

27Jan73 Paris Peace Accord Summary

Saturday, 27 January 1973

Saturday, 27 January 1973: The lead news story is that the president has set a 7 p.m. (EST) deadline for the cease-fire in Vietnam. The president also calls on Americans to take part in a 24-hour period of national prayer and thanksgiving. "No time could be more fitting for grateful prayer and meditation than the opening moment of the peace we have achieved with His help," the president says. Jay Veith

Paris Peace Accords signed

The United States, South Vietnam, Viet Cong, and North Vietnam formally sign "An Agreement Ending the War and Restoring Peace in Vietnam" in Paris. Due to South Vietnam's unwillingness to recognize the Viet Cong's Provisional Revolutionary Government, all references to it were confined to a two-party version of the document signed by North Vietnam and the United States-the South Vietnamese were presented with a separate document that did not make reference to the Viet Cong government. This was part of Saigon's long-time refusal to recognize the Viet Cong as a legitimate participant in the discussions to end the war.

The settlement included a cease-fire throughout Vietnam. In addition, the United States agreed to the withdrawal of all U.S. troops and advisors (totaling about 23,700) and the dismantling of all U.S. bases within 60 days. In return, the North Vietnamese agreed to release all U.S. and other prisoners of war.

Both sides agreed to the withdrawal of all foreign troops from Laos and Cambodia and the prohibition of bases in and troop movements through these countries. It was agreed that the DMZ at the 17th Parallel would remain a provisional dividing line, with eventual reunification of the country "through peaceful means." An international control commission would be established made up of Canadians, Hungarians, Poles, and Indonesians, with 1,160 inspectors to supervise the agreement. According to the agreement, South Vietnamese President Nguyen Van Thieu would continue in office pending elections. Agreeing to "the South Vietnamese People's right to self-determination," the North Vietnamese said they would not initiate military movement across the DMZ and that there would be no use of force to reunify the country.

Excerpts from the Paris Accords, 27 January 1973.

Article I 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 . . .

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....

Article 4 The United States will not continue its military involvement or intervene in the internal affairs of South Viet-Nam.

Article 5 Within sixty days of the signing of this Agreement, there will be a total withdrawal from South Viet-Nam of troops, military advisers, and military personnel including technical military personnel and military personnel associated with the pacification program, armaments, munitions, and war material of the United States and those of the other foreign countries mentioned in Article 3(a). Advisers from the above-mentioned countries to all paramilitary organizations and the police force will also be withdrawn within the same period of time.

Article 6 The dismantlement of all military bases in South Viet-Nam of the United States and of the other foreign countries mentioned in Article 3(a) shall be completed within sixty days of the signing of this Agreement.

Article 7 From the enforcement of the cease-fire to the formation of the government provided for in Article 9(b) and 14 of this Agreement, the two South Vietnamese parties shall not accept the introduction of troops, military advisers, and military personnel including technical military personnel, armaments, munitions, and war material into South Viet-Nam....

Article 8

(a) The return of captured military personnel and foreign civilians of the parties shall be carried out simultaneously with and completed not later than the same day as the troop withdrawal mentioned in Article 5. The parties shall exchange complete lists of the above-mentioned captured military personnel and foreign civilians on the day of the signing of this Agreement.

(b) The Parties shall help each other to get information about those military personnel and foreign civilians of the parties missing in action, to determine the location and take care of the graves of the dead so as to facilitate the exhumation and repatriation of the remains, and to take any such other measures as may be required to get information about those still considered missing in action.

(c) The question of the return of Vietnamese civilian personnel captured and detained in South Viet-Nam will be resolved by the two South Vietnamese parties on the basis of the principles of Article 21(b) of the Agreement on the Cessation of Hostilities in Viet-Nam of July 20, 1954. The two South Vietnamese parties will do so in a spirit of national reconciliation and concord, with a view to ending hatred and enmity, in order to ease suffering and to reunite families. The two South Vietnamese

parties will do their utmost to resolve this question within ninety days after the cease-fire comes into effect....

