

No. 13298

**(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**

Protocol to the Agreement on ending the war and restoring peace in Viet-Nam concerning the International Commission of control and supervision (with map). Signed at Paris on 27 January 1973

Authentic texts: English and Vietnamese.

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

Protocol to the Agreement on ending the war and restoring peace in Viet-Nam concerning the International Commission of control and supervision (with map). Signed at Paris on 27 January 1973

Authentic texts: English and Vietnamese.

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

PROTOCOL¹ TO THE AGREEMENT ON ENDING THE WAR
AND RESTORING PEACE IN VIET-NAM² CONCERNING
THE INTERNATIONAL COMMISSION OF CONTROL
AND SUPERVISION

The parties participating in the Paris Conference on Viet-Nam,
In implementation of Article 18 of the Agreement on Ending the War and
Restoring Peace in Viet-Nam² signed on this date providing for the formation
of the International Commission of Control and Supervision,
Have agreed as follows :

Article 1

The implementation of the Agreement is the responsibility of the parties
signatory to the Agreement.

The functions of the International Commission are to control and supervise
the implementation of the provisions mentioned in Article 18 of the Agreement.
In carrying out these functions, the International Commission shall :

- (a) Follow the implementation of the above-mentioned provisions of the Agree-
ment through communication with the parties and on-the-spot observation
at the places where this is required;
- (b) Investigate violations of the provisions which fall under the control and
supervision of the Commission;
- (c) When necessary, cooperate with the Joint Military Commissions in deterring
and detecting violations of the above-mentioned provisions.

Article 2

The International Commission shall investigate violations of the provisions
described in Article 18 of the Agreement on the request of the Four-Party Joint
Military Commission, or of the Two-Party Joint Military Commission, or of
any party, or, with respect to Article 9 (b) of the Agreement on general elections,
of the National Council of National Reconciliation and Concord, or in any
case where the International Commission has other adequate grounds for
considering that there has been a violation of those provisions. It is understood
that, in carrying out this task, the International Commission shall function with
the concerned parties' assistance and cooperation as required.

¹ Came into force on 27 January 1973 by signature, in accordance with article 18.

² See p. 2 of this volume.

Article 3

(a) When the International Commission finds that there is a serious violation in the implementation of the Agreement or a threat to peace against which the Commission can find no appropriate measure, the Commission shall report this to the four parties to the Agreement so that they can hold consultations to find a solution.

(b) In accordance with Article 18 (f) of the Agreement, the International Commission's reports shall be made with the unanimous agreement of the representatives of all the four members. In case no unanimity is reached, the Commission shall forward the different views to the four parties in accordance with Article 18 (b) of the Agreement, or to the two South Vietnamese parties in accordance with Article 18 (c) of the Agreement, but these shall not be considered as reports of the Commission.

Article 4

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

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

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

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

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

Region I

Quang Tri
Phu Bai

Region II

Hoi An
Tam Ky
Chu Lai

Region III

Kontum
Hau Bon
Phu Cat
Tuy An
Ninh Hoa
Ban Me Thuot

Region IV

Da Lat
 Bao Loc
 Phan Rang

Region V

An Loc
 Xuan Loc
 Ben Cat
 Cu Chi
 Tan An

Region VI

Moc Hoa
 Giong Trom

Region VII

Tri Ton
 Vinh Long
 Vi Thanh
 Khanh Hung
 Quan Long

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

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

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

(e) There shall be seven teams, six of which shall be available for assignment to the points of entry which are not listed in paragraph (d) above and which the two South Vietnamese parties choose as points for legitimate entry to South Viet-Nam for replacement of armaments, munitions, and war material permitted by Article 7 of the Agreement. Any team or teams not needed for the above-mentioned assignment shall be available for other tasks, in keeping with the Commission's responsibility for control and supervision.

