic of Vietnam maintains its armed forces in South Vietnam or does not stop infiltrating fresh troops, it continues to exert pressure on the people of South Vietnam, including yourselves, and to interfere with the exercise of the right to self-determination of the South Vietnam people contrary to the provisions of the Agreement. Therefore, in conformity with the Agreement, the North Vietnamese troops have no right whatsoever to be present in South Vietnam.

You cannot claim that this Agreement has disregarded the problem of the armed forces of the Democratic Republic of Vietnam, since Article 13 has clearly distinguished "the Vietnamese armed forces in South Vietnam", from the "armed forces of the two South Vietnamese parties". The difference in the wording used proves that there is a difference in their content and meaning. By the term "armed forces of the two South Vietnamese parties", the Agreement refers to the armed forces of the Republic of Vietnam and your own armed forces, while by the term of "Vietnamese armed forces in South Vietnam", the Agreement further includes the armed forces of the Democratic Republic of Vietnam.

When referring to the question of Viet-
namese armed forces in South Vietnam in Chapter IV, relating to the right to self-determination of the South Vietnamese people, and when considering it as a question to be settled, the Paris Agreement explicitly laid bare the presence of the armed forces of the Democratic Republic of Vietnam in South Vietnam and considered such presence as a hindrance to the exercise of the right to self-determination of the South Vietnam population.

Since the presence of North Vietnamese troops in the territory of South Vietnam constitutes a permanent threat to the South Vietnamese population and, as long as these troops remain in South Vietnam, there will never be a genuine and enduring peace in South Vietnam. This is why the Paris Agreement has inscribed the question of Vietnamese armed forces as a fundamental question to be solved by the two South Vietnamese parties through consultations.

Furthermore, the Agreement has also mentioned the question of the reduction of military effectives of the two South Vietnamese parties, to create an atmosphere of detente, and to suspend all confrontations and to end hostilities once and for all.

This is the reason we consider that "the question of Vietnamese armed forces and the measures for the reduction of military effectives and for the demobilization of troops being reduced" is an essential and urgent question to be inscribed in the Agenda.
Dear Compatriots,

I have just outlined our point of view about the agenda. Our positions differ on this subject. If we continue to cling to our respective positions, we will succeed only in prolonging the discussions needlessly without hope of reaching any result. We would do better to come to terms on some rational basis for the settlement of the problem.

This rational basis is the text itself of the Paris Agreement, which both of our parties have signed and which they have the responsibility to implement. It is common that a juridical text can be understood and construed in various ways. But if the understanding and interpretation of a document may be different with regard to its general meaning or if ambiguous terms are involved, the same cannot be said about provisions which are clearly and precisely worded. If an accord is to be reached, we must refer then to the text of the Agreement which defines very clearly the problems that our two parties have to solve through negotiations.

As I have just said, the Paris Agreement mentions only three problems to be settled by the two parties through negotiations. They are:

- General elections (Article 12)

- The National Council of National Reconciliation and Concord (Article 12)
- The Vietnamese Armed Forces, and the measures for the reduction of military effectives and the demobilization of the troops being reduced.

These problems are closely linked to one another and must be settled together.

It is logical to inscribe them and only them in the agenda. We hope that you also will adopt a rational attitude in order that we can reach an accord on the agenda.

Moreover, we deem it necessary to reiterate our previous suggestions made for the purpose of creating a climate conductive to reconciliation and concord. These suggestions require:

- an end to the use of disparaging and denigrating language,
- a strictly serious implementation of the provisions of cease-fire,
- the release of all of our combatants captured and detained by your side,
- the release of all civilian detainees that you have captured, while we turn over to your side all those we detain and whom you have duly recognized as civilian personnel belonging to your side.

As far as we are concerned, we are sincerely willing to seek with you a satisfactory
solution for South Vietnam, and we want to re-assert that we have no intention of eliminating you, as you have reproached us, but, on the contrary, we want you to join us in the building of a peaceful and prosperous South Vietnam in which each of our parties can secure the place it deserves, in proportion to the credit and the confidence it enjoys among the people as expressed through general elections in conformity with the democratic idea that power lies in the ballot and not in the "barrel of a gun".

