

No. 13295

**(a) UNITED STATES OF AMERICA,
DEMOCRATIC REPUBLIC OF VIET-NAM,
PROVISIONAL REVOLUTIONARY GOVERNMENT
OF THE REPUBLIC OF SOUTH VIET-NAM
and REPUBLIC OF VIET-NAM**

**Agreement on ending the war and restoring peace in Viet-Nam.
Signed at Paris on 27 January 1973**

Authentic texts : English and Vietnamese.

**(b) UNITED STATES OF AMERICA
and
DEMOCRATIC REPUBLIC OF VIET-NAM**

**Agreement on ending the war and restoring peace in Viet-Nam.
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Authentic texts : English and Vietnamese.

Registered by the United States of America on 13 May 1974.

**(ab) CAMBODIA, DEMOCRATIC REPUBLIC
OF VIET-NAM, FRANCE, LAOS, PEOPLE'S REPUBLIC
OF CHINA, STATE OF VIET-NAM, UNION OF SOVIET
SOCIALIST REPUBLICS, UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND
and UNITED STATES OF AMERICA**

Final Declaration of the Geneva Conference on the problem of restoring peace in Indo-China (with (1) declarations by Cambodia, France, Laos, the State of Viet-Nam and the United States of America; (2) the Agreement on the cessation of hostilities in Viet-Nam between the Commander-in-Chief of the People's Army of Viet-Nam and the Commander-in-Chief of the French Union Forces in Indo-China, signed at Geneva on 20 July 1954 (with maps); (3) the Agreement on the cessation of hostilities in Laos between the Commander-in-Chief of the forces of the French Union in Indo-China, on the one hand, and the Commanders-in-Chief of the fighting units of " Pathet-Lao " and of the People's Army of Viet-Nam, on the other hand, done at Geneva on 20 July 1954, and (4) the Agreement on the cessation of hostilities in Cambodia between the Commander-in-Chief of the Khmer National Armed Forces, on the one hand, and the Commanders-in-Chief of the Khmer Resistance Forces and of the Viet-Nameese Military Units, on the other hand, done at Geneva on 20 July 1954). Done at Geneva on 21 July 1954

Authentic text of the Final Declaration: French.

Authentic texts of the related declarations: French and English.

Authentic texts of the Agreement on the cessation of hostilities in Viet-Nam: French and Vietnamese.

Authentic texts of the Agreements on the cessation of hostilities in Laos and in Cambodia: French.

Texts communicated on 15 January 1975 to the Secretariat by the Government of the United States of America, for the purpose of information and in connexion with the registration of the Paris agreements of 27 January 1973. (Maps Nos. 1 to 6 annexed to the Agreement on the cessation of hostilities in Viet-Nam were supplied by the French Government.)

AGREEMENT¹ 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.²

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., 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.

¹ Came into force on 27 January 1973 by signature, in accordance with article 23.

² See p. 95 of this volume.

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 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 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.

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 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, 1954.¹ 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.

¹ See p. 149 of this volume.

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.¹
- (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 re-establishing 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.

Chapter VI

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 US forces and those of the other foreign countries referred to in that Article;

¹ See p. 95 of this volume.

- Article 3 (c), regarding the cease-fire between all parties in South Viet-Nam;
- Article 5, regarding the withdrawal from South Viet-Nam of US 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 US 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 US 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 US 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 Cambodia¹ and the 1962 Geneva Agreements on Laos,² 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.

¹ See p. 185 of this volume.

² United Nations, *Treaty Series*, vol. 456, p. 301.

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 United States of America :

[*Signed*]

WILLIAM P. ROGERS
Secretary of State

For the Government
of the Republic of Viet-Nam :

[*Signed*]

TRAN VAN LAM
Minister for Foreign Affairs

For the Government
of the Democratic Republic
of Viet-Nam :

[Signed]

NGUYEN DUY TRINH
Minister for Foreign Affairs

For the Provisional
Revolutionary Government
of the Republic of South Viet-Nam :

[Signed]

NGUYEN THI BINH
Minister for Foreign Affairs

AGREEMENT¹ ON ENDING THE WAR AND RESTORING PEACE IN VIET-NAM

The Government of the United States of America, with the concurrence of the Government of the Republic of Viet-Nam,

The Government of the Democratic Republic of Viet-Nam, with the concurrence of the Provisional Revolutionary Government of the Republic of South 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,

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Chapter I

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Article 1

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A cease-fire shall be observed throughout South Viet-Nam as of 2400 hours G.M.T., 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

¹ Came into force on 27 January 1973 by signature, in accordance with article 23.

² See p. 95 of this volume.

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.

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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

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(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, 1954.¹ 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

¹ See p. 149 of this volume.

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.
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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.

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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;
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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.

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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).

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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.¹
- (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.

Chapter VI

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 US forces and those of the other foreign countries referred to in that Article;

¹ See p. 95 of this volume.

- Article 3 (c), regarding the cease-fire between all parties in South Viet-Nam;
- Article 5, regarding the withdrawal from South Viet-Nam of US 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 US 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 US 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 US 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 Cambodia¹ and the 1962 Geneva Agreements on Laos,² 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.

¹ See p. 185 of this volume.

² United Nations, *Treaty Series*, vol. 456, p. 301.

Chapter VIII

THE RELATIONSHIP BETWEEN THE UNITED STATES
AND THE DEMOCRATIC REPUBLIC OF VIET-NAM*Article 21*

The United States anticipate 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

The Paris Agreement on Ending the War and Restoring Peace in Viet-Nam 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 Viet-Nam, and upon signature of a document¹ 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 Viet-Nam, the Minister for Foreign Affairs of the Government of the Democratic Republic of Viet-Nam, and the Minister for Foreign Affairs of the Provisional Revolutionary Government of the Republic of South Viet-Nam. The Agreement and the protocols to it shall be strictly implemented by all the parties concerned.

¹ See p. 6 of this volume.

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 United States of America :

[Signed]

WILLIAM P. ROGERS
Secretary of State

For the Government
of the Democratic Republic
of Viet-Nam :

[Signed]

NGUYEN DUY TRINH
Minister for Foreign Affairs

[TRANSLATION¹ — TRADUCTION²]

FINAL DECLARATION, DATED THE 21ST JULY, 1954, OF THE GENEVA CONFERENCE ON THE PROBLEM OF RESTORING PEACE IN INDO-CHINA, IN WHICH THE REPRESENTATIVES OF CAMBODIA, THE DEMOCRATIC REPUBLIC OF VIET-NAM, FRANCE, LAOS, THE PEOPLE'S REPUBLIC OF CHINA, THE STATE OF VIET-NAM, THE UNION OF SOVIET SOCIALIST REPUBLICS, THE UNITED KINGDOM, AND THE UNITED STATES OF AMERICA TOOK PART

1. The Conference takes note of the agreements ending hostilities in Cambodia, Laos and Viet-Nam and organizing international control and the supervision of the execution of the provisions of these agreements.

2. The Conference expresses satisfaction at the ending of hostilities in Cambodia, Laos and Viet-Nam; the Conference expresses its conviction that the execution of the provisions set out in the present declaration and in the agreements on the cessation of hostilities will permit Cambodia, Laos and Viet-Nam henceforth to play their part, in full independence and sovereignty, in the peaceful community of nations.

3. The Conference takes note of the declarations made by the Governments of Cambodia and of Laos of their intention to adopt measures permitting all citizens to take their place in the national community, in particular by participating in the next general elections, which, in conformity with the constitution of each of these countries, shall take place in the course of the year 1955, by secret ballot and in conditions of respect for fundamental freedoms.

4. The Conference takes note of the clauses in the agreement on the cessation of hostilities in Viet-Nam prohibiting the introduction into Viet-Nam of foreign troops and military personnel as well as of all kinds of arms and munitions. The Conference also takes note of the declarations made by the Governments of Cambodia and Laos of their resolution not to request foreign aid, whether in war material, in personnel or in instructors except for the purpose of the effective defence of their territory and, in the case of Laos, to the extent defined by the agreements on the cessation of hostilities in Laos.

5. The Conference takes note of the clauses in the agreement on the cessation of hostilities in Viet-Nam to the effect that no military base under the control of a foreign State may be established in the regrouping zones of the two parties, the latter having the obligation to see that the zones allotted to them shall not constitute part of any military alliance and shall not be utilized for the resumption of hostilities or in the service of an aggressive policy. The Conference also takes note of the declarations of the Governments of Cambodia and Laos to the effect that they will not join in any agreement with other States if this agreement includes the obligation to participate in

¹ Translation supplied by the Government of the United States of America (Doc. IC/43/Rev.2 of the Geneva Conference on the problem of restoring peace in Indo-China).