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

Article 5

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

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

Article 6

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

Article 7

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

Article 8

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

- (a) One senior representative and twenty-six others for the headquarters staff.
- (b) Five for each of the seven regional teams.
- (c) Two for each of the other international control teams, except for the teams at Gio Linh and Vung Tau, each of which shall have three.
- (d) One hundred sixteen for the purpose of providing support to the Commission Headquarters and its teams.

Article 9

(a) The International Commission, and each of its teams, shall act as a single body comprising representatives of all four members.

(b) Each member has the responsibility to ensure the presence of its

representatives at all levels of the International Commission. In case a representative is absent, the member concerned shall immediately designate a replacement.

Article 10

(a) The parties shall afford full cooperation, assistance, and protection to the International Commission.

(b) The parties shall at all times maintain regular and continuous liaison with the International Commission. During the existence of the Four-Party Joint Military Commission, the delegations of the parties to that Commission shall also perform liaison functions with the International Commission. After the Four-Party Joint Military Commission has ended its activities, such liaison shall be maintained through the Two-Party Joint Military Commission, liaison missions, or other adequate means.

(c) The International Commission and the Joint Military Commissions shall closely cooperate with and assist each other in carrying out their respective functions.

(d) Wherever a team is stationed or operating, the concerned party shall designate a liaison officer to the team to cooperate with and assist it in carrying out without hindrance its task of control and supervision. When a team is carrying out an investigation, a liaison officer from each concerned party shall have the opportunity to accompany it, provided the investigation is not thereby delayed.

(e) Each party shall give the International Commission reasonable advance notice of all proposed actions concerning those provisions of the Agreement that are to be controlled and supervised by the International Commission.

(f) 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.

Article 11

In supervising the holding of the free and democratic general elections described in Articles 9 (b) and 12 (b) of the Agreement in accordance with modalities to be agreed upon between the National Council of National Reconciliation and Concord and the International Commission, the latter shall receive full cooperation and assistance from the National Council.

Article 12

The International Commission and its personnel who have the nationality of a member state shall, while carrying out their tasks, enjoy privileges and immunities equivalent to those accorded diplomatic missions and diplomatic agents.

Article 13

The International Commission may use the means of communication and transport necessary to perform its functions. Each South Vietnamese party shall make available for rent to the International Commission appropriate office and accommodation facilities and shall assist it in obtaining such facilities. The International Commission may receive from the parties, on mutually agreeable terms, the necessary means of communication and transport and may purchase from any source necessary equipment and services not obtained from the parties. The International Commission shall possess these means.

Article 14

The expenses for the activities of the International Commission shall be borne by the parties and the members of the International Commission in accordance with the provisions of this Article :

(a) Each member country of the International Commission shall pay the salaries and allowances of its personnel.

(b) All other expenses incurred by the International Commission shall be met from a fund to which each of the four parties shall contribute twenty-three percent (23%) and to which each member of the International Commission shall contribute two percent (2%).

(c) Within thirty days of the date of entry into force of this Protocol, each of the four parties shall provide the International Commission with an initial sum equivalent to four million, five hundred thousand (4,500,000) French francs in convertible currency, which sum shall be credited against the amounts due from that party under the first budget.

(d) The International Commission shall prepare its own budgets. After the International Commission approves a budget, it shall transmit it to all parties signatory to the Agreement for their approval. Only after the budgets have been approved by the four parties to the Agreement shall they be obliged to make their contributions. However, in case the parties to the Agreement do not agree on a new budget, the International Commission shall temporarily base its expenditures on the previous budget, except for the extraordinary, one-time expenditures for installation or for the acquisition of equipment, and the parties shall continue to make their contributions on that basis until a new budget is approved.

Article 15

(a) The headquarters shall be operational and in place within twenty-four hours after the cease-fire.

