

the two South Vietnamese parties shall not accept the introduction of troops, military advisors, and military personnel including technical military personnel, armaments, munitions, and war material into South Vietnam.

The two South Vietnamese parties shall be permitted to make periodic replacement of armaments, munitions and war material which have been destroyed, damaged, worn out or used up after the cease-fire, on the basis of piece-for-piece, of the same characteristics and properties, under the supervision of the Joint Military Commission of the two South Vietnamese parties and of the International Commission of Control and Supervision.

Chapter III

THE RETURN OF CAPTURED MILITARY PERSONNEL AND FOREIGN CIVILIANS, AND CAPTURED AND DETAINED VIETNAMESE CIVILIAN PERSONNEL

Article 8

(a) The return of captured military personnel and foreign civilians of the parties shall be carried out simultaneously with and completed not later than the same day as the troop withdrawal mentioned in Article 5. The parties shall exchange complete lists of the above-mentioned captured military personnel and foreign civilians on the day of the signing of this Agreement.

(b) 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.

(c) The question of the return of Vietnamese civilian personnel captured and detained in South Vietnam will be resolved by the two South Vietnamese parties on the basis of the principles of Article 21 (b) of the Agreement on the Cessation of Hostilities in Vietnam of July 20, 1954. The two South Vietnamese parties will do so in a spirit of national reconciliation and concord, with a view to ending hatred and enmity, in order to ease suffering and to reunite families. The two South Vietnamese parties will do their utmost to resolve this question within ninety days after the cease-fire comes into effect.

Chapter IV

THE EXERCISE OF THE SOUTH VIETNAMESE PEOPLE'S RIGHT TO SELF-DETERMINATION

Article 9 The Government of the United States

of America and the Government of the Democratic Republic of Vietnam undertake to respect the following principles for the exercise of the South Vietnamese people's right to self-determination:

(a) The South Vietnamese people's right to self-determination is sacred, inalienable, and shall be respected by all countries.

(b) The South Vietnamese people shall decide themselves the political future of South Vietnam through genuinely free and democratic general elections under international supervision.

(c) Foreign countries shall not impose any political tendency or personality on the South Vietnamese people.

Article 10 The two South Vietnamese parties undertake to respect the cease-fire and maintain peace in South Vietnam, settle all matters of contention through negotiations, and avoid all armed conflict.

Article 11 Immediately after the cease-fire, the two South Vietnamese parties will:

- achieve national reconciliation and concord, end hatred and enmity, prohibit all acts of reprisal and discrimination against individuals or organizations that have collaborated with one side or the other;

- ensure the democratic liberties of the people: personal freedom, freedom of speech, freedom of the press, freedom of meeting, freedom of organization, freedom of political activities, freedom of belief, freedom of movement, freedom of residence, freedom of work, right to property ownership, and right to free enterprise.

Article 12

(a) Immediately after the cease-fire, the two South Vietnamese parties shall hold consultations in a spirit of national reconciliation and concord, mutual respect, and mutual non-elimination to set up a National Council of Reconciliation and Concord of three equal segments. The Council shall operate on the principle of unanimity. After the National Council of National Reconciliation and Concord has assumed its functions, the two South Vietnamese parties will consult about the formation of councils at lower levels. The two South Vietnamese parties shall sign an agreement on the internal matters of South Vietnam as soon as possible and do their utmost to accomplish this within ninety days after the cease-fire comes into effect, in keeping with the South Vietnamese people's aspirations for peace, independence and democracy.

(b) The National Council of National Reconciliation and Concord shall have the task of promoting the two South Vietnamese parties' implementation of this Agreement, achievement of national reconciliation and concord and ensurance

teams in the performance of the functions and tasks assigned to them by the present Agreement.

Article 26 The costs involved in the operations of the Joint Commission and joint groups of the International Commission and its Inspection Teams shall be shared equally between the two parties.

Article 27 The signatories of the present Agreement and their successors in their functions shall be responsible for ensuring the observance and enforcement of the terms and provisions thereof. The Commanders of the Forces of the two parties shall, within their respective commands, take all steps and make all arrangements necessary to ensure full compliance with all the provisions of the present Agreement by all elements and military personnel under their command.

The procedures laid down in the present Agreement shall, whenever necessary, be studied by the Commanders of the two parties and, if necessary, defined more specifically by the Joint Commission.

Chapter VI

JOINT COMMISSION AND INTERNATIONAL COMMISSION FOR SUPERVISION AND CONTROL IN VIET NAM

Article 28 Responsibility for the execution of the agreement on the cessation of hostilities shall rest with the parties.

Article 29 An International Commission shall ensure the control and supervision of this execution.

Article 30 In order to facilitate, under the conditions shown below, the execution of provisions concerning joint actions by the two parties, a Joint Commission shall be set up in Viet Nam.

Article 31 The Joint Commission shall be composed of an equal number of representatives of the Commanders of the two parties.

Article 32 The Presidents of the delegations to the Joint Commission shall hold the rank of General.

The Joint Commission shall set up joint groups, the number of which shall be determined by mutual agreement between the parties. The joint groups shall be composed of an equal number of officers from both parties. Their location on the demarcation line between the re-grouping zones shall be determined by the parties whilst taking into account the powers of the Joint Commission.

Article 33 The Joint Commission shall ensure

the execution of the following provisions of the Agreement on the cessation of hostilities: -

(a) A simultaneous and general cease-fire in Viet Nam for all regular and irregular armed forces of the two parties.

(b) A re-groupment of the armed forces of the two parties.

(c) Observance of the demarcation lines between the re-grouping zones and of the demilitarised sectors.

Within the limits of its competence it shall help the parties to execute the said provisions, shall ensure liaison between them for the purpose of preparing and carrying out plans for the application of these provisions, and shall endeavour to solve such disputed questions as may arise between the parties in the course of executing these provisions.

Article 34 An International Commission shall be set up for the control and supervision over the application of the provisions of the agreement on the cessation of hostilities in Viet Nam. It shall be composed of representatives of the following States: Canada, India and Poland.

It shall be presided over by the Representative of India.

Article 35 The International Commission shall set up fixed and mobile inspection teams, composed of an equal number of officers appointed by each of the above-mentioned States. The mixed teams shall be located at the following points: Laokay, Langson, Tien-Yen, Haiphong, Vinh, Dong-Hoi, Muong-Sen, Tourane, Quinhon, Nhatrang, Bangoi, Saigon, Cap St. Jacques, Tran-chau. These points of location may, at a later date, be altered at the request of the Joint Commission, or of one of the parties, or of the International Commission itself, by agreement between the International Commission and the command of the party concerned. The zones of action of the mobile teams shall be the regions bordering the land and sea frontiers of Viet Nam, the demarcation lines between the re-grouping zones and the demilitarised zones. Within the limits of these zones they shall have the right to move freely and shall receive from the local civil and military authorities all facilities they may require for the fulfilment of their tasks (provision of personnel, placing at their disposal documents needed for supervision, summoning witnesses necessary for holding enquiries, ensuring the security and freedom of movement of the inspection teams, &c....). They shall have at their disposal such modern means of transport, observation and communication as they may require. Beyond the zones of action as defined above, the mobile teams may, by agreement with the command of the party concerned, carry out other movements within the limits of the tasks given them by the present agreement.

the completion of the return of captured military personnel and foreign civilians of the parties.

(d) The four parties shall agree immediately on the organization, the working procedure, means of activity, and expenditures of the Four-Party Joint Military Commission.

Article 17

(a) The two South Vietnamese parties shall immediately designate representatives to form a Two-Party Joint Military Commission with the task of ensuring joint action by the two South Vietnamese parties in implementing the following provisions of this Agreement:

- The first paragraph of Article 2, regarding the enforcement of the cease-fire throughout South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

- Article 3 (b), regarding the cease-fire between the two South Vietnamese parties;

- Article 3 (c), regarding the cease-fire between all parties in South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

- Article 7, regarding the prohibition of the introduction of troops into South Vietnam and all other provisions of this Article;

- Article 8 (c), regarding the question of the return of Vietnamese civilian personnel captured and detained in South Vietnam;

- Article 13, regarding the reduction of the military effectives of the two South Vietnamese parties and the demobilization of the troops being reduced.

(b) Disagreements shall be referred to the International Commission of Control and Supervision.

(c) After the signing of this Agreement, the Two-Party Joint Military Commission shall agree immediately on the measures and organization aimed at enforcing the cease-fire and preserving peace in South Vietnam.

Article 18

(a) After the signing of this Agreement, an International Commission of Control and Supervision shall be established immediately.

(b) Until the International Conference provided for in Article 19 makes definitive arrangements, the International Commission of Control and Supervision will report to the four parties on matters concerning the control and supervision of the implementation of the following provisions of this Agreement:

- The first paragraph of Article 2, regarding the enforcement of the cease-fire throughout South Vietnam;

- Article 3 (a), regarding the cease-fire by U.S. forces and those of the other foreign countries referred to in that Article;

- Article 3 (c), regarding the cease-fire between all the parties in South Vietnam;

- Article 5, regarding the withdrawal from South Vietnam of U.S. troops and those of the other foreign countries mentioned in Article 3 (a);

- Article 6, regarding the dismantlement of military bases in South Vietnam of the United States and those of the other foreign countries mentioned in Article 3 (a);

- Article 8 (a), regarding the return of captured military personnel and foreign civilians of the parties.

The International Commission of Control and Supervision shall form control teams for carrying out its tasks. The four parties shall agree immediately on the location and operation of these teams. The parties will facilitate their operation.

(c) Until the International Conference makes definitive arrangements, the International Commission of Control and Supervision will report to the two South Vietnamese parties on matters concerning the control and supervision of the implementation of the following provisions of this Agreement:

- The first paragraph of Article 2, regarding the enforcement of the cease-fire throughout South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

- Article 3 (b), regarding the cease-fire between the two South Vietnamese parties;

- Article 3 (c), regarding the cease-fire between all parties in South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

- Article 7, regarding the prohibition of the introduction of troops into South Vietnam and all other provisions of this Article;

- Article 8 (c), regarding the question of the return of Vietnamese civilian personnel captured and detained in South Vietnam;

- Article 9 (b), regarding the free and democratic general elections in South Vietnam;

- Article 13, regarding the reduction of

- Central Viet Nam provisional assembly area - second instalment..... 100 days
- Point Camau provisional assembly area..... 200 days
- Central Viet Nam provisional assembly area - last instalment..... 300 days

Chapter III

BAN ON THE INTRODUCTION OF FRESH TROOPS, MILITARY PERSONNEL, ARMS AND MUNITIONS, MILITARY BASES

Article 16 With effect from the date of entry into force of the present Agreement, the introduction into Viet Nam of any troop reinforcements and additional military personnel is prohibited.

It is understood, however, that the rotation of units and groups of personnel, the arrival in Viet Nam of individual personnel on a temporary duty basis and the return to Viet Nam of the individual personnel after short periods of leave or temporary duty outside Viet Nam shall be permitted under the conditions laid down below: --

(a) Rotation of units (defined in paragraph (c) of this Article) and groups of personnel shall not be permitted for French Union troops stationed north of the provisional military demarcation line laid down in Article 1 of the present Agreement during the withdrawal period provided for in Article 2.

However, under the heading of individual personnel not more than fifty (50) men, including officers, shall during any one month be permitted to enter that part of the country north of the provisional military demarcation line on a temporary duty basis or to return there after short periods of leave or temporary duty outside Viet Nam.

(b) "Rotation" is defined as the replacement of units or groups of personnel by other units of the same echelon or by personnel who are arriving in Viet Nam territory to do their overseas service there;

(c) The units rotated shall never be larger than a battalion -- or the corresponding echelon for air and naval forces;

(d) Rotation shall be conducted on a man-for-man basis, provided, however, that in any one quarter neither party shall introduce more than fifteen thousand five hundred (15,500) members of its armed forces into Viet Nam under the rotation policy.

(e) Rotation units (defined in paragraph (c) of this Article) and groups of personnel, and the individual personnel mentioned in this Ar-

ticle, shall enter and leave Viet Nam only through the entry points enumerated in Article 20 below;

(f) Each party shall notify the Joint Commission and the International Commission at least two days in advance of any arrivals or departures of units, groups of personnel and individual personnel in or from Viet Nam. Reports on the arrivals or departures of units, groups of personnel and individual personnel in or from Viet Nam shall be submitted daily to the Joint Commission and the International Commission.

All the above-mentioned notifications and reports shall indicate the places and dates of arrival or departure and the number of persons arriving or departing;

(g) The International Commission, through its Inspection Teams, shall supervise and inspect the rotation of units and groups of personnel and the arrival and departure of individual personnel as authorised above, at the points of entry enumerated in Article 20 below.

Article 17 (a) With effect from the date of entry into force of the present Agreement, the introduction into Viet Nam of any reinforcements in the form of all types of arms, munitions and other war material, such as combat aircraft, naval craft, pieces of ordnance, jet engines and jet weapons and armoured vehicles, is prohibited.

(b) It is understood, however, that war material, arms and munitions which have been destroyed, damaged, worn out, or used up after the cessation of hostilities may be replaced on the basis of piece-for-piece of the same type and with similar characteristics. Such replacements of war material, arms and munitions shall not be permitted for French Union troops stationed north of the provisional military demarcation line laid down in Article 1 of the present Agreement, during the withdrawal period provided for in Article 2.

Naval craft may perform transport operations between regrouping zones.

(c) The war material, arms and munitions for replacement purposes provided for in paragraph (b) of this Article, shall be introduced into Viet Nam only through the points of entry enumerated in Article 20 below. War material, arms and munitions to be replaced shall be shipped from Viet Nam only through the points of entry enumerated in Article 20 below.

(d) Apart from the replacements permitted within the limits laid down in paragraph (b) of this Article, the introduction of war material, arms and munitions of all types in the form of unassembled parts for subsequent assembly is prohibited.

Article 22 The ending of the war, the restoration of peace in Vietnam, and the strict implementation of this Agreement will create conditions for establishing a new, equal and mutually beneficial relationship between the United States and the Democratic Republic of Vietnam on the basis of respect for each other's independence, sovereignty, and territorial integrity, and non-interference in each other's internal affairs. At the same time this will ensure stable peace in Vietnam and contribute to the preservation of lasting peace in Indochina and Southeast Asia.