² Traduction fournie par le Gouvernement des Etats-Unis d'Amérique (Doc. IC/43/Rev. 2 de la Conférence de Genève sur le problème du rétablissement de la paix en Indochine).

a military alliance not in conformity with the principles of the Charter of the United Nations or, in the case of Laos, with the principles of the agreement on the cessation of hostilities in Laos or, so long as their security is not threatened, the obligation to establish bases on Cambodian or Laotian territory for the military forces of foreign Powers.

6. The Conference recognizes that the essential purpose of the agreement relating to Viet-Nam is to settle military questions with a view to ending hostilities and that the military demarcation line is provisional and should not in any way be interpreted as constituting a political or territorial boundary. The Conference expresses its conviction that the execution of the provisions set out in the present declaration and in the agreement on the cessation of hostilities creates the necessary basis for the achievement in the near future of a political settlement in Viet-Nam.

7. The Conference declares that, so far as Viet-Nam is concerned, the settlement of political problems, effected on the basis of respect for the principles of independence, unity and territorial integrity, shall permit the Viet-Nameese people to enjoy the fundamental freedoms, guaranteed by democratic institutions established as a result of free general elections by secret ballot. In order to ensure that sufficient progress in the restoration of peace has been made, and that all the necessary conditions obtain for free expression of the national will, general elections shall be held in July 1956, under the supervision of an international commission composed of representatives of the Member States of the International Supervisory Commission, referred to in the agreement on the cessation of hostilities. Consultations will be held on this subject between the competent representative authorities of the two zones from 20 July 1955 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 parties except in the cases where, 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.

RELATED DECLARATIONS

DECLARATION BY THE ROYAL GOVERNMENT OF CAMBODIA (Reference: Article 3 of the Final Declaration)

[TRANSLATION¹ — TRADUCTION²]

The Royal Government of Cambodia,

In the desire to ensure harmony and agreement among the peoples of the Kingdom,

Declares itself resolved to take the necessary measures to integrate all citizens, without discrimination, into the national community and to guarantee them the enjoyment of the rights and freedoms for which the Constitution of the Kingdom provides;

Affirms that all Cambodian citizens may freely participate as electors or candidates in general elections by secret ballot.

DECLARATION BY THE ROYAL GOVERNMENT OF CAMBODIA (Reference: articles 4 and 5 of the Final Declaration)

[TRANSLATION³ — TRADUCTION⁴]

The Royal Government of Cambodia is resolved never to take part in an aggressive policy and never to permit the territory of Cambodia to be utilised in the service of such a policy.

The Royal Government of Cambodia will not join in any agreement with other states, if this agreement carries for Cambodia the obligation to enter into a military alliance not in conformity with the principles of the Charter of the United Nations, or,

¹ Translation supplied by the Government of the United States of America (Doc. IC/44/Rev. 1 of the Geneva Conference on the problem of restoring peace in Indo-China).

² Traduction fournie par le Gouvernement des États-Unis d'Amérique (Doc. IC/44/Rev. 1 de la Conférence de Genève sur le problème du rétablissement de la paix en Indochine).

³ Translation supplied by the Government of the United States of America (Doc. IC/46/Rev. 2 of the Geneva Conference on the problem of restoring peace in Indo-China).

⁴ Traduction fournie par le Gouvernement des États-Unis d'Amérique (Doc. IC/46/Rev. 2 de la Conférence de Genève sur le problème du rétablissement de la paix en Indochine).

as long as its security is not threatened, the obligation to establish bases on Cambodian territory for the military forces of foreign powers.

The Royal Government of Cambodia is resolved to settle its international disputes by peaceful means, in such a manner as not to endanger peace, international security and justice.

During the period which will elapse between the date of the cessation of hostilities in Viet-Nam and that of the final settlement of political problems in this country, the Royal Government of Cambodia will not solicit foreign aid in war material, personnel or instructors except for the purpose of the effective defence of the territory.

DECLARATION BY THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA

The Government of the United States being resolved to devote its efforts to the strengthening of peace in accordance with the principles and purposes of the United Nations

TAKES NOTE of the Agreements concluded at Geneva on July 20 and 21, 1954 between the (a) Franco-Laotian Command and the Command of the Peoples Army of Viet-Nam; (b) The Royal Khmer Army Command and the Command of the Peoples Army of Viet-Nam; (c) Franco-Vietnamese Command and the Command of the Peoples Army of Viet-Nam

and of paragraphs 1 to 12 inclusive of the Declaration presented to the Geneva Conference on July 21, 1954

DECLARES with regard to the aforesaid Agreements and paragraphs that (i) it will refrain from the threat or the use of force to disturb them, in accordance with Art. 2(4) of the Charter of the United Nations dealing with the obligation of Members to refrain in their international relations from the threat or use of force; and (ii) it would view any renewal of the aggression in violation of the aforesaid agreements with grave concern and as seriously threatening international peace and security.

DECLARATION BY THE GOVERNMENT OF THE FRENCH REPUBLIC
(Reference: Article 10 of the Final Declaration)

[TRANSLATION¹ — TRADUCTION²]

The Government of the French Republic declares that it is ready to withdraw its troops from the territory of Cambodia, Laos and Viet-Nam, at the request of the

¹ Translation supplied by the Government of the United States of America (Doc. IC/48 of the Geneva Conference on the problem of restoring peace in Indo-China).

² Traduction fournie par le Gouvernement des Etats-Unis d'Amérique (Doc. IC/48 de la Conférence de Genève sur le problème du rétablissement de la paix en Indochine).

Governments concerned and within a period which shall be fixed by agreement between the parties, except in the cases where, by agreement between the two parties, a certain number of French troops shall remain at specified points and for a specified time.

DECLARATION BY THE GOVERNMENT OF THE FRENCH REPUBLIC
(Reference: Article 11 of the Final Declaration)

[TRANSLATION¹ — TRADUCTION²]

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, the unity and territorial integrity of Cambodia, Laos and Viet-Nam.

DECLARATION BY THE ROYAL GOVERNMENT OF LAOS
(Reference: Article 3 of the Final Declaration)

[TRANSLATION³ — TRADUCTION⁴]

The Royal Government of Laos,

In the desire to ensure harmony and agreement among the peoples of the Kingdom,

Declares itself resolved to take the necessary measures to integrate all citizens, without discrimination, into the national community and to guarantee them the enjoyment of the rights and freedoms for which the Constitution of the Kingdom provides;

Affirms that all Laotian citizens may freely participate as electors or candidates in general elections by secret ballot;

Announces, furthermore, that it will promulgate measures to provide for special representation in the Royal Administration of the provinces of Phang Saly and Sam Neua during the interval between the cessation of hostilities and the general elections of the interests of Laotian nationals who did not support the Royal forces during hostilities.

¹ Translation supplied by the Government of the United States of America (Doc. IC/49/Rev. 1 of the Geneva Conference on the problem of restoring peace in Indo-China).

² Traduction fournie par le Gouvernement des Etats-Unis d'Amérique (Doc. IC/49/Rev. 1 de la Conférence de Genève sur le problème du rétablissement de la paix en Indochine).

³ Translation supplied by the Government of the United States of America (Doc. IC/45/Rev. 1 of the Geneva Conference on the problem of restoring peace in Indo-China).

⁴ Traduction fournie par le Gouvernement des Etats-Unis d'Amérique (Doc. IC/45/Rev. 1 de la Conférence de Genève sur le problème du rétablissement de la paix en Indochine).

DECLARATION OF THE ROYAL GOVERNMENT OF LAOS
(Articles 4 and 5 of the Final Declaration)

[TRANSLATION¹ — TRADUCTION²]

The Royal Government of Laos is resolved never to pursue a policy of aggression and will never permit the territory of Laos to be used in furtherance of such a policy.

The Royal Government of Laos will never join in any agreement with other States if this agreement includes the obligation for the Royal Government of Laos to participate in a military alliance not in conformity with the principles of the Charter of the United Nations or with the principles of the agreement on the cessation of hostilities or, unless its security is threatened, the obligation to establish bases on Laotian territory for military forces of foreign powers.

The Royal Government of Laos is resolved to settle its international disputes by peaceful means so that international peace and security and justice are not endangered.

During the period between the cessation of hostilities in Viet-Nam and the final settlement of that country's political problems, the Royal Government of Laos will not request foreign aid, whether in war material, in personnel or in instructors, except for the purpose of its effective territorial defence and to the extent defined by the agreement on the cessation of hostilities.

