



**THE CONSTITUTION OF THE SOCIALIST REPUBLIC OF
VIETNAM (2013)**

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THE NATIONAL ASSEMBLY

The Socialist Republic of Vietnam

Independence- Freedom- Happiness

THE CONSTITUTION OF THE SOCIALIST REPUBLIC OF VIETNAM

(AMENDED)

PREAMBLE

In the course of their millennia old history, the Vietnamese people, working diligently, creatively, and fighting courageously to construct and defend their country, have forged a tradition of patriotism, solidarity, humaneness, righteousness, perseverance, and indomitableness that has created Vietnamese civilisation and culture of today.

Starting in 1930, under the leadership of the Communist Party of Vietnam, formed and trained by President Ho Chi Minh, our people waged a protracted revolutionary struggle full of hardships and sacrifices for independence, freedom of the nation and happiness of the People. In the wake of the triumph of the August Revolution, on 2 September 1945, President Ho Chi Minh announced the Declaration of Independence, declaring the birth of the Democratic Republic of Vietnam which is now the Socialist Republic of Vietnam. With the will and the power of the entire nation as well as with the assistance of friends across the world, our People have gained great victories in national liberation wars, unified the country, defended the Fatherland and fulfilled international duties, attained great achievements of historical significance in the cause of restructuring, leading the nation to socialism.

Institutionalising the Platform of national construction during the transitional period towards socialism, inheriting the 1946 Constitution, 1959 Constitution, 1980 Constitution, and 1992 Constitution, the Vietnamese People frame, implement, and protect this Constitution for the objectives of prosperous people and a powerful nation, democracy, justice and civilisation.

CHAPTER I

POLITICAL SYSTEM

Article 1

The Socialist Republic of Vietnam is an independent, sovereign and united country, which in its territorial integrity comprises its mainland, islands, territorial waters and air space.

Article 2

1. The Socialist Republic of Vietnam is a socialist rule of law State of the People, by the People and for the People.
2. The people are the masters of the Socialist Republic of Vietnam; all state powers belong to the people whose foundation is the alliance between the working class, the peasantry and the intelligentsia.
3. The State powers are unified and delegated to state bodies, which shall coordinate with and control one another in the exercise of the legislative, executive and judiciary powers.

Article 3

The State guarantees and promotes the People's mastery; acknowledges, respects, protects and guarantees human rights and citizens' rights; implements the objectives of prosperous people, state powers, democracy, justice, civilisation, and all that people

enjoy that is abundant and free for a happy life with conditions for all-round development.

Article 4

1. The Communist Party of Vietnam - the Vanguard of the Vietnamese working class, simultaneously the vanguard of labourers and of the Vietnamese nation, the faithful representative of the interests of the working class, labourers and the whole nation, acting upon the Marxist-Leninist doctrine and Ho Chi Minh's thought, is the leading force of the State and society.
2. The Communist Party of Vietnam maintains close ties with the People, serves the People, submits to People's supervision and is accountable to the People in its decisions.
3. All organisations and members of the Communist Party of Vietnam operate within the framework of the Constitution and the law.

Article 5

1. The Socialist Republic of Vietnam is the unified State of all nationalities living together in the country of Vietnam.
2. All the ethnicities are equal, unified and respect and assist one another for mutual development; all acts of national discrimination and division are strictly forbidden.
3. The national language is Vietnamese. Every ethnic group has the right to use its own language and system of writing, to preserve its national identity, to promote its fine customs, habits, traditions and culture.
4. The State implements a policy of comprehensive development, and provides conditions for the ethnic minorities to promote their physical and spiritual abilities and to develop together with the nation.

Article 6

The people exercise the State power under the forms of direct democracy and of representative democracy through the National Assembly, the People's Councils and other State agencies.

Article 7

1. Elections of representatives of the National Assembly and representatives of the People's Councils are held in accordance with the principles of universal, equal, direct and secret suffrage.
2. A representative of the National Assembly and a representative of a People's Council shall be revoked from office by the electors or the National Assembly or the People's Council, when he or she is no longer worthy of the confidence of the people.

Article 8

1. The State is organised and operates in concordance with the Constitution and the law, manages society by the Constitution and the law and practices the principle of democratic centralism.
2. All state agencies, cadres, officials and employees must show respect for the People, devotedly serve the People, maintain close contact with the People, listen to their opinions and submit to their supervision; resolutely struggle against corruption, wastefulness and all manifestations of bureaucracy, arrogance and authoritarianism.

