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INTELLIGENCE MEMORANDUM

Hanoi's Negotiating Position and Concept of Negotiations

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No. 0587/68

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CENTRAL INTELLIGENCE AGENCY
6 May 1968

INTELLIGENCE MEMORANDUM

Hanoi's Negotiating Position and
Concept of Negotiations

Summary

Hanoi's negotiators will come to Paris reasonably confident that the negotiations can be used to advance Hanoi's basic objectives in Vietnam. The Communists see themselves more as revolutionaries opening a second front than as negotiators exploring the possibilities for compromise. Given their conviction that little can be gained at the bargaining table that has not been won on the ground, the North Vietnamese position in Paris will be governed largely by events in South Vietnam. Thus Hanoi almost certainly intends to intensify and maintain as much military pressure as possible, for psychological impact as well as for tactical reasons.

Hanoi sees itself leading from strength, even though it probably recognizes that its over-all position is not as strong as it had hoped it would be at this point in the struggle. Both military and political achievements in the South have fallen well short of Hanoi's stated objectives since the opening of its major offensive last fall. Although pressures for peace may bear more heavily on the US, North Vietnam will also be constrained by internal and external pressures.

Hanoi is likely to yield little on the bombing issue. Its negotiators will insist on a unilateral cessation of all hostile action by the US. Although the North Vietnamese are likely to reject, officially and openly, any variant of the San Antonio formula, they might acquiesce in some tacit understanding not to take advantage of a halt in the air strikes in order to keep the discussions going. We would not

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expect any significant de-escalation of the Communist military effort at this stage.

More formal negotiations probably will hinge on the question of Communist representation from South Vietnam. In this phase Hanoi will focus on its four points and the program of the National Liberation Front (NFL) as the basis of a political solution. Its immediate aim would be to determine how far the US is prepared to go in accepting a new coalition government with Communist representation.

Hanoi probably is not certain in its own mind just how the play will unfold and precisely what its positions will be on every issue. It probably is prepared, however, for a long and arduous campaign of fighting and talking, carrying perhaps through the US elections and possibly into a new American administration.

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General Considerations

1. Four fundamental considerations shape Hanoi's attitude toward negotiations and will materially influence the way Hanoi's negotiators play their hand in Paris:

- (a) Hanoi is much more interested in victory than settlement, hence its purpose in entering discussions is to further North Vietnam's basic objectives more than to work out a compromise acceptable to all parties engaged in the Vietnam struggle.
- (b) Hanoi's leaders presently believe that the widespread desire for peace and opposition to the Vietnam war, particularly within the US, places more political pressure on Washington than on Hanoi to be "forthcoming" in any talks.
- (c) Hanoi does not believe that diplomacy alone can achieve significant gains not securable or already secured by military and political struggle in South Vietnam itself.
- (d) Hanoi's view of the actual result of the settlements negotiated in 1954 and 1962 has made the Lao Dong's leaders chary of negotiations and, particularly, of less than optimum negotiated solutions.

Political Strategy

2. Hanoi's negotiators will be coming to Paris primarily to open another front of revolutionary struggle. They will be much more interested in exploiting this front's potential contribution to the success of the revolution--i.e., the acquisition or imposition of

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Communist control over South Vietnam--than engaging in a serious effort to de-escalate the war or negotiate a mutually agreeable solution. Hanoi is almost certainly suspicious of US intentions and determined not to yield on any significant point at least until the US position has been fully disclosed and US firmness thoroughly probed. Hanoi's initial intent, therefore, will be to "use" the talks aggressively to further its declared aims in South Vietnam. North Vietnam's leaders probably believe the US was "compelled" to restrict the bombing and enter into talks by mounting domestic political pressures and because Washington felt the tide was running against the allied position in South Vietnam. Hanoi hopes both trends can be intensified during the course of the Paris discussions. Hanoi will endeavor to turn the mere process of talking to its advantage by increasing pressure on the US to end the war without sticking on the terms of settlement, by exacerbating relations between Saigon and Washington, by undermining the Saigon government's confidence in the constancy of its principal ally, and by undermining the confidence of all non-Communist South Vietnamese in their government and their future. Hanoi's initial position and tactics will be tailored to a great extent by these aims.