*PROPOSAL FOR INSERTION IN THE FINAL ACT, SUBMITTED BY THE
DELEGATION OF THE STATE OF VIET-NAM*

[TRANSLATION³ — TRADUCTION⁴]

The Conference takes note of the declaration of the Government of the State of Viet-Nam to the effect that it undertakes :

- To make and to support every effort for the restoration of peace in Viet-Nam;
- Not to use force to oppose the agreed procedure for execution of the cease-fire, despite the objections and reservations it has expressed, in particular in its final statement.

¹ Translation supplied by the Government of the United States of America (Doc. IC/47/Rev. 1 of the Geneva Conference on the problem of restoring peace in Indo-China).

² Traduction fournie par le Gouvernement des Etats-Unis d'Amérique (Doc. IC/47/ Rev. 1 de la Conférence de Genève sur le problème du rétablissement de la paix en Indochine).

³ Translation supplied by the Government of the United States of America (Doc. IC/53 of the Geneva Conference on the problem of restoring peace in Indo-China).

⁴ Traduction fournie par le Gouvernement des Etats-Unis d'Amérique (Doc. IC/53 de la Conférence de Genève sur le problème du rétablissement de la paix en Indochine).

[TRANSLATION¹ — TRADUCTION²]

AGREEMENT³ ON THE CESSATION OF HOSTILITIES IN VIET-NAM

Chapter I

PROVISIONAL MILITARY DEMARCATION LINE AND DEMILITARIZED ZONE

Article 1

A provisional military demarcation line shall be fixed, on either side of which the forces of the two parties shall be regrouped after their withdrawal, the forces of the People's Army of Viet-Nam to the north of the line and the forces of the French Union to the south.

The provisional military demarcation line is fixed as shown on the map attached (see Map No. 1⁴).

It is also agreed that a demilitarized zone shall be established on either side of the demarcation line, to a width of not more than 5 kms. from it, to act as a buffer zone and avoid any incidents which might result in the resumption of hostilities.

Article 2

The period within which the movement of all the forces of either party into its regrouping zone on either side of the provisional military demarcation line shall be completed shall not exceed three hundred (300) days from the date of the present Agreement's entry into force.

Article 3

When the provisional military demarcation line coincides with a waterway, the waters of such waterway shall be open to civil navigation by both parties wherever one bank is controlled by one party and the other bank by the other party : The Joint Commission shall establish rules of navigation for the stretch of waterway in question. The merchant shipping and other civilian craft of each party shall have unrestricted access to the land under its military control.

Article 4

The provisional military demarcation line between the two final regrouping zones is extended into the territorial waters by a line perpendicular to the general line of the coast.

¹ Translation supplied by the Government of the United States of America (Doc. IC/42/Rev. 2 of the Geneva Conference on the problem of restoring peace in Indo-China).

² Traduction fournie par le Gouvernement des Etats-Unis d'Amérique (Doc. IC/42/Rev. 2 de la Conférence de Genève sur le problème du rétablissement de la paix en Indochine).

³ The Agreement on the cessation of hostilities in Viet-Nam came into force on 22 July 1954, in accordance with article 47, and subject to the provisions of article 11.

⁴ See insert in a pocket at the end of this volume.

All coastal islands north of this boundary shall be evacuated by the armed forces of the French Union, and all islands south of it shall be evacuated by the forces of the People's Army of Viet-Nam.

Article 5

To avoid any incidents which might result in the resumption of hostilities, all military forces, supplies and equipment shall be withdrawn from the demilitarized zone within twenty-five (25) days of the present Agreement's entry into force.

Article 6

No person, military or civilian, shall be permitted to cross the provisional military demarcation line unless specifically authorized to do so by the Joint Commission.

Article 7

No person, military or civilian, shall be permitted to enter the demilitarized zone except persons concerned with the conduct of civil administration and relief and persons specifically authorized to enter by the Joint Commission.

Article 8

Civil administration and relief in the demilitarized zone on either side of the provisional military demarcation line shall be the responsibility of the Commanders-in-Chief of the two parties in their respective zones. The number of persons, military or civilian, from each side who are permitted to enter the demilitarized zone for the conduct of civil administration and relief shall be determined by the respective Commanders, but in no case shall the total number authorized by either side exceed at any one time a figure to be determined by the Trung Gia Military Commission or by the Joint Commission. The number of civil police and the arms to be carried by them shall be determined by the Joint Commission. No one else shall carry arms unless specifically authorized to do so by the Joint Commission.

Article 9

Nothing contained in this chapter shall be construed as limiting the complete freedom of movement, into, out of or within the demilitarized zone, of the Joint Commission, its joint groups, the International Commission to be set up as indicated below, its inspection teams and any other persons, supplies or equipment specifically authorized to enter the demilitarized zone by the Joint Commission. Freedom of movement shall be permitted across the territory under the military control of either side over any road or waterway which has to be taken between points within the demilitarized zone when such points are not connected by roads or waterways lying completely within the demilitarized zone.

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 Commander-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 échelons 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 27 July 1954

Central Viet-Nam at 8.00 a.m. (local time) on 1 August 1954

Southern Viet-Nam at 8.00 a.m. (local time) on 11 August 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 neutralizing 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 neutralization 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, such territory shall be regarded as transferred to the other party, who shall assume responsibility for it.

Steps shall be taken to ensure that there is no break in the transfer of responsibilities. For this purpose, adequate notice shall be given by the withdrawing party to the other party, which shall make the necessary arrangements, in particular by sending administrative and police detachments to prepare for the assumption of administrative responsibility. The length of such notice shall be determined by the Trung Gia Military Commission. The transfer shall be effected in successive stages for the various territorial sectors.

The transfer of the civil administration of Hanoi and Haiphong to the authorities of the Democratic Republic of Viet-Nam shall be completed within the respective time-limits laid down in Article 15 for military movements.

(c) Each party undertakes to refrain from any reprisals or discrimination against persons or organizations on account of their activities during the hostilities and to guarantee their democratic liberties.

(d) From the date of entry into force of the present Agreement until the movement of troops is completed, any civilians residing in a district controlled by one

party who wish to go and live in the zone assigned to the other party shall be permitted and helped to do so by the authorities in that district.

Article 15

The disengagement of the combatants, and the withdrawals and transfers of military forces, equipment and supplies shall take place in accordance with the following principles :

(a) The withdrawals and transfers of the military forces, equipment and supplies of the two parties shall be completed within three hundred (300) days, as laid down in Article 2 of the present Agreement;

(b) Within either territory successive withdrawals shall be made by sectors, portions of sectors or provinces. Transfers from one regrouping zone to another shall be made in successive monthly instalments proportionate to the number of troops to be transferred;

(c) The two parties shall undertake to carry out all troop withdrawals and transfers in accordance with the aims of the present Agreement, shall permit no hostile act and shall take no step whatsoever which might hamper such withdrawals and transfers. They shall assist one another as far as this is possible;

(d) The two parties shall permit no destruction or sabotage of any public property and no injury to the life and property of the civil population. They shall permit no interference in local civil administration;

(e) The Joint Commission and the International Commission shall ensure that steps are taken to safeguard the forces in the course of withdrawal and transfer;

(f) The Trung Gia Military Commission, and later the Joint Commission, shall determine by common agreement the exact procedure for the disengagement of the combatants and for troop withdrawals and transfers, on the basis of the principles mentioned above and within the framework laid down below :

1. The disengagement of the combatants, including the concentration of the armed forces of all kinds and also each party's movements into the provisional assembly areas assigned to it and the other party's provisional withdrawal from it, shall be completed within a period not exceeding fifteen (15) days after the date when the cease-fire becomes effective.

The general delineation of the provisional assembly areas is set out in the maps¹ annexed to the present Agreement.

In order to avoid any incidents, no troops shall be stationed less than 1,500 metres from the lines delimiting the provisional assembly areas.

During the period until the transfers are concluded, all the coastal islands west of the following lines shall be included in the Haiphong perimeter :

- meridian of the southern point of Kebao Island
- northern coast of Ile Rousse (excluding the island), extended as far as the meridian of Campha-Mines
- meridian of Campha-Mines.

¹ See inserts in a pocket at the end of this volume.

2. The withdrawals and transfers shall be effected in the following order and within the following periods (from the date of the entry into force of the present Agreement) :

Forces of the French Union

Hanoi perimeter	80 days
Haiduong perimeter	100 days
Haiphong perimeter	300 days

Forces of the People's Army of Viet-Nam

Ham Tan and Xuyenmoc provisional assembly area	80 days
Central Viet-Nam provisional assembly area—first instalment	80 days
Plaine des Joncs provisional assembly area	100 days
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 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 échelon 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 échelon 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 Article, 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 authorized 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 the 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;

(e) Each party shall notify the Joint Commission and the International Commission at least two days in advance of any arrivals or departures which may take place of war material, arms and munitions of all types.

