

tions and restrictions on the Associated States. He has asked particularly how we can (a) protect Laos, Cambodia and retained Vietnam through SEATO against external aggression and assist them to prevent internal subversion and (b) bring them into some form of military or economic association with SEATO.

Secretary thinks that what we can do in these respects will depend to a considerable extent on the legal interpretations which France, UK and Associated States place on the agreements reached at Geneva, in light of their discussions and negotiations on these agreements. I would very much like to have your comments on these points either by cable or in person if you plan be back here at the end of week.²

DULLES

² The reply to the Secretary's request contained in two memoranda—one, dated July 22, prepared by Meeker of LS, and the other, dated July 27, also prepared by Meeker, was sent by Phleger to the Secretary of State. The memorandum of July 22, which contained handwritten notation on the source text that the Secretary of State should refer to the source files, lot 80 D 627, CF 329. For the memorandum from Phleger to the Secretary, which also contains a handwritten notation on the source text that the Secretary saw it, see p. 1552.

7510.00/7-2154: Telegram

The United States Delegation to the Department of State

SECRET

GENEVA, July 21, 1954—8 p. m.

Secto 718. Received information Paris 128, Saigon 97. Offroy of French delegation us that following conclusion of conference today he is pursuing negotiations with Viet Minh del regarding protection of French economic interests in North Vietnam and regarding conditions under which Frenchmen will be allowed to continue to reside there. According to Offroy French do not propose for present to have any sort of official representation in North Vietnam after evacuation of French Expeditionary Corps and have rejected Viet Minh proposal for Viet Minh representation in Paris.

SMITH

IV. INDOCHINA DOCUMENTS PREPARED BY THE INTERNATIONAL SECRETARIAT OF THE GENEVA CONFERENCE: ARMISTICE AGREEMENTS FOR VIETNAM, LAOS, AND CAMBODIA; THE FINAL DECLARATION ON INDOCHINA; DECLARATIONS BY CAMBODIA, LAOS, AND FRANCE; PROPOSED AMENDMENT BY VIETNAM TO THE FINAL DECLARATION (JULY 20-JULY 21)

394.1 OE/7-2154

*Agreement on the Cessation of Hostilities in Vietnam*¹

CONFIDENTIAL

IC/42 Rev. 2

GENEVA, 20 July 1954.

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. 1²).

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 naviga-

¹ This document was transmitted to the Department of State in telegram Secto 700, July 21. (7510.00/7-2154) Revisions issued by the International Secretariat were transmitted to the Department in telegram Secto 708, July 21. (7510.00/7-2154)

² The following printed notation appeared on the source text: "The two parties have agreed that this text shall not be published until further notice." This agreement was also printed in *American Foreign Policy, 1950-1955: Basic Documents*.

tion 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.

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 re-

grouping 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 maps 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

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 installment	— 80 days
Plaine des Jones provisional assembly area	—100 days
Central Viet-Nam provisional assembly area—second installment	—100 days
Point Camau provisional assembly area	—200 days
Central Viet-Nam provisional assembly area—last installment	—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 echelon 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 echelon 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 re-placements of material are fixed as follows:

—Zones to the north of the provisional military demarcation line: Laokey, 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

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

29. An International Commission shall ensure the control and supervision of this execution.

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.

31. The Joint Commission shall be composed of an equal number of representatives of the Commanders of the two parties.

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.

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-grouping 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.

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.

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. . . .).^a 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.

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

^a Ellipsis in the source text.

cessation of hostilities, regulating the introduction into the country of armed forces, military personnel and of all kinds of arms, munitions and war material.

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.

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.

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.

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.

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.

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 re-grouping zones, territorial waters, or air space of the other party; the decisions of the International Commission must be unanimous.

43. If one of the parties refuses to put into effect a recommendation of the International Commission, the parties concerned or the Com-

mission 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.

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.

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.

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.

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 Viet-Name, both texts being equally authentic.

For the Commander-in-Chief of the French Union forces in the People's Army of Viet-Nam

TA-QUANG-BUU

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

Brigadier-General DELTIEL

ANNEX

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 1/100,000)⁴

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

⁴ Not printed.

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 zone shall be delimited by 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 1/400,000)⁵

(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 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 Song-Van-Uc.