Propaganda Considerations

3. Most of what Hanoi says and does in Paris will be aimed as much at the US and world press as at the American negotiators. Hanoi believes that peace sentiment in the US is widespread and politically potent. The North Vietnamese may exaggerate this factor but certainly intend to take full advantage of it. They probably calculate that once actual diplomatic contacts are opened, war-weariness (and opposition) will increase in the US and peace will become a matter of increasing political urgency as the casualties continue and the US election campaign develops. Hanoi probably expects that such consideration will ultimately lead to American concessions. To this end, Hanoi will endeavor to isolate the bombing issue and create the impression that complete termination of the bombing is all that stands in the way of serious negotiation on a peaceful settlement.

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The Talks and the Battlefield

4. The behavior of Hanoi's negotiators in Paris will be materially influenced and in certain aspects actually dictated by the course of events in South Vietnam. It is no accident that Hanoi's statement of 3 May proposing the Paris talks was shortly followed by country-wide attacks in South Vietnam. Throughout any talks there will be a closely coordinated correlation between action at the negotiating table and action on the battlefield. The current series of attacks illustrates Hanoi's obvious intention to use its military and political action potential in South Vietnam in a manner and with a timing designed to enhance its bargaining position. Hanoi will orchestrate military pressures as much for psychological and propaganda impact as for concrete or tactical considerations. The North Vietnamese will almost certainly believe that any apparent Communist gains or apparent allied reverses will probably be reflected in a weakening of the American negotiating position. In this context, the Communists will consider appearance at least as important as substantive reality, and hence they will almost certainly exert every effort (and accept severe casualties) to prevent any apparent manifestation of allied progress.

The Lessons of History

5. Hanoi's leaders have twice before ventured down the negotiation track--in 1954 and in 1962. In their opinion, both times they were euchred by events which developed in a manner contrary to all reasonable expectation. In 1954, under Russian and Chinese pressure, the Lao Dong politburo settled for half a loaf, confident that Diem's fledgling and beleaguered government was certain to collapse and hence South Vietnam would be theirs either through the 1956 elections or the simple absence of any effective non-Communist opposition. Reality's confounding of this near-certain calculation has forced Hanoi's leaders to embark upon and wage an eleven-year struggle for something they saw within their grasp fourteen years ago. In 1962 they bought a "settlement" in Laos in the confident belief that Souvanna was in their

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pocket. His subsequent behavior as a truly independent neutralist confounded Hanoi's eminently reasonable calculations.

6. Recent Vietnamese history, in short, has made Hanoi's leaders extremely chary of negotiations or of settlements that leave anything to the vagaries of chance. Hanoi's reading of this history will almost certainly influence its willingness to entertain any current settlement propositions that do not virtually guarantee Communist control over South Vietnam in a very short time frame.

Communist Strengths and Weaknesses

7. Hanoi's negotiators will come to the table reasonably confident of obtaining most of the objectives outlined above. Hanoi sees itself in a strong position, though its position is not one of unblemished confidence or unalloyed strength. On the contrary, in our view the over-all prospects for the Communists in South Vietnam have become more uncertain in recent months. Currently, their position is not at all what they thought it would be, let alone hoped for, when they conceived the winter-spring campaign last year. The GVN/ARVN have not only survived the Tet onslaught, but have proved more resilient than many thought possible. The military initiative has passed again to the US in many areas, even though the North Vietnamese have every intention of attempting to regain it. That Hanoi now counts on the early disintegration of the GVN and ARVN under new pressures is at least open to serious question. And the political atmosphere in the US, which must have been an important factor in Hanoi's calculations, has probably become more uncertain and ambiguous than it appeared in the period from the Tet attacks through President Johnson's address of 31 March.