Chapter IX

OTHER PROVISIONS

Article 23 This Agreement shall enter into force upon signature by plenipotentiary representatives of the parties participating in the Paris Conference on Vietnam. All the parties concerned shall strictly implement this Agreement and its Protocols.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

[Separate Numbered Page]

For the Government of the United States of America	For the Government of the Republic of Vietnam
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William P. Rogers Secretary of State	Tran Van Lam Minister for Foreign Affairs
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[Separate Numbered Page]

For the Government of the Democratic Republic of Vietnam	For the Provisional Revolutionary Govern- ment of South Vietnam
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Nguyen Duy Trinh Minister for Foreign Affairs	Nguyen Thi Binh Minister for Foreign Affairs
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[signed] January 27, 1973



AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM

The Government of the United States of America, with the concurrence of the Government of the Republic of Vietnam,

The Government of the Democratic Republic of Vietnam, with the concurrence of the Provisional Revolutionary Government of the Republic of South Vietnam,

With a view to ending the war and restoring peace in Vietnam on the basis of respect for the Vietnamese people's fundamental national rights and the South Vietnamese people's right to self-determination, and to contributing to the consolidation of peace in Asia and the world,

Have agreed on the following provisions and undertake to respect and to implement them:

[Text of Agreement Chapters I-VIII Same As Above]

Chapter IX

OTHER PROVISIONS

Article 24 The Paris Agreement on Ending the War and Restoring Peace in Vietnam shall enter into force upon signature of this document by the Secretary of State of the Government of the United States of America and the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and upon signature of a document in the same terms by the Secretary of State of the Government of the United States of America, the Minister for Foreign Affairs of the Government of the Republic of Vietnam, the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and the Minister for Foreign Affairs of the Provisional Revolutionary Government of the Republic of South Vietnam. The Agreement and the protocols to it shall be strictly implemented by all the parties concerned.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

For the Government of the United States of America	For the Government of the Democratic Republic of Vietnam
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William P. Rogers Secretary of State	Nguyen Duy Trinh Minister for Foreign Affairs
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Chapter II

PRINCIPLES AND PROCEDURE GOVERNING IMPLEMENTATION OF THE PRESENT AGREEMENT

Article 10 The Commanders of the Forces on each side, on the one side the Commanders-in-Chief of the French Union forces in Indo-China and on the other side the Commander-in-Chief of the People's Army of Viet Nam, shall order and enforce the complete cessation of all hostilities in Viet Nam by all armed forces under their control, including all units and personnel of the ground, naval and air forces.

Article 11 In accordance with the principle of a simultaneous cease-fire throughout Indo-China, the cessation of hostilities shall be simultaneous throughout all parts of Viet Nam, in all areas of hostilities and for all the forces of the two parties.

Taking into account the time effectively required to transmit the cease-fire order down to the lowest echelons of the combatant forces on both sides, the two parties are agreed that the cease-fire shall take effect completely and simultaneously for the different sectors of the country as follows: --

Northern Viet Nam at 8:00 a.m. (local time) on July 27, 1954.

Central Viet Nam at 8:00 a.m. (local time) on August 1, 1954.

Southern Viet Nam at 8:00 a.m. (local time) on August 11, 1954.

It is agreed that Peking mean time shall be taken as local time.

From such time as the cease-fire becomes effective in Northern Viet Nam, both parties undertake not to engage in any large-scale offensive action in any part of the Indo-Chinese theatre of operations and not to commit the air forces based on Northern Viet Nam outside that sector. The two parties also undertake to inform each other of their plans for movement from one regrouping zone to another within twenty-five (25) days of the present Agreement's entry into force.

Article 12 All the operations and movements entailed in the cessation of hostilities and regrouping must proceed in a safe and orderly fashion: --

(a) Within a certain number of days after the cease-fire Agreement shall have become effective, the number to be determined on the spot by the Trung Gia Military Commission, each party shall be responsible for removing and neutralising mines (including river- and sea-

mines), booby traps, explosives and any other dangerous substances placed by it. In the event of its being impossible to complete the work of removal and neutralisation in time, the party concerned shall mark the spot by placing visible signs there. All demolitions, mine fields, wire entanglements and other hazards to the free movement of the personnel of the Joint Commission and its joint groups, known to be present after the withdrawal of the military forces, shall be reported to the Joint Commission by the Commanders of the opposing forces;

(b) From the time of the cease-fire until regrouping is completed on either side of the demarcation line: --

(1) The forces of either party shall be provisionally withdrawn from the provisional assembly areas assigned to the other party.

(2) When one party's forces withdraw by a route (road, rail, waterway, sea route) which passes through the territory of the other party (see Article 24), the latter party's forces must provisionally withdraw three kilometres on each side of such route, but in such a manner as to avoid interfering with the movements of the civil population.

Article 13 From the time of the cease-fire until the completion of the movements from one regrouping zone into the other, civil and military transport aircraft shall follow air-corridors between the provisional assembly areas assigned to the French Union forces north of the demarcation line on the one hand and the Laotian frontier and the regrouping zone assigned to the French Union forces on the other hand.

The position of the air-corridors, their width, the safety route for single-engined military aircraft transferred to the south and the search and rescue procedure for aircraft in distress shall be determined on the spot by the Trung Gia Military Commission.

Article 14 Political and administrative measures in the two regrouping zones, on either side of the provisional military demarcation line: --

(a) Pending the general elections which will bring about the unification of Viet Nam, the conduct of civil administration in each regrouping zone shall be in the hands of the party whose forces are to be regrouped there in virtue of the present Agreement.

(b) Any territory controlled by one party which is transferred to the other party by the regrouping plan shall continue to be administered by the former party until such date as all the troops who are to be transferred have completely left that territory so as to free the zone assigned to the party in question. From then on,

Article 5 (a) Within fifteen days after the cease-fire comes into effect, each party shall do its utmost to complete the removal or deactivation of all demolition objects, minefields, traps, obstacles or other dangerous objects placed previously, so as not to hamper the population's movement and work, in the first place on waterways, roads and railroads in South Vietnam. Those mines which cannot be removed or deactivated within that time shall be clearly marked and must be removed or deactivated as soon as possible.

(b) Emplacement of mines is prohibited, except as a defensive measure around the edges of military installations in places where they do not hamper the population's movement and work, and movement on waterways, roads and railroads. Mines and other obstacles already in place at the edges of military installations may remain in place if they are in places where they do not hamper the population's movement and work, and movement on waterways, roads and railroads.

Article 6 Civilian police and civilian security personnel of the parties in South Vietnam, who are responsible for the maintenance of law and order, shall strictly respect the prohibitions set forth in Article 2 of this Protocol. As required by their responsibilities, normally they shall be authorized to carry pistols, but when required by unusual circumstances, they shall be allowed to carry other small individual arms.

Article 7 (a) The entry into South Vietnam of replacement armaments, munitions, and war material permitted under Article 7 of the Agreement shall take place under the supervision and control of the Two-Party Joint Military Commission and of the International Commission of Control and Supervision and through such points of entry only as are designated by the two South Vietnamese parties. The two South Vietnamese parties shall agree on these points of entry within fifteen days after the entry into force of the cease-fire. The two South Vietnamese parties may select as many as six points of entry which are not included in the list of places where teams of the International Commission of Control and Supervision are to be based contained in Article 4 (d) of the Protocol concerning the International Commission. At the same time, the two South Vietnamese parties may also select points of entry from the list of places set forth in Article 4 (d) of that Protocol.

(b) Each of the designated points of entry shall be available only for that South Vietnamese party which is in control of that point. The two South Vietnamese parties shall have an equal number of points of entry.

Article 8 (a) In implementation of Article 5 of the Agreement, the United States and the other foreign countries referred to in Article 5 of the Agreement shall take with them all their armaments, munitions, and war material. Transfers of such items which leave them in South Vietnam shall not be made subsequent to the entry into force of the Agreement except for transfers of communications, transport, and other non-combat material to the Four-Party Joint Military Commission or the International Commission of Control and Supervision.

(b) Within five days after the entry into force of the cease-fire, the United States shall inform the Four-Party Joint Military Commission and the International Commission of Control and Supervision of the general plans for timing of complete troop withdrawals which shall take place in four phases of fifteen days each. It is anticipated that the numbers of troops withdrawn in each phase are not likely to be widely different, although it is not feasible to ensure equal numbers. The approximate numbers to be withdrawn in each phase shall be given to the Four-Party Joint Military Commission and the International Commission of Control and Supervision sufficiently in advance of actual withdrawals so that they can properly carry out their tasks in relation thereto.

Article 9 (a) In implementation of Article 6 of the Agreement, the United States and the other foreign countries referred to in that Article shall dismantle and remove from South Vietnam or destroy all military bases in South Vietnam of the United States and of the other foreign countries referred to in that Article, including weapons, mines, and other military equipment at these bases, for the purpose of making them unusable for military purposes.

(b) The United States shall supply the Four-Party Joint Military Commission and the International Commission of Control and Supervision with necessary information on plans for base dismantlement so that those Commissions can properly carry out their tasks in relation thereto.

The Joint Military Commissions

Article 10 (a) The implementation of the Agreement is the responsibility of the parties signatory to the Agreement.

The Four-Party Joint Military Commission has the task of ensuring joint action by the parties in implementing the Agreement by serving as a channel of communication among the parties, by drawing up plans and fixing the modalities to carry out, coordinate, follow and inspect the implementation of the provisions mentioned in Article 16 of the Agreement, and by negotiating and settling all matters concerning the implementation of those provisions.

Article 4 The mine clearing operation shall be conducted in accordance with priorities and timing agreed upon by the two parties. For this purpose, representatives of the two parties shall meet at an early date to reach agreement on a program and a plan of implementation. To this end:

(a) The United States shall provide its plan for mine clearing operations, including maps of the minefields and information concerning the types, numbers and properties of the mines;

(b) The Democratic Republic of Vietnam shall provide all available maps and hydrographic charts and indicate the mined places and all other potential hazards to the mine clearing operations that the Democratic Republic of Vietnam is aware of;

(c) The two parties shall agree on the timing of implementation of each segment of the plan and provide timely notice to the public at least forty-eight hours in advance of the beginning of mine clearing operations for that segment.

Article 5 The United States shall be responsible for the mine clearance on inland waterways of the Democratic Republic of Vietnam. The Democratic Republic of Vietnam shall, to the full extent of its capabilities, actively participate in the mine clearance with the means of surveying, removal and destruction and technical advice supplied by the United States.

Article 6 With a view to ensuring the safe movement of people and watercraft on waterways and at sea, the United States shall in the mine clearing process supply timely information about the progress of mine clearing in each area, and about the remaining mines to be destroyed. The United States shall issue a communique when the operations have been concluded.

Article 7 In conducting mine clearing operations, the U.S. personnel engaged in these operations shall respect the sovereignty of the Democratic Republic of Vietnam and shall engage in no activities inconsistent with the Agreement on Ending the War and Restoring Peace in Vietnam and this Protocol. The U.S. personnel engaged in the mine clearing operations shall be immune from the jurisdiction of the Democratic Republic of Vietnam for the duration of the mine clearing operations.

The Democratic Republic of Vietnam shall ensure the safety of the U.S. personnel for the duration of their mine clearing activities on the territory of the Democratic Republic of Vietnam, and shall provide this personnel with all possible assistance and the means needed in the Democratic Republic of Vietnam that have been agreed upon by the two parties.

Article 8 This Protocol to the Paris Agreement on Ending the War and Restor-

ing Peace in Vietnam shall enter into force upon signature by the Secretary of State of the Government of the United States of America and the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam. It shall be strictly implemented by the two parties.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

For the Government of
the United States of
America

For the Government
of the Democratic
Republic of
Viet Nam

William P. Rogers
Secretary of State

Nguyen Duy Trinh
Minister for Foreign
Affairs

Article 7 of the Agreement, the two South Vietnamese parties' delegations to the Four-Party Joint Military Commission shall establish joint military teams at the points of entry into South Vietnam used for replacement of armaments, munitions and war material which are designated in accordance with Article 7 of this Protocol. From the time the cease-fire comes into force to the time when the Two-Party Joint Military Commission becomes operational, the two South Vietnamese parties' delegations to the Four-Party Joint Military Commission shall form a provisional sub-commission and provisional joint military military teams to carry out its tasks concerning captured and detained Vietnamese civilian personnel. Where necessary for the above purposes, the two parties may agree to assign personnel additional to those assigned to the two South Vietnamese delegations to the Four-Party Joint Military Commission.

Article 12 (a) In accordance with Article 17 of the Agreement which stipulates that the two South Vietnamese parties shall immediately designate their respective representatives to form the Two-Party Joint Military Commission, twenty-four hours after the cease-fire comes into force, the two designated South Vietnamese parties' delegations to the Two-Party Joint Military Commission shall meet in Saigon so as to reach an agreement as soon as possible on organization and operation of the Two-Party Joint Military Commission, as well as the measures and organization aimed at enforcing the cease-fire and preserving peace in South Vietnam.

(b) From the time the cease-fire comes into force to the time when the Two-Party Joint Military Commission becomes operational, the two South Vietnamese parties' delegations to the Four-Party Joint Military Commission at all levels shall simultaneously assume the tasks of the Two-Party Joint Military Commission at all levels, in addition to their functions as delegations to the Four-Party Joint Military Commission.

(c) If, at the time the Four-Party Joint Military Commission ceases its operation in accordance with Article 16 of the Agreement, agreement has not been reached on organization of the Two-Party Joint Military Commission, the delegations of the two South Vietnamese parties serving with the Four-Party Joint Military Commission at all levels shall continue temporarily to work together as a provisional two-party joint military commission and to assume the tasks of the Two-Party Joint Military Commission at all levels until the Two-Party Joint Military Commission becomes operational.

Article 13 In application of the principle of unanimity, the Joint Military Commissions shall have no chairmen, and meetings shall be convened at the request of any rep-

resentative. The Joint Military Commissions shall adopt working procedures appropriate for the effective discharge of their functions and responsibilities.

