

No. 13299

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 removal, permanent deactivation, or destruction of mines in the territorial waters, ports, harbors, and waterways of the Democratic Republic of Viet-Nam. Signed at Paris on 27 January 1973

Authentic texts: English and Vietnamese.

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

ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE DÉMOCRATIQUE DU VIET-NAM

Protocole à l'Accord sur la cessation de la guerre et le rétablissement de la paix au Vietnam concernant l'enlèvement, la neutralisation définitive ou la destruction des mines dans les eaux territoriales, les ports, les mouillages, et les voies fluviales de la République démocratique du Viet-Nam. Signé à Paris le 27 janvier 1973

Textes authentiques: anglais et vietnamien.

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

PROTOCOL¹ TO THE AGREEMENT ON ENDING THE WAR
AND RESTORING PEACE IN VIET-NAM² CONCERNING
THE REMOVAL, PERMANENT DEACTIVATION, OR
DESTRUCTION OF MINES IN THE TERRITORIAL
WATERS, PORTS, HARBORS, AND WATERWAYS OF
THE DEMOCRATIC REPUBLIC OF VIET-NAM

The Government of the United States of America,
The Government of the Democratic Republic of Viet-Nam,
In implementation of the second paragraph of Article 2 of the Agreement
on Ending the War and Restoring Peace in Viet-Nam² signed on this date,
Have agreed as follows :

Article 1

The United States shall clear all the mines it has placed in the territorial waters, ports, harbors, and waterways of the Democratic Republic of Viet-Nam. This mine clearing operation shall be accomplished by rendering the mines harmless through removal, permanent deactivation, or destruction.

Article 2

With a view to ensuring lasting safety for the movement of people and watercraft and the protection of important installations, mines shall, on the request of the Democratic Republic of Viet-Nam, be removed or destroyed in the indicated areas; and whenever their removal or destruction is impossible, mines shall be permanently deactivated and their emplacement clearly marked.

Article 3

The mine clearing operation shall begin at twenty-four hundred (2400) hours GMT on January 27, 1973. The representatives of the two parties shall consult immediately on relevant factors and agree upon the earliest possible target date for the completion of the work.

Article 4

The mine clearing operation shall be conducted in accordance with priorities and timing agreed upon by the two parties. For this purpose, represen-

¹ Came into force on 27 January 1973 by signature, in accordance with article 8.

² See p. 2 of this volume.

tatives of the two parties shall meet at an early date to reach agreement on a program and a plan of implementation. To this end :

- (a) The United States shall provide its plan for mine clearing operations, including maps of the minefields and information concerning the types, numbers and properties of the mines;
- (b) The Democratic Republic of Viet-Nam shall provide all available maps and hydrographic charts and indicate the mined places and all other potential hazards to the mine clearing operations that the Democratic Republic of Viet-Nam is aware of;
- (c) The two parties shall agree on the timing of implementation of each segment of the plan and provide timely notice to the public at least forty-eight hours in advance of the beginning of mine clearing operations for that segment.

Article 5

The United States shall be responsible for the mine clearance on inland waterways of the Democratic Republic of Viet-Nam. The Democratic Republic of Viet-Nam shall, to the full extent of its capabilities, actively participate in the mine clearance with the means of surveying, removal and destruction and technical advice supplied by the United States.

Article 6

With a view to ensuring the safe movement of people and watercraft on waterways and at sea, the United States shall in the mine clearing process supply timely information about the progress of mine clearing in each area, and about the remaining mines to be destroyed. The United States shall issue a communiqué when the operations have been concluded.

Article 7

In conducting mine clearing operations, the U.S. personnel engaged in these operations shall respect the sovereignty of the Democratic Republic of Viet-Nam and shall engage in no activities inconsistent with the Agreement on Ending the War and Restoring Peace in Viet-Nam and this Protocol. The U.S. personnel engaged in the mine clearing operations shall be immune from the jurisdiction of the Democratic Republic of Viet-Nam for the duration of the mine clearing operations.

The Democratic Republic of Viet-Nam shall ensure the safety of the U.S. personnel for the duration of their mine clearing activities on the territory of the Democratic Republic of Viet-Nam, and shall provide this personnel with all possible assistance and the means needed in the Democratic Republic of Viet-Nam that have been agreed upon by the two parties.

Article 8

This Protocol to the Paris Agreement on Ending the War and Restoring Peace in Viet-Nam shall enter into force upon signature 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. It shall be strictly implemented by the two parties.

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
