

Agreement on Ending the War and Restoring Peace in Vietnam, signed in Paris and entered into force January 17, 1973.



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

The Parties participating in the Paris Conference on Viet-Nam,

With a view to ending the war and restoring peace in Viet-Nam 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 Viet-Nam as recognized by the 1954 Geneva Agreements on Viet-Nam.

Chapter II

CESSATION OF HOSTILITIES - WITHDRAWAL OF TROOPS,

Article 2

A cease-fire shall be observed throughout South Viet-Nam as of 2400 hours G.M.T. [Greenwich Mean Time], on January 27, 1973.

At the same hour, the United States will stop all its military activities against the territory of the Democratic Republic of Viet-Nam 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 Viet-Nam. The United States will remove, permanently deactivate or destroy all the mines in the territorial waters, ports, harbors, and waterways of North Viet-Nam 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 cease-fire and to ensure a lasting and stable peace.

As soon as the cease-fire goes into effect: (a) The United States forces and those of the other foreign countries allied with the United States and the Republic of Viet-Nam 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 Viet-Nam shall stop all offensive activities against each other and shall strictly abide by the following stipulations:

- 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 Viet-Nam.

Article 5

Within sixty days of the signing of this Agreement, there will be a total withdrawal from South Viet-Nam 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 above-mentioned 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 Viet-Nam 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 cease-fire to the formation of the government provided for in Article 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 Viet-Nam.

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.

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 Viet-Nam 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 Viet-Nam 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 Viet-Nam 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 Viet-Nam 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 Viet-Nam, 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 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 Viet-Nam 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 of democratic liberties. The National Council of National Reconciliation and Concord will organize the free and democratic general elections provided for in Article 9 (b) 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 Viet-Nam 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 Viet-Nam 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 Viet-Nam in the future shall come under the authority of the government set up after the general elections in South Viet-Nam provided for in Article 9 (b).

Chapter V

THE REUNIFICATION OF VIET-NAM AND THE RELATIONSHIP BETWEEN NORTH AND SOUTH VIET-NAM

Article 15

The reunification of Viet-Nam shall be carried out step by step through peaceful means on the basis of discussions and agreements between North and South Viet-Nam, without coercion or annexation by either party, and without foreign interference. The time for reunification will be agreed upon by North and South Viet-Nam-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 Viet-Nam shall respect the Demilitarized Zone on either side of the Provisional Military Demarcation Line.

(c) North and South Viet-Nam 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 Viet-Nam 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 Viet-Nam.

THE JOINT MILITARY COMMISSIONS, THE INTERNATIONAL COMMISSION OF CONTROL AND SUPERVISION, THE INTERNATIONAL CONFERENCE

Article 16

(a) The Parties participating in the Paris Conference on Viet-Nam shall immediately designate representatives to form a Four-Party Joint Military Commission with the task of ensuring joint action by the parties in implementing the following provisions of this Agreement:

- The first paragraph of Article 2, regarding the enforcement of the cease-fire throughout South Viet-Nam;
- 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 parties in South Viet-Nam;
- Article 5, regarding the withdrawal from South Viet-Nam 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 Viet-Nam 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;
- Article 8 (b), regarding the mutual assistance of the parties in getting information about those military personnel and foreign civilians of the parties missing in action.

(b) The Four-Party Joint Military Commission shall operate in accordance with the principle of consultations and unanimity. Disagreements shall be referred to the International Commission of Control and Supervision.

(c) The Four-Party Joint Military Commission shall begin operating immediately after the signing of this Agreement and end its activities in sixty days, after the completion of the withdrawal of U.S. troops and those of the other foreign countries mentioned in Article 3 (a) and 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 Viet-Nam, 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 Viet-Nam, when the Four-Party Joint Military Commission has ended its activities;
- Article 7, regarding the prohibition of the introduction of troops into South Viet-Nam 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 Viet-Nam;
- 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 Viet-Nam,

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 Viet-Nam;
- 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 Viet-Nam;
- Article 5, regarding the withdrawal from South Viet-Nam 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 Viet-Nam 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 Viet-Nam, 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 Viet-Nam, when the Four-Party Joint Military Commission has ended its activities;
- Article 7, regarding the prohibition of the introduction of troops into South Viet-Nam 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 Viet-Nam;
- Article 9 (b), regarding the free and democratic general elections in South Viet-Nam;
- Article 13, regarding the reduction of the military effectives of the two South Vietnamese parties and the demobilization of the troops being reduced.

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

(d) The International Commission of Control and Supervision shall be composed of representatives of four countries: Canada, Hungary, Indonesia and Poland. The chairmanship of this Commission will rotate among the members for specific periods to be determined by the Commission.

(e) The International Commission of Control and Supervision shall carry out its tasks in accordance with the principle of respect for the sovereignty of South Viet-Nam.

(f) The International Commission of Control and Supervision shall operate in accordance with the principle of consultations and unanimity.

(g) The International Commission of Control and Supervision shall begin operating when a cease-fire comes into force in Viet-Nam. As regards the provisions in Article 18 (b) concerning the four parties, the International Commission of Control and Supervision shall end its activities when the Commission's tasks of control and supervision regarding these provisions have been fulfilled. As regards the provisions in Article 18 (c) concerning the two South Vietnamese parties, the International Commission of Control and Supervision shall end its activities on the request of the government formed after the general elections in South Viet-Nam provided for in Article 9 (b).

(h) The four parties shall agree immediately on the organization, means of activity, and expenditures of the International Commission of Control and Supervision. The relationship between the International Commission and the International Conference will be agreed upon by the International Commission and the International Conference.

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 Viet-Nam, 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 Viet-Nam, on behalf of the parties participating in the Paris Conference on Viet-Nam 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 Viet-Nam.

Chapter VII

REGARDING CAMBODIA AND LAOS

Article 20

(a) The parties participating in the Paris Conference on Viet-Nam shall strictly respect the 1954 Geneva Agreements on Cambodia's and the 1954 Geneva Agreements on Laos, which recognized the Cambodian and the Lao peoples' 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 Viet-Nam 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 VIET-NAM

Article 21

The United States anticipates that this Agreement will usher in an era of reconciliation with the Democratic Republic of Viet-Nam 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 Viet-Nam and throughout Indochina.

Article 22

The ending of the war, the restoration of peace in Viet-Nam, 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 Viet-Nam 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 Viet-Nam 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 Viet-Nam. 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 English and Vietnamese. The English and Vietnamese texts are official and equally authentic.

FOR THE GOVERNMENT OF THE FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA: REPUBLIC OF
VIET-NAM:

(Signed): (Signed):

William P. Rogers Tran Van Lam
Secretary of State Minister for Foreign Affairs

FOR THE GOVERNMENT OF THE FOR THE PROVISIONAL DEMOCRATIC REPUBLIC REVOLUTIONARY
GOVERNMENT OF VIET-NAM: OF THE REPUBLIC OF SOUTH VIET-NAM:

(Signed): (Signed):

Nguyen Duy Trinh Nguyen Thi Binh
Minister for Foreign Affairs Minister for Foreign Affairs

<https://www.mtholyoke.edu/acad/intrel/vietnam/treaty.htm>