Article 14 The Joint Military Commissions and the International Commission of Control and Supervision shall closely cooperate with and assist each other in carrying out their respective functions. Each Joint Military Commission shall inform the International Commission about the implementation of those provisions of the Agreement for which that Joint Military Commission has responsibility and which are within the competence of the International Commission. Each Joint Military Commission may request the International Commission to carry out specific observation activities.

Article 15 The Central Four-Party Joint Military Commission shall begin operating twenty-four hours after the cease-fire comes into force. The Regional Four-Party Joint Military Commissions shall begin operating forty-eight hours after the cease-fire comes into force. The joint military teams based at the places listed in Article 11 (c) of this Protocol shall begin operating no later than fifteen days after the cease-fire comes into force. The delegations of the two South Vietnamese parties shall simultaneously begin to assume the tasks of the Two-Party Joint Military Commission as provided in Article 12 of this Protocol.

Article 16 (a) The parties shall provide full protection and all necessary assistance and cooperation to the Joint Military Commissions at all levels, in the discharge of their tasks.

(b) The Joint Military Commissions and their personnel, while carrying out their tasks, shall enjoy privileges and immunities equivalent to those accorded diplomatic missions and diplomatic agents.

(c) The personnel of the Joint Military Commissions may carry pistols and wear special insignia decided upon by each Central Joint Military Commission. The personnel of each party while guarding Commission installations or equipment may be authorized to carry other individual small arms, as determined by each Central Joint Military Commission.

Article 17 (a) The delegation of each party to the Four-Party Joint Military Commission and the Two-Party Joint Military Commission shall have its own offices, communication, logistics and transportation means, including aircraft when necessary. The Joint Military Commissions may purchase from any source necessary facilities, equipment, and services which

equipment, and the parties shall continue to make their contributions on that basis until a new budget is approved.

Article 15 (a) The headquarters shall be operational and in place within 24 hours after the cease-fire.

(b) The regional teams shall be operational and in place, and three teams for supervision and control of the return of the captured and detained personnel shall be operational and ready for dispatch within 48 hours after the cease-fire.

(c) Other teams shall be operational and in place within fifteen to thirty days after the cease-fire.

Article 16 Meetings shall be convened at the call of the Chairman. The International Commission shall adopt other working procedures appropriate for the effective discharge of its functions and consistent with respect for the sovereignty of South Vietnam.

Article 17 The Members of the International Commission may accept the obligations of this Protocol by sending notes of acceptance to the four parties signatory to the Agreement. Should a member of the International Commission decide to withdraw from the International Commission, it may do so by giving three months notice by means of notes to the four parties to the Agreement, in which case those four parties shall consult among themselves for the purpose of agreeing upon a replacement member.

Article 18 This Protocol shall enter into force upon signature by plenipotentiary representatives of all parties participating in the Paris Conference on Vietnam. It shall be strictly implemented by all the parties concerned.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are officially and equally authentic.

[Separate Numbered Page]

For the Government of
the United States of
America

For the Government of
the Republic of
Vietnam

William P. Rogers
Secretary of State

Tran Van Lam
Minister for Foreign
Affairs

[Separate Numbered Page]

For the Government of
the Democratic Republic
of Vietnam

For the Provisional
Revolutionary Govern-
ment of South Vietnam

Nguyen Duy Trinh
Minister for Foreign
Affairs

Nguyen Thi Binh
Minister for Foreign
Affairs

Protocol

to the Agreement on Ending the War
and Restoring Peace in Vietnam

Concerning

the International Commission
of Control and Supervision

The Government of the United States of America,
with the concurrence of the Government of the
Republic of Vietnam,

The Government of the Democratic Republic of
Vietnam, with the concurrence of the Provi-
sional Revolutionary Government of the Repub-
lic of South Vietnam,

In implementation of Article 18 of the Agree-
ment on Ending the War and Restoring Peace in
Vietnam signed on this date providing for the
formation of the International Commission of
Control and Supervision,

Have agreed as follows:

[Text of Protocol Articles 1-17 same as above]

Article 18 The Protocol to the Paris Agree-
ment on Ending the War and Restoring Peace in
Vietnam concerning the International Commis-
sion of Control and Supervision shall enter
into force upon signature of this document by
the Secretary of State of the Government of
the United States of America and the Minis-
ter for Foreign Affairs of the Government of
the Democratic Republic of Vietnam, and upon
signature of a document in the same terms by
the Secretary of State of the Government of
the United States of America, the Minister
for Foreign Affairs of the Government of the
Republic of Vietnam, the Minister for Foreign
Affairs of the Government of the Democratic
Republic of Vietnam, and the Minister for
Foreign Affairs of the Provisional Revolu-
tionary Government of the Republic of South
Vietnam. The Protocol shall be strictly im-
plemented by all parties concerned.

C. Protocol on Prisoners

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM CONCERNING THE RETURN OF CAPTURED MILITARY PERSONNEL AND FOREIGN CIVILIANS AND CAPTURED AND DETAINED VIETNAMESE CIVILIAN PERSONNEL

The parties participating in the Paris Conference on Vietnam,

In implementation of Article 8 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date providing for the return of captured military personnel and foreign civilians, and detained Vietnamese civilian personnel,

Have agreed as follows:

THE RETURN OF CAPTURED MILITARY PERSONNEL AND FOREIGN CIVILIANS

Article 1 The parties signatory to the Agreement shall return the captured military personnel of the parties mentioned in Article 8 (a) of the Agreement as follows:

-- all captured Vietnamese military personnel of the United States and those of the other foreign countries mentioned in Article 3 (a) of the Agreement shall be returned to United States authorities.

-- all captured Vietnamese military personnel whether belonging to regular or irregular armed forces, shall be returned to the two South Vietnamese parties; they shall be returned to that South Vietnamese party under whose command they served.

Article 2 All captured civilians who are nationals of the United States or of any other foreign countries mentioned in Article 3 (a) of the Agreement shall be returned to United States authorities. All other captured foreign civilians shall be returned to the authorities of their country of nationality by any one of the parties willing and able to do so.

Article 3 The parties shall today exchange complete lists of captured persons mentioned in Articles 1 and 2 of this Protocol.

Article 4 (a) The return of all captured persons mentioned in Articles 1 and 2 of this Protocol shall be completed within sixty days of the signing of the Agreement at a rate no slower than the rate of withdrawal from South Vietnam of United States forces and those of the other countries mentioned in Article 5 of the Agree-

(b) Persons who are seriously ill, wounded or maimed, old persons and women shall be returned first. The remainder shall be returned either by returning all from one detention place after another or in order of their dates of capture, beginning with those who have been held the longest.

Article 5 The return and reception of the persons mentioned in Articles 1 and 2 of this Protocol shall be carried out at places convenient to the concerned parties. Places of return shall be agreed upon the Four-Party Joint Military Commission. The parties shall ensure the safety of personnel engaged in the return and reception of those persons.

Article 6 Each party shall return all captured persons mentioned in Articles 1 and 2 of this Protocol without delay and shall facilitate their return and reception. The detaining parties shall not deny or delay their return for any reason, including the fact that captured persons may, on any grounds, have been prosecuted or sentenced.

The Return of Captured and Detained Vietnamese Civilian Personnel

Article 7 (a) The question of the return of Vietnamese civilian personnel captured and detained in South Vietnam will be resolved by the two South Vietnamese parties on the basis of the principles of Article 21 (b) of the Agreement on the Cessation of Hostilities in Vietnam of July 20, 1954, which reads as follows:

"The term 'civilian internees' is understood to mean all persons who, having in any way contributed to the political and armed struggle between the

Article 4 (a) The headquarters of the International Commission shall be at Saigon.

(b) There shall be seven regional teams located in the regions shown on the annexed map and based at the following places:

<u>Regions</u>	<u>Places</u>
I	Hue
II	Danang
III	Pleiku
IV	Phan Thiet
V	Bien Hoa
VI	My Tho
VII	Can Tho

The International Commission shall designate three teams for the region of Saigon-Gia Dinh. area

(c) There shall be twenty-six teams operating in the areas shown on the annexed map and based at the following places in South Vietnam:

<u>Region I</u>	<u>Region V</u>
Quang Tri	An Loc
Phu Bai	Xuan Loc
	Ben Cat
<u>Region II</u>	Cu Chi
Hoi An	Tan An
Tam Ky	
Chu Lai	<u>Region VI</u>
	Moc Hoa
<u>Region III</u>	Giong Trom
Hau Bon	
Kontum	<u>Region VII</u>
Phu Cat	Tri Ton
Tuy An	Vinh Long
Ninh Hoa	Vi Thanh
Ban Me Thuot	Quan Long
<u>Region IV</u>	
Da Lat	
Bao Loc	
Phan Rang	

(d) There shall be twelve teams located as shown on the annexed map and based at the following places:

Gio Linh (to cover the area south of the Provisional Military Demarcation Line)

Lao Bao	Can Tho
Duc Co	Vung Tau
Chu Lai	Xa Mat
Qui Nhon	Bien Hoa Airfield
Nha Trang	Hong Ngu

(e) There shall be seven teams, six of which shall be available for assignment to the points of entry which are not listed in paragraph (d) above and which the two South Vietnamese parties choose as points for legitimate entry to South Vietnam for replacement of armaments, munitions, and war material permitted by Article 7 of the

Agreement. Any team or teams not needed for the above-mentioned assignment shall be available for other tasks, in keeping with the Commission's responsibility for control and supervision.

(f) There shall be seven teams to control and supervise the return of captured and detained personnel of the parties.

Article 5 (a) To carry out its tasks concerning the return of the captured military personnel and foreign civilians of the parties as stipulated by Article 8 (a) of the Agreement, the International Commission shall, during the time of such return, send one control and supervision team to each place in Vietnam where the captured persons are being returned, and to the last detention places from which these persons will be taken to the places of return.

(b) To carry out its tasks concerning the return of the Vietnamese civilian personnel captured and detained in South Vietnam mentioned in Article 8 (c) of the Agreement, the International Commission shall, during the time of such return, send one control and supervision team to each place in South Vietnam where the above-mentioned captured and detained persons are being returned, and to the last detention places from which these persons shall be taken to the places of return.

Article 6 To carry out its tasks regarding Article 9 (b) of the Agreement on the free and democratic general elections in South Vietnam, the International Commission shall organize additional teams, when necessary. The International Commission shall discuss this question in advance with the National Council on National Reconciliation and Concord. If additional teams are necessary for this purpose, they shall be formed thirty days before the general elections.

Article 7 The International Commission shall continually keep under review its size, and shall reduce the number of its teams, its representatives or other personnel, or both, when those teams, representatives or personnel have accomplished the tasks assigned to them and are not required for other tasks. At the same time, the expenditures of the International Commission shall be reduced correspondingly.

Article 8 Each member of the International Commission shall make available at all times the following numbers of qualified personnel:

- (a) One senior representative and twenty-six others for the headquarters staff.
- (b) Five for each of the seven regional teams.
- (c) Two for each of the other international control teams, except for the teams at Gio Linh and Vung Tau, each of which shall have

(c) From the time the Cease-fire comes into force to the time when the Two-Party Joint Military Commission becomes operational, the two South Vietnamese parties' delegations to the Four-Party Joint Military Commission shall form a provisional sub-commission and provisional joint military teams to carry out its tasks concerning captured and detained Vietnamese civilian personnel.

(d) The Four-Party Joint Military Commission shall send joint military teams to observe the return of the persons mentioned in Articles 1 and 2 of this Protocol at each place in Vietnam where such persons are being returned, and at the last detention places from which these persons will be taken to the places of return.

Article 12 In implementation of Articles 18 (b) and 18 (c) of the Agreement, the International Commission of Control and Supervision shall have the responsibility to control and supervise the observance of Articles 1 through 7 of this Protocol through observation of the return of captured military personnel, foreign civilians and captured and detained Vietnamese civilian personnel at each place in Vietnam where these persons are being returned, and at the last detention places from which these persons will be taken to the places of return, the examination of lists, and the investigation of violations of the provisions of the above-mentioned Articles.

Article 13 Within five days after signature of this Protocol, each party shall publish the text of the Protocol and communicate it to all the captured persons covered by the Protocol and being detained by that party.

Article 14 This Protocol shall come into force upon signature by plenipotentiary representatives of all the parties participating on the Paris Conference on Vietnam. It shall be strictly implemented by all the parties concerned.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

[Separate Numbered Page]

For the Government of
the Democratic Republic
of Vietnam

For the Provisional
Revolutionary Govern-
ment of South Vietnam

Nguyen Duy Trinh
Minister for Foreign
Affairs

Nguyen Thi Binh
Minister for Foreign
Affairs

Protocol

to the Agreement on Ending the War
and Restoring Peace in Vietnam

Concerning

the Return of Captured Military
Personnel and Foreign Civilians and Cap-
tured and Detained Vietnamese
Civilian Personnel

The Government of the United States of America, with the concurrence of the Government of the Republic of Vietnam,

The Government of the Democratic Republic of Vietnam, with the concurrence of the Provisional Revolutionary Government of the Republic of South Vietnam,

In implementation of Article 8 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date providing for the return of captured military personnel and foreign civilians, and captured and detained Vietnamese civilian personnel,

Have agreed as follows:

[Text of Protocol Articles 1 - 13
same as above]

Article 14 The Protocol to the Paris Agreement on Ending the War and Restoring Peace in Vietnam concerning the Return of Captured Military Personnel and Foreign Civilians and Captured and

from the time when the
Commission becomes operational
Joint Military Commission shall
carry out its tasks concerning
detained Vietnamese civilian

Joint Military Commission
teams to observe the
mentioned in Articles 1
at each place in Viet-
nam being returned, and at
from which these persons
of return.

of Articles

Nguyen Duy
Minister for Foreign
Affairs

Protocol

to the Agreement on Ending the War
and Restoring Peace in Vietnam

Concerning

of Capt

Article 4 (a) The headquarters of the International Commission shall be at Saigon.