Article 9

1. The Vietnam Fatherland Front is a political alliance and a voluntary union of political organisations, socio-political organisations, social organisations and individuals representing their social classes and strata, ethnicities, religions, and overseas Vietnamese.

The Vietnam Fatherland Front constitutes the political base of the people's government; represents and protects legal and legitimate rights and interests of the People; gathers and promotes the power of great national solidarity, practices democracy and enhances social consensus; practices social supervision and criticism; participates in the building of the Party, the State and people's activities of foreign relations, contributing to building and defending the Fatherland.

2. The Vietnam Trade Union, the Vietnam Peasant Society, the Ho Chi Minh Communist Youth Union, the Vietnam Women's Society and the Vietnam Veteran Society are socio-political organisations established on a voluntary basis that

represent and protect the legal and legitimate rights and interests of their members; cooperate with others members of the Fatherland Front and unify the activities of the Fatherland Front.

3. The Vietnam Fatherland Front, its member organisations and other social organisations operate in accordance with the framework of the Constitution and the law. The State provides favourable conditions for the activities of the Vietnam Fatherland Front, its member organisations and other social organisations.

Article 10

The Trade Union is the socio-political organisation of the working class and labourers, established on a voluntary basis that represents the workers, looks after and protects the legitimate and legal rights and interests of the workers; participates in state administration and socio-economic management; participates in the control, inspection, and supervision of the activity of State bodies, organisations, units and enterprises with respects to the matters concerning the rights and duties of the workers; propagandises, mobilises learning, development of abilities and professional skills, conformity of law, and construction and defence of the Fatherland among the workers.

Article 11

1. The Vietnamese Fatherland is sacred and inviolable.
2. All acts against the independence, sovereignty, unity and territorial integrity against the course of building and defence of the Fatherland, must be strictly punished.

Article 12

The Socialist Republic of Vietnam consistently carries out a diplomatic policy of independence, autonomy, peace, friendship, cooperation and development; seeks multilateral and diversified relations and actively seeks international integration and cooperation on the basis of respect for each other's independence, sovereignty and territorial integrity, non-interference in each other's internal affairs, equality and mutual interest; conforms to the Charter of the United Nations and international treaties in which the Socialist Republic of Vietnam is a member; a friend, reliable

partner and responsible member in the international community for the sake of national interests and contributes to the cause of peace, national independence, democracy and social progress in the world.

Article 13

1. The national flag of the Socialist Republic of Vietnam is rectangular in shape, with its width being equal to two-thirds of its length and in the middle of a red background is a five-pointed gold star.
2. The national emblem of the Socialist Republic of Vietnam is circular in shape; in the middle of a red background is a five-pointed gold star framed by rice ears, below which are half a cogwheel and the inscription “The Socialist Republic of Vietnam”.
3. The national anthem of the Socialist Republic of Vietnam is the music and lyrics of the song “Tien quan ca” (“March to the Front”).
4. The National Day of the Socialist Republic of Vietnam is the day of the Declaration of Independence, 2 September 1945.
5. The capital of the Socialist Republic of Vietnam is Hanoi.

CHAPTER 2

HUMAN RIGHTS AND CITIZENS’ FUNDAMENTAL RIGHTS AND DUTIES

Article 14

1. In the Socialist Republic of Vietnam, human rights and citizens’ rights in the political, civic, economic, cultural and social fields are recognised, respected, protected and guaranteed in concordance with the Constitution and the law.
2. Human rights and citizens’ rights shall only be restricted when prescribed by law in imperative circumstances for the reasons of national defence, national security, social order and security, social morality and community well-being.

Article 15

1. Citizens' rights are inseparable from citizens' duties.
2. Everyone has the duty to respect the rights of others.
3. Citizens are responsible to practice their duties to the State and society.
4. The practice of human rights and citizens' rights cannot infringe national interests and legal and legitimate rights and interests of others.

Article 16

1. All citizens are equal before the law.
2. No one shall be discriminated against based on his or her political, civic, economic, cultural or social life.