I have finished. Thank you for your attention.
Dear Compatriots,

Pursuant to Article 12-a of the Paris Agreement of January 27, 1973, "the two South Vietnamese parties shall sign an agreement on the internal matters of South Vietnam as soon as possible and to do their utmost to accomplish this within 90 days after the cease-fire comes into effect".

Today is April 25, 1973. In only two days, the three-month time-limit mentioned above will expire and our two parties have not yet begun to discuss fundamental problems. This delay cannot be attributable to our side since we came here with all our good will to implement the Paris Agreement of January 27, 1973 seriously, and in many meetings, even at the inaugural session, we submitted numerous proposals on the agenda and methods of work. We regret that our good will and our proposals have not received a constructive response from you, and this is why up to now the conference between our two parties has not moved forward rapidly to achieve the desired concrete results.
Nevertheless, even if there is delay, the situation is not irretrievable. If you really want to see the Conference make headway, our two parties can still reach some basic agreements within the time-limit mentioned in the Paris Agreement of January 27, 1973 in order not to disappoint the peoples of Vietnam and of the world who have been watching the work of the Conference between our two parties with great attention.

Today, we are proposing a draft Accord on all the fundamental problems which our two parties must resolve and a calendar to carry out the accepted solutions. The draft of the Preliminary Accord and the Calendar we are proposing are as follows:

DRAFT
OF THE PRELIMINARY ACCORD ON PRINCIPLES BETWEEN THE TWO SOUTH VIETNAMESE PARTIES PARTICIPATING IN THE CONFERENCE AT LA CELLE SAINT CLOUD

The two South Vietnamese parties participating in the Conference at La Celle Saint Cloud,

With the purpose of implementing the
Paris Agreement of January 27, 1973 and of carrying out the exercise of the right of the South Vietnamese people to self-determination.

Have agreed on the following provisions on the fundamental principles which they undertake to respect and implement:

CHAPTER I

FINAL AND COMPREHENSIVE AGREEMENT

Article 1. - A Final and Comprehensive Agreement resolving the internal questions of South Vietnam will be signed between the two parties at the latest Thirty (30) days after the signing of the present Preliminary Accord on Principles.

CHAPTER II

GENERAL ELECTIONS

Article 2. - Free and democratic general elections prescribed by Articles 9b and 12b of the Paris Agreement of January 27, 1973 will be organized One Hundred and Twenty (120) days after the signature of the present Preliminary Accord on Principles.

Article 3. - Through the above-mentioned general elections, the South Vietnamese people will elect by universal, direct and secret ballot
an organ which will represent the South Vietnamese people in deciding the political future of South Vietnam. This organ will determine the government structures both a central and local levels.

Article 4. - Besides the National Council of National Reconciliation and Concord and the International Commission of Control and Supervision whose assignment is to supervise the General Elections stipulated in the Paris Agreement of January 27, 1973, the two South Vietnamese parties will invite additional international observers to come and observe the General Elections. The two South Vietnamese parties which are signatories to the present Preliminary Accord on Principles undertake to abide by the results of the General Elections and to carry out seriously the decisions taken by the organ set up by the General Elections.

CHAPTER III

NATIONAL COUNCIL OF NATIONAL RECONCILIATION AND CONCORD

Article 5. - The National Council of National Reconciliation and Concord mentioned in Article 12 of the Paris Agreement of January 27, 1973 comprises THREE (3) equal segments. Each South Vietnamese party will decide on its own segment. The remaining segment will be chosen through agreement between the two parties.
Article 6. - The above-mentioned NCNRC will be convened at the latest THIRTY (30) days after the signing of the FINAL and COMPREHENSIVE Agreement stipulated in Article 1.

Article 7. - The N.C.N.R.C. must complete the law on procedures and modalities of the General Elections stipulated in articles 9b and 12b of the Paris Agreement of January 27, 1973 at the latest Thirty (30) days after its convening.