Boundary between the perimeter of Hanoi and the perimeter of Haiphong

⁵ Not printed.

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.

(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*

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 Jones Area*

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*

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.

396.1 GE/7-2154

*Agreement on the Cessation of Hostilities in Laos*¹

GENEVA, 20 July 1954.

IC/51 Rev. 1

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 August 6, 1954. It is agreed that Peking meantime 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

¹ This document was transmitted to the Department of State in telegram Secto 702, July 21. (396.1 GE/7-2154) Revisions issued by the International Secretariat were transmitted in telegram Secto 703, July 21. (751G.00/7-2154) Additional revisions to this document were issued by the International Secretariat in a note by the Secretariat of July 24. (396.1 GE/7-2454)

This agreement was also printed in *American Foreign Policy, 1950-1955: Basic Documents*, pp. 775-785; Cmd. 9239, pp. 18-26; and *Conférence de Genève*, pp. 443-452.

The revisions made to this agreement were entered on the two source texts by typewriter and by hand. As far as can be determined there is no final copy of IC/51 Rev. 1 in Department of State files; there is no indication that a final, revised copy of IC/51 was ever issued by the International Secretariat at Geneva.

and neutralizing mines, 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 (road 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. They shall not permit any interference with the local civil administration.

(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 the 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, Pakse, 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 the 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 Vietnamese 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 will 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) Vietnamese People's Volunteer Forces:

These forces will 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-Noua except for any military personnel who wish to be demobilised where they are. They will 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 either 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 Commanders 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 organs and to the International Commission

If an inspection team is unable to settle an incident or considers that 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 entrusted with control and supervision over 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-Khonang, 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 holding enquiries, security and freedom of movement of the inspection teams etc. . . .³). 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;

³ Ellipsis in the source text.

(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 case-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 had 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 submit 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 a threat of a serious violation the International Commission shall be informed; the latter shall examine the reports and the 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 an 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 contained in 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 July 22, 1954.

Article 41

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

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

DELTIEL,
Général de Brigade

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:

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

396.1 GE/7-2154

*Agreement on the Cessation of Hostilities in Cambodia*¹

CONFIDENTIAL

GENEVA, 21 July 1954.

IC/52

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 Peking mean time 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.

¹This document was transmitted to the Department of State in telegram Secto 715, July 21. (751G.00/7-2154)
This agreement was also printed in *American Foreign Policy, 1950-1955: Basic Documents*, pp. 767-775; Cmd. 9288, pp. 11-18; and *Conférence de Genève*, pp. 453-460.

The following printed notation appeared on the source text: "The two parties have agreed that this text shall not be published until further notice." Revisions made on the source text were made in accordance with a note issued by the International Secretariat, July 24, 1954. (396.1 GE/7-2454)

(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 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 therefor 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, observa-

tion, 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-Name Military Units	For the Commander-in-Chief of the Khmer National Armed Forces
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TA-QUANG-BUU

General NHIK TROULONG

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

*The Final Declaration on Indochina*¹

GENEVA, 21 July 1954.

IC/43 Rev. 2

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.

¹This document was transmitted to the Department of State in telegram Secto 696, July 21, p. 1485. Revisions issued by the International Secretariat were transmitted to the Department in telegram Secto 709, July 21, p. 1494.

This declaration was also printed in *American Foreign Policy, 1950-1955: Basic Documents*, pp. 785-787; the Department of State *Bulletin*, Aug. 2, 1954, p. 164; Cmd. 9289, pp. 9-11; and *Conférence de Genève*, pp. 467-468.

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 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.

396.1 GE/7-2154

*Declaration by the Royal Government of Laos (Reference: Article 3 of the Final Declaration)*¹

IC/45 Rev. 1

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

¹ This declaration was also printed in Cmd. 9239, p. 41 and in *Conférence de Genève*, p. 461.

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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 Nenu 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.

396.1 GE/7-2154

*Declaration by the Royal Government of Cambodia (Reference: Article 3 of the Final Declaration)*¹

GENEVA, 21 July 1954.

IC/44 Rev. 1

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.

¹ This declaration was also printed in Cmd. 9239, p. 40 and in *Conférence de Genève*, p. 462.

