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F THE WHITE HOUSE

TO AMEMBASSY SAIGON

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TO: AMBASSADOR CHARLES HITEHOUSE, SAIGON
FROM: HENRY A. KISSINGER

PLEASE DELIVER THE FOLLOWING DRAFT AS PROMISED IN THE
PRESIDENT'S LETTER TO PRESIDENT THIEU IMMEDIATELY.

BEGIN TEXT:

DRAFT
MAY 22, 1973
DR. HENRY KISSINGER, ON BEHALF OF THE UNITED STATES OF
AMERICA, AND MR. LE DUC THO, ON BEHALF OF THE DEMOCRATIC
REPUBLIC OF VIETNAM, HAVE REVIEWED THE IMPLEMENTATION OF THE
PARIS AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN
VIETNAM, SIGNED ON JANUARY 27, 1973, AND TO BRING ABOUT STRICT
IMPLEMENTATION OF THE AGREEMENT, HAVE AGREED AS FOLLOWS:



***** WHSR COMMENT *****

SCOWCROFT, HOWE

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E.O. 12356, Sect. 3.4

NSC 9/23/93 F9301194

B. MKC. NARA, Date 9/30/93

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9. (A) ANY CAPTURED PERSONNEL COVERED BY ARTICLE 8(A) WHO HAVE NOT YET BEEN RETURNED SHOULD BE RETURNED WITHOUT DELAY AND IN ANY EVENT WITHIN NO MORE THAN THIRTY DAYS.

(B) ALL THE PROVISIONS OF THE AGREEMENT AND THE PROTOCOL REGARDING THE RETURN OF CAPTURED AND DETAINED VIET-

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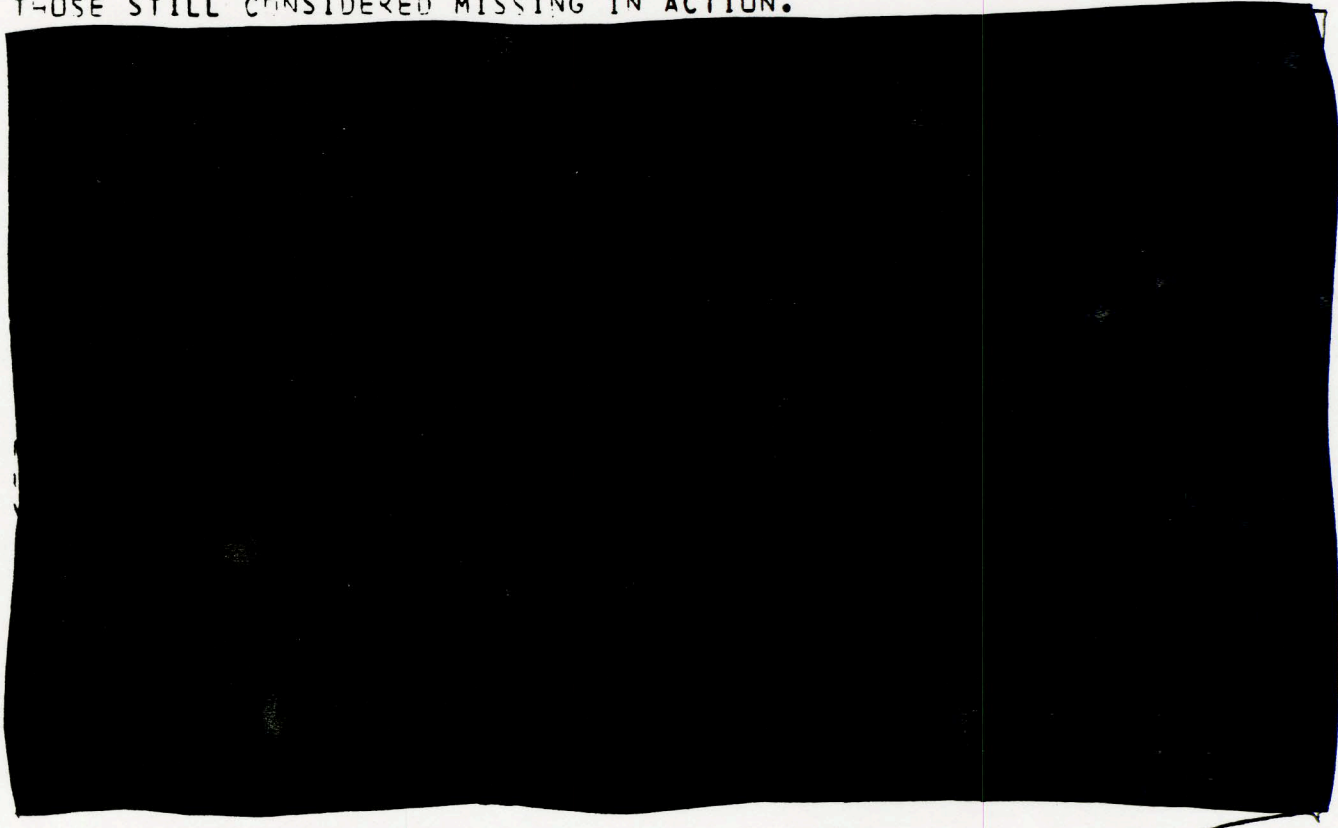
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NAMESE CIVILIAN PERSONNEL SHOULD BE SCRUPULOUSLY IMPLEMENTED. ALL VIETNAMESE CIVILIAN PERSONNEL COVERED BY ARTICLE 8(C) OF THE AGREEMENT AND ARTICLE 7 OF THE PROTOCOL ON THE RETURN OF CAPTURED PERSONNEL SHOULD BE RETURNED AS SOON AS POSSIBLE. THE TWO SOUTH VIETNAMESE PARTIES SHOULD DO THEIR UTMOST TO ACCOMPLISH THIS WITHIN FORTY-FIVE DAYS.