(b) There shall be seven regional teams located in the regions shown on the annexed map and based at the following places:

<u>Regions</u>	<u>Places</u>
I	Hue
II	Danang
III	Pleiku
IV	Phan Thiet
V	Bien Hoa
VI	My Tho
VII	Can Tho

The International Commission shall designate three teams for the region of Saigon-Gia Dinh. area

(c) There shall be twenty-six teams operating in the areas shown on the annexed map and based at the following places in South Vietnam:

<u>Region I</u>	<u>Region V</u>
Quang Tri	An Loc
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	Ben Cat
<u>Region II</u>	Cu Chi
Hoi An	Tan An
Tam Ky	
Chu Lai	<u>Region VI</u>
	Moc Hoa
<u>Region III</u>	Giong Trom
Hau Bon	
Kontum	<u>Region VII</u>
Phu Cat	Tri Ton
Tuy An	Vinh Long
Ninh Hoa	Vi Thanh
Ban Me Thuot	Quan Long
<u>Region IV</u>	
Da Lat	
Bao Loc	
Phan Rang	

(d) There shall be twelve teams located as shown on the annexed map and based at the following places:

Gio Linh (to cover the area south of the Provisional Military Demarcation Line)

Lao Bao	Can Tho
Duc Co	Vung Tau
Chu Lai	Xa Mat
Qui Nhon	Bien Hoa Airfield
Nha Trang	Hong Ngu

(e) There shall be seven teams, six of which shall be available for assignment to the points of entry which are not listed in paragraph (d) above and which the two South Vietnamese parties choose as points for legitimate entry to South Vietnam for replacement of armaments, munitions, and war material permitted by Article 7 of the

Agreement. Any team or teams not needed for the above-mentioned assignment shall be available for other tasks, in keeping with the Commission's responsibility for control and supervision.

(f) There shall be seven teams to control and supervise the return of captured and detained personnel of the parties.

Article 5 (a) To carry out its tasks concerning the return of the captured military personnel and foreign civilians of the parties as stipulated by Article 8 (a) of the Agreement, the International Commission shall, during the time of such return, send one control and supervision team to each place in Vietnam where the captured persons are being returned, and to the last detention places from which these persons will be taken to the places of return.

(b) To carry out its tasks concerning the return of the Vietnamese civilian personnel captured and detained in South Vietnam mentioned in Article 8 (c) of the Agreement, the International Commission shall, during the time of such return, send one control and supervision team to each place in South Vietnam where the above-mentioned captured and detained persons are being returned, and to the last detention places from which these persons shall be taken to the places of return.

Article 6 To carry out its tasks regarding Article 9 (b) of the Agreement on the free and democratic general elections in South Vietnam, the International Commission shall organize additional teams, when necessary. The International Commission shall discuss this question in advance with the National Council on National Reconciliation and Concord. If additional teams are necessary for this purpose, they shall be formed thirty days before the general elections.

Article 7 The International Commission shall continually keep under review its size, and shall reduce the number of its teams, its representatives or other personnel, or both, when those teams, representatives or personnel have accomplished the tasks assigned to them and are not required for other tasks. At the same time, the expenditures of the International Commission shall be reduced correspondingly.

Article 8 Each member of the International Commission shall make available at all times the following numbers of qualified personnel:

- One senior representative and twenty-six others for the headquarters staff.
- Five for each of the seven regional teams.
- Two for each of the other international control teams, except for the teams at Gio Linh and Vung Tau, each of which shall have

comes
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Government of
Republic

For the
Revolutionary Government
of South Vietnam

equipment, and the parties shall continue to make their contributions on that basis until a new budget is approved.

Article 15 (a) The headquarters shall be operational and in place within 24 hours after the cease-fire.

(b) The regional teams shall be operational and in place, and three teams for supervision and control of the return of the captured and detained personnel shall be operational and ready for dispatch within 48 hours after the cease-fire.

(c) Other teams shall be operational and in place within fifteen to thirty days after the cease-fire.

Article 16 Meetings shall be convened at the call of the Chairman. The International Commission shall adopt other working procedures appropriate for the effective discharge of its functions and consistent with respect for the sovereignty of South Vietnam.

Article 17 The Members of the International Commission may accept the obligations of this Protocol by sending notes of acceptance to the four parties signatory to the Agreement. Should a member of the International Commission decide to withdraw from the International Commission, it may do so by giving three months notice by means of notes to the four parties to the Agreement, in which case those four parties shall consult among themselves for the purpose of agreeing upon a replacement member.

Article 18 This Protocol shall enter into force upon signature by plenipotentiary representatives of all parties participating in the Paris Conference on Vietnam. It shall be strictly implemented by all the parties concerned.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are officially and equally authentic.

[Separate Numbered Page]

For the Government of
the United States of
America

For the Government of
the Republic of
Vietnam

William P. Rogers
Secretary of State

Tran Van Lam
Minister for Foreign
Affairs

[Separate Numbered Page]

For the Government of
the Democratic Republic
of Vietnam

For the Provisional
Revolutionary Govern-
ment of South Vietnam

Nguyen Duy Trinh
Minister for Foreign
Affairs

Nguyen Thi Binh
Minister for Foreign
Affairs

Protocol

to the Agreement on Ending the War
and Restoring Peace in Vietnam

Concerning

the International Commission
of Control and Supervision

The Government of the United States of America,
with the concurrence of the Government of the
Republic of Vietnam,

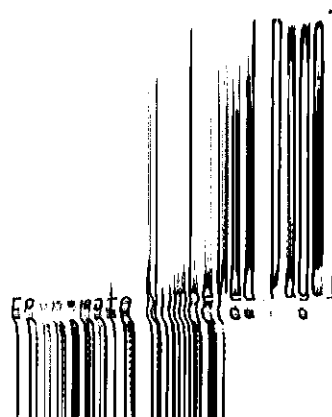
The Government of the Democratic Republic of
Vietnam, with the concurrence of the Provi-
sional Revolutionary Government of the Repub-
lic of South Vietnam,

In implementation of Article 18 of the Agree-
ment on Ending the War and Restoring Peace in
Vietnam signed on this date providing for the
formation of the International Commission of
Control and Supervision,

Have agreed as follows:

[Text of Protocol Articles 1-17 same as above]

Article 18 The Protocol to the Paris Agree-
ment on Ending the War and Restoring Peace in
Vietnam concerning the International Commis-
sion of Control and Supervision shall enter
into force upon signature of this document by
the Secretary of State of the Government of
the United States of America and the Minis-
ter for Foreign Affairs of the Government of
the Democratic Republic of Vietnam, and upon
signature of a document in the same terms by
the Secretary of State of the Government of
the United States of America, the Minister
for Foreign Affairs of the Government of the
Republic of Vietnam, the Minister for Foreign
Affairs of the Government of the Democratic
Republic of Vietnam, and the Minister for
Foreign Affairs of the Provisional Revolu-
tionary Government of the Republic of South
Vietnam. The Protocol shall be strictly im-
plemented by all parties concerned.



Article 4 The mine clearing operation shall be conducted in accordance with priorities and timing agreed upon by the two parties. For this purpose, representatives of the two parties shall meet at an early date to reach agreement on a program and a plan of implementation. To this end:

(a) The United States shall provide its plan for mine clearing operations, including maps of the minefields and information concerning the types, numbers and properties of the mines;

(b) The Democratic Republic of Vietnam shall provide all available maps and hydrographic charts and indicate the mined places and all other potential hazards to the mine clearing operations that the Democratic Republic of Vietnam is aware of;

(c) The two parties shall agree on the timing of implementation of each segment of the plan and provide timely notice to the public at least forty-eight hours in advance of the beginning of mine clearing operations for that segment.

Article 5 The United States shall be responsible for the mine clearance on inland waterways of the Democratic Republic of Vietnam. The Democratic Republic of Vietnam shall, to the full extent of its capabilities, actively participate in the mine clearance with the means of surveying, removal and destruction and technical advice supplied by the United States.

Article 6 With a view to ensuring the safe movement of people and watercraft on waterways and at sea, the United States shall in the mine clearing process supply timely information about the progress of mine clearing in each area, and about the remaining mines to be destroyed. The United States shall issue a communique when the operations have been concluded.

Article 7 In conducting mine clearing operations, the U.S. personnel engaged in these operations shall respect the sovereignty of the Democratic Republic of Vietnam and shall engage in no activities inconsistent with the Agreement on Ending the War and Restoring Peace in Vietnam and this Protocol. The U.S. personnel engaged in the mine clearing operations shall be immune from the jurisdiction of the Democratic Republic of Vietnam for the duration of the mine clearing operations.

The Democratic Republic of Vietnam shall ensure the safety of the U.S. personnel for the duration of their mine clearing activities on the territory of the Democratic Republic of Vietnam, and shall provide this personnel with all possible assistance and the means needed in the Democratic Republic of Vietnam that have been agreed upon by the two parties.

Article 8 This Protocol to the Paris Agreement on Ending the War and Restor-

ing Peace in Vietnam shall enter into force upon signature by the Secretary of State of the Government of the United States of America and the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam. It shall be strictly implemented by the two parties.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

For the Government of
the United States of
America

For the Government
of the Democratic
Republic of
Viet Nam

William P. Rogers
Secretary of State

Nguyen Duy Trinh
Minister for Foreign
Affairs

Chapter II

PRINCIPLES AND PROCEDURE GOVERNING IMPLEMENTATION OF THE PRESENT AGREEMENT

Article 10 The Commanders of the Forces on each side, on the one side the Commanders-in-Chief of the French Union forces in Indo-China and on the other side the Commander-in-Chief of the People's Army of Viet Nam, shall order and enforce the complete cessation of all hostilities in Viet Nam by all armed forces under their control, including all units and personnel of the ground, naval and air forces.

Article 11 In accordance with the principle of a simultaneous cease-fire throughout Indo-China, the cessation of hostilities shall be simultaneous throughout all parts of Viet Nam, in all areas of hostilities and for all the forces of the two parties.

Taking into account the time effectively required to transmit the cease-fire order down to the lowest echelons of the combatant forces on both sides, the two parties are agreed that the cease-fire shall take effect completely and simultaneously for the different sectors of the country as follows: --

Northern Viet Nam at 8:00 a.m. (local time) on July 27, 1954.

Central Viet Nam at 8:00 a.m. (local time) on August 1, 1954.

Southern Viet Nam at 8:00 a.m. (local time) on August 11, 1954.

It is agreed that Peking mean time shall be taken as local time.

From such time as the cease-fire becomes effective in Northern Viet Nam, both parties undertake not to engage in any large-scale offensive action in any part of the Indo-Chinese theatre of operations and not to commit the air forces based on Northern Viet Nam outside that sector. The two parties also undertake to inform each other of their plans for movement from one regrouping zone to another within twenty-five (25) days of the present Agreement's entry into force.

Article 12 All the operations and movements entailed in the cessation of hostilities and regrouping must proceed in a safe and orderly fashion: --

(a) Within a certain number of days after the cease-fire Agreement shall have become effective, the number to be determined on the spot by the Trung Gia Military Commission, each party shall be responsible for removing and neutralising mines (including river- and sea-

mines), booby traps, explosives and any other dangerous substances placed by it. In the event of its being impossible to complete the work of removal and neutralisation in time, the party concerned shall mark the spot by placing visible signs there. All demolitions, mine fields, wire entanglements and other hazards to the free movement of the personnel of the Joint Commission and its joint groups, known to be present after the withdrawal of the military forces, shall be reported to the Joint Commission by the Commanders of the opposing forces;

(b) From the time of the cease-fire until regrouping is completed on either side of the demarcation line: --

(1) The forces of either party shall be provisionally withdrawn from the provisional assembly areas assigned to the other party.

(2) When one party's forces withdraw by a route (road, rail, waterway, sea route) which passes through the territory of the other party (see Article 24), the latter party's forces must provisionally withdraw three kilometres on each side of such route, but in such a manner as to avoid interfering with the movements of the civil population.

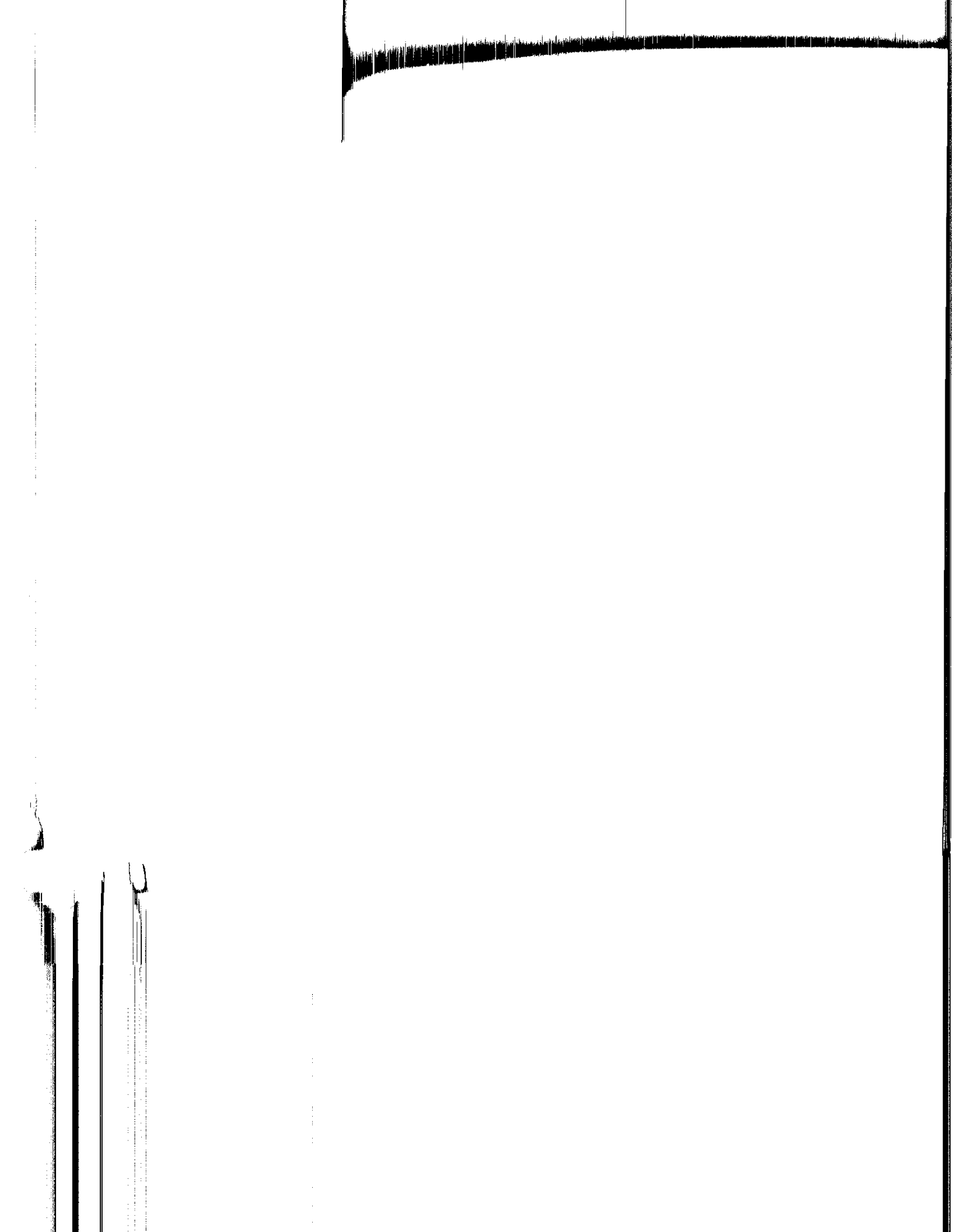
Article 13 From the time of the cease-fire until the completion of the movements from one regrouping zone into the other, civil and military transport aircraft shall follow air-corridors between the provisional assembly areas assigned to the French Union forces north of the demarcation line on the one hand and the Laotian frontier and the regrouping zone assigned to the French Union forces on the other hand.

