

7746

AGREEMENT ON ENDING THE WAR
AND
RESTORING PEACE IN VIET-NAM.

The parties participating in the Paris conference on 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 :

Chapter I

THE VIETNAMESE PEOPLE'S
FUNDAMENTAL NATIONAL RIGHTS.

Article 1. - The United States and all other countries respect
the independence, sovereignty, unity, and territorial integrity of
Vietnam as recognized by the 1954 Geneva agreements on Vietnam.

2...

Chapter II

CESSATION OF HOSTILITIES - WITHDRAWAL OF TROOPS.

Article 2. - A ceasefire shall be observed throughout South Vietnam as of ----- hours G. M. T., on -----, 1973.

At the same hour, the United States will stop all its military activities against the territory of the Democratic Republic of Vietnam by ground, air and naval forces, wherever they may be based, and end the mining of the territorial waters, ports, harbors, and waterways of the Democratic Republic of Vietnam. The United States will remove, permanently deactivate or destroy all the mines in the territorial waters, ports, harbors, and waterways of North Vietnam as soon as this agreement goes into effect.

The complete cessation of hostilities mentioned in this article shall be durable and without limit of time.

Article 3. - The parties undertake to maintain the ceasefire and to ensure a lasting and stable peace.

As soon as the ceasefire goes into effect :

A) The United States Forces and those of the other foreign countries allied with the United States and the Republic of Vietnam shall remain in-place pending the implementation of the plan of troop withdrawal. The four-party joint military commission described in article 16 shall determine the modalities.

B) The armed forces of the two South Vietnamese parties shall remain in-place. The two-party joint military commission described in article 17 shall determine the areas controlled by each party and the modalities of stationing.

C) The regular forces of all services and arms and the irregular forces of the parties in South Vietnam shall stop all offensive activities against each other and shall strictly abide by the following stipulations :

3...

- All acts of force on the ground, in the air; and on the sea shall be prohibited,;

- All hostile acts, terrorism and reprisals by both sides will be banned.

Article 4. - The United States will not continue its military involvement or intervene in the internal affairs of South Vietnam.

Article 5. - Within sixty days of the signing of this agreement, there will be a total withdrawal from South Vietnam of troops, military advisers, and military personnel, including technical military personnel and military personnel associated with the pacification program, armaments, munitions, and war material of the United States and those of the other foreign countries mentioned in article 3 A). Advisers from the abovementioned countries to all paramilitary organizations and the police force will also be withdrawn within the same period of time.

Article 6. - The dismantlement of all military bases in South Vietnam of the United States and of the other foreign countries mentioned in article 3 A) shall be completed within sixty days of the signing of this agreement.

Article 7. - From the enforcement of the ceasefire to the formation of the government provided for in articles 9 B) and 14 of this agreement, the two South Vietnamese parties shall not accept the introduction of troops, military advisers, and military personnel including technical military personnel, armaments, munitions, and war material into South-Vietnam.

The two South Vietnamese parties shall be permitted to make periodic replacements of armaments, munitions and war material which have been destroyed, damaged, worn out or used up after the ceasefire, 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 three months after the ceasefire 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 :

5...

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 ceasefire and maintain peace in South Vietnam, settle all matters of contention through negotiations, and avoid all armed conflict.

Article 11. - Immediately after the ceasefire, 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 ceasefire, 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 national 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 three months after the ceasefire 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 of democratic liberties. The national council of national reconciliation and concord will organize the free and democratic general elections provided for in article 9B) and decide the procedures and modalities of these general elections. The institutions for which the general elections are to be held will be agreed upon through consultations between the two South Vietnamese parties. The national council of national reconciliation and concord will also decide the procedures and modalities of such local elections as the two South Vietnamese parties agree upon.

Article 13. - 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 their military effectives and to demobilize the troops being reduced. The two south Vietnamese parties will accomplish this as soon as possible.

Article 14. - South Vietnam will pursue a foreign policy of peace and independence. It will be prepared to establish relations with all countries irrespective of their political and social systems on the basis of mutual respect for independence and sovereignty and accept economic and technical aid from any country with no political conditions attached. The acceptance of military aid by South Vietnam in the future shall come under the authority of the government set up after the general election in South Vietnam provided for in article 9B).

Chapter V

THE REUNIFICATION OF VIETNAM AND THE RELATIONSHIP BETWEEN NORTH AND SOUTH VIETNAM.

Article 15. - The reunification of Vietnam shall be carried out step by step through peaceful means on the basis of discussions and agreements between North and South Vietnam, without coercion or annexation by either party, and without foreign interference. The time for reunification will be agreed upon by North and South Vietnam.

7...

Pending reunification :

A) The military demarcation line between the two zones at the 17th parallel is only provisional and not a political or territorial boundary, as provided for in paragraph 6 of the final declaration of the 1954 Geneva conference.