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

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

Article 16

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

Article 17

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

Article 18

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

DONE in Paris this twenty-seventh day of January, one thousand nine hundred and seventy-three, in 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 :

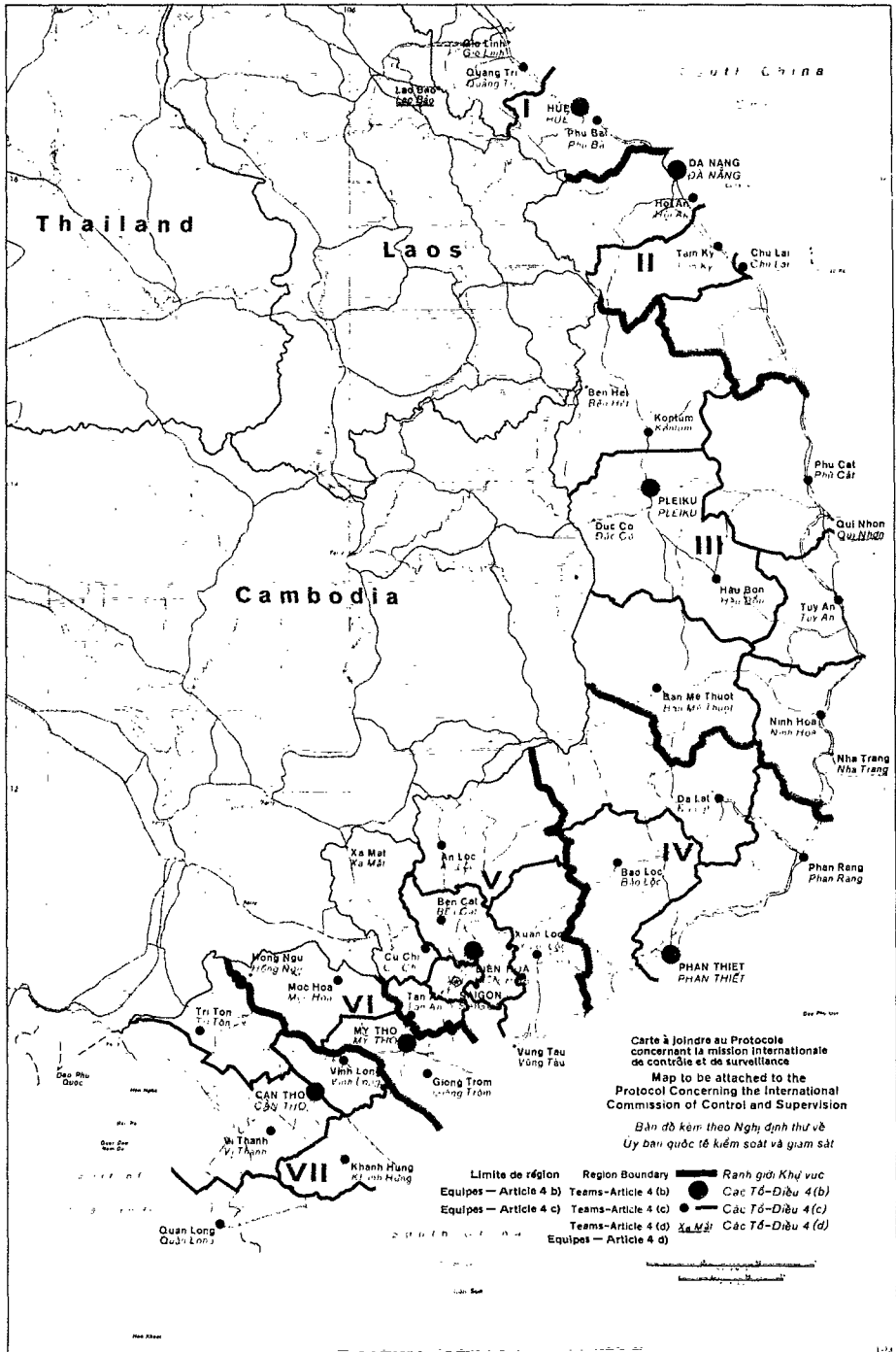
[*Signed*]

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



This map is reduced 40% in size from the original document submitted for registration.
La présente carte est réduite de 40% par rapport au document soumis à l'enregistrement.