396.1 GE/7-2154

*Declaration by the Royal Government of Laos (Reference: Articles 4 and 5 of the Final Declaration)*¹

GENEVA, 21 July 1954.

IC/47 Rev. 1

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.

¹ This declaration was also printed in Cmd. 9239, pp. 41-42 and in *Conférence de Genève*, p. 463.

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.

396.1 GE/7-2154

*Declaration by the Royal Government of Cambodia (Reference: Articles 4 and 5 of the Final Declaration)*¹

IC/46 Rev. 2

GENEVA, 21 July 1954.

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, 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.

¹ This declaration was also printed in Cmd. 9239, p. 41 and in *Conférence de Genève*, p. 464.

396.1 GE/7-2154

*Declaration by the Government of the French Republic (Reference: Article 10 of the Final Declaration)*¹

IC/48 Rev. 1

GENEVA, 21 July 1954.

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 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.

¹ This declaration was also printed in Cmd. 9239, p. 42 and in *Conférence de Genève*, p. 466.

396.1 GE/7-2154

*Declaration by the Government of the French Republic (Reference: Article 11 of the Final Declaration)*¹

IC/49 Rev. 1

GENEVA, 21 July 1954.

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.

¹ This declaration was also printed in Cmd. 9239, p. 42 and in *Conférence de Genève*, p. 466.

396.1 GE/7-2154

*Draft Submitted by the Delegation of the State of Vietnam (Amendment for Insertion Between Article 11 and Present Article 12 of the Final Declaration)*¹

IC/50

GENEVA, 20 July 1954.

The Conference takes note of the declaration of the Government of the State of Viet-Nam undertaking:

— to make and support every effort to re-establish a real and lasting peace in Viet-Nam;

¹ For the action taken by the Conference on this draft proposed amendment, see *infra*.

Minutes, Conversation between Zhou Enlai and Tep Phan (Summary), July, 20, 1954

Records No. 206-Y0008

Time: July 20, 1954, 11:00 am to 12:45pm

Place: Prime Minister Zhou Enlai's residence
[Attendees on] the Chinese side: Zhou Enlai, Chen Dingmin (interpreter and recorder)
[Attendees on] the Cambodian side: Tep Phan, [Nhiok] Tioulong (Head of Cambodian Military Delegation at the Geneva Conference), Sam Sary (personal delegate to the King of Cambodia), Thao Lenam (Director of General Office of the Foreign Ministry).

Zhou Enlai: We have almost finished our working documents except for some problems concerning the Cambodian issue. We will work harder on them and hopefully we can reach an agreement at the same time [with the other agreements] at today's meeting. I have already read two documents concerning Cambodia: one was [issued on] July 16th, the other was [issued on] July 19th. We have already discussed the longer document, but have not yet discussed the shorter one in detail.

Tep Phan: We have not yet read the document of July 19th. We received a new proposal from the Vietnamese side on Sunday evening. Our opinions still have differences regarding political issues and some on military issues as well.

Zhou Enlai: We also have something in common. We can discuss the differences. **Tioulong:** It is difficult for us to accept some of the suggestions from the Vietnamese side. We have currently prepared a joint statement for the conference. We also have a unilateral statement to be presented to the conference by the Cambodian delegation. Some points we referred in the unilateral statement can also be included in the joint statement. There are also some differences regarding the military issue. We have not yet exchanged our opinions with the Vietnamese delegation. I wanted to meet with the Vietnamese delegation yesterday but was not able to do so since they were very busy. I hope I can meet with them today. As the Cambodian delegation claimed in the unilateral statement presented to the conference we will not discriminate against Vietnamese elements in Cambodia. They will enjoy the same rights and freedoms as other Cambodian citizens. We definitely will not discriminate against them. We will make no reprisals against either themselves or their families. After they have returned to civilian life, they can be employed by administrative organizations on the same terms as other citizens. We would also like to talk with you about servicepersons. After peace is restored, they can enter military institutes, military academies, and military training schools.

Regarding the issue of foreign military personnel, [we believe that this issue] should be distinguished from [other military issues]. There are French combatant personnel in Cambodia; there are also technicians or experts here, and they are not soldiers.