Article 17

1. A citizen of the Socialist Republic of Vietnam is a person with Vietnamese nationality.
2. A Vietnamese citizen shall not be expelled or extradited to other nations.
3. A Vietnamese citizen residing abroad shall be protected by the Socialist Republic of Vietnam.

Article 18

1. Vietnamese living abroad make up an inseparable part of the Vietnamese national community.
2. The Socialist Republic of Vietnam encourages and creates conditions for Vietnamese living abroad to preserve the Vietnamese cultural identity, maintain close ties with their families and native land and to contribute to the construction of the native land and the nation.

Article 19

Everyone has the right to live. Human life is protected by the law. No one shall be illegally deprived of his or her life.

Article 20

1. Everyone shall enjoy the inviolability of the individual and the legal protection of his or her life, health, honour and dignity and is protected against torture, violence, coercion, corporal punishment or any form of treatment harming his or her body and health and offence against honour and dignity.
2. No one shall be arrested in the absence of a decision by the People's Court, a decision or sanction of the People's Procuracy except in cases of flagrant offences. Taking a person into, or holding him in custody shall be decreed by statute.
3. Everyone has the right to donate human tissue and organs and to donate a corpse in concordance with the law. Medical, pharmaceutical and scientific experimentation or any other forms of experimentation on the human body must have the permission of the human subject.

Article 21

Everyone is entitled to the inviolability of personal privacy, personal secrecy and familial secrecy and has the right to protect his or her honour and prestige. Information regarding personal privacy, personal secrecy and familial secrecy is safely protected by the law.

Everyone enjoys the secrecy of correspondence, telephone conversations, telegrams, and other forms of exchange of personal information.

No one is illegally allowed to open, control, and confiscate others' correspondence, telephone conversations, telegrams, and other forms of exchange of personal information.

Article 22

1. The citizen has the right to have a legal domicile.
2. Everyone is entitled to the inviolability of his or her domicile. No one is allowed to enter the domicile of another person without his or her consent.
3. Domiciliary searches shall be provided by the statute.

Article 23

The citizen shall enjoy freedom of movement and of residence within the country; and can freely travel abroad and return home from abroad. The exercise of these rights shall be provided by the law.

Article 24

1. Everyone shall enjoy freedom of belief and religion; he or she can follow any religion or follow none. All religions are equal before the law.
2. The State respects and protects freedom of belief and of religion.
3. No one has the right to infringe on the freedom of belief and religion or to take advantage of belief and religion to violate the laws.

Article 25

The citizen shall enjoy the right to freedom of opinion and speech, freedom of the press, of access to information, to assemble, form associations and hold demonstrations. The practice of these rights shall be provided by the law.

Article 26

1. Male and female citizens have equal rights in all fields. The State has a policy to guarantee equal gender rights and opportunities.
2. The State, society, and family create conditions for the comprehensive development of women and promotion of their role in society.
3. Sex discrimination is strictly prohibited.

Article 27

Citizens shall, upon reaching the age of eighteen, have the right to vote and, upon reaching the age of twenty-one, have the right to stand for election to the National Assembly and the People's Councils. The practice of these rights is provided by the statute.

Article 28

1. Citizens have the right to participate in the administration of the state and

management of society and to participate in discussion and recommendation to the state bodies on the issues of the community, the region and the whole country.

2. The State shall create conditions for the citizen to participate in the administration of the State and management of society and the receipt and response to citizens' opinions and recommendations shall be public and transparent.

Article 29

Citizens shall, upon reaching the age of eighteen, have the right to vote when the State holds a referendum.

Article 30

1. Everyone has the right to lodge complaints and denunciations about the illegal acts of State bodies, organisations, and individuals with the relevant State bodies, organisations and individuals.
2. The relevant State bodies, organisations, and individuals must receive and handle the complaints and denunciations. The person who has suffered damages shall be entitled to material and psychological compensation and restoration of honour in accordance with law.
3. It is strictly forbidden to take vengeance on the person making complaints or denunciations, or to misuse the right to make complaints or denunciations with the aim of slandering and causing harm to another person.

Article 31

1. A defendant shall be regarded as innocent until the crime is proved in accordance with legal procedure and the sentence of the Court has acquired full legal effect.
2. A defendant must be tried timely, equally and publicly by courts within the time provided by law. If the case is heard in a secret trial in accordance with the law, the verdict must be pronounced in public.
3. No one shall be tried twice for the same offence.
4. Any person who has been arrested, held in custody, prosecuted, investigated, charged

or brought to trial in violation of the law has the right to self-defend or to seek the assistance of defence from lawyers or other people.