In order to justify the requests for the introduction into Viet-Nam of arms, munitions and other war material (as defined in paragraph (a) of this Article) for replacement purposes, a report concerning each incoming shipment shall be submitted to the Joint Commission and the International Commission. Such reports shall indicate the use made of the items so replaced;

(f) The International Commission, through its Inspection Teams, shall supervise and inspect the replacements permitted in the circumstances laid down in this Article, at the points of entry enumerated in Article 20 below.

Article 18

With effect from the date of entry into force of the present Agreement, the establishment of new military bases is prohibited throughout Viet-Nam territory.

Article 19

With effect from the date of entry into force of the present Agreement, no military base under the control of a foreign State may be established in the re-grouping zone of either party; the two parties shall ensure that the zones assigned to them do not adhere to any military alliance and are not used for the resumption of hostilities or to further an aggressive policy.

Article 20

The points of entry into Viet-Nam for rotation personnel and replacements of material are fixed as follows :

- Zones to the north of the provisional military demarcation line : Laokay, Langson, Tien-Yen, Haiphong, Vinh, Dong-Hoi, Muong-Sen;
- Zone to the south of the provisional military demarcation line : Tourane, Quinhon, Nhatrang, Bangoi, Saigon, Cap St. Jacques, Tanchau.

Chapter IV

PRISONERS OF WAR AND CIVILIAN INTERNEES

Article 21

The liberation and repatriation of all prisoners of war and civilian internees detained by each of the two parties at the coming into force of the present Agreement shall be carried out under the following conditions :

(a) All prisoners of war and civilian internees of Viet-Nam, French and other nationalities captured since the beginning of hostilities in Viet-Nam during military operations or in any other circumstances of war and in any part of the territory of Viet-Nam shall be liberated within a period of thirty (30) days after the date when the cease-fire becomes effective in each theatre.

(b) The term “civilian internees” is understood to mean all persons who, having in any way contributed to the political and armed struggle between the two parties, have been arrested for that reason and have been kept in detention by either party during the period of hostilities.

(c) All prisoners of war and civilian internees held by either party shall be surrendered to the appropriate authorities of the other party, who shall give them all

possible assistance in proceeding to their country of origin, place of habitual residence or the zone of their choice.

Chapter V

MISCELLANEOUS

Article 22

The Commanders of the Forces of the two parties shall ensure that persons under their respective commands who violate any of the provisions of the present Agreement are suitably punished.

Article 23

In cases in which the place of burial is known and the existence of graves has been established, the Commander of the Forces of either party shall, within a specific period after the entry into force of the Armistice Agreement, permit the graves service personnel of the other party to enter the part of Viet-Nam territory under their military control for the purpose of finding and removing the bodies of deceased military personnel of that party, including the bodies of deceased prisoners of war. The Joint Commission shall determine the procedures and the time limit for the performance of this task. The Commanders of the Forces of the two parties shall communicate to each other all information in their possession as to the place of burial of military personnel of the other party.

Article 24

The present Agreement shall apply to all the armed forces of either party. The armed forces of each party shall respect the demilitarized zone and the territory under the military control of the other party, and shall commit no act and undertake no operation against the other party and shall not engage in blockade of any kind in Viet-Nam.

For the purposes of the present Article, the word "territory" includes territorial waters and air space.

Article 25

The Commanders of the Forces of the two parties shall afford full protection and all possible assistance and co-operation to the Joint Commission and its joint groups and to the International Commission and its inspection 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 and 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 demilitarized 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 fixed 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, Tranchau. 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 demilitarized 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 etc.). 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 36

The International Commission shall be responsible for supervising the proper execution by the parties of the provisions of the agreement. For this purpose it shall fulfil the tasks of control, observation, inspection and investigation connected with the application of the provisions of the agreement on the cessation of hostilities, and it shall in particular :

- (a) Control the movement of the armed forces of the two parties, effected within the framework of the regroupment plan.
- (b) Supervise the demarcation lines between the regrouping areas, and also the demilitarized zones.

- (c) Control the operations of releasing prisoners of war and civilian internees.
- (d) Supervise at ports and airfields as well as along all frontiers of Viet-Nam the execution of the provisions of the agreement on the cessation of hostilities, regulating the introduction into the country of armed forces, military personnel and of all kinds of arms, munitions and war material.

Article 37

The International Commission shall, through the medium of the inspection teams mentioned above, and as soon as possible either on its own initiative, or at the request of the Joint Commission, or of one of the parties, undertake the necessary investigations both documentary and on the ground.

Article 38

The inspection teams shall submit to the International Commission the results of their supervision, their investigation and their observations, furthermore they shall draw up such special reports as they may consider necessary or as may be requested from them by the Commission. In the case of a disagreement within the teams, the conclusions of each member shall be submitted to the Commission.

Article 39

If any one inspection team is unable to settle an incident or considers that there is a violation or a threat of a serious violation the International Commission shall be informed; the latter shall study the reports and the conclusions of the inspection teams and shall inform the parties of the measures which should be taken for the settlement of the incident, ending of the violation or removal of the threat of violation.

Article 40

When the Joint Commission is unable to reach an agreement on the interpretation to be given to some provision or on the appraisal of a fact, the International Commission shall be informed of the disputed question. Its recommendations shall be sent directly to the parties and shall be notified to the Joint Commission.

Article 41

The recommendations of the International Commission shall be adopted by majority vote, subject to the provisions contained in article 42. If the votes are divided the chairman's vote shall be decisive.

The International Commission may formulate recommendations concerning amendments and additions which should be made to the provisions of the agreement on the cessation of hostilities in Viet-Nam, in order to ensure a more effective execution of that agreement. These recommendations shall be adopted unanimously.

Article 42

When dealing with questions concerning violations, or threats of violations, which might lead to a resumption of hostilities, namely :

- (a) Refusal by the armed forces of one party to effect the movements provided for in the regroupment plan;
- (b) Violation by the armed forces of one of the parties of the regrouping zones, territorial waters, or air space of the other party;
- the decisions of the International Commission must be unanimous.

Article 43

If one of the parties refuses to put into effect a recommendation of the International Commission, the parties concerned or the Commission itself shall inform the members of the Geneva Conference.

If the International Commission does not reach unanimity in the cases provided for in article 42, it shall submit a majority report and one or more minority reports to the members of the Conference.

The International Commission shall inform the members of the Conference in all cases where its activity is being hindered.

Article 44

The International Commission shall be set up at the time of the cessation of hostilities in Indo-China in order that it should be able to fulfil the tasks provided for in article 36.

Article 45

The International Commission for Supervision and Control in Viet-Nam shall act in close co-operation with the International Commissions for Supervision and Control in Cambodia and Laos.

The Secretaries-General of these three Commissions shall be responsible for co-ordinating their work and for relations between them.

Article 46

The International Commission for Supervision and Control in Viet-Nam may, after consultation with the International Commissions 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 sub-paragraph of Article 11, shall enter into force at 2400 hours (Geneva time) on 22 July 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 People's Army of Viet-Nam :

[Signed]

TA-QUANG-BUU
Vice-Minister of National Defence
of the Democratic Republic
of Viet-Nam

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

[Signed]

Brigadier-General DELTEIL

ANNEX TO THE AGREEMENT ON THE CESSATION OF HOSTILITIES
IN VIET-NAM

I. *Delineation of the provisional military demarcation line and the demilitarized zone*
(Article 1 of the Agreement; reference map : Indo-China 1/100,000¹)

(a) The provisional military demarcation line¹ is fixed as follows, reading from east to west :

the mouth of the Song Ben Hat (Cua Tung River) and the course of that river (known as the Rao Thanh in the mountains) to the village of Bo Ho Su, then the parallel of Bo Ho Su to the Laos-Viet-Nam frontier.

(b) The demilitarized zone² shall be delimited by the Trung Gia Military Commission in accordance with the provisions of article 1 of the Agreement on the cessation of hostilities in Viet-Nam.

II. *General delineation of the provisional assembly areas* (Article 15 of the Agreement; reference maps : Indo-China 1/400,000³)

(a) NORTH VIET-NAM

Delineation of the boundary of the provisional assembly area of the French Union forces

1. The perimeter of Hanoi is delimited by the arc of a circle with a radius of 15 kilometres, having as its centre the right bank abutment of Doumer Bridge and running westwards from the Red River to the Rapids Canal in the north-east.

