

No. 13301

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

**Joint Communiqué implementing the Agreement and Protocols of
27 January 1973 on ending the war and restoring peace in
Viet-Nam. Signed at Paris on 13 June 1973**

Authentic texts: English and Vietnamese.

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

**ÉTATS-UNIS D'AMÉRIQUE, GOUVERNEMENT
RÉVOLUTIONNAIRE PROVISOIRE
DE LA RÉPUBLIQUE DU SUD VIET-NAM,
RÉPUBLIQUE DÉMOCRATIQUE DU VIET-NAM
et RÉPUBLIQUE DU VIET-NAM**

**Communiqué commun concernant l'application de l'Accord et des
Protocoles du 27 janvier 1973 sur la cessation de la guerre et le
rétablissement de la paix au Vietnam. Signé à Paris le 13 juin
1973**

Textes authentiques: anglais et vietnamien.

Enregistré par les États-Unis d'Amérique le 13 mai 1974.

JOINT COMMUNIQUÉ¹

The Parties signatory to the Paris Agreement on Ending the War and Restoring Peace in Viet-Nam, signed on January 27, 1973,²

Considering that strict respect and scrupulous implementation of all provisions of the Agreement and its Protocols³ by all the parties signatory to them are necessary to ensure the peace in Viet-Nam and contribute to the cause of peace in Indochina and Southeast Asia,

Have agreed on the following points (in the sequence of the relevant articles in the Agreement) :

1. In conformity with Article 2 of the Agreement, the United States shall cease immediately, completely, and indefinitely aerial reconnaissance over the territory of the Democratic Republic of Viet-Nam.

2. In conformity with Article 2 of the Agreement and with the Protocol on Mine Clearance :⁴

- (a) The United States shall resume mine clearance operations within five days from the date of signature of this Joint Communiqué and shall successfully complete those operations within thirty days thereafter.
- (b) The United States shall supply to the Democratic Republic of Viet-Nam means which are agreed to be adequate and sufficient for sweeping mines in rivers.
- (c) The United States shall announce when the mine clearance in each main channel is completed and issue a final announcement when all the operations are completed.

3. In implementation of Article 2 of the Agreement, at 1200 hours, GMT, June 14, 1973, the High Commands of the two South Vietnamese parties shall issue identical orders to all regular and irregular armed forces and the armed police under their command, to strictly observe the cease-fire throughout South Viet-Nam beginning at 0400 hours, GMT, June 15, 1973, and scrupulously implement the Agreement and its Protocols.

4. The two South Vietnamese parties shall strictly implement Articles 2 and 3 of the Protocol on the Cease-Fire in South Viet-Nam,⁵ which read as follows :

¹ Came into force on 13 June 1973 by signature.

² See p. 2 of this volume.

³ See pp. 202, 250, 328 and 393 of this volume.

⁴ See p. 393 of this volume.

⁵ See p. 250 of this volume.

“ Article 2

(a) As soon as the cease-fire comes into force and until regulations are issued by the Joint Military Commissions, all ground, river, sea and air combat forces of the parties in South Viet-Nam shall remain in place; that is, in order to ensure a stable cease-fire, there shall be no major redeployments or movements that would extend each party's area of control or would result in contact between opposing armed forces and clashes which might take place.

(b) All regular and irregular armed forces and the armed police of the parties in South Viet-Nam shall observe the prohibition of the following acts :

- (1) Armed patrols into areas controlled by opposing armed forces and flights by bomber and fighter aircraft of all types, except for unarmed flights for proficiency training and maintenance;
- (2) Armed attacks against any person, either military or civilian, by any means whatsoever, including the use of small arms, mortars, artillery, bombing and strafing by airplanes and any other type of weapon or explosive device;
- (3) All combat operations on the ground, on rivers, on the sea and in the air;
- (4) All hostile acts, terrorism or reprisals; and
- (5) All acts endangering lives or public or private property.