The position of the air-corridors, their width, the safety route for single-engined military aircraft transferred to the south and the search and rescue procedure for aircraft in distress shall be determined on the spot by the Trung Gia Military Commission.

Article 14 Political and administrative measures in the two regrouping zones, on either side of the provisional military demarcation line: --

(a) Pending the general elections which will bring about the unification of Viet Nam, the conduct of civil administration in each regrouping zone shall be in the hands of the party whose forces are to be regrouped there in virtue of the present Agreement.

(b) Any territory controlled by one party which is transferred to the other party by the regrouping plan shall continue to be administered by the former party until such date as all the troops who are to be transferred have completely left that territory so as to free the zone assigned to the party in question. From then on,



- Central Viet Nam provisional assembly area - second instalment..... 100 days
- Point Camau provisional assembly area..... 200 days
- Central Viet Nam provisional assembly area - last instalment..... 300 days

Chapter III

BAN ON THE INTRODUCTION OF FRESH TROOPS, MILITARY PERSONNEL, ARMS AND MUNITIONS, MILITARY BASES

Article 16 With effect from the date of entry into force of the present Agreement, the introduction into Viet Nam of any troop reinforcements and additional military personnel is prohibited.

It is understood, however, that the rotation of units and groups of personnel, the arrival in Viet Nam of individual personnel on a temporary duty basis and the return to Viet Nam of the individual personnel after short periods of leave or temporary duty outside Viet Nam shall be permitted under the conditions laid down below: --

(a) Rotation of units (defined in paragraph (c) of this Article) and groups of personnel shall not be permitted for French Union troops stationed north of the provisional military demarcation line laid down in Article 1 of the present Agreement during the withdrawal period provided for in Article 2.

However, under the heading of individual personnel not more than fifty (50) men, including officers, shall during any one month be permitted to enter that part of the country north of the provisional military demarcation line on a temporary duty basis or to return there after short periods of leave or temporary duty outside Viet Nam.

(b) "Rotation" is defined as the replacement of units or groups of personnel by other units of the same echelon or by personnel who are arriving in Viet Nam territory to do their overseas service there;

(c) The units rotated shall never be larger than a battalion -- or the corresponding echelon for air and naval forces;

(d) Rotation shall be conducted on a man-for-man basis, provided, however, that in any one quarter neither party shall introduce more than fifteen thousand five hundred (15,500) members of its armed forces into Viet Nam under the rotation policy.

(e) Rotation units (defined in paragraph (c) of this Article) and groups of personnel, and the individual personnel mentioned in this Ar-

ticle, shall enter and leave Viet Nam only through the entry points enumerated in Article 20 below;

(f) Each party shall notify the Joint Commission and the International Commission at least two days in advance of any arrivals or departures of units, groups of personnel and individual personnel in or from Viet Nam. Reports on the arrivals or departures of units, groups of personnel and individual personnel in or from Viet Nam shall be submitted daily to the Joint Commission and the International Commission.

All the above-mentioned notifications and reports shall indicate the places and dates of arrival or departure and the number of persons arriving or departing;

(g) The International Commission, through its Inspection Teams, shall supervise and inspect the rotation of units and groups of personnel and the arrival and departure of individual personnel as authorised above, at the points of entry enumerated in Article 20 below.

Article 17 (a) With effect from the date of entry into force of the present Agreement, the introduction into Viet Nam of any reinforcements in the form of all types of arms, munitions and other war material, such as combat aircraft, naval craft, pieces of ordnance, jet engines and jet weapons and armoured vehicles, is prohibited.

(b) It is understood, however, that war material, arms and munitions which have been destroyed, damaged, worn out, or used up after the cessation of hostilities may be replaced on the basis of piece-for-piece of the same type and with similar characteristics. Such replacements of war material, arms and ammunitions shall not be permitted for French Union troops stationed north of the provisional military demarcation line laid down in Article 1 of the present Agreement, during the withdrawal period provided for in Article 2.

Naval craft may perform transport operations between regrouping zones.

(c) The war material, arms and munitions for replacement purposes provided for in paragraph (b) of this Article, shall be introduced into Viet Nam only through the points of entry enumerated in Article 20 below. War material, arms and munitions to be replaced shall be shipped from Viet Nam only through the points of entry enumerated in Article 20 below.

(d) Apart from the replacements permitted within the limits laid down in paragraph (b) of this Article, the introduction of war material, arms and munitions of all types in the form of unassembled parts for subsequent assembly is prohibited.

C. Protocol on Prisoners

PROTOCOL TO THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM CONCERNING THE RETURN OF CAPTURED MILITARY PERSONNEL AND FOREIGN CIVILIANS AND CAPTURED AND DETAINED VIETNAMESE CIVILIAN PERSONNEL

The parties participating in the Paris Conference on Vietnam,

In implementation of Article 8 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date providing for the return of captured military personnel and foreign civilians, and detained Vietnamese civilian personnel,

Have agreed as follows:

THE RETURN OF CAPTURED MILITARY PERSONNEL AND FOREIGN CIVILIANS

Article 1 The parties signatory to the Agreement shall return the captured military personnel of the parties mentioned in Article 8 (a) of the Agreement as follows:

-- all captured Vietnamese military personnel of the United States and those of the other foreign countries mentioned in Article 3 (a) of the Agreement shall be returned to United States authorities.

-- all captured Vietnamese military personnel whether belonging to regular or irregular armed forces, shall be returned to the two South Vietnamese parties; they shall be returned to that South Vietnamese party under whose command they served.

Article 2 All captured civilians who are nationals of the United States or of any other foreign countries mentioned in Article 3 (a) of the Agreement shall be returned to United States authorities. All other captured foreign civilians shall be returned to the authorities of their country of nationality by any one of the parties willing and able to do so.

Article 3 The parties shall today exchange complete lists of captured persons mentioned in Articles 1 and 2 of this Protocol.

Article 4 (a) The return of all captured persons mentioned in Articles 1 and 2 of this Protocol shall be completed within sixty days of the signing of the Agreement at a rate no slower than the rate of withdrawal from South Vietnam of United States forces and those of the other countries mentioned in Article 5 of the Agree-

(b) Persons who are seriously ill, wounded or maimed, old persons and women shall be returned first. The remainder shall be returned either by returning all from one detention place after another or in order of their dates of capture, beginning with those who have been held the longest.

Article 5 The return and reception of the persons mentioned in Articles 1 and 2 of this Protocol shall be carried out at places convenient to the concerned parties. Places of return shall be agreed upon the Four-Party Joint Military Commission. The parties shall ensure the safety of personnel engaged in the return and reception of those persons.

Article 6 Each party shall return all captured persons mentioned in Articles 1 and 2 of this Protocol without delay and shall facilitate their return and reception. The detaining parties shall not deny or delay their return for any reason, including the fact that captured persons may, on any grounds, have been prosecuted or sentenced.

The Return of Captured and Detained Vietnamese Civilian Personnel

Article 7 (a) The question of the return of Vietnamese civilian personnel captured and detained in South Vietnam will be resolved by the two South Vietnamese parties on the basis of the principles of Article 21 (b) of the Agreement on the Cessation of Hostilities in Vietnam of July 20, 1954, which reads as follows:

"The term 'civilian internees' is understood to mean all persons who, having in any way contributed to the political and armed struggle between the

teams in the performance of the functions and tasks assigned to them by the present Agreement.

Article 26 The costs involved in the operations of the Joint Commission and joint groups of the International Commission and its Inspection Teams shall be shared equally between the two parties.

Article 27 The signatories of the present Agreement and their successors in their functions shall be responsible for ensuring the observance and enforcement of the terms and provisions thereof. The Commanders of the Forces of the two parties shall, within their respective commands, take all steps and make all arrangements necessary to ensure full compliance with all the provisions of the present Agreement by all elements and military personnel under their command.

The procedures laid down in the present Agreement shall, whenever necessary, be studied by the Commanders of the two parties and, if necessary, defined more specifically by the Joint Commission.

Chapter VI

JOINT COMMISSION AND INTERNATIONAL COMMISSION FOR SUPERVISION AND CONTROL IN VIET NAM

Article 28 Responsibility for the execution of the agreement on the cessation of hostilities shall rest with the parties.

Article 29 An International Commission shall ensure the control and supervision of this execution.

Article 30 In order to facilitate, under the conditions shown below, the execution of provisions concerning joint actions by the two parties, a Joint Commission shall be set up in Viet Nam.

Article 31 The Joint Commission shall be composed of an equal number of representatives of the Commanders of the two parties.

Article 32 The Presidents of the delegations to the Joint Commission shall hold the rank of General.

The Joint Commission shall set up joint groups, the number of which shall be determined by mutual agreement between the parties. The joint groups shall be composed of an equal number of officers from both parties. Their location on the demarcation line between the re-grouping zones shall be determined by the parties whilst taking into account the powers of the Joint Commission.

Article 33 The Joint Commission shall ensure

the execution of the following provisions of the Agreement on the cessation of hostilities: -

(a) A simultaneous and general cease-fire in Viet Nam for all regular and irregular armed forces of the two parties.

(b) A re-groupment of the armed forces of the two parties.

(c) Observance of the demarcation lines between the re-grouping zones and of the demilitarised sectors.

Within the limits of its competence it shall help the parties to execute the said provisions, shall ensure liaison between them for the purpose of preparing and carrying out plans for the application of these provisions, and shall endeavour to solve such disputed questions as may arise between the parties in the course of executing these provisions.

Article 34 An International Commission shall be set up for the control and supervision over the application of the provisions of the agreement on the cessation of hostilities in Viet Nam. It shall be composed of representatives of the following States: Canada, India and Poland.

It shall be presided over by the Representative of India.

Article 35 The International Commission shall set up fixed and mobile inspection teams, composed of an equal number of officers appointed by each of the above-mentioned States. The mixed teams shall be located at the following points: Laokay, Langson, Tien-Yen, Haiphong, Vinh, Dong-Hoi, Muong-Sen, Tourane, Quinhon, Nhatrang, Bangoi, Saigon, Cap St. Jacques, Tran-chau. These points of location may, at a later date, be altered at the request of the Joint Commission, or of one of the parties, or of the International Commission itself, by agreement between the International Commission and the command of the party concerned. The zones of action of the mobile teams shall be the regions bordering the land and sea frontiers of Viet Nam, the demarcation lines between the re-grouping zones and the demilitarised zones. Within the limits of these zones they shall have the right to move freely and shall receive from the local civil and military authorities all facilities they may require for the fulfilment of their tasks (provision of personnel, placing at their disposal documents needed for supervision, summoning witnesses necessary for holding enquiries, ensuring the security and freedom of movement of the inspection teams, &c....). They shall have at their disposal such modern means of transport, observation and communication as they may require. Beyond the zones of action as defined above, the mobile teams may, by agreement with the command of the party concerned, carry out other movements within the limits of the tasks given them by the present agreement.

Article 7 of the Agreement, the two South Vietnamese parties' delegations to the Four-Party Joint Military Commission shall establish joint military teams at the points of entry into South Vietnam used for replacement of armaments, munitions and war material which are designated in accordance with Article 7 of this Protocol. From the time the cease-fire comes into force to the time when the Two-Party Joint Military Commission becomes operational, the two South Vietnamese parties' delegations to the Four-Party Joint Military Commission shall form a provisional sub-commission and provisional joint military military teams to carry out its tasks concerning captured and detained Vietnamese civilian personnel. Where necessary for the above purposes, the two parties may agree to assign personnel additional to those assigned to the two South Vietnamese delegations to the Four-Party Joint Military Commission.

Article 12 (a) In accordance with Article 17 of the Agreement which stipulates that the two South Vietnamese parties shall immediately designate their respective representatives to form the Two-Party Joint Military Commission, twenty-four hours after the cease-fire comes into force, the two designated South Vietnamese parties' delegations to the Two-Party Joint Military Commission shall meet in Saigon so as to reach an agreement as soon as possible on organization and operation of the Two-Party Joint Military Commission, as well as the measures and organization aimed at enforcing the cease-fire and preserving peace in South Vietnam.

(b) From the time the cease-fire comes into force to the time when the Two-Party Joint Military Commission becomes operational, the two South Vietnamese parties' delegations to the Four-Party Joint Military Commission at all levels shall simultaneously assume the tasks of the Two-Party Joint Military Commission at all levels, in addition to their functions as delegations to the Four-Party Joint Military Commission.

(c) If, at the time the Four-Party Joint Military Commission ceases its operation in accordance with Article 16 of the Agreement, agreement has not been reached on organization of the Two-Party Joint Military Commission, the delegations of the two South Vietnamese parties serving with the Four-Party Joint Military Commission at all levels shall continue temporarily to work together as a provisional two-party joint military commission and to assume the tasks of the Two-Party Joint Military Commission at all levels until the Two-Party Joint Military Commission becomes operational.