8. Moreover, Hanoi is not entering into the upcoming phase with the support and encouragement of one of its principal allies--China. For this reason alone it must proceed carefully and avoid making its conduct at the talks a new subject of Sino-Soviet confrontation. The net effect of this fact probably is that Hanoi's flexibility is somewhat circumscribed, and the potential influence of the USSR is further

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limited. China's influence and leverage over Hanoi is also limited, however, though an early collapse of the talks would appear to justify China's reservations and objections, and probably open a new round of charges against the USSR for collusion with the US.

The Overview

9. In sum, Hanoi's negotiators will come to Paris believing that their position is a good one and that at a minimum the talks offer opportunities for political warfare. But they probably also realize that they do not yet hold all the high cards and probably cannot impose their terms. If they fail to achieve the significant gains they hope to register in South Vietnam during the course of the talks, they will then confront the hard choice of whether to stonewall in the face of adversity on the battlefield or settle for something short of their oft-stated objectives.

Objectives and Tactics

10. We think it realistic to accept Hanoi's declared objectives more or less at face value. Hanoi will open by seeking a full halt to the bombing and all other "acts of war" against the North. Unless it makes a presently unlikely major concession, only when all the bombing has stopped will Hanoi proceed to a second phase to deal with "related questions." These will almost certainly center around the essentials of its four points": a negotiated US withdrawal from Vietnam, the formation of a new government in Saigon as specified in the program of the NLF, the neutralization of South Vietnam, and a governmental structure built around the NLF or, at least, an NLF-dominated "alliance."

11. The major questions for speculation are how these objectives and phases relate and what flexibility Hanoi will display in their tactical development. Hanoi has probably already devised a fairly clear scenario but, as indicated above, many of the basic decisions will still depend on developments on the ground in South Vietnam as well as on the response and reaction of the US in the course of the discussions.

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The Bombing Issue

12. As an opener Hanoi will insist that the only purpose of preliminary contacts is to determine the date for a cessation of all bombing, naval gunfire, artillery shelling, and reconnaissance against North Vietnam. Moreover, Hanoi's negotiators will insist that this be accomplished unilaterally and without reciprocity, and that US failure to accept these demands will mean an end to further discussion. North Vietnam will refuse to acknowledge any participation of its own forces in the South Vietnam struggle and thus will probably not officially or openly accept any variant of the San Antonio formula.

13. For several reasons, we do not believe, however, that Hanoi intends for the discussions to break down on the bombing issue. To begin with, Hanoi wants the present bombing restriction maintained and wants an end to all bombing. Furthermore, the statement of 3 May agreeing to talk in Paris and the appointment of Xuan Thuy as the negotiator suggest Hanoi has deliberately blurred the distinction between contacts and formal talks. Finally, Hanoi has a strong incentive to move the discussions on to some of the more critical substantive issues, that can affect the mood and outlook in Saigon and further unsettle the South Vietnamese (i.e., the formation of a coalition regime and a US withdrawal).

14. We think it likely, therefore, that the bargaining will be hard, but that Hanoi will find a way out of any impasse over the bombing issue. The North Vietnamese leaders probably now believe that the US position in this entire matter is not firm or fixed, and that Hanoi need not go beyond some kind of vague indication that it will not take advantage of a complete halt in air strikes. Assurances through third parties or in behind-the-scenes contacts would be one way. The North Vietnamese might also tacitly accept some continuing US reconnaissance, say below the 20th parallel, to verify that Hanoi is not accelerating its movement of men and materiel. In short, while avoiding overt commitments, Hanoi may try to create the impression that the US would be justified in "assuming" Hanoi will not take advantage to an end of all bombing.

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15. As an alternative route around this potential impasse, Hanoi might eventually settle for an agreement "in principle" to an end of the bombing, once an agreement had been reached on the place, level, and agenda of the next phase of talks. In this way, Hanoi could, if it desired, slide into "formal talks" without technically abandoning its initial position.