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....

Chapter V The Reunification of Viet-Nam and The Relationship Between North and South Viet-Nam

Article 15

The reunification of Viet-Nam shall be carried out step by step through peaceful means on the basis of discussions and agreements between North and South Viet-Nam, without coercion or annexation by either party, and without foreign interference. The time for reunification will be agreed upon by North and South Viet-Nam. Pending reunification:

(a) The military demarcation line between the two zones at the 17th parallel is only provisional and not a political or territorial boundary, as provided for in paragraph 6 of the Final Declaration of the 1954 Geneva Conference.

(b) North and South Viet-Nam shall respect the Demilitarized Zone on either side of the Provisional Military Demarcation Line.

(c) North and South Viet-Nam shall promptly start negotiations with a view to reestablishing normal relations in various fields. Among the questions to be negotiated are the modalities of civilian movement across the Provisional Military Demarcation Line.

(d) North and South Viet-Nam shall not join any military alliance or military bloc and shall not allow foreign powers to maintain military bases, troops, military advisers, and military personnel on their respective territories, as stipulated in the 1954 Geneva Agreements on Viet-Nam....

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 of 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....

The Return of Captured Military Personnel and Foreign Civilians

Article 1

The parties signatory to the Agreement shall return the captured military personnel of the parties mentioned in Article 8(a) of the Agreement as follows: -all captured military personnel of the United States and those of the other foreign countries mentioned in Article 3(a) of the Agreement shall be returned to United States authorities; -all captured Vietnamese military personnel, whether belonging to regular or irregular armed forces, shall be returned to the two South Vietnamese parties; they shall be returned to that South Vietnamese party under whose command they served.

Article 2

All captured civilians who are nationals of the United States or of any other foreign countries mentioned in Article 3(a) of the Agreement shall be returned to United States authorities. All other captured foreign civilians shall be returned to the authorities of their country of nationality by any one of the parties willing and able to do so.

Article 3

The parties shall today exchange complete lists of captured persons mentioned in Articles 1 and 2 of this Protocol.

Article 4

(a) The return of all captured persons mentioned in Articles 1 and 2 of this Protocol shall be completed within sixty days of the signing of the Agreement at a rate no slower than the rate of withdrawal from South Vietnam of United States forces and those of the other foreign countries mentioned in Article 5 of the Agreement.

(b) Persons who are seriously ill, wounded or maimed, old persons and women shall be returned first. The remainder shall be returned either by returning all from one detention place after another or in order of their dates of capture, beginning with those who have been held the longest....

With Regard to Dead and Missing Persons

Article 10

(a) The Four-Party Joint Military Commission shall ensure joint action by

the parties in implementing Article 8 (b) of the Agreement. When the Four-Party Joint Military Commission has ended its activities, a Four-Party Joint Military team shall be maintained to carry on this task.

(b) With regard to Vietnamese civilian personnel dead or missing in South Viet-Nam, the two South Vietnamese parties shall help each other to obtain information about missing persons, determine the location and take care of the graves of the dead, in a spirit of national reconciliation and concord, in keeping with the people's aspirations....

SOURCE: U.S. Secretary of State (ed.) United States Treaties and Other International Agreements, 1974, passim.

Historical Footnote: The last U.S. serviceman to die in combat (during declared hostilities) in Vietnam, Lt. Col. William B. Nolde, U.S. Army was killed by an artillery shell at An Loc, 60 miles northwest of Saigon, only 11 hours before the 'truce' went into effect.

LTC WILLIAM BENEDICT NOLDE Army - Age: 43 Race: Caucasian Sex: Male
Date of Birth 8 August 1929

Footnote 2: Cpl. Charles McMahon, Jr. and Lance Cpl. Darwin Judge, USMC, were the last U.S. military personnel killed in action in Vietnam, when shrapnel from a North Vietnamese 122mm rocket struck them as they were guarding evacuations from the DOA compound (old MACV compound) at Tan Son Nhut Air Base during the evacuation of Saigon on 29 April 1975.