(C) IN ACCORDANCE WITH ARTICLE 8 OF THE PROTOCOL ON THE RETURN OF CAPTURED PERSONNEL, ALL CAPTURED AND DETAINED PERSONNEL COVERED BY THAT PROTOCOL SHOULD BE TREATED HUMANELY AT ALL TIMES. THE TWO SOUTH VIETNAMESE PARTIES SHOULD IMMEDIATELY IMPLEMENT ARTICLE 9 OF THE PROTOCOL AND, WITHIN FIFTEEN DAYS, ALLOW NATIONAL RED CROSS SOCIETIES THEY HAVE AGREED UPON TO VISIT ALL PLACES WHERE THESE PERSONNEL ARE HELD.

(D) THE TWO SOUTH VIETNAMESE PARTIES SHOULD COOPERATE IN GETTING INFORMATION ABOUT MISSING PERSONS AND IN LOCATING, EXHUMING, AND REPATRIATING THE REMAINS OF THE DEAD.

10. THE UNITED STATES AND THE DEMOCRATIC REPUBLIC OF VIETNAM REAFFIRM ARTICLE 8 (B), WHICH PROVIDES THAT THE PARTIES SHALL HELP EACH OTHER TO GET INFORMATION ABOUT THOSE MILITARY PERSONNEL AND FOREIGN CIVILIANS OF THE PARTIES MISSING IN ACTION, TO DETERMINE THE LOCATION AND TAKE CARE OF THE GRAVES OF THE DEAD SO AS TO FACILITATE THE EXHUMATION AND REPATRIATION OF THE REMAINS, AND TO TAKE ANY SUCH OTHER MEASURES AS MAY BE REQUIRED TO GET INFORMATION ABOUT THOSE STILL CONSIDERED MISSING IN ACTION.



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15. ARTICLE 20, REGARDING CAMBODIA AND LAOS, WILL BE SCRUPU-
LUSLY IMPLEMENTED.

END OF TEXT.
WARM RAGARDS.
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FROM: AMBASSADOR WHITEHOUSE SAIGON 0422 IMMEDIATE
 TO: DR. HENRY A. KISSINGER
 REF: WH 31205

1. I SAW PRESIDENT THIEU THIS MORNING AT POLICE CEREMONY, BUT AS MEMORANDUM OF UNDERSTANDING HAD NOT YET ARRIVED I HAD NO CONVERSATION WITH HIM. RATHER THAN WAIT FOR APPOINTMENT I HAD MEMORANDUM DELIVERED SECURELY TO PALACE UNDER COVER OF A NOTE STRESSING ITS CLOSE-HOLD NATURE AND MY AVAILABILITY FOR DISCUSSION OF MEMORANDUM.

4. I AM LEERY OF PREDICTING WHERE THE GVN MAY BALK GIVEN THIEU'S RECENT UNPREDICTABILITY BUT IN PARA 12 HE MAY WELL SEEK TO LINK THE CREATION OF THE NCRC TO A DEADLINE ON ELECTIONS AND I AM SURE THE GVN WILL FUSS AS USUAL WITH PARAS 9 AND 10 ON POW'S AND CIVILIAN DETAINEES.

6. WARM REGARDS.
 300

***** *WHSR COMMENT*****

HAK, SCOWCROFT, HOWE, LORD

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 By MO NARA, Date 9/30/93
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