CHAPTER IV
QUESTION OF ARMED FORCES
and REDUCTION OF EFFECTIVES

Article 8. - In order to enable the South Vietnamese people to decide, in a truly free manner, on its political future, without any outside pressure, the two South Vietnamese parties will settle the question of Vietnamese armed forces in South Vietnam on the basis of the reduction of military effectives and the demobilization of the troops affected by the reduction, as stipulated in Article 13 of the Paris Agreement of January 27, 1973.

a. The non-South Vietnamese armed forces will withdraw from South Vietnam and return to their native place. Parallel to this withdrawal, the Government of the Republic of Vietnam will demobilize and equivalent number of troops.
The withdrawal and the demobilization of the above-mentioned troops will be carried out in two phases:

- Phase I begins at the moment when the Final and Comprehensive Agreement is signed by the two South Vietnamese parties and will be terminated at the latest on the day when the NCNRC is convened, i.e., at the latest Thirty (30) days after the signing of the Final and Comprehensive Agreement.

- Phase II begins at the moment of the convening of the NCNRC and will be terminated at the latest on the day when the NCNRC completes the law on elections, i.e., at the latest Sixty (60) days after the signing of the Final and Comprehensive Agreement.

b. The question of the armed forces of the two South Vietnamese parties falls within the authority of the Government set up after the General Elections in South Vietnam.

CHAPTER V

DEMOCRATIC FREEDOMS

Article 9. - After the signing of the Final and Comprehensive Agreement and parallel to the strict implementation of Articles 2 and 7 of Chapter II of the Paris Agreement of January 27, 1973 on the cessation of hostilities an
withdrawal of the non-South Vietnamese armed forces stipulated in Article 8 above, the two South Vietnamese parties will remove the restrictions on democratic freedoms necessitated by the state of war and mentioned in Article 11 of the Paris Agreement of January 27, 1973.

CHAPTER VI

MISCELLANEOUS PROVISIONS

Article 10. - The present Preliminary Accord will come into effect at its signature. The two South Vietnamese parties will strictly implement the present Preliminary Accord.

CALENDAR


D - 30 : May 27, 1973: Signing of the Final and Comprehensive Agreement.

Removal of restrictions on democratic freedoms necessitated by the state of war.

Reduction and withdrawal of troops, Phase I.

D - 60 : June 26, 1973: Convening of the NCNRC Reduction and withdrawal of troops, Phase II.
D + 90: July 26, 1973: Completion of electoral law
Electoral campaign.


If we agree on the basic principles mentioned in the draft of the Preliminary Accord and in the Calendar which we propose, then our two parties will be able:

- To sign the Preliminary Accord on Principles on the 27th of April 1973 which is the last day of the time-limit stipulated by the Paris Agreement of January 27, 1973. Thus, it can be said that we have strictly implemented this Agreement in part.

- Afterwards to organize General Elections on Sunday August 26, 1973, that means four months after, a reasonable lapse of time for the South Vietnamese people to exercise their right to self-determination.

We hope that you will respond to our proposal in a constructive and concrete manner. In order that you have time to think over it, I suggest that we take a break at this point. Later, when our meeting resumes, we hope to hear your response to our proposal. If you agree
to take our draft Preliminary Accord and our Calendar as bases for discussions, we can proceed with our work without interruption from today on so that our two parties can sign the Preliminary Accord on Principles by the time stipulated.

I have concluded. Thank you for your attention./-
Dear Compatriots,

At the 8th session of April 25, 1973, we put forward a 6 chapter proposal in 10 points to serve as basis for the settlement of the internal problems of South Vietnam. To enable you to see clearly our attitude and our position, we are going to give you additional clarifications.