PROTOCOL¹ TO THE AGREEMENT ON ENDING THE WAR
AND RESTORING PEACE IN VIET-NAM² CONCERNING
THE INTERNATIONAL COMMISSION OF CONTROL
AND SUPERVISION

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

In implementation of Article 18 of the Agreement on Ending the War and Restoring Peace in Viet-Nam² signed on this date providing for the formation of the International Commission of Control and Supervision,

Have agreed as follows :

Article 1

The implementation of the Agreement is the responsibility of the parties signatory to the Agreement.

The functions of the International Commission are to control and supervise the implementation of the provisions mentioned in Article 18 of the Agreement. In carrying out these functions, the International Commission shall :

- (a) Follow the implementation of the above-mentioned provisions of the Agreement through communication with the parties and on-the-spot observation at the places where this is required;
- (b) Investigate violations of the provisions which fall under the control and supervision of the Commission;
- (c) When necessary, cooperate with the Joint Military Commissions in deterring and detecting violations of the above-mentioned provisions.

Article 2

The International Commission shall investigate violations of the provisions described in Article 18 of the Agreement on the request of the Four-Party Joint Military Commission, or of the Two-Party Joint Military Commission, or of any party, or, with respect to Article 9 (b) of the Agreement on general elections, of the National Council of National Reconciliation and Concord,

¹ Came into force on 27 January 1973 by signature, in accordance with article 18.

² See p. 2 of this volume.

or in any case where the International Commission has other adequate grounds for considering that there has been a violation of those provisions. It is understood that, in carrying out this task, the International Commission shall function with the concerned parties' assistance and cooperation as required.

Article 3

(a) When the International Commission finds that there is a serious violation in the implementation of the Agreement or a threat to peace against which the Commission can find no appropriate measure, the Commission shall report this to the four parties to the Agreement so that they can hold consultations to find a solution.

(b) In accordance with Article 18 (f) of the Agreement, the International Commission's reports shall be made with the unanimous agreement of the representatives of all the four members. In case no unanimity is reached, the Commission shall forward the different views to the four parties in accordance with Article 18 (b) of the Agreement, or to the two South Vietnamese parties in accordance with Article 18 (c) of the Agreement, but these shall not be considered as reports of the Commission.

Article 4

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

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

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

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

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

<i>Region I</i>	<i>Region II</i>
Quang Tri	Hoi An
Phu Bai	Tam Ky
	Chu Lai

Region III

Kontum
Hau Bon
Phu Cat
Tuy An
Ninh Hoa
Ban Me Thuot

Region IV

Da Lat
Bao Loc
Phan Rang

Region V

An Loc
Xuan Loc
Ben Cat
Cu Chi
Tan An

Region VI

Moc Hoa
Giong Trom

Region VII

Tri Ton
Vinh Long
Vi Thanh
Khanh Hung
Quan Long

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

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

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

(e) There shall be seven teams, six of which shall be available for assignment to the points of entry which are not listed in paragraph (d) above and which the two South Vietnamese parties choose as points for legitimate entry to South Viet-Nam for replacement of armaments, munitions, and war material permitted by Article 7 of the Agreement. Any team or teams not needed for the above-mentioned assignment shall be available for other tasks, in keeping with the Commission's responsibility for control and supervision.

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

Article 5

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

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

Article 6

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

Article 7

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

Article 8

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

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

- (d) One hundred sixteen for the purpose of providing support to the Commission Headquarters and its teams.

Article 9

(a) The International Commission, and each of its teams, shall act as a single body comprising representatives of all four members.

(b) Each member has the responsibility to ensure the presence of its representatives at all levels of the International Commission. In case a representative is absent, the member concerned shall immediately designate a replacement.

Article 10

(a) The parties shall afford full cooperation, assistance, and protection to the International Commission.