In this particular case no forces of the French Union shall be stationed less than 2 kilometres from this perimeter, on the inside thereof.

2. The perimeter of Haiphong shall be delimited by the Song-Van Uc as far as Kim Thanh and a line running from the Song-Van-Uc three kilometres north-east of Kim Thanh to cut Road No. 18 two kilometres east of Mao-Khé. Thence a line running three kilometres north of Road 18 to Cho-Troi and a straight line from Cho-Troi to the Mong-Duong ferry.

3. *A corridor contained between :*

— *In the south*, the Red River from Thanh-Tri to Bang-Nho, thence a line joining the latter point to Do-My (south-west of Kesat), Gia-Loc and Tien Kieu;

— *In the north*, a line running along the Rapids Canal at a distance of 1,500 metres to the north of the Canal, passing three kilometres north of Pha-Lai and Seven

¹ See map No. 1 in a pocket at the end of this volume.

² See maps Nos. 2 and 3 in a pocket at the end of this volume.

³ See map No. 4 in a pocket at the end of this volume.

Pagodas and thence parallel to Road No. 18 to its point of intersection with the perimeter of Haiphong.

Note: Throughout the period of evacuation of the perimeter of Hanoi, the river forces of the French Union shall enjoy complete freedom of movement on the Song-Van-Uc. And the forces of the People's Army of Viet-Nam shall withdraw three kilometres south of the south bank of the Song-Van-Uc.

Boundary between the perimeter of Hanoi and the perimeter of Haiduong

A straight line running from the Rapids Canal three kilometres west of Chi-ne and ending at Do-My (eight kilometres south-west of Kesat).

(b) CENTRAL VIET-NAM

Delineation of the boundary of the provisional assembly area of the forces of the Viet-Nam People's Army south of the Col des Nuages parallel.

The perimeter of the Central Viet-Nam area shall consist of the administrative boundaries of the provinces of Quang-Ngai and Binh-Dinh as they were defined before the hostilities.¹

(c) SOUTH VIET-NAM

Three provisional assembly areas shall be provided for the forces of the People's Army of Viet-Nam.

The boundaries of these areas are as follows :

1. *Xuyen-Moc, Ham-Tan Area*²

Western boundary: The course of the Song-Ray extended northwards as far as Road No. 1 to a point thereon eight kilometres east of the intersection of Road No. 1 and Road No. 3.

Northern boundary: Road No. 1 from the above-mentioned intersection to the intersection with Route Communale No. 9 situated 27 kilometres west-south-west of Phanthiet and from that intersection a straight line to Kim Thanh on the coast.

2. *Plaine des Joncs Area*²

Northern boundary: The Viet-Nam—Cambodia frontier.

Western boundary: A straight line from Tong-Binh to Binh-Thanh.

Southern boundary: Course of the Fleuve Antérieur (Mekong) to ten kilometres south-east of Cao Lanh. From that point, a straight line as far as Ap-My-Dien, and from Ap-My-Dien a line parallel to and three kilometres east and then south of the Tong Doc-Loc Canal, this line reaches My-Hanh-Dong and thence Hung-Thanh-My.

Eastern boundary: A straight line from Hung-Thanh-My running northwards to the Cambodian frontier south of Doi-Bao-Voi.

3. *Point Camau Area*²

Northern boundary: The Song-Cai-lon from its mouth to its junction with the Rach-Nuoc-Trong, thence the Rach-Nuoc-Trong to the bend five kilometres north-east of Ap-Xeo-La. Thereafter a line to the Ngan-Dua Canal and following that Canal as far as Vinh-Hung. Finally, from Vinh-Hung a north-south line to the sea.

¹ See map No. 5 in a pocket at the end of this volume.

² See map No. 6 in a pocket at the end of this volume.

[TRANSLATION¹ — TRADUCTION²]

AGREEMENT³ ON THE CESSATION OF HOSTILITIES IN LAOS

Chapter I

CEASE-FIRE AND EVACUATION OF FOREIGN ARMED FORCES AND FOREIGN MILITARY PERSONNEL

Article 1

The Commanders of the armed forces of the parties in Laos shall order and enforce the complete cessation of all hostilities in Laos by all armed forces under their control, including all units and personnel of the ground, naval and air forces.

Article 2

In accordance with the principle of a simultaneous cease-fire throughout Indo-China the cessation of hostilities shall be simultaneous throughout the territory of Laos in all combat areas and for all forces of the two parties.

In order to prevent any mistake or misunderstanding and to ensure that both the cessation of hostilities and the disengagement and movements of the opposing forces are in fact simultaneous,

(a) Taking into account the time effectively required to transmit the cease-fire order down to the lowest échelons of the combatant forces on both sides, the two parties are agreed that the complete and simultaneous cease-fire throughout the territory of Laos shall become effective at 8 hours (local time) on 6 August 1954. It is agreed that Pekin mean time shall be taken as local time.

(b) The Joint Commission for Laos shall draw up a schedule for the other operations resulting from the cessation of hostilities.

Article 3

All operations and movements entailed by the cessation of hostilities and re-grouping must proceed in a safe and orderly fashion.

(a) Within a number of days to be determined on the spot by the Joint Commission in Laos each party shall be responsible for removing and neutralizing mines,

¹ Translation supplied by the Government of the United States of America (Doc. IC/51/Rev. 1 of the Geneva Conference on the problem of restoring peace in Indo-China).

² Traduction fournie par le Gouvernement des Etats-Unis d'Amérique (Doc. IC/51/Rev. 1 de la Conférence de Genève sur le problème du rétablissement de la paix en Indochine).

³ The Agreement on the cessation of hostilities in Laos came into force on 22 July 1954, in accordance with article 40, and subject to the provisions of article 2 (a).

booby traps, explosives and any other dangerous substance placed by it. In the event of its being impossible to complete the work of removal and neutralization in time, the party concerned shall mark the spot by placing visible signs there.

(b) As regards the security of troops on the move following the lines of communication in accordance with the schedule previously drawn up by the Joint Armistice Commission in Laos, and the safety of the assembly areas, detailed measures shall be adopted in each case by the Joint Armistice Commission in Laos. In particular, while the forces of one party are withdrawing by a line of communication passing through the territory of the other party (roads or waterways) the forces of the latter party shall provisionally withdraw two kilometres on either side of such line of communication, but in such a manner as to avoid interfering with the movements of the civil population.

Article 4

The withdrawals and transfers of military forces, supplies and equipment shall be effected in accordance with the following principles :

(a) The withdrawals and transfers of the military forces, supplies and equipment of the two parties shall be completed within a period of 120 days from the day on which the present Agreement enters into force.

The two parties undertake to communicate their transfer plans to each other, for information, within 25 days of the entry into force of the present Agreement.

(b) The withdrawals of the Viet-Nameese People's Volunteers from Laos to Viet-Nam shall be effected by provinces. The position of those volunteers who were settled in Laos before the hostilities shall form the subject of a special convention.

(c) The routes for the withdrawal of the forces of the French Union and Viet-Nameese People's Volunteers in Laos from Laotian territory shall be fixed on the spot by the Joint Commission.

(d) The two parties shall guarantee that the withdrawals and transfers of all forces will be effected in accordance with the purposes of this Agreement, and that they will not permit any hostile action or take action of any kind whatever which might hinder such withdrawals or transfers. The parties shall assist each other as far as possible.

(e) While the withdrawals and transfers of the forces are proceeding, the two parties shall not permit any destruction or sabotage of any public property or any attack on the life or property of the local civilian population.

(f) The Joint Commission and the International Commission shall supervise the implementation of measures to ensure the safety of the forces during withdrawal and transfer.

(g) The Joint Commission in Laos shall determine the detailed procedures for the withdrawals and transfers of the forces in accordance with the above-mentioned principles.

Article 5

During the days immediately preceding the cease-fire each party undertakes not to engage in any large-scale operation between the time when the Agreement on the cessation of hostilities is signed at Geneva and the time when the cease-fire comes into effect.

Chapter II

PROHIBITION OF THE INTRODUCTION OF FRESH TROOPS, MILITARY PERSONNEL,
ARMAMENTS AND MUNITIONS*Article 6*

With effect from the proclamation of the cease-fire the introduction into Laos of any reinforcements of troops or military personnel from outside Laotian territory is prohibited.

Nevertheless, the French High Command may leave a specified number of French military personnel required for the training of the Laotian National Army in the territory of Laos; the strength of such personnel shall not exceed one thousand five hundred (1,500) officers and non-commissioned officers.