Certainly your side agrees with us that the Vietnamese problem is at present very complex and involves many different aspects. But there is a fundamental and important point which we must not overlook, that is, between our two parties exists a total lack of mutual confidence. This is a natural thing since our two sides have totally different concepts of society; they have fought to the bitter end on the battlefields for decades. The memories and experiences of this merciless and prolonged fight on the field have left their imprint on the minds of each of us, and it must be frankly said that between us still linger mutual mistrust, suspicion and fear, in spite of the fact that we have signed the Agreement on ending the hostilities and restoring peace in our country.
Besides this psychological fact, there is another equally important reality, which is that all aspects of the Vietnamese problem are closely inter-related. Consequently, all measures taken for the purpose of achieving genuine reconciliation and concord must be adjusted to one another appropriately and must not be dissociated. Since genuine reconciliation and national concord can only be secured if both our two parties make their positive contributions, if the implementation of the above-mentioned measures must have a bilateral character and basis, in a spirit of reciprocal concessions in order to arrive at frank and enduring cooperation.

In a word, the peaceful solution of the present Vietnamese problem requires an adequate method of work and an equal good will from both sides. It is out of our full awareness of this state of things that our 6 chapter-proposal in 10 points was made as an effort to satisfy all necessary conditions for reaching a realistic and equitable solution.

You may have noted that, in our proposal, all problems will be settled in an overall manner. In a month-long discussion about the agenda—which has not achieved any satisfactory result—each of our 2 parties has raised questions reflecting its concerns and anxieties. It is just because of the difference over these concerns and anxieties which accounts for our disagreement over the agenda. With the firm determination to reach an
equitable solution, we have included, in our 6 chapter proposal in 10 points, all problems which had previously been raised by both sides.

We have not discarded any problem; no problem poses any precondition. We advocate a simultaneous and comprehensive solution to all problems, conforming to the letter and the spirit of the Paris Agreement of January 27, 1973. We are convinced that it is only by this means that we can remove the concerns and anxieties as well as meet the demands of the 2 parties through mutual concessions.

Besides, our 6 chapter proposal in 10 points of April 25, 1973 reflects clearly the bilateral character of the commitments of the 2 parties to fulfil their obligations.

In our proposal, the obligations of the 2 parties, if they are not entirely identical, are at least correlative and equivalent, and the two parties must fulfil their obligations simultaneously and in a parallel way. No party is compelled to accept a unilateral obligation without a similar undertaking on the part of the other side.

Although the solution proposed by us is based on mutual agreement by the parties, its foundation always remains the respect of the right to self-determination of the South Vietnamese people.
In our 6 chapter proposal in 10 points, the ultimate right to take decisions on all questions relating to the political future of South Vietnam belongs to a body which will be established by future general elections. We have not put forward any preconceived position or any precondition concerning the decisions of that body. For the right to self-determination of the South Vietnamese people to be exercised as soon as possible, we have proposed a reasonable period of time, which is not too long but just sufficient to enable the two parties to secure necessary conditions for fair elections.

As for the form, our proposal has been set forth as a draft accord with a complete and concise calendar. If it is accepted by your side, it can be used as the basis for further discussions to find a detailed solution to the problems at issue.

To sum up, our 6 chapter-proposal in 10 points is clear evidence of our good will to achieve satisfactory results rapidly. It meets the aspirations for peace and democracy of the South Vietnamese people. It is regrettable that you have rejected this proposal. It is more regrettable that your proposal does not really aim at finding a solution to the problems raised by our two sides.

In complete disregard of the letter and the spirit of the Paris Agreement of January 27, 1973, you dissociate the questions to be settled and arrange them in a rigid order. You demand that a solution to one problem be found before we proceed
to the next one. Thus, you have put a series of successive preconditions. This method of work only creates more difficulties to this Conference and, if past conferences are any guides, preconditions always create obstacles which might lead to an impasse.

Likewise, in your proposal you demand that we fulfil one obligation after another without mentioning what your side must do. The solutions which you termed as concrete are lacking of realism and reveal your intention to compel our side to accept all your demands and alleviate all your concerns and anxieties, whereas you do not care in the least about our own concerns and anxieties.

