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## MEMORANDUM

SUBJECT: Vice-President Nguyen Cao Ky's Proposals  
for a New Approach to Peace Talks

SUMMARY: Vice-President Ky feels that the Paris Talks have arrived at an impasse on procedural issues which will not be resolved because the North Vietnamese will be satisfied to drag out the talks on procedural matters in the hope of exploiting the present differences of opinion on the American and South Vietnamese side, thereby driving a wedge between the U.S. and the Government of Vietnam (GVN) delegations. These differences of opinion include both those expressed by various American political figures on how to end the war in Vietnam, as well as those positions held by Ambassador Bunker in Saigon, senior officials in Washington, mostly consistent with the GVN position, as contrasted to that of Ambassador Harriman in Paris who seems to have his own very personal policy and viewpoints on how to negotiate and resolve the conflict in South Vietnam. These are presently of considerable cause for concern to the South Vietnamese government. Ky feels that he has been most reasonable in seeking new ways to break the present impasse in the Paris Talks, but also feels the parties have arrived at a critical turning point of the war in Vietnam, and that significant new actions must be taken by the GVN. Not afraid of an American "sellout," he thinks that the time has come for the South Vietnamese to come to grips with the major problem of dealing with the National Liberation Front. Ky believes that the South Vietnamese should give the front "de facto" recognition as the second phase in a two-phase plan to solve the Vietnam problem, the first phase being a military withdrawal of the U.S. and North Vietnam forces. In Ky's view, the North Vietnamese withdrawal would afford adequate evidence to move into phase two of dealing with the NLF. Ky believes that his proposal differs little if any from his understanding of the Kissinger plan, a translation of which he read for the first time on 20 December. Ky has proposed his plan to President Thieu who has approved it, and now plans to return to Saigon about 22 December to "sell" the plan to the militant elements in South Vietnam. Although he feels it will be difficult to accomplish, he thinks he is "the one man who can do it" and certainly must make every possible effort to do so because his very country's survival is at stake. In

conjunction with and in support of the two-phase plan to end the war, Ky believes that there must be a significant strengthening of the government in Saigon to give it the power to deal with opposition to the two-phase plan. If he is unable to secure the Saigon support he needs in moving forward on the two-phase plan, he may as well not return to Paris since he would not have adequate backing to continue as supervisor of the South Vietnamese side of the negotiations.

1. Beginning with his first session in Paris with Ambassador Harriman, Ky has been apprehensive over Harriman's obvious pre-occupations with moving ahead, in Ky's opinion too quickly, in solving the procedural issues with the North Vietnamese, with the obvious hope for some major breakthrough in a settlement of the Vietnam problem with which Harriman could climax a long and distinguished career in government service. Ky, who has been operating under explicit instructions from President Thieu on how far to go beyond the "two sides" approach to the talks, has in fact exceeded these instructions and obtained Thieu's after-the-fact approval in suggesting different seating and speaking priority arrangements, all of which, in Ky's opinion were reasonable ones and all of which have been rejected by the North Vietnamese. Ky feels that he has acted in good faith and that the Communist side is stalling in the hope of exploiting the differences of opinion on the U. S. /GVN side on how to proceed in the negotiations in Paris. Ky is still the only man on the GVN side in a position to propose and pursue a new approach to break this impasse. He considers that the parties have arrived at a significant and critical turning point in the war in Vietnam, and will continue to try to do so for the South Vietnamese side. (Ky felt that Ambassador Harriman must have taken him for "a very young and naive person" when Ambassador Harriman stated that, in view of the short time remaining before January 20th when he would be replaced, his principal desire was to make some progress on prisoner-of-war exchange, since this was one matter specifically urged on him by President Johnson. It was strange to Ky that Harriman would think Ky gullible enough to believe this when it is obvious he would like to cap his career with a Vietnamese settlement -- particularly trying for Ky when the Paris Talks are so totally relevant to the political survival of his country and he wants to be careful and as certain as is possible to make all the right initial moves in Paris, and without being hurried or pressured to make them.)