We accept the provisions of the joint statement claiming that there should be no combatant personnel in Cambodia; however, we should be allowed to keep foreign technicians and experts there. The number [of such people] will not be too many.

In addition, there is [a difference regarding] the issue of the introduction of weapons and armaments. We have already talked about that last time. Under the condition that we do not threaten our neighbors, we wish to be allowed to introduce a certain number of weapons and armaments for our own security reasons. Our troops are in the process of being consolidated. This is for the protection of our own country's security.

Now I would like to talk about other differences [between the Vietnamese and us]: First of all, the Vietnamese suggested a six-month period for withdrawal. This is too long. According to our side's estimation, it will only take one month to withdraw the Vietnamese troops and elements from Cambodia.

Zhou Enlai: The areas are too spread out. There are some difficulties for them to withdraw.

Tioulong: But six months is still too long. There is another suggestion that we cannot accept: the Vietnamese suggested that people who were originally non-Cambodian nationals should remain armed until the general elections or even until the realization of the unification of Cambodia.

Tep Phan: It is unreasonable for us to keep these armed elements gathered in local areas. We hope that all people in Cambodia can join the national community life. It does not matter whether they originally grew up in Cambodia or came here later. In addition, according to our constitution, servicepersons cannot participate in general elections.

Zhou Enlai: Why is that?

Tep Phan: According to our constitution, people on active service do not have the right to participate in elections or to be elected, either.

Zhou Enlai: Don't you have a system of military service?

Tep Phan: Yes, we do have one. France and many European countries all have this system.

Zhou Enlai: American servicepersons can participate in elections.

Tioulong: French police officers can participate in elections. In our country, servicepersons can not participate in elections; monks do not participate in elections, either.

Tep Phan: There are about 60,000 monks in our country. None of them participate in elections.

Zhou Enlai: Why?

Tep Phan: Because they renounce the world, and stand aloof from worldly affairs. They are not interested in politics. The monks I am talking about are people who wear the yellow *kasaya* robe. In our country everyone is Buddhist.

Tioulong: There is another issue. Some people also ask us to declare that we will not establish military bases in our own territory.

Tep Phan: Our country is an independent country. We need to have our own military bases and airports for defensive reason.

Zhou Enlai: This is ridiculous. Of course [you] should not make strict rules like these.

Tep Phan: It is completely for self-defense. Every Laotian believes in the independence of our country. We should have the right to build our own bases and airports in our own territory.

Zhou Enlai: You surely can build your own airports.

Tiouloung: In addition, the Vietnamese proposal suggested that we should withdraw our troops two kilometers from each side of the road along which they are to withdraw their troops. We cannot accept that, either, since the width of two kilometers extends to places we live. However, our side agreed to guarantee their security when the Vietnamese withdraw their troops. We are also getting ready to provide them all convenience [on transportation]. We will provide the means of transportation such as trains, trucks and ships on the railway, on the road and on the sea. We are willing to do so. The above are the differences concerning military issues I would like to point out.

Sam Sary: There is another difference regarding the type and amount of the imported military personnel and weapons to Cambodia. [Although they said to] discuss it separately, it is not clear enough to us. With whom on earth should we discuss this? When should we discuss it? And where should we discuss it? I was wondering if we can present the issue in the unilateral statement of the Cambodian delegation about whether we are allowed to introduce a certain number of weapons and military personnel for the requirements of territorial defense. (Omission- editor)

Tiouloung: [Mr. Prime Minister,] our opinions on general and even practical issues can be quite close to [yours] when we discuss them with you. However, they are different [when we talk with] the [Vietnamese] side.

It is also worth studying the way we express ourselves. [For example,] what issues we need to raise in the joint statement for the conference, and what issues we can raise in the unilateral statement of our delegation.

It is stipulated in Chapter 3 Article 5 of the draft armistice agreement of Cambodia: after the restoration of peace in Cambodia, the original non-Cambodian elements can be accepted in the Royal Army or local police forces or can be demobilized based on their own free will. After they are demobilized and become civilians they can be employed by all administrative or other organizations of the Royal Government of Cambodia.

Zhou Enlai: I appreciated it that you raised all these differences in details. **Tiouloung:** We fully intend to make more efforts to help reach the agreement. We hope that we can revise the documents. Also, we believe that it is necessary to let our counterparts understand that the agreement should be reached on a footing of equality.