Article 13 In application of the principle of unanimity, the Joint Military Commissions shall have no chairmen, and meetings shall be convened at the request of any rep-

resentative. The Joint Military Commissions shall adopt working procedures appropriate for the effective discharge of their functions and responsibilities.

Article 14 The Joint Military Commissions and the International Commission of Control and Supervision shall closely cooperate with and assist each other in carrying out their respective functions. Each Joint Military Commission shall inform the International Commission about the implementation of those provisions of the Agreement for which that Joint Military Commission has responsibility and which are within the competence of the International Commission. Each Joint Military Commission may request the International Commission to carry out specific observation activities.

Article 15 The Central Four-Party Joint Military Commission shall begin operating twenty-four hours after the cease-fire comes into force. The Regional Four-Party Joint Military Commissions shall begin operating forty-eight hours after the cease-fire comes into force. The joint military teams based at the places listed in Article 11 (c) of this Protocol shall begin operating no later than fifteen days after the cease-fire comes into force. The delegations of the two South Vietnamese parties shall simultaneously begin to assume the tasks of the Two-Party Joint Military Commission as provided in Article 12 of this Protocol.

Article 16 (a) The parties shall provide full protection and all necessary assistance and cooperation to the Joint Military Commissions at all levels, in the discharge of their tasks.

(b) The Joint Military Commissions and their personnel, while carrying out their tasks, shall enjoy privileges and immunities equivalent to those accorded diplomatic missions and diplomatic agents.

(c) The personnel of the Joint Military Commissions may carry pistols and wear special insignia decided upon by each Central Joint Military Commission. The personnel of each party while guarding Commission installations or equipment may be authorized to carry other individual small arms, as determined by each Central Joint Military Commission.

Article 17 (a) The delegation of each party to the Four-Party Joint Military Commission and the Two-Party Joint Military Commission shall have its own offices, communication, logistics and transportation means, including aircraft when necessary. The Joint Military Commissions may purchase from any source necessary facilities, equipment, and services which

for Supervision and Control in Cambodia and Laos, and having regard to the development of the situation in Cambodia and Laos, progressively reduce its activities. Such a decision must be adopted unanimously.

Article 47 All the provisions of the present Agreement, save the second subparagraph of Article 11, shall enter into force at 2400 hours (Geneva time) on July 22, 1954.

Done in Geneva at 2400 hours on the 20th of July, 1954, in French and in Vietnamese, both texts being equally authentic.

For the Commander-in-Chief of the French Union
Forces in Indo-China:

Deltiel [Delteil],

Brigadier-General.

For the Commander-in-Chief of the People's
Army of Viet Nam:

Ta-Quang-Buu,

Vice-Minister of Na-
tional Defence of the Democratic Republic of
Viet Nam.

Article 5 (a) Within fifteen days after the cease-fire comes into effect, each party shall do its utmost to complete the removal or deactivation of all demolition objects, minefields, traps, obstacles or other dangerous objects placed previously, so as not to hamper the population's movement and work, in the first place on waterways, roads and railroads in South Vietnam. Those mines which cannot be removed or deactivated within that time shall be clearly marked and must be removed or deactivated as soon as possible.

(b) Emplacement of mines is prohibited, except as a defensive measure around the edges of military installations in places where they do not hamper the population's movement and work, and movement on waterways, roads and railroads. Mines and other obstacles already in place at the edges of military installations may remain in place if they are in places where they do not hamper the population's movement and work, and movement on waterways, roads and railroads.

Article 6 Civilian police and civilian security personnel of the parties in South Vietnam, who are responsible for the maintenance of law and order, shall strictly respect the prohibitions set forth in Article 2 of this Protocol. As required by their responsibilities, normally they shall be authorized to carry pistols, but when required by unusual circumstances, they shall be allowed to carry other small individual arms.

Article 7 (a) The entry into South Vietnam of replacement armaments, munitions, and war material permitted under Article 7 of the Agreement shall take place under the supervision and control of the Two-Party Joint Military Commission and of the International Commission of Control and Supervision and through such points of entry only as are designated by the two South Vietnamese parties. The two South Vietnamese parties shall agree on these points of entry within fifteen days after the entry into force of the cease-fire. The two South Vietnamese parties may select as many as six points of entry which are not included in the list of places where teams of the International Commission of Control and Supervision are to be based contained in Article 4 (d) of the Protocol concerning the International Commission. At the same time, the two South Vietnamese parties may also select points of entry from the list of places set forth in Article 4 (d) of that Protocol.

(b) Each of the designated points of entry shall be available only for that South Vietnamese party which is in control of that point. The two South Vietnamese parties shall have an equal number of points of entry.

Article 8 (a) In implementation of Article 5 of the Agreement, the United States and the other foreign countries referred to in Article 5 of the Agreement shall take with them all their armaments, munitions, and war material. Transfers of such items which leave them in South Vietnam shall not be made subsequent to the entry into force of the Agreement except for transfers of communications, transport, and other non-combat material to the Four-Party Joint Military Commission or the International Commission of Control and Supervision.

(b) Within five days after the entry into force of the cease-fire, the United States shall inform the Four-Party Joint Military Commission and the International Commission of Control and Supervision of the general plans for timing of complete troop withdrawals which shall take place in four phases of fifteen days each. It is anticipated that the numbers of troops withdrawn in each phase are not likely to be widely different, although it is not feasible to ensure equal numbers. The approximate numbers to be withdrawn in each phase shall be given to the Four-Party Joint Military Commission and the International Commission of Control and Supervision sufficiently in advance of actual withdrawals so that they can properly carry out their tasks in relation thereto.

Article 9 (a) In implementation of Article 6 of the Agreement, the United States and the other foreign countries referred to in that Article shall dismantle and remove from South Vietnam or destroy all military bases in South Vietnam of the United States and of the other foreign countries referred to in that Article, including weapons, mines, and other military equipment at these bases, for the purpose of making them unusable for military purposes.

(b) The United States shall supply the Four-Party Joint Military Commission and the International Commission of Control and Supervision with necessary information on plans for base dismantlement so that those Commissions can properly carry out their tasks in relation thereto.

The Joint Military Commissions

Article 10 (a) The implementation of the Agreement is the responsibility of the parties signatory to the Agreement.

The Four-Party Joint Military Commission has the task of ensuring joint action by the parties in implementing the Agreement by serving as a channel of communication among the parties, by drawing up plans and fixing the modalities to carry out, coordinate, follow and inspect the implementation of the provisions mentioned in Article 16 of the Agreement, and by negotiating and settling all matters concerning the implementation of those provisions.

onwards.

8 The provisions of the agreements on the cessation of hostilities intended to ensure the protection of individuals and of property must be most strictly applied and must, in particular, allow everyone in Viet Nam to decide freely in which zone he wishes to live.

9 The competent representative authorities of the Northern and Southern zones of Viet Nam, as well as the authorities of Laos and Cambodia, must not permit any individual or collective reprisals against persons who have collaborated in any way with one of the parties during the war, or against members of such persons' families.

10 The Conference takes note of the declaration of the Government of the French Republic to the effect that it is ready to withdraw its troops from the territory of Cambodia, Laos and Viet Nam, at the request of the Governments concerned and within periods which shall be fixed by agreement between the two parties, a certain number of French troops shall remain at specified points and for a specified time.

11 The Conference takes note of the declaration of the French Government to the effect that for the settlement of all the problems connected with the re-establishment and consolidation of peace in Cambodia, Laos and Viet Nam, the French Government will proceed from the principle of respect for the independence and sovereignty, unity and territorial integrity of Cambodia, Laos and Viet Nam.

12 In their relations with Cambodia, Laos and Viet Nam, each member of the Geneva Conference undertakes to respect the sovereignty, the independence, the unity and the territorial integrity of the above-mentioned States, and to refrain from any interference in their internal affairs.

13 The members of the Conference agree to consult one another on any question which may be referred to them by the International Supervisory Commission, in order to study such measures as may prove necessary to ensure that the agreements on the cessation of hostilities in Cambodia, Laos and Viet Nam are respected.

Article 22 The ending of the war, the restoration of peace in Vietnam, and the strict implementation of this Agreement will create conditions for establishing a new, equal and mutually beneficial relationship between the United States and the Democratic Republic of Vietnam on the basis of respect for each other's independence, sovereignty, and territorial integrity, and non-interference in each other's internal affairs. At the same time this will ensure stable peace in Vietnam and contribute to the preservation of lasting peace in Indochina and Southeast Asia.

Chapter IX

OTHER PROVISIONS

Article 23 This Agreement shall enter into force upon signature by plenipotentiary representatives of the parties participating in the Paris Conference on Vietnam. All the parties concerned shall strictly implement this Agreement and its Protocols.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

[Separate Numbered Page]

For the Government of
the United States of
America

For the Government of
the Republic of
Vietnam

William P. Rogers
Secretary of State

Tran Van Lam
Minister for Foreign
Affairs

[Separate Numbered Page]

For the Government of
the Democratic Republic
of Vietnam

For the Provisional
Revolutionary Govern-
ment of South Vietnam

Nguyen Duy Trinh
Minister for Foreign
Affairs

Nguyen Thi Binh
Minister for Foreign
Affairs

[signed] January 27, 1973



AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIETNAM

The Government of the United States of America,
with the concurrence of the Government of the
Republic of Vietnam,

The Government of the Democratic Republic of
Vietnam, with the concurrence of the Provision-
al Revolutionary Government of the Republic
of South Vietnam,

With a view to ending the war and restoring
peace in Vietnam on the basis of respect for
the Vietnamese people's fundamental national
rights and the South Vietnamese people's right
to self-determination, and to contributing to
the consolidation of peace in Asia and the
world,

Have agreed on the following provisions and
undertake to respect and to implement them:

[Text of Agreement Chapters I-VIII Same As
Above]

Chapter IX

OTHER PROVISIONS

Article 24 The Paris Agreement on Ending the War and Restoring Peace in Vietnam shall enter into force upon signature of this document by the Secretary of State of the Government of the United States of America and the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and upon signature of a document in the same terms by the Secretary of State of the Government of the United States of America, the Minister for Foreign Affairs of the Government of the Republic of Vietnam, the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam, and the Minister for Foreign Affairs of the Provisional Revolutionary Government of the Republic of South Vietnam. The Agreement and the protocols to it shall be strictly implemented by all the parties concerned.

Done in Paris this twenty-seventh day of January, One Thousand Nine Hundred and Seventy-Three, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

For the Government of
the United States of
America

For the Government of
the Democratic Republic
of Vietnam

William P. Rogers
Secretary of State

Nguyen Duy Trinh
Minister for Foreign
Affairs

to achieving the South Viet Nam people's right to self-determination, in accordance with the content of point 4 mentioned above.

6 South Viet Nam will carry out a foreign policy of peace and neutrality:

To carry out a policy of good neighbourly relations with the Kingdom of Cambodia on the basis of respect for her independence, sovereignty, neutrality and territorial integrity within her present borders; to carry out a policy of good neighbourly relations with the Kingdom of Laos on the basis of respect for the 1962 Geneva Agreements on Laos.

To establish diplomatic, economic and cultural relations with all countries, irrespective of political and social regime, including the United States, in accordance with the five principles of peaceful coexistence: mutual respect for the independence, sovereignty and territorial integrity, non-aggression, non-interference in the internal affairs, equality and mutual benefit, peaceful coexistence; to accept economic and technical aid with no political conditions attached from any country.

7 The reunification of Viet Nam will be achieved step by step, by peaceful means, through discussions and agreement between the two zones, without foreign interference.

Pending the peaceful reunification of Viet Nam, the two zones reestablish normal relations in all fields on the basis of mutual respect.

The military demarcation line between the two zones at the 17th parallel, as provided for by the 1954 Geneva Agreements, is only of a provisional character and does not constitute in any way a political or territorial boundary. The two zones reach agreement on the statute of the Demilitarized Zones, and work out the modalities for movements across the provisional military demarcation line.

8 As provided for in the 1954 Geneva Agreements on Viet Nam, pending the peaceful reunification of Viet Nam, the two zones North and South of Viet Nam undertake to refrain from joining any military alliance with foreign countries, not to allow any foreign country to maintain military bases, troops and military personnel on their respective soil, and not to recognize the protection of any country or military alliance or bloc.

9 To resolve the aftermath of the war:

a) The parties will negotiate the release of the army men captured in war.

b) The U.S. Government must bear full responsibility for the losses and devastations it has

caused to the Vietnamese people in both zones.

10 The parties shall reach agreement on an international supervision about the withdrawal from South Viet Nam of the troops, military personnel, arms and war materiel of the United States and the other foreign countries of the American camp.

The principles and content of the overall solution expounded above form an integrated whole. On the basis of these principles and content, the parties shall reach understanding to the effect of concluding agreements on the above-mentioned questions with a view to ending the war in South Viet Nam, and contributing to restore peace in Viet Nam.

the completion of the return of captured military personnel and foreign civilians of the parties.

(d) The four parties shall agree immediately on the organization, the working procedure, means of activity, and expenditures of the Four-Party Joint Military Commission.

Article 17

(a) The two South Vietnamese parties shall immediately designate representatives to form a Two-Party Joint Military Commission with the task of ensuring joint action by the two South Vietnamese parties in implementing the following provisions of this Agreement:

- The first paragraph of Article 2, regarding the enforcement of the cease-fire throughout South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

- Article 3 (b), regarding the cease-fire between the two South Vietnamese parties;

- Article 3 (c), regarding the cease-fire between all parties in South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

- Article 7, regarding the prohibition of the introduction of troops into South Vietnam and all other provisions of this Article;

- Article 8 (c), regarding the question of the return of Vietnamese civilian personnel captured and detained in South Vietnam;

- Article 13, regarding the reduction of the military effectives of the two South Vietnamese parties and the demobilization of the troops being reduced.

(b) Disagreements shall be referred to the International Commission of Control and Supervision.

(c) After the signing of this Agreement, the Two-Party Joint Military Commission shall agree immediately on the measures and organization aimed at enforcing the cease-fire and preserving peace in South Vietnam.