Article 3

(a) The above-mentioned prohibitions shall not hamper or restrict :

- (1) Civilian supply, freedom of movement, freedom to work, and freedom of the people to engage in trade, and civilian communication and transportation between and among all areas in South Viet-Nam;
- (2) The use by each party in areas under its control of military support elements, such as engineer and transportation units, in repair and construction of public facilities and the transportation and supplying of the population;
- (3) Normal military proficiency training conducted by the parties in the areas under their respective control with due regard for public safety.

(b) The Joint Military Commissions shall immediately agree on corridors, routes, and other regulations governing the movement of military transport aircraft, military transport vehicles, and military transport vessels of all types of one party going through areas under the control of other parties.”

5. The Two-Party Joint Military Commission shall immediately carry out its task pursuant to Article 3 (b) of the Agreement to determine the areas controlled by each of the two South Vietnamese parties and the modalities of

stationing. This task shall be completed as soon as possible. The Commission shall also immediately discuss the movements necessary to accomplish a return of the armed forces of the two South Vietnamese parties to the positions they occupied at the time the cease-fire entered into force on January 28, 1973.

6. Twenty-four hours after the cease-fire referred to in paragraph 3 enters into force, the commanders of the opposing armed forces at those places of direct contact shall meet to carry out the provisions of Article 4 of the Protocol on the Cease-Fire in South Viet-Nam with a view to reaching an agreement on temporary measures to avert conflict and to ensure supply and medical care for these armed forces.

7. In conformity with Article 7 of the Agreement :

(a) The two South Vietnamese parties shall not accept the introduction of troops, military advisers, and military personnel, including technical military personnel, into South Viet-Nam.

(b) The two South Vietnamese parties shall not accept the introduction of armaments, munitions, and war material into South Viet-Nam. However, the two South Vietnamese parties are permitted to make periodic replacement of armaments, munitions, and war material, as authorized by Article 7 of the Agreement, through designated points of entry and subject to supervision by the Two-Party Joint Military Commission and the International Commission of Control and Supervision.

In conformity with Article 15 (b) of the Agreement regarding the respect of the Demilitarized Zone, military equipment may transit the Demilitarized Zone only if introduced into South Viet-Nam as replacements pursuant to Article 7 of the Agreement and through a designated point of entry.

(c) Twenty-four hours after the entry into force of the cease-fire referred to in paragraph 3, the Two-Party Joint Military Commission shall discuss the modalities for the supervision of the replacements of armaments, munitions, and war material permitted by Article 7 of the Agreement at the three points of entry already agreed upon for each party. Within fifteen days of the entry into force of the cease-fire referred to in paragraph 3, the two South Vietnamese parties shall also designate by agreement three additional points of entry for each party in the area controlled by that party.

8. In conformity with Article 8 of the Agreement :

(a) Any captured personnel covered by Article 8 (a) of the Agreement who have not yet been returned shall be returned without delay, and in any event within no more than thirty days from the date of signature of this Joint Communiqué.

(b) All the provisions of the Agreement and the Protocol on the Return of Captured Personnel¹ shall be scrupulously implemented. All Vietnamese

¹ See p. 202 of this volume.

civilian personnel covered by Article 8 (c) of the Agreement and Article 7 of the Protocol on the Return of Captured Personnel shall be returned as soon as possible. The two South Vietnamese parties shall do their utmost to accomplish this within forty-five days from the date of signature of this Joint Communiqué.

(c) In conformity with Article 8 of the Protocol on the Return of Captured Personnel, all captured and detained personnel covered by that Protocol shall be treated humanely at all times. The two South Vietnamese parties shall immediately implement Article 9 of that Protocol and, within fifteen days from the date of signature of this Joint Communiqué, allow National Red Cross Societies they have agreed upon to visit all places where these personnel are held.

(d) The two South Vietnamese parties shall cooperate in obtaining information about missing persons and in determining the location of and in taking care of the graves of the dead.

(e) In conformity with Article 8 (b) of the Agreement, 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. For this purpose, frequent and regular liaison flights shall be made between Saigon and Hanoi.

9. The two South Vietnamese parties shall implement Article 11 of the Agreement, which reads as follows :

“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.”

10. Consistent with the principles for the exercise of the South Vietnamese people's right to self-determination stated in Chapter IV of the Agreement :

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

(b) The National Council of National Reconciliation and Concord consisting of three equal segments shall be formed as soon as possible, in conformity with Article 12 of the Agreement.