5. Any person who has been arrested, held in custody, prosecuted, investigated, charged or brought to trial in violation of the law shall be entitled to compensation for material and psychological damages and restoration of honour. Anybody who contravenes the law in arresting, holding in custody, prosecuting, investigating, charging, bringing to trial or enforcing judgment that causes damages to others shall be dealt with in accordance to the law.

Article 32

1. Everyone enjoys the right of ownership with regard to his lawful income, savings, housing, private possession, capital and assets in enterprises or other economic organisations.
2. The right of private ownership and the right of inheritance are protected by the law.
3. In cases made absolutely necessary by reason of national defence, security or national interest, in case of emergency and for protection against natural calamity, the State can make a forcible purchase of or can requisition pieces of property of individuals or organisations against compensation, taking into account current market prices.

Article 33

Everyone enjoys freedom of enterprise in industries and trades not banned by the law.

Article 34

Citizens have the right to social security.

Article 35

1. Citizens have the right to work and to select career, job and workplace.
2. Workers shall be provided equal and safe conditions of work and shall be paid a salary and enjoy leave according to policy.
3. Discrimination, forced labour and employment of workers under minimum age of labour are strictly prohibited.

Article 36

1. Males and females have the right to marry and divorce. Marriage shall conform to the principles of free consent, progressive orientation, monogamy and equality between husband and wife and mutual respect.
2. The State protects marriage and family and protects the interests of mothers and children.

Article 37

1. Children enjoy protection, care and education by the State, family and society and are allowed to participate in children's affairs. Infringement, persecution, maltreatment, abandonment, abuse and exploitation of labour and other forms of violating children's rights are strictly prohibited.
2. The State, family, and society shall create favourable conditions for young people to study, work, relax, develop bodies and minds and shall educate them in morality, national tradition and civic consciousness for them to be in the vanguard of creative labour and national defence.
3. The State, family and society shall respect and take care of old people, and promote their role in the course of national construction and defence.

Article 38

1. Everyone is entitled to health care and protection, is equally entitled to medical services and has the duty to comply with regulations with regard to prophylaxis, medical examination and treatment.
2. Any acts threatening the life or health of other people and the community are strictly prohibited.

Article 39

Citizens have the right and the duty to learn.

Article 40

Everyone has the right to carry out scientific and industrial research, engage in literary

and artistic creation and enjoy benefits from those activities.

Article 41

Everyone has the right to enjoy and access cultural heritage, participate in cultural life and make use of cultural facilities.

Article 42

A citizen has the right to determine his or her nationality, use his or her mother language and select his or her language of exchange.

Article 43

Everyone has the right to live in a clean environment and has the duty to protect the environment.

Article 44

Citizens must show loyalty to their Fatherland.

Treason is the most serious crime.

Article 45

1. It is the sacred duty and the noble right of citizens to defend their Fatherland.
2. Citizens must fulfil their military obligation and join in building a national defence of all the people.

Article 46

Citizens have the duty to obey the Constitution and the law; join in the safeguarding of national security, social order and safety and conform to the established rules of public life.

Article 47

Citizens have the duty to pay taxes according to the provisions of the statute.

Article 48

Foreigners residing in Vietnam must obey the Constitution and law of Vietnam; they shall receive State protection with regard to their lives, possessions and legitimate interests in accordance with the provisions of Vietnamese law.

Article 49

The Socialist Republic of Vietnam shall consider granting asylum to foreigners who are at risk because of their struggle for freedom, national independence, socialism, democracy and peace or scientific work.

CHAPTER III

**ECONOMY, SOCIETY, CULTURE, EDUCATION, SCIENCE, TECHNOLOGY,
AND ENVIRONMENT**

Article 50

The Socialist Republic of Vietnam builds an independent and self-reliant economy which shall promote its internal resources, international integration and cooperation and closely connects with cultural development, practices social progressiveness and equality, protects the environment and exercises industrialisation and modernisation of the country

Article 51

1. The Vietnamese economy is a socialist-oriented market economy with multi-forms of ownership and multi-sectors of economic structure; the state economic sector plays the leading role.
2. All economic sectors are important constituents of the national economy. Participants in different economic sectors are equal, cooperate and compete in accordance with the law.