Article 7

Upon the entry into force of the present Agreement, the establishment of new military bases is prohibited throughout the territory of Laos.

Article 8

The High Command of the French forces shall maintain in the territory of Laos the personnel required for the maintenance of two French military establishments, the first at Seno and the second in the Mekong valley, either in the province of Vientiane or downstream from Vientiane.

The effectives maintained in these military establishments shall not exceed a total of three thousand five hundred (3,500) men.

Article 9

Upon the entry into force of the present Agreement and in accordance with the declaration made at the Geneva Conference by the Royal Government of Laos on 20 July 1954, the introduction into Laos of armaments, munitions and military equipment of all kinds is prohibited, with the exception of a specified quantity of armaments in categories specified as necessary for the defence of Laos.

Article 10

The new armaments and military personnel permitted to enter Laos in accordance with the terms of Article 9 above shall enter Laos at the following points only : Luang-Prabang, Xieng-Khouang, Vientiane, Seno, Paksé, Savannakhet and Tchépone.

Chapter III

DISENGAGEMENT OF THE FORCES—ASSEMBLY AREAS—CONCENTRATION AREAS

Article 11

The disengagement of the armed forces of both sides, including concentration of armed forces, movements to rejoin the provisional assembly areas allotted to one party and provisional withdrawal movements by the other party, shall be completed within a period not exceeding fifteen (15) days after the cease-fire.

Article 12

- The Joint Commission in Laos shall fix the site and boundaries :
- of the five (5) provisional assembly areas for the reception of the Viet-Nameese People's Volunteer Forces,
 - of the five (5) provisional assembly areas for the reception of the French forces in Laos,
 - of the twelve (12) provisional assembly areas, one to each province, for the reception of the fighting units of " Pathet Lao ".

The forces of the Laotian National Army shall remain *in situ* during the entire duration of the operations of disengagement and transfer of foreign forces and fighting units of " Pathet Lao ".

Article 13

The foreign forces shall be transferred outside Laotian territory as follows :

(1) French Forces :

The French forces shall be moved out of Laos by road (along routes laid down by the Joint Commission in Laos) and also by air and inland waterway;

(2) Viet-Nameese People's Volunteer Forces :

These forces shall be moved out of Laos by land, along routes and in accordance with a schedule to be determined by the Joint Commission in Laos in accordance with the principle of simultaneous withdrawal of foreign forces.

Article 14

Pending a political settlement, the fighting units of " Pathet Lao ", concentrated in the provisional assembly areas, shall move into the Provinces of Phongsaly and Sam-Neua, except for any military personnel who wish to be demobilized where they are. They shall be free to move between these two Provinces in a corridor along the frontier between Laos and Viet-Nam bounded on the south by the Line Sop Kin, Na Mi, Sop Sang, Muong Son.

Concentration shall be completed within one hundred and twenty (120) days from the date of entry into force of the present Agreement.

Article 15

Each party undertakes to refrain from any reprisals or discrimination against persons or organizations for their activities during the hostilities and also undertakes to guarantee their democratic freedoms.

Chapter IV

PRISONERS OF WAR AND CIVILIAN INTERNEES

Article 16

The liberation and repatriation of all prisoners of war and civilian internees detained by each of the two parties at the coming into force of the present Agreement shall be carried out under the following conditions :

(a) All prisoners of war and civilian internees of Laotian and other nationalities captured since the beginning of hostilities in Laos, during military operations or in any other circumstances of war and in any part of the territory of Laos, shall be liberated within a period of thirty (30) days after the date when the cease-fire comes into effect.

(b) The term “civilian internees” is understood to mean all persons who, having in any way contributed to the political and armed strife between the two parties, have been arrested for that reason or kept in detention by either party during the period of hostilities.

(c) All foreign prisoners of war captured by either party shall be surrendered to the appropriate authorities of the other party, who shall give them all possible assistance in proceeding to the destination of their choice.

Chapter V

MISCELLANEOUS

Article 17

The Commanders of the forces of the two parties shall ensure that persons under their respective commands who violate any of the provisions of the present Agreement are suitably punished.

Article 18

In cases in which the place of burial is known and the existence of graves has been established, the Commander of the forces of each party shall, within a specified period after the entry into force of the present Agreement, permit the graves service of the other party to enter that part of Laotian territory under his military control for the purpose of finding and removing the bodies of deceased military personnel of that party, including the bodies of deceased prisoners of war.

The Joint Commission shall fix the procedures by which this task is carried out and the time limits within which it must be completed. The Commander of the forces of each party shall communicate to the other all information in his possession as to the place of burial of military personnel of the other party.

Article 19

The present Agreement shall apply to all the armed forces of either party. The armed forces of each party shall respect the territory under the military control of the other party, and engage in no hostile act against the other party.

For the purpose of the present article the word "territory" includes territorial waters and air space.

Article 20

The Commanders of the forces of the two parties shall afford full protection and all possible assistance and co-operation to the Joint Commission and its joint groups and to the International Commission and its inspection teams in the performance of the functions and tasks assigned to them by the present Agreement.

Article 21

The costs involved in the operation of the Joint Commission and its joint groups and of the International Commission and its inspection teams shall be shared equally between the two parties.

Article 22

The signatories of the present Agreement and their successors in their functions shall be responsible for 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 military personnel under their command.

Article 23

The procedures laid down in the present Agreement shall, whenever necessary, be examined 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 LAOS

Article 24

Responsibility for the execution of the Agreement on the cessation of hostilities shall rest with the parties.

Article 25

An International Commission shall be responsible for control and supervision of the application of the provisions of the Agreement on the cessation of hostilities in Laos. It shall be composed of representatives of the following States : Canada, India and Poland. It shall be presided over by the representative of India. Its headquarters shall be at Vientiane.

Article 26

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 fixed teams shall be located at the following points : Paksé, Seno, Tchépone, Vientiane, Xieng-Khouang, Phongsaly, Sophao (province of Sam Neua). These points of location may, at a later date, be altered by agreement between the Government of Laos and the International Commission.

The zones of action of the mobile teams shall be the regions bordering the land frontiers of Laos. Within the limits of their zones of action, 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, access to documents needed for supervision, summoning of witnesses needed for enquiries, security and freedom of movement of the inspection teams etc.). They shall have at their disposal such modern means of transport, observation and communication as they may require.

Outside the zones of action defined above, the mobile teams may, with the agreement of the Command of the party concerned, move about as required by the tasks assigned to them by the present Agreement.

Article 27

The International Commission shall be responsible for supervising the execution by the parties of the provisions of the present Agreement. For this purpose it shall fulfil the functions of control, observation, inspection and investigation connected with the implementation of the provisions of the Agreement on the cessation of hostilities, and shall in particular :

- (a) Control the withdrawal of foreign forces in accordance with the provisions of the Agreement on the cessation of hostilities and see that frontiers are respected;
- (b) control the release of prisoners of war and civilian internees;
- (c) supervise, at ports and airfields and along all the frontiers of Laos, the implementation of the provisions regulating the introduction into Laos of military personnel and war materials;
- (d) supervise the implementation of the clauses of the Agreement on the cessation of hostilities relating to rotation of personnel and to supplies for French Union security forces maintained in Laos.

Article 28

A Joint Commission shall be set up to facilitate the implementation of the clauses relating to the withdrawal of foreign forces.

The Joint Commission shall form joint groups, the number of which shall be decided by mutual agreement between the parties.

The Joint Commission shall facilitate the implementation of the clauses of the Agreement on the cessation of hostilities relating to the simultaneous and general cease-fire in Laos for all regular and irregular armed forces of the two parties.

It shall assist the parties in the implementation of the said clauses; it shall ensure liaison between them for the purpose of preparing and carrying out plans for the implementation of the said clauses; it shall endeavour to settle any disputes between the parties arising out of the implementation of these clauses. The joint groups shall follow the forces in their movements and shall be disbanded once the withdrawal plans have been carried out.

Article 29

The Joint Commission and the joint groups shall be composed of an equal number of representatives of the Commands of the parties concerned.

Article 30

The International Commission shall, through the medium of the inspection teams mentioned above, and as soon as possible, either on its own initiative, or at the request of the Joint Commission, or of one of the parties, undertake the necessary investigations both documentary and on the ground.

Article 31

The inspection teams shall transmit to the International Commission the results of their supervision, investigations and observations; furthermore, they shall draw up such special reports as they may consider necessary or as may be requested from them by the Commission. In the case of a disagreement within the teams, the findings of each member shall be transmitted to the Commission.