Article 18

(a) After the signing of this Agreement, an International Commission of Control and Supervision shall be established immediately.

(b) Until the International Conference provided for in Article 19 makes definitive arrangements, the International Commission of Control and Supervision will report to the four parties on matters concerning the control and supervision of the implementation of the following provisions of this Agreement:

- The first paragraph of Article 2, regarding the enforcement of the cease-fire throughout South Vietnam;

- Article 3 (a), regarding the cease-fire by U.S. forces and those of the other foreign countries referred to in that Article;

- Article 3 (c), regarding the cease-fire between all the parties in South Vietnam;

- Article 5, regarding the withdrawal from South Vietnam of U.S. troops and those of the other foreign countries mentioned in Article 3 (a);

- Article 6, regarding the dismantlement of military bases in South Vietnam of the United States and those of the other foreign countries mentioned in Article 3 (a);

- Article 8 (a), regarding the return of captured military personnel and foreign civilians of the parties.

The International Commission of Control and Supervision shall form control teams for carrying out its tasks. The four parties shall agree immediately on the location and operation of these teams. The parties will facilitate their operation.

(c) Until the International Conference makes definitive arrangements, the International Commission of Control and Supervision will report to the two South Vietnamese parties on matters concerning the control and supervision of the implementation of the following provisions of this Agreement:

- The first paragraph of Article 2, regarding the enforcement of the cease-fire throughout South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

- Article 3 (b), regarding the cease-fire between the two South Vietnamese parties;

- Article 3 (c), regarding the cease-fire between all parties in South Vietnam, when the Four-Party Joint Military Commission has ended its activities;

- Article 7, regarding the prohibition of the introduction of troops into South Vietnam and all other provisions of this Article;

- Article 8 (c), regarding the question of the return of Vietnamese civilian personnel captured and detained in South Vietnam;

- Article 9 (b), regarding the free and democratic general elections in South Vietnam;

- Article 13, regarding the reduction of

C. Nine Point Proposal of the Democratic Republic of Viet-Nam

June 26, 1971

1. The withdrawal of the totality of U.S. forces and those of foreign countries in the U.S. camp from South Vietnam and other Indochinese countries should be completed within 1971.

nam, Laos, and Cambodia and lasting peace in this region.

The above points form an integrated whole.

2. The release of all military men and civilians captured in the war should be carried out parallel and completed at the same time with the troop withdrawal mentioned in point 1.

3. In South Vietnam, the United States should stop supporting Thieu-Ky-Khiem so that there may be set up in Saigon a new administration standing for peace, independence, neutrality and democracy. The Provisional Revolutionary Government of the Republic of South Vietnam will enter into talks with that administration to settle the internal affairs of South Vietnam and to achieve national concord.

4. The U.S. government must bear full responsibility for the damages caused by the United States to the people of the whole Vietnam. The government of the Democratic Republic of Vietnam and the Provisional Revolutionary Government of the Republic of South Vietnam demand from the U.S. government reparations for the damages caused by the United States in the two zones of Vietnam.

5. The United States should respect the 1954 Geneva agreement on Indochina and those of 1962 on Laos. It should stop its aggression and intervention in the Indochinese countries and let their peoples settle by themselves their own affairs.

6. The problems existing among the Indochinese countries should be settled by the Indochinese parties on the basis of mutual respect for independence, sovereignty, and territorial non-interference in each other's internal affairs. As far as it is concerned, the Democratic Republic of Vietnam is prepared to join in resolving such problems.

7. All the parties should achieve a cease-fire after the signing of the agreements on the above-mentioned problems.

8. There should be an international supervision.

9. There should be an international guarantee for the fundamental national rights of the Indochinese peoples, the neutrality of South Viet-

the two South Vietnamese parties shall not accept the introduction of troops, military advisors, and military personnel including technical military personnel, armaments, munitions, and war material into South Vietnam.

The two South Vietnamese parties shall be permitted to make periodic replacement of armaments, munitions and war material which have been destroyed, damaged, worn out or used up after the cease-fire, on the basis of piece-for-piece, of the same characteristics and properties, under the supervision of the Joint Military Commission of the two South Vietnamese parties and of the International Commission of Control and Supervision.

Chapter III

THE RETURN OF CAPTURED MILITARY PERSONNEL AND FOREIGN CIVILIANS, AND CAPTURED AND DETAINED VIETNAMESE CIVILIAN PERSONNEL

Article 8

(a) The return of captured military personnel and foreign civilians of the parties shall be carried out simultaneously with and completed not later than the same day as the troop withdrawal mentioned in Article 5. The parties shall exchange complete lists of the above-mentioned captured military personnel and foreign civilians on the day of the signing of this Agreement.

(b) 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.

(c) The question of the return of Vietnamese civilian personnel captured and detained in South Vietnam will be resolved by the two South Vietnamese parties on the basis of the principles of Article 21 (b) of the Agreement on the Cessation of Hostilities in Vietnam of July 20, 1954. The two South Vietnamese parties will do so in a spirit of national reconciliation and concord, with a view to ending hatred and enmity, in order to ease suffering and to reunite families. The two South Vietnamese parties will do their utmost to resolve this question within ninety days after the cease-fire comes into effect.

Chapter IV

THE EXERCISE OF THE SOUTH VIETNAMESE PEOPLE'S RIGHT TO SELF-DETERMINATION

Article 9 The Government of the United States

of America and the Government of the Democratic Republic of Vietnam undertake to respect the following principles for the exercise of the South Vietnamese people's right to self-determination:

(a) The South Vietnamese people's right to self-determination is sacred, inalienable, and shall be respected by all countries.

(b) The South Vietnamese people shall decide themselves the political future of South Vietnam through genuinely free and democratic general elections under international supervision.

(c) Foreign countries shall not impose any political tendency or personality on the South Vietnamese people.

Article 10 The two South Vietnamese parties undertake to respect the cease-fire and maintain peace in South Vietnam, settle all matters of contention through negotiations, and avoid all armed conflict.

Article 11 Immediately after the cease-fire, the two South Vietnamese parties will:

- achieve national reconciliation and concord, end hatred and enmity, prohibit all acts of reprisal and discrimination against individuals or organizations that have collaborated with one side or the other;

- ensure the democratic liberties of the people: personal freedom, freedom of speech, freedom of the press, freedom of meeting, freedom of organization, freedom of political activities, freedom of belief, freedom of movement, freedom of residence, freedom of work, right to property ownership, and right to free enterprise.

Article 12

(a) Immediately after the cease-fire, the two South Vietnamese parties shall hold consultations in a spirit of national reconciliation and concord, mutual respect, and mutual non-elimination to set up a National Council of Reconciliation and Concord of three equal segments. The Council shall operate on the principle of unanimity. After the National Council of National Reconciliation and Concord has assumed its functions, the two South Vietnamese parties will consult about the formation of councils at lower levels. The two South Vietnamese parties shall sign an agreement on the internal matters of South Vietnam as soon as possible and do their utmost to accomplish this within ninety days after the cease-fire comes into effect, in keeping with the South Vietnamese people's aspirations for peace, independence and democracy.

(b) The National Council of National Reconciliation and Concord shall have the task of promoting the two South Vietnamese parties' implementation of this Agreement, achievement of national reconciliation and concord and ensurance

the holding of genuinely free, democratic, and fair general elections in South Viet Nam.

3 REGARDING THE QUESTION OF VIETNAMESE ARMED FORCES IN SOUTH VIET NAM

The Vietnamese parties will together settle the question of Vietnamese armed forces in South Viet Nam in a spirit of national concord, equality, and mutual respect, without foreign interference, in accordance with the post-war situation and with a view to lightening the people's contributions.

4 REGARDING THE PEACEFUL RE-UNIFICATION OF VIET NAM AND THE RELATIONS BETWEEN THE NORTH AND THE SOUTH ZONES

a) The re-unification of Viet Nam will be achieved step by step, by peaceful means, on the basis of discussions and agreements between the two zones, without constraint and annexation from either party, and without foreign interference.

Pending the re-unification of the country, the North and the South zones will re-establish normal relations, guarantee free movement, free correspondence, free choice of residence, and establish economic and cultural relations on the principle of mutual interests and mutual assistance.

All questions concerning the two zones will be settled by qualified representatives of the Vietnamese people in the two zones on the basis of negotiations, without foreign interference.

b) In keeping with the provisions of the 1954 Geneva Agreements on Viet Nam, during the present temporary partition of the country into two zones the North and the South zones of Viet Nam will refrain from joining any military alliance with any foreign countries, from allowing any foreign country to maintain military bases, troops, and military personnel on their soil, and from recognizing the protection of any military alliance or bloc.

5 REGARDING THE FOREIGN POLICY OF PEACE AND NEUTRALITY OF SOUTH VIET NAM

South Viet Nam will pursue a foreign policy of peace and neutrality, establish relations with all countries regardless of their political and social system, in accordance with the five principles of peaceful coexistence, maintain economic and cultural relations with all countries, accept the cooperation of foreign countries in the development of the resources of

South Viet Nam, accept the economic and technical aid of any country without any political conditions attached, and participate in regional plans for economic cooperation.

On the basis of these principles, after the end of the war South Viet Nam and the United States will establish relations in the political, economic, and cultural fields.

6 REGARDING THE DAMAGES CAUSED BY THE UNITED STATES TO THE VIETNAMESE PEOPLE IN THE TWO ZONES

The U.S. Government must bear full responsibility for the losses and the destruction it has caused to the Vietnamese people in the two zones.

7 REGARDING THE RESPECT AND THE INTERNATIONAL GUARANTEE OF THE ACCORDS TO BE CONCLUDED

The parties will reach agreement on the forms of respect and international guarantee of the accords that will be concluded.

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F. Two Point Clarification of the Seven Point Statement by the P.R.G. of the Republic of S.V.N.

Feb. 2, 1972

1. Regarding the withdrawal of U.S. troops and the cessation of the U.S. air war and all U.S. military activities in Vietnam.

agreed upon among the political forces in South Vietnam so as to insure effectively their free, democratic and fair character.

The U.S. Government should stop its air war and all military activities in Vietnam, rapidly and completely withdraw from South Vietnam all U.S. troops, advisers, military personnel, weapons and war materials and those of the other foreign countries in the U.S. camp and dismantle the U.S. military bases in South Vietnam.

The U.S. Government should set a specific terminal date for the complete withdrawal from South Vietnam of all U.S. troops, advisers, military personnel, weapons and war materials and those of the foreign countries in the U.S. camp without posing any conditions whatsoever. This specific terminal date will also be the terminal date for the release of all military men of the parties and of the civilians captured during the war (including the U.S. pilots captured in North Vietnam).

2. Regarding the political problem in South Vietnam.

The U.S. Government should really respect the South Vietnamese people's right to self-determination, put an end to all interference in the internal affairs of South Vietnam.

Nguyen Van Thieu and his machine of oppression and constraint, instruments of the U.S. "Vietnamization" policy, constitute the main obstacle to the settlement of the political problem in South Vietnam. Therefore, Nguyen Van Thieu must resign immediately, the Saigon administration must end its warlike policy, disband at once its machine of oppression and constraint against the people, stop its "pacification" policy, disband the concentration camps, set free those persons arrested on political grounds and guarantee to the people the democratic liberties as provided for by the 1954 Geneva agreements on Vietnam.

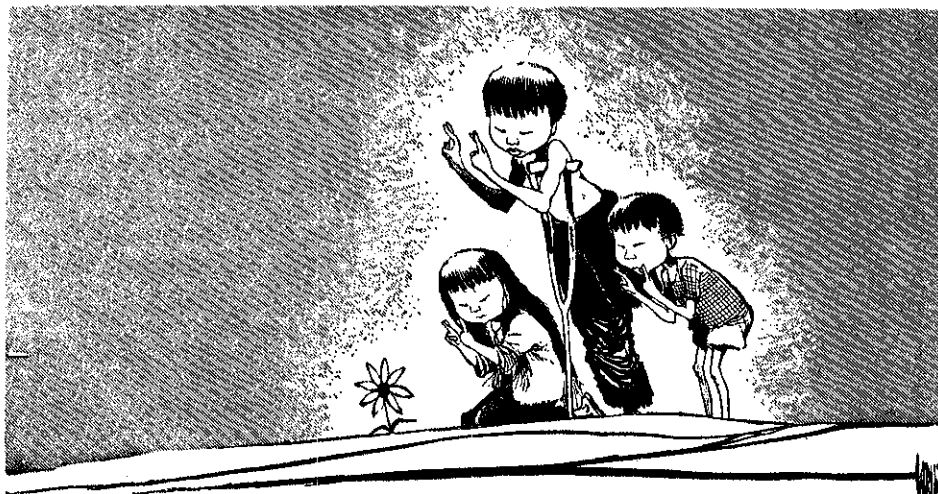
After the above has been achieved, the Provisional Revolutionary Government of the Republic of South Vietnam will immediately discuss with the Saigon administration the formation of a three-segment government of national concord with a view to organizing general elections in South Vietnam, to elect a constituent assembly, work out a constitution, and set up a definitive government of South Vietnam. The general elections will be held according to procedures

over the months to ship hundreds of new aircraft to Saigon and send in tons of new equipment to beef up Thieu's already police and prison system. Mr. Thieu undoubtedly fostered this tendency in Nixon by indicating that he could not, or would not, survive the "decent interval" that he feared stood as an unwritten principle behind the emerging Paris Agreement. And his cause found powerful support among those in the Nixon entourage who still had a "Korean solution," not a "decent interval" in mind.

By taking these unilateral steps, however, Nixon has caused Hanoi and the PRG quite naturally to suspect again that the American objective is not any "decent interval," but rather the permanent imposition of the Thieu regime on South Vietnam and the indefinite separation of North and South. As a result they will be watching subsequent Administrative actions very carefully, not only in Indochina but here in the U.S. For example, the tone of President Nixon's January 31 press conference (his first since the November, 1972 election) showed no grounds for optimism. Appearing very self-conscious, he crowed mightily about his handling of the entire Indochina question and attacked those who had dared to question his judgment. He also categorically ruled out amnesty for deserters and draft evaders. As James Reston implied sourly, Nixon was turning Abraham Lincoln on his head, projecting "malice toward some and charity only for his supporters." (NYT, February 2, 1973) Hardly a President in search of reconciliation, forgetfulness and forgiveness on the war.