I would also like to discuss the suggestion that we should gather these elements together and not to disarm them temporarily. However, if they do not enter the military academy, they cannot obtain military ranking. They will be trained at the military academy and should pass their exams. Other servicepersons will oppose them if these people obtain military positions without military training and passing exams.

Tep Phan: We would like to have the Prime Minister's opinions on the issues we presented.

Zhou Enlai: I appreciate the differences you presented. We all hope that we can reach an agreement at today's meeting. We do not have much time left, so let's make some efforts together. I deeply regret that agreements on all other issues have already been reached except the issue of Cambodia.

What we have to do now is to work to resolve our differences. We believe that we can settle the differences. I have already said many times that the basic principles concerning restoration of peace in Cambodia are independence, no foreign intervention, unification and the integrity of sovereignty. We said on June 16 that we had been insisting on and giving support to such an argument. [We hope that we can] reach a reasonable solution that will not interfere with the sovereignty and territorial integrity of Cambodia and will take care of both internal and external [issues].

The Vietnamese People's Volunteer forces (Omission- editor) will definitely withdraw. Regarding the issues of the period of withdrawal and of passing through the withdrawal route, if [you think] the period is too long, [we can ask them to] cut it short. [However,] one month is too short. Sooner or later they will withdraw.

Regarding the security issue of the withdrawal, the issues of the joint commission and international supervision and the issue of the means of transportation, [we believe that] all these issues can be solved since you have already said that you are willing to cooperate.

Regarding internal issues, you should categorize all the soldiers in Cambodia taking their wishes into consideration. Some of them originally lived there and do not want to leave. Some of them are from Cochinchina. However, [you] should not discriminate against them. If some of them hope to stay in Cambodia, you surely cannot expel them. However, they should obey the Kingdom's laws.

Tiouloung: Do you mean those elements who joined the resistance movement? People who enter Cambodia from Cochinchina need passes. We inspect all persons who enter Cambodia from foreign countries. [Only after we check] whether they are honest and act dutifully, will we allow them to enter. We have already informed the Vietnamese side about this.

Tep Phan: They surely can choose to leave or stay in Cambodia of their own free will. However, we have to check whether or not they are honest. Only people who act dutifully can stay in our country. We cannot let those dishonest people, even bandits, stay in our country. We must take the necessary measures since we are worried about our national security. Mr. Prime Minister, can we make decisions for our internal affairs?

Zhou Enlai: You surely have the right to deal with the internal affairs. However, you should not expel them and create tension. The Royal Government should not persecute those who want to stay in Cambodia and are willing to obey the laws. [The Royal Government] should not discriminate against those who used to cooperate with the other side, either.

Tep Phan: We have our own constitution and laws. Our constitution is democratic.

Zhou Enlai: Regarding the armed forces of Cambodia, [you] can first gather them on the spot, and then settle the problems with peaceful and political solutions. Try your best to accept them into military and administrative services. As you just said they can enter the military academy or have other choices based on their own will. Regarding political issues, [you] should pay attention to three points:

1. Do not persecute people who used to cooperate with the other side.
2. Arrange suitable jobs for them.
3. Since they still have some political organizations, parties and other groups, you should recognize their legal positions based on the constitution. You can meet and negotiate with the leaders of local political organizations.

Tep Phan: We have always gotten in touch with them until now.

Zhou Enlai: It is possible. As long as you open the door, you can reach an agreement. Regarding general problems of military issues, [you should] not introduce new troops and weapons from abroad, establish foreign military bases or join military alliance. The necessary type and amount of weapons that decided for defensive reason of Cambodia is not included in this limitation.

Tep Phan: The word "self-defense" can be described by two words in French. One is AUTODDEFENSE, the other is DEFENSE A L'INTERIEUR DU PAYS (domestic defense). We prefer the second one since the first, "self-defense", can also be translated as local defense.

Zhou Enlai: I can agree with this.

Tioulong: Mr. Pham Van Dong also used the word self-defense. Regarding the prohibition of the introduction of weapons, we also cannot agree with their explanation. They even included shotguns. Meanwhile, we need to add "when Cambodia is not invaded by foreign countries or threatened by foreign invasion" to the provision [that Cambodia] "should not establish foreign military bases and join military alliances."