Article 32

If an inspection team is unable to settle an incident or considers that there is a violation or threat of a serious violation, the International Commission shall be informed; the latter shall examine the reports and findings of the inspection teams and shall inform the parties of the measures which should be taken for the settlement of the incident, ending of the violation or removal of the threat of violation.

Article 33

When the Joint Commission is unable to reach agreement on the interpretation of a provision or on the appraisal of a fact, the International Commission shall be

informed of the disputed question. Its recommendations shall be sent directly to the parties and shall be notified to the Joint Commission.

Article 34

The recommendations of the International Commission shall be adopted by majority vote, subject to the provisions of article 35. If the votes are equally divided, the chairman's vote shall be decisive.

The International Commission may make recommendations concerning amendments and additions which should be made to the provisions of the Agreement on the cessation of hostilities in Laos, in order to ensure more effective execution of the said Agreement. These recommendations shall be adopted unanimously.

Article 35

On questions concerning violations, or threats of violations, which might lead to a resumption of hostilities and, in particular,

(a) refusal by foreign armed forces to effect the movements provided for in the withdrawal plan,

(b) violation or threat of violation of the country's integrity, by foreign armed forces,

the decisions of the International Commission must be unanimous.

Article 36

If one of the parties refuses to put a recommendation of the International Commission into effect, the parties concerned or the Commission itself shall inform the members of the Geneva Conference.

If the International Commission does not reach unanimity in the cases provided for in article 35, it shall transmit a majority report and one or more minority reports to the members of the Conference.

The International Commission shall inform the members of the Conference of all cases in which its work is being hindered.

Article 37

The International Commission shall be set up at the time of the cessation of hostilities in Indo-China in order that it may be able to fulfil the tasks prescribed in article 27.

Article 38

The International Commission for Supervision and Control in Laos shall act in close co-operation with the International Commissions in Viet-Nam and Cambodia.

The Secretaries-General of these three Commissions shall be responsible for co-ordinating their work and for relations between them.

Article 39

The International Commission for Supervision and Control in Laos may, after consultation with the International Commissions in Cambodia and Viet-Nam, and having regard to the development of the situation in Cambodia and Viet-Nam, progressively reduce its activities. Such a decision must be adopted unanimously.

Chapter VII

Article 40

All the provisions of the present Agreement, save paragraph (a) of Article 2, shall enter into force at 24 hours (Geneva time) on 22 July 1954.

Article 41

DONE at Geneva (Switzerland) on 20 July 1954, at 24 hours, in the French language.

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

[Signed]

Général de Brigade DELTEIL

For the Commander-in-Chief
of the fighting units of " Pathet-Lao "
and for the Commander-in-Chief
of the People's Army of Viet-Nam :

[Signed]

TA-QUANG-BUU
Vice-Minister of National Defence
of the Democratic Republic of Viet-Nam

[TRANSLATION¹ — TRADUCTION²]

AGREEMENT³ ON THE CESSATION OF HOSTILITIES IN CAMBODIA

Chapter I

PRINCIPLES AND CONDITIONS GOVERNING EXECUTION OF THE CEASE-FIRE

Article 1

As from twenty-third July 1954 at 0800 hours (Pekin mean time) complete cessation of all hostilities throughout Cambodia shall be ordered and enforced by the Commanders of the Armed Forces of the two parties for all troops and personnel of the land, naval and air forces under their control.

Article 2

In conformity with the principle of a simultaneous cease-fire throughout Indo-China, there shall be a simultaneous cessation of hostilities throughout Cambodia, in all the combat areas and for all the forces of the two parties.

To obviate any mistake or misunderstanding and to ensure that both the ending of hostilities and all other operations arising from cessation of hostilities are in fact simultaneous,

(a) due allowance being made for the time actually required for transmission of the cease-fire order down to the lowest échelons of the combatant forces of both sides, the two parties are agreed that the complete and simultaneous cease-fire throughout the territory of Cambodia shall become effective at 8 hours (local time) on 7 August 1954. It is agreed that Pekin meantime shall be taken as local time;

(b) Each side shall comply strictly with the time-table jointly agreed upon between the parties for the execution of all operations connected with the cessation of hostilities.

Article 3

All operations and movements connected with the execution of the cessation of hostilities must be carried out in a safe and orderly fashion,

(a) Within a number of days to be determined by the Commanders of both sides, after the cease-fire has been achieved, each party shall be responsible for

¹ Translation supplied by the Government of the United States of America (Doc. IC/52 of the Geneva Conference on the problem of restoring peace in Indo-China).

² Traduction fournie par le Gouvernement des Etats-Unis d'Amérique (Doc. IC/52 de la Conférence de Genève sur le problème du rétablissement de la paix en Indochine).

³ The Agreement on the cessation of hostilities in Cambodia came into force on 23 July 1954, in accordance with article 33.

removing and neutralizing mines, booby traps, explosives and any other dangerous devices placed by it. Should it be impossible to complete removal and neutralization before departure, the party concerned will mark the spot by placing visible signs. Sites thus cleared of mines and any other obstacles to the free movement of the personnel of the International Commission and the Joint Commission shall be notified to the latter by the local military Commanders.

(b) Any incidents that may arise between the forces of the two sides and may result from mistakes or misunderstandings shall be settled on the spot so as to restrict their scope.

(c) During the days immediately preceding the cease-fire each party undertakes not to engage in any large-scale operation between the time when the Agreement on the cessation of hostilities is signed at Geneva and the time when the cease-fire comes into effect.

Chapter II

PROCEDURE FOR THE WITHDRAWAL OF THE FOREIGN ARMED FORCES AND FOREIGN MILITARY PERSONNEL FROM THE TERRITORY OF CAMBODIA

Article 4

1. The withdrawal outside the territory of Cambodia shall apply to :

- (a) the armed forces and military combatant personnel of the French Union :
- (b) the combatant formations of all types which have entered the territory of Cambodia from other countries or regions of the peninsula :
- (c) all the foreign elements (or Cambodians not natives of Cambodia) in the military formations of any kind or holding supervisory functions in all political or military, administrative, economic, financial or social bodies, having worked in liaison with the Viet-Nam military units.

2. The withdrawals of the forces and elements referred to in the foregoing paragraphs and their military supplies and materials must be completed within 90 days reckoning from the entry into force of the present Agreement.

3. The two parties shall guarantee that the withdrawals of all the forces will be effected in accordance with the purposes of the Agreement, and that they will not permit any hostile action or take any action likely to create difficulties for such withdrawals. They shall assist one another as far as possible.

4. While the withdrawals are proceeding, the two parties shall not permit any destruction or sabotage of public property or any attack on the life or property of the civilian population. They shall not permit any interference with the local civil administration.

5. The Joint Commission and the International Supervisory Commission shall supervise the execution of measures to ensure the safety of the forces during withdrawal.

6. The Joint Commission in Cambodia shall determine the detailed procedures for the withdrawals of the forces on the basis of the above-mentioned principles.

Chapter III

OTHER QUESTIONS

A. *The Khmer armed forces, natives of Cambodia**Article 5*

The two parties shall undertake that within thirty days after the cease-fire order has been proclaimed, the Khmer Resistance Forces shall be demobilized on the spot; simultaneously, the troops of the Royal Khmer Army shall abstain from taking any hostile action against the Khmer Resistance Forces.

Article 6

The situation of these nationals shall be decided in the light of the Declaration made by the Delegation of Cambodia at the Geneva Conference, reading as follows :

“ The Royal Government of Cambodia, in the desire to ensure harmony and agreement among the peoples of the Kingdom, declares itself resolved to take the necessary measures to integrate all citizens, without discrimination, into the national community and to guarantee them the enjoyment of the rights and freedoms for which the Constitution of the Kingdom provides;

“ Affirms that all Cambodian citizens may freely participate as electors or candidates in general elections by secret ballot.”

No reprisals shall be taken against the said nationals or their families, each national being entitled to the enjoyment, without any discrimination as compared with other nationals, of all constitutional guarantees concerning the protection of person and property and democratic freedoms.

Applicants therefore may be accepted for service in the Regular Army or local police formations if they satisfy the conditions required for current recruitment of the Army and Police Corps.

The same procedure shall apply to those persons who have returned to civilian life and who may apply for civilian employment on the same terms as other nationals.

B. *Ban on the Introduction of Fresh Troops, Military Personnel, Armaments and Munitions. Military Bases.**Article 7*

In accordance with the Declaration made by the Delegation of Cambodia at 2400 hours on 20 July 1954 at the Geneva Conference of Foreign Ministers :

“ The Royal Government of Cambodia will not join in any agreement with other States, if this agreement carries for Cambodia the obligation to enter into a military alliance not in conformity with the principles of the Charter of the United Nations or, as long as its security is not threatened, the obligation to establish bases on Cambodian territory for the military forces of foreign powers.