2. Ky has proposed a two-phase plan to be negotiated without NLF participation to solve the Vietnamese conflict, and has obtained President Thieu's approval for the plan. The first phase would be to negotiate and implement a withdrawal of the American and North Vietnamese military forces from South Vietnam, with the withdrawal

properly supervised by some international group and coupled with a re-establishment of the Demilitarized Zone at the 17th parallel. Once adequate evidence of this North Vietnamese withdrawal becomes apparent, phase two would begin involving the GVN's de facto recognition of the NLF and permit the latter to participate in the social and political life of South Vietnam, including organizing as a political party, although doubtless not under the banner of Communism, and culminating in the constitutionally-provided elections in 1971. This second phase would not only give the NLF the opportunity to prove its claim of broad nationwide support in opposition to the Thieu-Ky "puppet" government, but would be arrived at under democratic conditions between the South Vietnamese people themselves.

3. Ky "does not know" what kind of policy the incoming Nixon administration will adopt toward the Vietnam solution, but believes that even if it should develop to be a less flexible and "tougher" one than at present, it would be compatible with what the GVN's own interests now dictate, namely that a critical turning point in the war has arrived and that new and far-reaching initiatives must be taken by the South Vietnamese themselves. In this regard, this two-phase proposal is very similar to Ky's understanding of the Kissinger plan (which he read a translation of for the first time on 20 December) to end the war in Vietnam -- a military withdrawal by North Vietnamese and American forces, direct negotiations between the GVN and NLF on the political future of South Vietnam, and a rejection of an imposed coalition government. If the withdrawal of American forces should begin soon and in considerable numbers, the GVN must be prepared to go it alone with only materiel support from the Americans in the future, and this would be an additional reason for the GVN to move forward phase two of recognizing the NLF and working out a political settlement with them. It should be noted that this move by the GVN in granting de facto recognition to the NLF would be in fact a major concession on the part of the GVN, and is a move long opposed by the government leaders, and of course by the many militant elements of South Vietnam. Beyond the move of de facto recognition, Ky has no present plan for the details of how the discussion with the NLF should proceed. Initially they might be held secretly, but certainly the detailed aspects should not be announced as part of the two-phase plan, since otherwise they would be construed as "conditions" which both sides would then debate and attack, thereby hindering resolution of the problems.

4. Ky's two phase plan is not proposed with the intent to circumvent the present Paris Talks, or evade the basic purpose for the four parties meeting in Paris. Instead it is an effort to jump over the present impasse over procedures, and get to the basic issues hopefully much sooner. Ky feels that the Communist side would be hard pressed for any rational answer which would disagree with the two-phase proposal since it meets squarely two of their stated interests, withdrawal of

American forces, and recognition of the NLF as a political entity. On the latter point, Ky feels that the GVN "must be realistic" and recognize what in fact does exist, a political organization in the form of the NLF which has some degree of backing and support in South Vietnam. Ky also feels that the Communist side, and specifically the NLF, would accept this proposal in due course.

5. In conjunction with and in support of the two-phase plan, there must be a significant strengthening of the government in Saigon to give it the power to deal effectively with the South Vietnamese militant elements' opposition to the plan. Ky, "speaking frankly," does not know what form this might take but does feel that five or six new men, for example, General Nguyen Duc Thang, added to the top structure of the government could have the desired favorable impact. Ky has waited patiently for President Thieu to "do it his own way" for about one year now, and feels there is too much drift and not enough decisive moves to galvanize broader elements of South Vietnamese society in support of government actions, particularly important now in view of the difficult days just ahead.

6. At this juncture of the situation in South Vietnam and in the Paris peace talks, Ky feels that a critical turning point has been reached and that the GVN must make a major move soon to avoid a prolonged and fruitless bickering over procedural matters and other minor preliminary discussions. Ky is therefore returning to Saigon about 22 December for discussions with President Thieu and other GVN leaders, and to push for the adoption and implementation of the two-phase plan to end the war. If Ky is unable to secure backing for this proposal, (although he feels he will be able to do so) he feels that there will be no point in his returning to Paris to continue as supervisor of the South Vietnamese side, because he will have been discredited and will be without the support of the government he is supposed to represent.