The two South Vietnamese parties shall sign an agreement on the internal matters of South Viet-Nam as soon as possible, and shall do their utmost to

accomplish this within forty-five days from the date of signature of this Joint Communiqué.

(c) The two South Vietnamese parties shall agree through consultations on the institutions for which the free and democratic general elections provided for in Article 9 (b) of the Agreement will be held.

(d) The two South Vietnamese parties shall implement Article 13 of the Agreement, which reads as follows :

“ 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.”

11. In implementation of Article 17 of the Agreement :

(a) All the provisions of Articles 16 and 17 of the Protocol on the Cease-Fire in South Viet-Nam shall immediately be implemented with respect to the Two-Party Joint Military Commission. That Commission shall also immediately be accorded the eleven points of privileges and immunities agreed upon by the Four-Party Joint Military Commission. Frequent and regular liaison flights shall be made between Saigon and the headquarters of the Regional Two-Party Joint Military Commissions and other places in South Viet-Nam as required for the operations of the Two-Party Joint Military Commission. Frequent and regular liaison flights shall also be made between Saigon and Loc Ninh.

(b) The headquarters of the Central Two-Party Joint Military Commission shall be located in Saigon proper or at a place agreed upon by the two South Vietnamese parties where an area controlled by one of them adjoins an area controlled by the other. The locations of the headquarters of the Regional Two-Party Joint Military Commissions and of the teams of the Two-Party Joint Military Commission shall be determined by that Commission within fifteen days after the entry into force of the cease-fire referred to in paragraph 3. These locations may be changed at any time as determined by the Commission. The locations, except for teams at the points of entry, shall be selected from among those towns specified in Article 11 (b) and (c) of the Protocol on the Cease-Fire in South Viet-Nam and those places where an area controlled by one South Vietnamese party adjoins an area controlled by the other, or at any other place agreed upon by the Commission.

(c) Once the privileges and immunities mentioned in paragraph 11 (a) are accorded by both South Vietnamese parties, the Two-Party Joint Military Commission shall be fully staffed and its regional commissions and teams fully deployed within fifteen days after their locations have been determined.

(d) The Two-Party Joint Military Commission and the International

For the Government
of the United States of America :

[*Signed*]

HENRY A. KISSINGER
Assistant to the President
of the United States of America

For the Government
of the Republic of Viet-Nam :

[*Signed*]

NGUYEN LUU VIEN
Representative of the Government
of the Republic of Viet-Nam :

Commission of Control and Supervision shall closely cooperate with and assist each other in carrying out their respective functions.

12. In conformity with Article 18 of the Agreement and Article 10 of the Protocol on the International Commission of Control and Supervision,¹ the International Commission, including its teams, is allowed such movement for observation as is reasonably required for the proper exercise of its functions as stipulated in the Agreement. In carrying out these functions, the International Commission, including its teams, shall enjoy all necessary assistance and cooperation from the parties concerned. The two South Vietnamese parties shall issue the necessary instructions to their personnel and take all other necessary measures to ensure the safety of such movement.

13. Article 20 of the Agreement, regarding Cambodia and Laos, shall be scrupulously implemented.

14. In conformity with Article 21 of the Agreement, the United States-Democratic Republic of Viet-Nam Joint Economic Commission shall resume its meetings four days from the date of signature of this Joint Communiqué and shall complete the first phase of its work within fifteen days thereafter.

Affirming that the parties concerned shall strictly respect and scrupulously implement all the provisions of the Paris Agreement, its Protocols, and this Joint Communiqué, the undersigned representatives of the parties signatory to the Paris Agreement have decided to issue this Joint Communiqué to record and publish the points on which they have agreed.

SIGNED in Paris, June 13, 1973.

¹ See p. 328 of this volume.

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

[Signed]

LE DUC THO
Representative of the Government
of the Democratic Republic
of Viet-Nam

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

[Signed]

NGUYEN VAN HIEU
Minister of State of the Provisional
Revolutionary Government
of the Republic of South Viet-Nam