3. The State encourages and provides favourable conditions for entrepreneurs, enterprises and individuals and other organisations to invest, produce and do business; contribute to the stable development of the economic sectors and national construction. Legal possessions of individuals, organisations of investment, production and business are protected by the law and are not subjected to nationalisation.

Article 52

The State constructs and perfects economic institutions, coordinate the economy on the basis of respecting market rules; exercises delegation, decentralisation and separation of authorities in state management; promotes the connection of regional economies and guarantee the unity of the national economy.

Article 53

The land, water resources, mineral resources, resources in the sea and airspace, other natural resources and property invested and managed by the State are public properties, coming under ownership of the entire people represented and uniformly managed by the State.

Article 54

1. Land is a special resource of the nation, an important resource of national development and is managed in concordance with the law.
2. Organisations and individuals are entitled to land assignment, land lease, and recognition of the land use right by the State. Land users have the right to transfer the land use right, and practice related rights and duties in concordance with the law. The land use right is protected by the law.
3. The State shall recover land used by organisations and individuals in imperative cases provided by the law for the purposes of national defence, national security and socio-economic development in the national and public interests. The recovery of land must be public, transparent and compensations must be provided in concordance to the law.
4. The State shall effect acquisition of land, provided for in law, in cases of urgent demands and extreme necessity with respect to the implementation of the businesses

of national defence, national security, or wars, emergency, prevention of and protection against natural calamities.

Article 55

1. The State budget, national reserves, State financial funds and other public financial sources are uniformly managed by the State and must be used effectively, equally, publicly, transparently and legally.
2. The State budget consists of a central budget and local budgets, in which the central budget plays the leading role, guaranteeing national expenditure. All items of income and expenditure of the State budget must be estimated and must be provided for by the law.
3. The monetary unit of the nation is Vietnam Dong. The State shall guarantee the value of the national currency.

Article 56

State bodies, organisations and individuals must practice saving and combat waste, prevent and fight against corruption in socio-economic activities and State management.

Article 57

1. The State encourages and provides favourable conditions for organisations and individuals to create jobs for workers.
2. The State shall protect the legal rights and interests of the workers and employers and provide favourable conditions for building progressive, harmonious, and stable labour relationships.

Article 58

1. The State shall invest in the development of the protection and care of the People's health, provide health insurance for the entire people and exercise a priority policy of health care for ethnic minorities, highlanders, islanders and people living in extremely difficult socio-economic conditions.
2. It is the responsibility of the State, society and family to ensure care and protection for mothers and children and family planning implementation.

Article 59

1. The State and society shall honour, commend, reward and exercise a priority policy for people who offer meritorious service to the nation.
2. The State shall create equal opportunities for citizens to enjoy social welfare, develop a system of social security, and provide a policy assisting the elderly, the disabled, the poor and people with other difficult circumstances.
3. The State shall exercise a policy of housing development and create conditions so that everyone shall have housing.

Article 60

1. The State and society shall take care of the creation and development of the Vietnamese culture, which is modern, deeply imbued with national identity and reflects mankind's cultural quintessence.
2. The State and society shall develop literature and art so as to meet the diverse and healthy spiritual demands of the People and promote mass media so as to meet the People's demand for information, serving the course of construction and defence of the Fatherland.
3. The State and society shall provide a favourable environment for the growth of the Vietnamese family which is prosperous, progressive, and happy; create Vietnamese people who are healthy, cultured, profoundly patriotic, unified, independent and responsible.

Article 61

1. Development of education is a primary national policy for the purposes of elevating the people's intellectual standards, training human resources and fostering talents.
2. The State shall prioritise investment in and attraction of other investment sources for education; take care of pre-school education; guarantee compulsory primary education which is free of charge; gradually universalise secondary education; develop higher education and vocational education and provide an appropriate policy for scholarship and tuition.
3. The State shall prioritise the educational development in mountainous and island

areas, (regions inhabited by ethnic minority people) and in regions that have extremely difficult socio-economic conditions; shall prioritise employment and development of the talented and provide favourable conditions for the disabled and the poor to access education and vocational learning.