Zhou Enlai: We can consider that.

Tep Phan: Our country is an independent country. Don't we have the right to sign agreements with foreign countries?

Zhou Enlai: Of course you do if you sign a trade agreement.

Tep Phan: What if we sign a military agreement with China?

Zhou Enlai: China has never signed any agreement of military alliance with any country. Regarding French military personnel who are training the troops [of Cambodia]...

Tioulong: (Interrupt) France or foreign countries?

Tep Phan: It's not limited to France. Regarding France, we...

Tioulong: (Interrupt) We have the experience of being ruled by France for several decades. We will not be interested in French "aid" anymore.

Zhou Enlai: You should not be pro-America, either.

Tep Phan: We won't. Even Mr. Smith said that the United States has no intention of providing aid.

Zhou Enlai: Smith can say like that. However, there are still people like [Arthur W.] Radford and Nixon in the American government.

Sam Sary: We can still establish technical collaboration with countries like India and China.

Tep Phan: However, we are cautious about France.

Tioulong: We are cautious about the cooperation of French experts and technicians, too.

Zhou Enlai: France has somehow changed its attitude recently.

Tep Phan: We still have to reconsider joining the French Union. Last time when we discussed drafting documents with the French delegation, we asked them not to add the point regarding joining the French Union to the documents.

Tioulong: Personally, I have already met with the Prime Minister three times. However, I have never met Mendes-France.

Tep Phan: We are not interested in joining the French Union [since] we do not want to be ruled by them anymore. France is no better than the Vietnam.

Zhou Enlai: However, being pro-America is even worse. China has its experience [of dealing with the U.S.] Sino-British relations have a long history. The United States was a newcomer. America's attitude was relatively moderate at first. However, it changed after the United States excluded British influence [from China] after World War Two.

Tep Phan: I understand that.

Zhou Enlai: It is good that you understand it. The time for the meeting is approaching. I hope that you can reach an agreement with the Vietnamese delegation regarding these issues at the meeting in the afternoon. We will also push the Vietnamese side forward so that the meeting can be successful.

Tep Phan: Thank you very much for your help. (Omission-editor)

Zhou Enlai: I am sure that Vietnam does not have such an intention. Chairman Ho Chi Minh firmly clarified the position of Vietnam when I met with him on the Guangxi border this time. He promised that Vietnam would not invade any countries because an invasion is destined to fail. I am telling you the truth since we are all relatives.

Tep Phan: Yes. We need to protect our independence because we want to survive. Our situation is very difficult since our neighbors, such as Thailand and Vietnam, are all big countries. Since our country is a small country, we have no intention of attacking others and only hope that we can survive. In addition, the religion in which we believe does not allow us to attack others.

Zhou Enlai: Your situation is relatively good. The conference will publish a joint statement to guarantee [the armistice], and you have the support of the participants of the Colombo Conference. It is much better than [the situation of] Korea.

Tioulong: I understand this. Cambodia will be a new country after peace is

restored. As in China, all the people [of Cambodia] need to make efforts to build up [our country]. The Chinese and Cambodian people also have a blood relationship. For example, I myself have Chinese blood. My grandfather is Chinese. You can tell that from my name. My [last] name is Tioulong.

Zhou Enlai: Very good.

Tiouloung: Our peasants cultivate and merchants do business. We all hope to live in peace. It will make our economy develop. We are currently opening up wasteland for development.

Zhou Enlai: We all want peace. The Chinese people are also conducting peaceful development.

Tep Phan: The help we get from you can speed up the achievement of the agreement, and will therefore help us obtain peace and independence. We will need China's help on all different levels in the future.

Zhou Enlai: Yes. We also welcome you to come to visit China in the future if you have the chance.

Tep Phan: We would love to. Thank you.

Zhou Enlai: We will even have diplomatic relations in the future.

Tep Phan: Yes. (Standing at the door and leaving.)

Tep Phan: We appreciate the Prime Minister's help. We hope that Cambodia will become an independent and free country and will peacefully coexist with all its neighbors after the peace is restored.

Zhou Enlai: I also hope that the friendship between the peoples of our two countries will be improved.

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