(b) The parties shall at all times maintain regular and continuous liaison with the International Commission. During the existence of the Four-Party Joint Military Commission, the delegations of the parties to that Commission shall also perform liaison functions with the International Commission. After the Four-Party Joint Military Commission has ended its activities, such liaison shall be maintained through the Two-Party Joint Military Commission, liaison missions, or other adequate means.

(c) The International Commission and the Joint Military Commissions shall closely cooperate with and assist each other in carrying out their respective functions.

(d) Wherever a team is stationed or operating, the concerned party shall designate a liaison officer to the team to cooperate with and assist it in carrying out without hindrance its task of control and supervision. When a team is carrying out an investigation, a liaison officer from each concerned party shall have the opportunity to accompany it, provided the investigation is not thereby delayed.

(e) Each party shall give the International Commission reasonable advance notice of all proposed actions concerning those provisions of the Agreement that are to be controlled and supervised by the International Commission.

(f) 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.

Article 11

In supervising the holding of the free and democratic general elections described in Articles 9 (b) and 12 (b) of the Agreement in accordance with

modalities to be agreed upon between the National Council of National Reconciliation and Concord and the International Commission, the latter shall receive full cooperation and assistance from the National Council.

Article 12

The International Commission and its personnel who have the nationality of a member state shall, while carrying out their tasks, enjoy privileges and immunities equivalent to those accorded diplomatic missions and diplomatic agents.

Article 13

The International Commission may use the means of communication and transport necessary to perform its functions. Each South Vietnamese party shall make available for rent to the International Commission appropriate office and accommodation facilities and shall assist it in obtaining such facilities. The International Commission may receive from the parties, on mutually agreeable terms, the necessary means of communication and transport and may purchase from any source necessary equipment and services not obtained from the parties. The International Commission shall possess these means.

Article 14

The expenses for the activities of the International Commission shall be borne by the parties and the members of the International Commission in accordance with the provisions of this Article :

(a) Each member country of the International Commission shall pay the salaries and allowances of its personnel.

(b) All other expenses incurred by the International Commission shall be met from a fund to which each of the four parties shall contribute twenty-three percent (23%) and to which each member of the International Commission shall contribute two percent (2%).

(c) Within thirty days of the date of entry into force of this Protocol, each of the four parties shall provide the International Commission with an initial sum equivalent to four million, five hundred thousand (4,500,000) French francs in convertible currency, which sum shall be credited against the amounts due from that party under the first budget.

(d) The International Commission shall prepare its own budgets. After the International Commission approves a budget, it shall transmit it to all parties signatory to the Agreement for their approval. Only after the budgets have been approved by the four parties to the Agreement shall they be obliged to make their contributions. However, in case the parties to the Agreement do

not agree on a new budget, the International Commission shall temporarily base its expenditures on the previous budget, except for the extraordinary, one-time expenditures for installation or for the acquisition of equipment, and the parties shall continue to make their contributions on that basis until a new budget is approved.

Article 15

(a) The headquarters shall be operational and in place within twenty-four hours after the cease-fire.

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

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

Article 16

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

Article 17

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

Article 18

The Protocol to the Paris Agreement on Ending the War and Restoring Peace in Viet-Nam concerning the International Commission of Control and Supervision shall enter into force upon signature of this document by the Secretary of State of the Government of the United States of America and the 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 Secre-

¹ See p. 330 of this volume.

tary 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 Protocol shall be strictly implemented by all the parties concerned.

DONE in Paris this twenty-seventh day of January, one thousand nine hundred and seventy-three, in English and Vietnamese. The English and Vietnamese texts are official and equally authentic.

