

Protocol on Clearing Sea Mines

Protocol to the Agreement on Ending the War and Restoring Peace in Vietnam Concerning the Removal, Permanent Deactivation or Destruction of Mines in the Territorial Waters, Ports, Harbors and Waterways of the Democratic Republic of Vietnam

The Government of the United States of America,

The Government of the Democratic Republic of Vietnam,

In implementation of the second paragraph of Article 2 of the Agreement on Ending the War and Restoring Peace in Vietnam signed on this date,

Have agreed as follows:

ARTICLE 1

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

ARTICLE 2

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

Article 3

The mine-clearing operation shall begin at twenty-four hundred (2400) hours G.M.T. on Jan. 27, 1973. The representatives of the two parties shall consult immediately on relevant factors and

capabilities, actively participate in the mine clearance with the means of surveying, removal and destruction, and technical advice supplied by the United States.

Article 6

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

Article 7

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

The Democratic Republic of Vietnam

agree upon the earliest possible target date for the completion of the work.

Article 4

The mine-clearing operation shall be conducted in accordance with priorities and timing agreed upon by the two parties. For this purpose, representatives of the two parties shall meet at an early date to reach agreement on a program and a plan of implementation. To this end:

(a) The United States shall provide its plan for mine-clearing operations, including maps of the minefields and information concerning the types, numbers and properties of the mines.

(b) The Democratic Republic of Vietnam shall provide all available maps and hydrographic charts and indicate the mined places and all other potential hazards to the mine-clearing operations that the Democratic Republic of Vietnam is aware of.

(c) The two parties shall agree on the timing of implementation of each segment of the plan and provide timely notice to the public at least 48 hours in advance of the beginning of mine-clearing operations for that segment.

Article 5

The United States shall be responsible for the mine clearance on island waterways of the Democratic Republic of Vietnam. The Democratic Republic of Vietnam shall, to the full extent of its

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

Article 8

This protocol to the Paris Agreement on Ending the War and Restoring Peace in Vietnam shall enter into force upon signature by the Secretary of State of the Government of the United States of America and the Minister for Foreign Affairs of the Government of the Democratic Republic of Vietnam. It shall be strictly implemented by the two parties.

Done in Paris this 27 day of January, 1973, in Vietnamese and English. The Vietnamese and English texts are official and equally authentic.

For the Government of the United States of America
WILLIAM P. ROGERS
Secretary of State

For the Government of the Democratic Republic of Vietnam
NGUYEN DUY TRINH
Minister for Foreign Affairs

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