For instance, with regard to the cessation of hostilities, you have rejected our reasonable proposal to let the commanders of large units - who are empowered to take decisions - to meet first, and, in case of an accord between them, to give orders which will be efficiently carried out. But you demand that chiefs of small units facing each other hold meetings between themselves directly and you categorically assert that only low-level contacts can lead to an accord. But this proposed solution is not efficacious since, as we have already pointed out at this table, the chiefs of small units have not enough authority to secure a total cease-fire in case there is an accord between them. Contact at low level is not only useless but may be harmful to our side since, thanks to the tight control
by the communist party and the thorough training in astute political maneuvers, your side can destroy our small units or lure them into a trap in separate meetings at isolated small places.

As for the release of prisoners of war and civilian detainees, your side does not have a constructive attitude like us. Right after the signing of the Paris Agreement of January 27, 1973, we handed over to your side a complete list of the military personnel whom we had detained as prisoners. Afterwards, we turned them over to you, except for a small number of prisoners who had requested to remain in South Vietnam. We are prepared to let these military personnel confirm their desiderata in the presence of the representatives of your side and of the International Commission of Control and Supervision.

As to civilian detainees, our side displays a generous and sincere attitude. At this Conference table we have repeatedly confirmed that we do not detain anyone for political reasons. Those who are confined in prison have perpetrated acts in violation of the laws of the Republic of Vietnam. Nevertheless, those who acknowledge having committed these acts for your side will be included in the list of persons whom we are going to turn over to you.

We are also ready to add to this list the names of persons whom you claim by name and who consent to be turned over to you, whereas
you refuse to turn over to us persons pertaining to our side kept prisoners by you.

For every man of our side detained by you, we have provided a complete file with name, age, residence, and circumstance of his capture. At present, there are 26,800 military personnel and 67,000 civilians pertaining to our side detained by you. You have refused to turn them over to us.

To conceal this fact, you do not hesitate to embark on a campaign of denigration against us by inventing a vague, grossly exaggerated and blown up figure of your men detained by us and by making gratuitous assertions to slander our side. Meanwhile you are not capable of providing us any concrete file about persons pertaining to your side and detained by us, and you do not bother to heed our anxiety over the fate of 100,000 military personnel and civilians of our side who are being illegally detained by your side.

With regard to democratic freedoms, we have pointed out as this table that every freedom must be defined by law and exercised within the framework of the notion of the public good.

You certainly agree with us that today's France is a country very well advanced on the
road of democracy. We invite you to open any textbook of a French faculty of law concerning these freedoms. You will note that all the authors assert that freedom can be exercised only within the framework of laws and regulations, that all these authors mention restraints on freedoms in a democratic country, the extent of which depends on whether a country finds itself in a normal situation or in an emergency or war time situation. Therefore, it is natural that the Republic of Vietnam is compelled to make some restraint of democratic freedoms because it is in a war time situation and can put an end to these restraints only when the threat of war is removed.

At this time, although the Agreement ending the hostilities and restoring peace in Vietnam has been signed, 300,000 North Vietnamese troops are still present in South Vietnam. Furthermore, these troops are being strengthened without interruption by fresh infiltrations of men and armaments, including modern weapons such as SAMZ missiles, tanks, and heavy artillery. At the same time, the communist leaders in North Vietnam have not stopped insisting on their unswerving determination to achieve what they call "revolution in South Vietnam" and "reunification of Vietnam".

The words and deeds of the North Vietnamese communist leaders show that they still maintain their ambition to conquer South Vietnam.
by force of arms. So it is obvious that South Vietnam is being seriously threatened.