For the Government
of the United States of America :

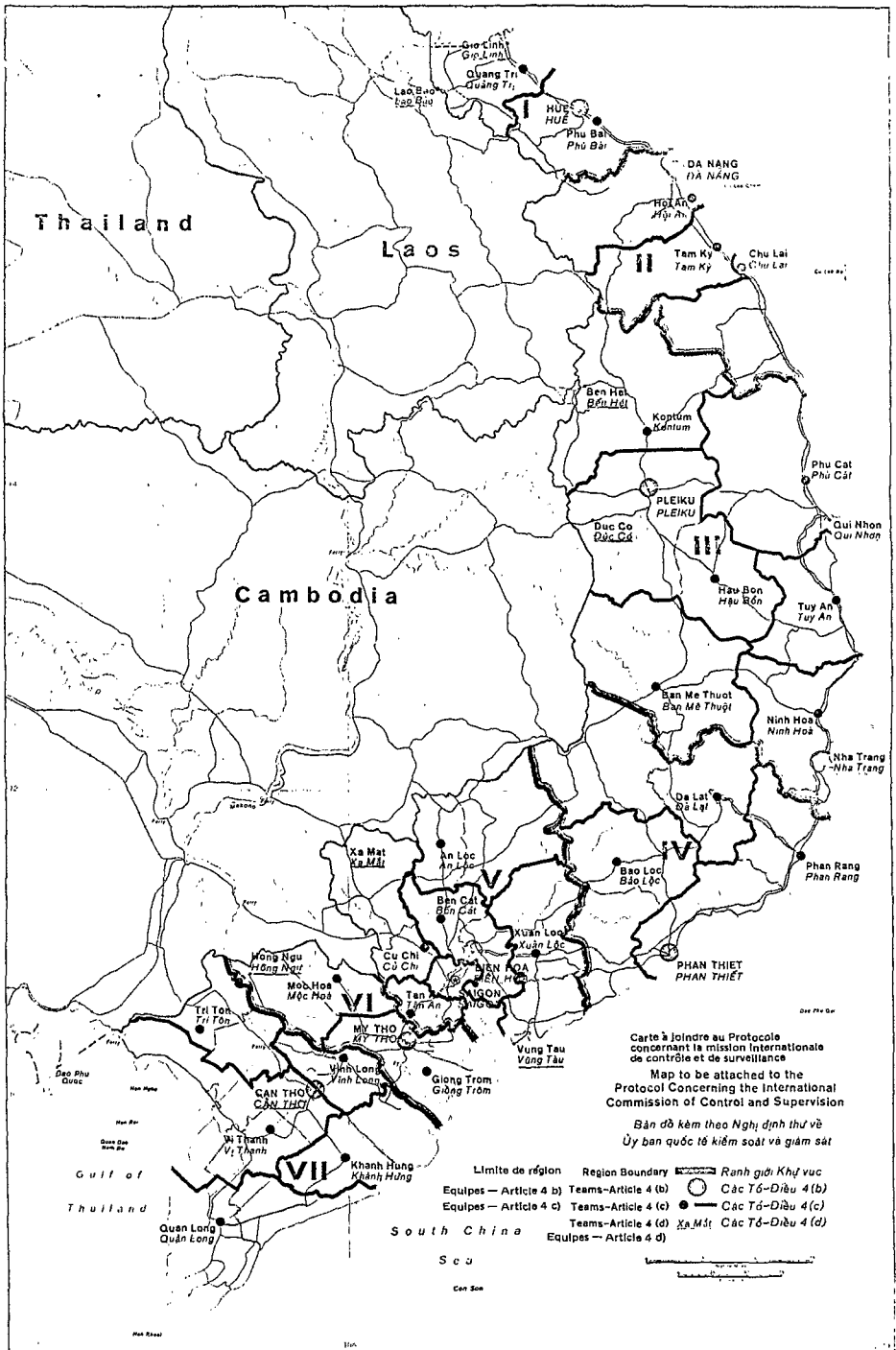
[*Signed*]

WILLIAM P. ROGERS
Secretary of State

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

[*Signed*]

NGUYEN DUY TRINH
Minister for Foreign Affairs



This map is reduced 40% in size from the original document submitted for registration.
 La présente carte est réduite de 40% par rapport au document soumis à l'enregistrement.