Article 62

1. Development of science and technology is a primary national policy, playing a key role in the country's socio-economic development.
2. The State shall prioritise investment and encourage investment by organisations and individuals in scientific research, development, transfer and effective application of scientific and technological achievements; shall guarantee the right to conduct scientific and technological research and protect the right to intellectual property.
3. The State shall provide favourable conditions for everyone to participate in and enjoy benefits from scientific and technological activities.

Article 63

1. The State has a policy to protect the environment; to manage and effectively and stably use natural resources; to protect nature and biodiversity; to take initiative in prevention and resistance against natural calamities and respond to climate change.
2. The State encourages all acts of protection of the environment, development and use of new energy and recycled energy.
3. Organisations and individuals who cause environmental pollution, deplete natural resources and weaken biodiversity shall be strictly dealt with and must be responsible for remedy and compensation for damage.

CHAPTER IV

DEFENCE OF THE FATHERLAND

Article 64

To defend the socialist Vietnamese Fatherland is the responsibility of the entire people.

The State shall consolidate and strengthen national defence by the entire people and of the people's security, with the people's armed forces regarded as the core, shall develop to the full the aggregate strength of the country to defend the Fatherland and shall contribute to the protection of peace in the region and in the world.

All agencies, organisations and citizens shall fulfil all their national defence and security obligations.

Article 65

The people's armed forces must show absolute loyalty to the Fatherland, the People, the Party, and the State. Their duty is to protect national independence and sovereignty, the country's unity and territorial integrity, national security and social order; to protect the People, the Party, the State and the socialist regime and to join the entire people in national construction and fulfilment of international duties.

Article 66

The State shall build a revolutionary people's Army which shall be a well-trained regular army to be gradually modernised, have proper permanent forces, powerful reserves, strong and comprehensive self-defence militia and serves as the core of the business of national defence.

Article 67

The State shall build a revolutionary people's Police Force which shall be a well-trained regular army to be gradually modernised and serves as the core of the business of national security and social order, preventing and fighting against crimes.

Article 68

The State shall develop to the full the People's patriotism and revolutionary heroism, educate the entire people in matters of national defence and security, build up the national defence industry to ensure proper equipment for the armed forces; harmonise national defence with the economy and vice versa, enforce an appropriate policy with regard to soldiers' families and seek to ensure proper material and spiritual living conditions for officers and soldiers, national defence workers and employees in consistence with the

nature of the People's Army and People's Public Security activities and build powerful people's armed forces and unceasingly reinforce the country's national defence potential.

CHAPTER V

THE NATIONAL ASSEMBLY

Article 69

The National Assembly is the highest representative body of the People and the highest body of State power of the Socialist Republic of Vietnam.

The National Assembly exercises constitutional and legislative powers, decides significant national affairs and exercises supreme control over all activities of the State.

Article 70

The National Assembly has the following duties and powers:

1. To draw up and amend the Constitution; to make and amend laws;
2. To exercise supreme control over conformity to the Constitution, the law and the resolutions of the National Assembly; to examine the reports of the State President, the Standing Committee of the National Assembly, the Government, the Supreme People's Court, the Supreme People's Procuracy, the National Commission of Election, the State Audit and other bodies created by the National Assembly;
3. To decide on the major objectives, targets, policies and duties of national socio-economic development.
4. To decide on the fundamental national financial and monetary policies; to set, change, or abolish taxes; to decide on the separation of items of incomes and expenditure between central budget and local budgets; to decide on the safety limit of national debts, public debts, and government debts; to decide on planning of the State budget and allocation of the central State budget; to approve the accounts of the State budget.
5. To decide on the State's policies on ethnic minorities and religions;

6. To regulate the organisation and operation of the National Assembly, the State President, the Government, the People's Courts, the People's Procuracy, the National Council of Election, the State Audit, local administrations, and other bodies created by the National Assembly.
7. To elect, suspend and revoke the State President and Vice-President, the Chairman of the National Assembly, the Vice-Chairmen of the National Assembly, members of the Standing Committees of the National Assembly, Chairman of the Ethnic Council, Chairmen of the Committees of the National Assembly, the Prime Minister, the Chief Justice of the Supreme People's Court, the Head of the Supreme People's Procuracy, the President of the National Council of Election, the Head of the State Audit, and the heads of other bodies created by the National Assembly; to sanction the recommendations of appointment, suspension and revocation of the Deputy Prime Minister, Ministers and other members of the Government, Judges of the People's Supreme Court; sanction the list of members of the Defence and Security Council and of the National Council of Election.

