
(This report reproduces selected passages of the 1954 Agreement on the Ceasing of Hostilities in Viet-Nam; the full text of the Final Declaration of the 1954 Geneva Conference; and the full text of related U.S. statements of July 21, 1954.)
References to the Geneva Agreements of 1954 have figured prominently in official U.S. statements on the possibility of a peaceful settlement of the conflict in Viet-Nam.

In the current official conversations with North Viet-Nam at Paris, the U.S. has proposed that both sides seek a formula for peace based on the essential elements of the 1954 Geneva Agreements.

The Geneva Agreements of 1954 were negotiated and concluded during the Geneva Conference on Indochina. The conference began on May 8, 1954, and ended on July 21, 1954. The United Kingdom and the Soviet Union served as co-chairmen; also represented were the United States; France; the People's Republic of China; Cambodia; Laos; the State of Viet-Nam (later the Republic of Viet-Nam); and the Democratic Republic of Viet-Nam.

The Geneva Agreements comprised three separate accords:

-- Agreement on the Cessation of Hostilities in Viet-Nam, concluded between the Franco-Vietnamese Command and the Command of the People's Army of Viet-Nam.

-- Agreement on the Cessation of Hostilities in Cambodia, concluded between the Royal Khmer Army Command and the Command of the People's Army of Viet-Nam.

-- Agreement on the Cessation of Hostilities in Laos, concluded between the Franco-Laotian Command and the Command of the People's Army of Viet-Nam.

In addition, there was a Final Declaration of the Geneva Conference of 1954. The United States and the State of Viet-Nam did not join in the Declaration.

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(A) The following provisions of the Agreement on the Cessation of Hostilities in Viet-Nam (signed July 20, 1954) are pertinent to the current situation in...
situation in Viet-Nam:

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. (The demarcation line was roughly at the 17th Parallel. An Annex to the Agreement on the Cessation of Hostilities in Viet-Nam fully spelled out the delineation of the demarcation line.)

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 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
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 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 regrouping 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 notices 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
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.

Chapter III -- Ban on Introduction of Fresh Troops, Military Personnel, Arms and Munitions, Military Bases.

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.

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 regrouping 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.

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 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 --
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 27 --

The signatories of the present Agreement and their successors in their functions shall be responsible for ensuring and 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.

Article 28 --

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

Article 29 --

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

Article 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-groupment 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
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 endeavor to solve such disputed questions as may arise between
the parties in the course of executing these provisions.

Article 34 --

An International Commission shall be set up for the control and super-
vision over the application of the provisions of the agreement on the
cessation of hostilities in Viet-Nam. It shall be composed of repre-
sentatives of the following States: Canada, India and Poland.

It shall be presided over by the Representative of India.

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(B) The Geneva Conference also produced a Final Declaration on July 21,
1954, which follows:

(1) The Conference takes note of the agreements ending
hostilities in Cambodia, Laos and Viet-Nam and organiz-
ing 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 particu-
lar 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
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.

(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-Namese 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 will be held in
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.

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At the concluding plenary session of the Geneva Conference, U.S. Under Secretary of State Walter Bedell Smith issued the following statement in Geneva on July 21, 1954:

As I stated on July 18, my Government is not prepared to join in a declaration by the Conference such as is submitted. However, the United States makes this unilateral declaration of its position in these matters:

U.S. DECLARATION

The Government of the United States being resolved to devote its efforts to the strengthening of peace in accordance with the principles and purposes of the United Nations takes note of the agreements concluded at Geneva on July 20 and 21, 1954 between (a) the Franco-Laotian Command and the Command of the Peoples Army of Viet-Nam; (b) the Royal Khmer Army Command and the Command of the Peoples Army of Viet-Nam; (c) Franco-Vietnamese Command and the Command of the Peoples Army of Viet-Nam, and of paragraphs 1 to 12 inclusive of the declaration presented to the Geneva Conference on July 21, 1954, and declares with regard to the aforesaid agreements and paragraphs that (i) it will refrain from the threat or the use of force to disturb them, in accordance with Article 2(4) of the Charter of the United Nations dealing with the obligation of members to refrain in their international relations from the threat or use of force; and (ii) it would view any renewal of the aggression in violation of the aforesaid agreements with grave concern and as seriously threatening international peace and security.

In connection with the statement in the declaration concerning free elections in Viet-Nam my Government wishes to make clear its position which it has expressed in a declaration made in Washington on June 29, 1954, as follows:

In the case of nations now divided against their will, we shall continue to seek to achieve unity through free elections supervised by the United Nations to insure that they are conducted fairly.

With respect to the statement made by the representative of the State of Viet-Nam, the United States reiterates its traditional position that peoples are entitled to determine their own future, and that it will not join in an arrangement which would hinder
would hinder this. Nothing in its declaration just made is intended to or does indicate any departure from this traditional position.

We share the hope that the agreements will permit Cambodia, Laos and Viet-Nam to play their part, in full independence and sovereignty, in the peaceful community of nations, and will enable the peoples of that area to determine their own future.

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(D) In Washington, also on July 21, 1954, President Eisenhower issued the following statement:

I am glad, of course, that agreement has been reached at Geneva to stop the bloodshed in Indochina.

The United States has not been a belligerent in the war. The primary responsibility for the settlement in Indochina rested with those nations which participated in the fighting. Our role at Geneva has been at all times to try to be helpful where desired and to aid France and Cambodia, Laos, and Viet-Nam to obtain a just and honorable settlement which will take into account the needs of the interested people. Accordingly, the United States has not itself been party to or bound by the decisions taken by the Conference, but it is our hope that it will lead to the establishment of peace consistent with the rights and the needs of the countries concerned. The agreement contains features which we do not like, but a great deal depends on how they work in practice.

The United States is issuing at Geneva a statement to the effect that it is not prepared to join in the Conference declaration, but, as loyal members of the United Nations, we also say that, in compliance with the obligations and principles contained in Article 2 of the United Nations Charter, the United States will not use force to disturb the settlement. We also say that any renewal of Communist aggression would be viewed by us as a matter of grave concern.

As evidence of our resolve to assist Cambodia and Laos to play their part, in full independence and sovereignty, in the peaceful community of free nations, we are requesting the agreement of the Governments of Cambodia and Laos to

our appointment
our appointment of an Ambassador or Minister to be resident at their respective capitals (Phnom Penh and Vientiane). We already have a Chief of Mission at Saigon, the capital of Viet-Nam, and this Embassy will, of course, be maintained.

The United States is actively pursuing discussions with other free nations with a view to the rapid organization of a collective defense in Southeast Asia in order to prevent further direct or indirect Communist aggression in that general area.

ACTION: IBS - Mr. Modic
ICS - Mr. Vogel
IMV - Mr. Anderson
IPS - Mr. Sayles

INFO: Code 27

ICP/GP: Message Code 182 X - 4879