16. Whatever the agreement on the bombing, we would not expect any significant de-escalation of the Communist military effort at this juncture. Hanoi almost certainly believes the US is vulnerable on the bombing question and that there will be great public pressure in the US and the world at large not to allow the discussions to break down on this issue. Thus, unless extremely hard pressed in the South, Hanoi is not going to pay much of a price to end the bombing. The way the bombing issue is resolved will be read by Hanoi as a key indicator of the relative hardness or weakness of the entire US negotiating position.

Formal Talks

17. It is more difficult to look beyond the initial encounter over the bombing issue to the next stage of talks. In the formal talks Hanoi could develop any of three broad courses: it could proceed forthwith to discuss the full range of issues involved in Vietnam, but will probably not do so promptly unless the NLF participates and the GVN is excluded. Alternatively, Hanoi could insist on narrow discussions of bilateral issues--reparation for the bombing, prisoner exchange, etc. Except as a stalling device this holds no special advantage from Hanoi's standpoint. More likely, Hanoi would probably see the formal talks as focusing on US acceptance of North Vietnam's four points and the program of the NLF as the "basis" for a political solution of the Vietnamese war.

18. In the course of this debate, and perhaps at the very outset, Hanoi's negotiators would probably fix on the issue of political representation

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from South Vietnam and are certain to take a very adamant line in refusing to accept any participation by the present GVN. The North Vietnamese will probably insist that no discussion of a settlement can proceed very far without the formation of a new government in Saigon, representing all political forces, and its participation in the negotiations. As an ostensible concession, they might abandon the old position that only the NLF was the legitimate voice of the "people," and propose a new government be formed by representatives from the NLF, the new "Alliance for Peace," members of the present GVN (except Thieu or Ky) and perhaps even groupings currently in exile.

19. They might also propose adjourning the Paris talks while these South Vietnamese elements negotiated among themselves, or Hanoi might propose inviting them to join with the US and DRV. In either case, here is the fundamental issue at stake in Vietnam: who will hold real power in Saigon? In Hanoi's view the purpose of the formal talks with the US at this juncture will be to determine whether the US will, in fact, agree to the formation of a new government (and hence to scuttling the present constitutional structure) and how far the US will be prepared to go in accepting Communist influence in such a government.

20. There are a number of variants on this issue. For example, Hanoi might press for direct negotiations between the NLF and the US, or inclusion of the NLF in the Paris talks. In any case, this is likely to be the critical juncture of the talks and Hanoi's toughest position. Hanoi will hope that any discussions on Communist representation in Saigon will help precipitate the collapse of the Thieu-Ky government and one of Hanoi's primary objectives throughout the talks will be to exert political pressure on South Vietnam.

Other Issues

21. It is at this point that Hanoi would want to intensify military pressure. But it may also be inclined to make some concessions if it believed

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they would facilitate negotiations toward a government of "national union" in Saigon. Hanoi might hint that a cease-fire could be quickly arranged with establishment of a new government. And of course Hanoi's interest in a cease-fire would increase if its military position in the South seemed likely to deteriorate. Hanoi might slow down certain military operations in certain areas, especially along the DMZ. And it might hint that the US could retain some limited presence in Vietnam, or at least that a US withdrawal could be extended over a fairly long period. Probably, these questions would come up off-stage, since Hanoi will insist that questions directly related to the war in the South must be discussed with some representation by the NLF. The issue of a US withdrawal, however, could conceivably be discussed under the rubric of "aggression" against Vietnam, which is one of Hanoi's four points. It might even be discussed simultaneously with the question of formation of a coalition government.

22. Beyond this it is difficult to estimate Hanoi's position on such issues as Laos, a new Geneva conference, international guarantees, supervision, reunification, etc. Moreover, there are side issues which can always arise--the level of the talks, new sites, agenda. Hanoi could, if it chose, find a number of ways to becloud the issues and draw out the discussions at any phase, if the situation in South Vietnam warrants it.

23. In any case, it is unlikely that Hanoi has decided how to handle every issue or procedure or what outcome would ultimately be acceptable. Hanoi probably is preparing, however, for a lengthy and difficult process of fighting and talking subject to interruptions and breakdowns, lasting perhaps through the elections and the installation of a new American administration.

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