“ During the period which will elapse between the date of the cessation of hostilities in Viet-Nam and that of the final settlement of political problems in this country, the Royal Government of Cambodia will not solicit foreign aid in war material, personnel or instructors except for the purpose of the effective defence of the territory.”

C. *Civilian Internees and Prisoners of War. Burial.*

Article 8

The liberation and repatriation of all civilian internees and prisoners of war detained by each of the two parties at the coming into force of the present Agreement shall be carried out under the following conditions :

(a) All prisoners of war and civilian internees of whatever nationality, captured since the beginning of hostilities in Cambodia during military operations or in any other circumstances of war and in any part of the territory of Cambodia shall be liberated after the entry into force of the present Armistice Agreement.

(b) The term “ civilian internees ” is understood to mean all persons who, having in any way contributed to the political and armed struggle between the two parties, have been arrested for that reason or kept in detention by either party during the period of hostilities.

(c) All foreign prisoners of war captured by either party shall be surrendered to the appropriate authorities of the other party, who shall give them all possible assistance in proceeding to the destination of their choice.

Article 9

After the entry into force of the present Agreement, if the place of burial is known and the existence of graves has been established, the Cambodian commander shall, within a specified period, authorize the exhumation and removal of the bodies of deceased military personnel of the other party, including the bodies of prisoners of war or personnel deceased and buried on Cambodian territory.

The Joint Commission shall fix the procedures by which this task is to be carried out and the time limit within which it must be completed.

Chapter IV

JOINT COMMISSION AND INTERNATIONAL COMMISSION FOR SUPERVISION
AND CONTROL IN CAMBODIA

Article 10

Responsibility for the execution of the Agreement on the cessation of hostilities shall rest with the parties.

Article 11

An International Commission shall be responsible for control and supervision of the application of the provisions of the Agreement on the cessation of hostilities in

Cambodia. It shall be composed of representatives of the following States : Canada, India and Poland. It shall be presided over by the representative of India. Its headquarters shall be at Phnom-Penh.

Article 12

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 fixed teams shall be located at the following points : Phnom-Penh, Kompong-Cham, Kratié, Svay-Rieng, Kampot. These points of location may be altered at a later date by agreement between the Government of Cambodia and the International Commission.

The zones of action of the mobile teams shall be the regions bordering on the land and sea frontiers of Cambodia. The mobile teams shall have the right to move freely within the limits of their zones of action, and they shall receive from the local civil and military authorities all facilities they may require for the fulfilment of their tasks (provision of personnel, access to documents needed for supervision, summoning of witnesses needed for enquiries, security and freedom of movement of the inspection teams, etc.). They shall have at their disposal such modern means of transport, observation and communication as they may require.

Outside the zones of action defined above, the mobile teams may, with the agreement of the Cambodian command, move about as required by the tasks assigned to them under the present Agreement.

Article 13

The International Commission shall be responsible for supervising the execution by the parties of the provisions of the present Agreement. For this purpose it shall fulfil the functions of control, observation, inspection and investigation connected with the implementation of the provisions of the Agreement on the cessation of hostilities, and shall in particular :

- (a) control the withdrawal of foreign forces in accordance with the provisions of the Agreement on the cessation of hostilities and see that frontiers are respected;
- (b) control the release of prisoners of war and civilian internees;
- (c) supervise, at ports and airfields and along all the frontiers of Cambodia, the application of the Cambodian declaration concerning the introduction into Cambodia of military personnel and war materials on grounds of foreign assistance.

Article 14

A Joint Commission shall be set up to facilitate the implementation of the clauses relating to the withdrawal of foreign forces.

The Joint Commission may form joint groups the number of which shall be decided by mutual agreement between the parties.

The Joint Commission shall facilitate the implementation of the clauses of the

Agreement on the cessation of hostilities relating to the simultaneous and general cease-fire in Cambodia for all regular and irregular armed forces of the two parties.

It shall assist the parties in the implementation of the said clauses; it shall ensure liaison between them for the purpose of preparing and carrying out plans for the implementation of the said clauses; it shall endeavour to settle any disputes between the parties arising out of the implementation of these clauses. The Joint Commission may send joint groups to follow the forces in their movements; such groups shall be disbanded once the withdrawal plans have been carried out.

Article 15

The Joint Commission shall be composed of an equal number of representatives of the Commands of the parties concerned.

Article 16

The International Commission shall, through the medium of the inspection teams mentioned above and as soon as possible, either on its own initiative or at the request of the Joint Commission or of one of the parties, undertake the necessary investigations both documentary and on the ground.

Article 17

The inspection teams shall transmit to the International Commission the results of their supervision, investigations and observations; furthermore, they shall draw up such special reports as they may consider necessary or as may be requested from them by the Commission. In the case of a disagreement within the teams, the findings of each member shall be transmitted to the Commission.

Article 18

If an inspection team is unable to settle an incident or considers that there is a violation or threat of a serious violation, the International Commission shall be informed; the Commission shall examine the reports and findings of the inspection teams and shall inform the parties of the measures to be taken for the settlement of the incident, ending of the violation or removal of the threat of violation.

Article 19

When the Joint Commission is unable to reach agreement on the interpretation of a provision or on the appraisal of a fact, the International Commission shall be informed of the disputed question. Its recommendations shall be sent directly to the parties and shall be notified to the Joint Commission.

Article 20

The recommendations of the International Commission shall be adopted by a majority vote, subject to the provisions of article 21. If the votes are equally divided, the Chairman's vote shall be decisive.

The International Commission may make recommendations concerning amendments and additions which should be made to the provisions of the Agreement on the cessation of hostilities in Cambodia, in order to ensure more effective execution of the said Agreement. These recommendations shall be adopted unanimously.

Article 21

On questions concerning violations, or threats of violations, which might lead to a resumption of hostilities, and in particular,

- (a) refusal by foreign armed forces to effect the movements provided for in the withdrawal plan,
- (b) violation or threat of violation of the country's integrity by foreign armed forces,

the decisions of the International Commission must be unanimous.

Article 22

If one of the parties refuses to put a recommendation of the International Commission into effect, the parties concerned or the Commission itself shall inform the members of the Geneva Conference.

If the International Commission does not reach unanimity in the cases provided for in article 21, it shall transmit a majority report and one or more minority reports to members of the Conference.

The International Commission shall inform the members of the Conference of all cases in which its work is being hindered.

Article 23

The International Commission shall be set up at the time of the cessation of hostilities in Indo-China in order that it may be able to perform the tasks prescribed in article 13.

Article 24

The International Commission for Supervision and Control in Cambodia shall act in close cooperation with the International Commissions in Viet-Nam and Laos.

The Secretaries-General of these three Commissions shall be responsible for coordinating their work and for relations between them.

Article 25

The International Commission for Supervision and Control in Cambodia may, after consultation with the International Commissions in Viet-Nam and in Laos, and having regard to the development of the situation in Viet-Nam and in Laos, progressively reduce its activities. Such a decision must be adopted unanimously.

Chapter V

IMPLEMENTATION

Article 26

The Commanders of the forces of the two parties shall ensure that persons under their respective commands who violate any of the provisions of the present Agreement are suitably punished.

Article 27

The present Agreement on the cessation of hostilities shall apply to all the armed forces of either party.

Article 28

The Commanders of the forces of the two parties shall afford full protection and all possible assistance and co-operation to the Joint Commission and to the International Commission and its inspection teams in the performance of their functions.

Article 29

The Joint Commission, composed of an equal number of representatives of the Commands of the two parties, shall assist the parties in the implementation of all the clauses of the Agreement on the cessation of hostilities, ensure liaison between the two parties, draw up plans for the implementation of the Agreement, and endeavour to settle any dispute arising out of the implementation of the said clauses and plans.

Article 30

The costs involved in the operation of the Joint Commission shall be shared equally between the two parties.

Article 31

The signatories of the present Agreement on the cessation of hostilities and their successors in their functions shall be responsible for 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 personnel under their command.

Article 32

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

Article 33

All the provisions of the present Agreement shall enter into force at 00 hours (Geneva time) on 23 July 1954.

DONE at Geneva on 20 July 1954.

For the Commander-in-Chief of the Units
of the Khmer Resistance Forces
and for the Commander-in-Chief
of the Viet-Nameese Military Units :

TA-QUANG-BUU

Vice-Minister of National Defence
of the Democratic Republic of Viet-Nam

For the Commander-in-Chief
of the Khmer National Armed Forces :

General NHIEK TIOULONG