Upon election, the State President, the Chairman of the National Assembly, the Prime Minister, and the President of the Supreme People's Court must declare an oath of allegiance to the Fatherland, the People and the Constitution;

8. To cast a vote of confidence on persons holding positions elected or approved by the National Assembly;
9. To set up or dissolve government ministries and other agencies at the same level; to establish, merge, divide or adjust the boundaries of provinces and cities under direct central rule; to set up or disband special administrative economic units; to set up or disband other bodies in concordance with the Constitution and the law;
10. To abrogate all formal written documents issued by the State President, the Standing Committee of the National Assembly, the Government, the Prime Minister, the Supreme People's Court, and the Supreme People's Procuracy that are inconsistent with the Constitution, laws and resolutions taken by the National Assembly.
11. To grant amnesty;

12. To determine titles and ranks in the people's armed forces, in the diplomatic service and other State titles and ranks; to institute medals, badges and State honours and distinctions;
13. To decide issues of war and peace; to proclaim a state of emergency and other special measures aimed at ensuring national defence and security;
14. To decide on fundamental policies in external relations; to ratify or nullify international treaties with respect to war and peace; national sovereignty; membership of the Socialist Republic of Vietnam in important international and regional organisations; international treaties on human rights, citizens' fundamental rights and duties and other international treaties inconsistent with the laws and resolutions taken by the National Assembly
15. To hold a referendum.

Article 71

1. The duration of each term of the National Assembly is five years.
2. Sixty days before the end of its tenure, a new National Assembly shall have been elected.
3. In special cases, with the approval of at least two-thirds of its members, the National Assembly can either reduce or extend its period of tenure according to the recommendations by the National Assembly's Standing Committee. The extension of a term of the National Assembly cannot exceed twelve months, except in the case of war.

Article 72

The Chairman of the National Assembly shall preside over its sessions; authenticate through his signature the Constitution, laws and resolutions of the National Assembly; give leadership to the activities of its Standing Committee; organise the carrying out of its external relations and maintain relationships with the Assembly delegates.

The Vice Chairmen of the National Assembly shall assist the Chairman in the fulfilment of his duties as required by him.

Article 73

1. The National Assembly's Standing Committee is its permanent Committee.
2. The National Assembly's Standing Committee is composed of the Chairman of the National Assembly, the Vice Chairmen of the National Assembly and the members.
3. The Number of members of the Standing Committee shall be determined by the National Assembly. A member of the Standing Committee cannot simultaneously be a member of the Government.
4. The Standing Committee of each legislature shall fulfil its tasks and exercise its powers until the election by the new legislature of a new Standing Committee.

Article 74

The Standing Committee of the National Assembly has the following duties and powers:

1. To prepare for, to convene and preside over the sessions of the National Assembly;
2. To enact ordinances on matters entrusted to it by the National Assembly; to interpret the Constitution, the law, and decree-laws;
3. To supervise the implementation of the Constitution, the law, the resolutions of the National Assembly, decree-laws, the resolutions of the Standing Committee; to supervise the activities of the Government, the Supreme People's Court, the Supreme People's Procuracy, State Audit and other bodies created by the National Assembly;
4. To suspend the execution of the formal written orders of the Government, the Prime Minister, the Supreme People's Court, the Supreme People's Procuracy that contravene the Constitution, the law, the resolutions of the National Assembly; to report the matter to the National Assembly for it to decide on the abrogation of such orders in its next session; to repeal the written orders of the Government, Prime Minister, the Supreme People's Court, the Supreme People's Procuracy that contravene the decree-laws and resolutions of the Standing Committee;
5. To direct, harmonise, and co-ordinate the activities of the Ethnic Council and the Committees of the National Assembly, to give guidance to and to ensure good working conditions for the Assembly delegates;