Charles Yost, former U.S. Ambassador to the U.N., put the lingering domestic issue in a nutshell when he stated, "The only way to get out of Vietnam is to get out both physically and psychologically" (Wash. Post, December 20, 1972). As long as we are under the illusion that we deserve a special role there, we will be up to our necks in trouble.

Meanwhile, President Nixon has not even removed his hand from the struggle for political power in South Vietnam. Nor has he begun to encourage the psychological healing at home that is an essential component of the "decent interval" concept. If nothing changes, therefore, we must wonder seriously if the President's "peace with honor" has any other ending than peace with bombs. It is worth pondering, and preparing against.



Wright in the Miami News

H. Summary of the Draft Agreement between the D.R.V.N. and the U.S.

Oct. 20, 1972

Article 1 The United States respects the independence, sovereignty, unity and territorial integrity of Vietnam as recognized by the 1954 Geneva agreements.

Article 2 Twenty-four hours after the signing of the agreement, a cease-fire shall be observed throughout South Vietnam. The United States will stop all its military activities and end the bombing and mining in North Vietnam.

Within 60 days there will be a total withdrawal from South Vietnam of troops and military personnel of the United States and those of the foreign countries allied with the United States and with the Republic of Vietnam. The two South Vietnamese parties shall not accept the introduction of troops, military advisers and military personnel, armaments, munitions, and war material into South Vietnam.

The two South Vietnamese parties shall be permitted to make periodical replacements of armaments, munitions and war material that have been worn out or damaged after the ceasefire, on the basis of piece for piece of similar characteristics and properties. The United States will not continue its military involvement or intervene in the internal affairs of South Vietnam.

Article 3 The return of all captured and detained personnel of the parties shall be carried out simultaneously with the U.S. troops' withdrawal.

Article 4 The principles for the exercise of the South Vietnamese people's right to self-determination are as follows:

- the South Vietnamese people shall decide themselves the political future of South Vietnam through genuinely free and democratic general elections under international supervision;

- the United States is not committed to any political tendency or to any personality in South Vietnam, and it does not seek to impose a pro-American regime in Saigon;

- national reconciliation and concord will be achieved, the democratic liberties of the people insured;

- an administrative structure called the National Council of National Reconciliation and

Concord, of three equal segments, will be set up to promote the implementation of the signed agreements by the Provisional Revolutionary Government of the Republic of South Vietnam, and the Government of the Republic of Vietnam and to organize the general elections, the two South Vietnamese parties will consult about the formation of councils at lower level;

- the question of Vietnamese armed forces in South Vietnam shall be settled by the two South Vietnamese parties in a spirit of national reconciliation and concord, equality and mutual respect, without foreign interference in accordance with the postwar situation;

- among the questions to be discussed by the two South Vietnamese parties are steps to reduce the military numbers on both sides and to demobilize the troops being reduced;

- the two South Vietnamese parties shall sign an agreement on the internal matters of South Vietnam as soon as possible and will do their utmost to accomplish this within three months after the cease-fire comes into effect.

Article 5 The reunification of Vietnam shall be carried out step by step through peaceful means.

Article 6 There will be formed a four-party joint military commission and a joint military commission of the two South Vietnamese parties.

An international commission of control and supervision shall be established.

An international guarantee conference on Vietnam will be convened within 30 days of the signing of this agreement.

Article 7 The government of the Democratic Republic of Vietnam, the Provisional Revolutionary Government of the Republic of South Vietnam, the Government of the United States of America and the Government of the Republic of Vietnam shall strictly respect the Cambodian and Lao peoples' fundamental national rights as recognized by the 1954 Geneva agreements on Indochina and the 1962 Geneva agreements on Laos, i.e., the independence, sovereignty, unity and territorial integrity of these countries. They shall respect the neutrality of Cambodia and Laos. The Government of the Democratic Republic of Vietnam, the Provisional Revolutionary Government of the Republic

the Vietnamese revolution. From the very moment Nixon entered the White House in 1969, he tried every carrot and stick he could think of to have Moscow and Peking put the screws on the Vietnamese. He hoped they would drop or reduce their logistical support to Vietnam, press the Vietnamese to negotiate on American terms, or agree to reconvene the Geneva Conference that would more or less impose a great power settlement on the Vietnamese. Indeed, if Nixon really ever had a "secret plan" for peace, as he hinted in 1968, it was to get the Russians and Chinese to do against the Vietnamese what the U.S. had been unable to do in many years of violent intervention.

It didn't work. Whenever the DRV and PRG requested more logistical support, it was provided, even overcoming such delicate problems as shipping hundreds of trainloads of Soviet supplies across Chinese territory while both continued to spill verbal vitriol on each other for counterrevolutionary tendencies. Neither Moscow nor Peking ever made any public statement supporting the basic American negotiating position, and it seems that their private role was more in the nature of a passive letter-drop than any active mediation. Indeed, for either nation to have played into the hands of the Americans on the Vietnam issue would have given powerful ammunition to the other in their constant propaganda war over who is playing the more positive role in the ultimate demise of imperialism. The Vietnamese understood this well, and were able to use it for short-term advantage, while always encouraging longer-term reconciliation between the two socialist giants.

Finally, regarding a new Geneva Conference on Vietnam, the Vietnamese had learned their lesson well in 1954. They would not again be put in the position of sacrificing on the international table what they clearly had not lost on the ground at home. Better to patiently negotiate in bilateral fashion with the enemy and pin down an agreement with him, rather than subject Vietnamese interests to all the complex currents and countercurrents of great power summit diplomacy. In actuality, both Peking and Moscow suggested their acceptance of a reconvening of the Geneva Conference, but were politely but firmly contradicted by Hanoi. In such a situation, neither pushed the idea very far. The final Paris Agreement was a product of the bilateral approach, and it was specified in Article 19 that the 12-power international conference would follow within thirty days, to "acknowledge the signed agreements."

Since the signing of the Agreement, both the Soviet Union and China have given great attention to the "Vietnamese victory." They treated Le Duc Tho and Nguyen Duy Trinh like conquering heroes, reaffirming support to the Vietnamese and warning the U.S. and Saigon against procrastination in implementing all provisions. "Only thus can that which is written on paper

be turned into a reality," stated Chou En-lai at a top-level banquet for the Vietnamese leaders (NYT, February 2, 1973). Both Peking and Moscow are acutely aware that the Vietnamese struggle has become a popular symbol of revolutionary purity and sacrifice, not only among their own peoples but throughout the world. To really "sell out" the Vietnamese for American wheat shipments or raw cotton sales would permanently damage their image of themselves and the image many in the world have of them.

THE POST-WAR RECONSTRUCTION PLUM

Another important form of leverage which President Nixon and Dr. Kissinger seem to believe they have over the DRV and PRG is the American ability to give or withhold funds for postwar reconstruction. Administration officials appear convinced that offers of large scale aid will serve as a tantalizing "carrot" for the Vietnamese, to complement the "stick" that will be retained in Thailand and the South China Sea in the form of combat-ready aircraft. In short, if the Vietnamese salivate in proper Pavlovian fashion, as American leaders have been trying to get them to do for more than a decade, they will find the U.S. grandly beneficent along the lines of "traditional policy," the term used in Article 21 of the Agreement. One cannot help wondering what "traditional policy" is being referred to here: the Marshall Plan; the "Reconstruction" after the American Civil War; or the government's century-long denigration of the American Indians?

The Nixon Administration has again completely misjudged the Vietnamese if it thinks indefinite acceptance of the repressive Thieu regime can be bought with postwar dollars. One is reminded here of Lyndon Johnson's multibillion dollar offers of earlier years, and his sad comment to Bill Moyers after Ho Chi Minh turned him down repeatedly: "I don't understand it. George Meany would've grabbed at a deal like that."

For North Vietnam and the PRG, American involvement in postwar reconstruction is really synonymous with reparations. The moral question of who is to blame for all the horrible damage and death caused by U.S. aircraft, ships and artillery is irrevocably linked in their minds with assertions about who should help put things back together again. As Le Duc Tho stated in his January 24, 1973 press conference, "The United States cannot avoid responsibility for contributing to the healing of the war wounds after so many years of war." In short, while the Vietnamese saw no point in trying to get the U.S. formally to accept the term "reparations" in the Agreement, that is what it is being called internally. There will be no patience for any U.S. attempts to trade off postwar assistance for political concessions in the South

Appendix IV

Laos Agreement

Feb. 21, 1973

(unofficial English-language version released by U.S. State Department)

In response to the supreme desire of His Majesty the King and the earnest aspirations of the people of all nationalities throughout the country, who want to end the war as soon as possible and restore and safeguard lasting peace, in order to achieve national concord and unification and build Laos as a country of peace, independence, neutrality, democracy, unity and prosperity, and to diligently contribute to improving peace in Indochina and Southeast Asia on the basis of the 1962 Geneva agreement on Laos and the present reality in Laos, the Vientiane Government side and the Patriotic Forces side have agreed on the following provisions:

Chapter I

GENERAL PRINCIPLES

Article 1. (a) The desires of the Lao people to safeguard and exercise their cherished fundamental national rights -- the independence, sovereignty, unity and territorial integrity of Laos -- are inviolable.

(b) The 9 July 1962 communique on the neutrality of Laos and the 1962 Geneva agreement on Laos are the correct basis of the policy for peace, independence and neutrality of the Kingdom of Laos. The parties concerned in Laos, the United States, Thailand and other foreign countries must strictly respect and implement this agreement. The internal affairs of Laos must be conducted by the Lao people only, without external interference.

(c) To achieve the supreme objective of restoring peace, enhancing independence, implementing national concord and restoring national unification, and due to the present reality in Laos, which has two zones under the control of two sides, the internal problems of Laos must be solved on the spirit of national concord and on the basis of equality and mutual respect, with neither side trying to swallow or oppress the other side.

(d) To safeguard national independence and sovereignty, implement national concord and restore national unification, the people's various rights and freedoms must be absolutely respected -- for example, privacy, ideology, speech, press, writing, assembly, establishing political organizations and associations, candidacy and elections, traveling, living where one wants and establishing business enterprises and ownership. All acts, regulations and organizations that violate these rights and freedoms must be abolished.

Chapter II

PROVISIONS ON MILITARY AFFAIRS

Article 2. Beginning at 1200 (0500 G.M.T. - F.B.I.S.) on 22 February 1973, a cease-fire in place will be observed simultaneously throughout the territory of Laos. This includes:

(a) Foreign countries must completely and permanently cease the bombing against the territory

of Laos, all acts of intervention and aggression in Laos, and all military involvement in Laos.

(b) All armed forces of foreign countries must completely and permanently cease all military movements in Laos.

(c) The armed forces of all sides must completely cease all military movements encroaching upon one another both on the ground and in the air.

Article 3. As soon as the cease-fire goes into effect:

(a) It is definitely forbidden to commit small encroachment attacks or threats by army or air forces against the territory temporarily controlled by the other side.

(b) It is definitely forbidden to commit any military acts that antagonize the other side, including the movement of bandits [word indistinguishable] and armed air reconnaissance. In case a particular side wants to transport food supplies across the territory under the control of the other side, the committee for implementation of the agreement must discuss and lay down a clear-cut procedure for this.

(c) It is definitely forbidden to carry out mop-up, intimidation and suppression drives against the lives and property of the people or to discriminate against those who participated with the opposite side during the war. The people who were forced to evacuate from their native land during the war must be assisted to freely return to their domiciles to earn their living in accordance with their desires.

(d) It is forbidden to bring into Laos military personnel of any type, regular forces or irregular forces, and all kinds of weapons and war means of foreign countries, as mentioned in the 1954 and 1962 Geneva agreements. In case it is necessary to replace damaged or out-of-order weapons and war means, the two sides will discuss this and come to an agreement among themselves.



5. CONCLUSION: What Kind of Peace?

In Paris in May, 1972 a member of the Indochina Resource Center was chatting with a North Vietnamese diplomat. The subject of Henry Kissinger came up. The American mentioned the various times Mr. Kissinger had invited academic colleagues to his basement office in the White House and, among other things, assured them that all the United States wanted now was a graceful exit and a decent interval before the "Communists took over South Vietnam."

With a wry smile, the diplomat from Hanoi replied, "Yes, we've heard things from Mr. Kissinger bearing that implication too. In response, we have always assured him that trying to humiliate the U.S. giant is really the least of our concerns. We have also said that it is not in the interests of the Vietnamese people, Communist and non-Communist alike, to attempt socialism rapidly in South Vietnam. And we have even expressed our willingness to agree on procedures or mechanisms that would rule this out, and thus put American minds at ease. The only concrete U.S. reply has been to bomb us more violently, so that we have come to treat Mr. Kissinger's scholarly arguments with great skepticism."

The bombing has now stopped for the moment, in Vietnam if not yet in Laos and Cambodia. President Nixon has declared success in achieving "peace with honor." No general "Communist takeover" will occur in South Vietnam for the near future since the Paris Agreement clearly provides for the existence of two governments and two armies south of the 17th parallel, at least until political discussions and internationally supervised elections provide new solutions. Soon there will be an International Guarantee Conference to conceivably relieve the U.S. of its self-imposed responsibility for "safeguarding" the cease-fire.

Nevertheless, the DRV diplomat who was so skeptical in May, 1972 may be forgiven if he continues to question seriously whether or not the Nixon Administration has set a course for ultimate disengagement. To begin with, there is the continuing heavy U.S. bombing in Laos and Cambodia, the thousands of American-supplied Thai mercenaries fighting in Laos, and the tons of U.S. armaments, munitions and war material coming into Vientiane and Phnom Penh every day -- all prohibited by Article 20 of the Paris Agreement. There is the rapid conversion of uniformed U.S. military personnel into "civilian" advisors, technicians, and covert operators, a process known as "sheepdipping" in the intelligence trade. Several hundred U.S. Foreign Service officers are apparently being ordered back to Vietnam as a "unilateral inspection force," an ominous indication that the Administration intends to try to build a case against the DRV and PRG even if Canada, Poland and Indonesia do not.