On the one hand, your side refuses to recognize this obvious truth and to discuss the withdrawal of North Vietnamese troops from South Vietnam to reduce this threat, and, on the other hand, you demand that the Republic of Vietnam apply democratic freedoms to the fullest degree, that is to say, without any restraint and more extensively than in the most democratic countries during peacetime. On our part, you talk of your democratic freedoms only in vague terms. You noisily claim that you guarantee all democratic freedoms to the people living in areas under your control, without limitation. But how can people who have had some experience of a communist regime believe it? If there are people who still entertain some illusions about it, then your conduct towards the International Commission of Control and Supervision is sufficient to bring them back to reality. Members of this Commission enjoy diplomatic immunities. They carry out an international task relating to obligations of our two parties. And yet you show a complete disregard of their life and their freedom; you have not hesitated to shoot indiscriminately at their helicopters causing the loss of one aircraft and death of 9 persons. You have even compelled the eyewitnesses of the scene to make statements conforming to your version of the facts before giving them authorization to return to the zones under our control. In light of this, one
wonders whether the life and freedom of the population still have any meaning and value to your side when you talk of its democratic freedoms.

The truth is that if you can claim loudly that there is no limitation on the exercise of democratic freedoms in your zones, it is simply that the population placed under your control is not allowed to enjoy any freedom whatsoever and, consequently, there is no need of limiting freedom which does not exist.

Anyway, even if you agree to grant some degree of freedom to the people living under your control, the question of North Vietnamese forces in South Vietnam remains where it was. By denying the presence of these forces and by refusing to discuss with us the problems generated by his presence you not only turn your back on the glaring truth but you do not take into account the legitimate concern and anxiety of the non-communist people in South Vietnam.

We do not want to waste too much time indicating the illogical and unreasonable points of your proposals. Therefore, it suffices for us to say that your rationale and the way you present the problems will not lead our conference to satisfactory results.

The truth is that we do not have confidence in each other. Each party maintains its defensive stance, still on guard against any encroachment or attack from the opponent.
Because of the continuous flow of communist armed forces from the North to the South, we are compelled to maintain our system of defense. And when you mobilize your forces, we are compelled to mobilize our forces also. This is why a general cease-fire cannot be fully achieved.

You propose that we immediately observe a general cease-fire so as to generate mutual confidence necessary to the settlement of other problems. But, fundamentally, it is this lack of mutual confidence which prevents the general cease-fire from being achieved. It is why the way you pose the problem, namely, to discuss the cease-fire separately and exclusively, will not take us out of the vicious circle, since there will not be a general cease-fire when there is no mutual confidence, and there will not be mutual confidence if there is no general cease-fire.

We think that your delegates at the two party Joint Military Commission are qualified and competent people like our delegates. If a general cease-fire to create mutual confidence is easily attainable, then they would have achieved it already and we would not be obliged to exceed our authority here as provided by the Paris Agreement of January 27, 1973 by taking on the matter ourselves.
The failure of the Two Party Joint Military Commission to effect a general ceasefire to generate mutual confidence proves that this problem cannot be resolved in the way the commission attempted, and even if we discuss the problem in the same way, we, too, will meet with the same failure.

To succeed where the commission failed, we must deal with all the problems at issue in a comprehensive manner, and immediately. When we can find an adequate solution for the political future of South Vietnam, giving each party the chance for continued existence while contributing to the reconstruction of the country, then there will be a minimum of mutual confidence. Thanks to this mutual confidence, a general cease-fire will be achieved to pave the way for achieving other objectives on which our views concur, so as to bring about reconciliation and concord between our two parties and building a stable and enduring peace for the South Vietnamese people.

In comparing our respective proposals, we note that our positions are still far apart, as the chief of your Delegation rightly recognized at the previous session, and are very different from each other. Frankly speaking, your way of solving the problems will not lead to the desired result. By contrast, our 6 chapter proposal in 10 points can help us succeed more easily.
This is why we hope that you consider it more carefully; you will find in it constructive and realistic aspects.

In case you really wish to seek a way to enable our 2 parties to reach an agreement, we reiterate our offer made at the first session: let us have secret meetings so as to exchange our views freely, without any propaganda objective in mind, in order to find an adequate solution.

If you agree, we can also proceed to set up committees to study in depth all the problems we have to solve. We hope that you will give an affirmative response to our proposal.

I have concluded. Thank you for your attention./.