B) North and South Vietnam shall respect the demilitarized zone on either side of the provisional military demarcation line.

C) North and South Vietnam shall promptly start negotiations with a view to reestablishing normal relations in various fields. Among the questions to be negotiated are the modalities of civilian movement across the provisional military demarcation line.

D) North and South Vietnam shall not join any military alliance or military bloc and shall not allow foreign powers to maintain military bases, troops, military advisers, and military personnel on their respective territories, as stipulated in the 1954 Geneva agreements on Vietnam.

Article 16. - Cooperation with national council -- in supervising the holding of the free and democratic general elections described in article 9 (B) and 12 (B) of the agreement in accordance with modalities to be agreed upon between the national council of national reconciliation and concord and the international commission, the latter shall receive full cooperation and assistance from the national council.

Article 17. - Privileges and immunities -- in order to ensure the effective operation of the international commission, it and its personnel who have the nationality of a member state shall enjoy privileges and immunities from the jurisdiction of any party equivalent to those accorded to diplomatic missions and diplomatic agents.

Article 18. - Communications and transportation -- The international commission (U.S. : Shall possess) (DRV : May use) the means of communication and transport necessary to perform its functions. (U.S. : The parties may supply these means to the international commission.) DRV : in the places where the international commission is stationed or carries out its activities, the party in that area shall supply these means, and the international commission shall pay for them.)

These necessary means which the parties (DRV : cannot) (U.S. : do not) supply, the international commission shall obtain from other sources (DRV : and the international commission shall obtain the consent to use of the concerned parties).

Article 19. - The parties agree on the convening of an international conference within thirty days of the signing of this agreement to acknowledge the signed agreements ; to guarantee the ending of the war, the maintenance of peace in Vietnam, the respect of the Vietnamese people's fundamental national rights, and the South Vietnamese people's right to self-determination ; and to contribute to and guarantee peace in Indochina.

The United States and the Democratic Republic of Vietnam, on behalf of the parties participating in the Paris Conference on Vietnam, will propose to the following parties that they participate in this international conference : The People's Republic of China, The Republic of France, The Union of Soviet Socialist Republics, the United Kingdom, the Four Countries of the International Commission of Control and Supervision, and The Secretary General of the United Nations, together with the parties participating in the Paris Conference on Vietnam.

Chapter VII

REGARDING CAMBODIA AND LAOS.

Article 20. - A) The parties participating in the Paris Conference on Vietnam shall strictly respect the 1954 Geneva agreements on Cambodia and the 1962 Geneva agreements on Laos which recognized the Cambodian and the Lao people's fundamental national rights, i. e., the independence, sovereignty, unity, and territorial integrity of these countries. The parties shall respect the neutrality of Cambodia and Laos.

The parties participating in the Paris Conference on Vietnam undertake to refrain from using the territory of Cambodia and the territory of Laos to encroach on the sovereignty and security of one another and of other countries.

B) Foreign countries shall put an end to all military activities in Cambodia and Laos, totally withdraw from and refrain from reintroducing into these two countries troops, military advisers and military personnel, armaments, munitions and war material.

C) The Internal affairs of Cambodia and Laos shall be settled by the people of each of these countries without foreign interference.

D) The problems existing between the Indochinese countries shall be settled by the Indochinese parties on the basis of respect for each other's independence, sovereignty, and territorial integrity, and non-interference in each other's internal affairs.

Chapter VIII

THE RELATIONSHIP BETWEEN THE UNITED STATES AND THE DEMOCRATIC REPUBLIC OF VIETNAM

Article 21. - The United States anticipates that this agreement will usher in an era of reconciliation with the Democratic Republic of Vietnam as with all the peoples of Indochina. In pursuance of its traditional policy, the United States will contribute to healing the wounds of war and to postwar reconstruction of the Democratic Republic of Vietnam and throughout Indochina.

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 Democratic Republic of Vietnam and the United States on the basis of respect for each other's independence and sovereignty, 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.

(4 party signature)

10... -

Chapter IX

OTHER PROVISIONS

Article 23. - This agreement shall enter into force upon signature by 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 on -----, 1973; in Vietnamese and in English. The Vietnamese and the English Texts are official and equally authentic.

(4- PARTY SIGNATURE)

For the Government of the United States of America.

WILLIAM P. ROGERS
SECRETARY OF STATE

For the Government of the Republic of Vietnam

TRẦN VĂN LÂM
MINISTER FOR FOREIGN
AFFAIRS.

(4-PARTY SIGNATURE)

For the Government of the Democratic Republic of Vietnam.

NGUYỄN DUY TRINH
MINISTER FOR FOREIGN
AFFAIRS

For the provisional revolutionary government of the Republic of South Vietnam.

NGUYỄN THỊ BÌNH
MINISTER FOR FOREIGN
AFFAIRS.