6. To advise the National Assembly on election, suspension, or revocation of the State President, the Chairman of the National Assembly, the Vice Chairmen of the National Assembly, and members of the Standing Committee of the National Assembly, Chairman of Ethnic Council, Chairmen of the Committees of the National Assembly, President of the National Council of Election and Head of the State Audit;
7. To exercise supervision and control over and to give guidance to the activities of the People's Councils; to repeal improper resolutions by the People's Councils of provinces and cities under direct central rule; to disband the People's Councils of provinces and cities under direct central rule whenever such Councils cause serious harm to the interests of the People;
8. To decide on the establishment, merging, division, or adjustment of the boundaries of administrative units below the level of provinces and cities under direct central rule;
9. In cases where the National Assembly cannot meet, to decide on proclaiming a state of war and report it to the National Assembly for decision at its next session;
10. To proclaim general or partial mobilization; to proclaim a state of emergency throughout the country or in a particular region;
11. To carry out the National Assembly's external relations;
12. To approve the recommendations of appointment and release of ambassador extraordinary and plenipotentiary of the Socialist Republic of Vietnam.
13. To organise a referendum as decided by the National Assembly.

Article 75

1. The Ethnic Council comprises the Chairman, Vice Chairmen and members. The Chairman of the Ethnic Council is elected by the National Assembly; Vice-Chairmen and the members of Ethnic Council are approved by the National Assembly's Standing Committee.
2. The Ethnic Council studies and makes recommendations to the National Assembly on issues concerning the ethnic groups; supervises and controls the implementation of policies on ethnic groups and the execution of programmes and plans for socio-

economic development of the highlands and regions inhabited by ethnic minorities.

3. The Chairman of the Ethnic Council shall be invited to sit in on the Government's meetings at which are discussed ways of putting into effect policies on ethnic groups. In promulgation of decisions related to ethnic policies, the Government must consult with the Ethnic Council.
4. The Ethnic Council also has other duties and powers as assigned to the Committees of the National Assembly in clause 2 of Article 76.

Article 76

1. A Committee of the National Assembly comprises a Chairman, Vice Chairmen and members. The Chairman is elected by the National Assembly; The Vice Chairmen and the members are approved by the National Assembly's Standing Committee.
2. The Committees of the National Assembly check draft laws, make recommendations concerning laws, draft decree-laws and other drafts and reports entrusted to them by the National Assembly or its Standing Committee; supervise within the bounds determined by law and make recommendations concerning issues within their fields of activity.
3. The establishment and dissolution of the Committees are decided by the National Assembly.

Article 77

1. The Ethnic Council and the Committees of the National Assembly can request members of the Government, the President of the Supreme People's Court, the Head of the Supreme People's Procuracy, Head of State Audit and related individuals to report or supply documents on certain necessary matters. Those to whom such requests are made are obliged to comply.
2. It is the responsibility of State bodies to examine and respond to the recommendations made by the Ethnic Council and the Committees of the National Assembly.

Article 78

When necessary, the National Assembly creates provisional committees to examine or verify a recommendation or investigate a certain problem.

Article 79

1. The representatives in the National Assembly represent the will and aspirations of the People of his/her constituency and of the People of the whole country.
2. National Assembly representatives must maintain close ties with the voters; submit to their control; collect and faithfully reflect their views and aspirations for the consideration of the National Assembly and the State bodies and organisations concerned; maintain regular contact with and give feedback to the voters on his or her activities and those of the National Assembly; answer the requests and petitions of voters; examine, activate and keep track of the way citizens' complaints and denunciations are dealt with and give guidance and assistance to citizens seeking to exercise their right of complaints and denunciations.
3. National Assembly representatives shall familiarise the People with the contents of the Constitution and the law and mobilise them towards implementing thereof.

Article 80

1. National Assembly representatives have the right to interpellate the State President, the Chairman of the National Assembly, the Prime Minister, Cabinet Ministers and other members of the Government, the President of the Supreme People's Court, the Head of the Supreme People's Procuracy and the Head of the State Audit.
2. The interpellated officials must respond at the current session; in case an inquiry is needed, the National Assembly may decide that the replies should be given to its Standing Committee or at one of its own subsequent sessions, or may allow the reply to be given in writing.
3. National Assembly representatives have the right to request State bodies, organisations and individuals to answer questions on matters concerning their duties. The heads of these bodies, organisations or individuals have the responsibility to answer questions put by the representative within the time limit set by the law.

Article 81

A member of the National Assembly cannot be arrested or prosecuted without the consent of the National Assembly and, in the intervals between its sessions, without the consent of its Standing Committee; in case of a flagrant offence and if the representative is taken into temporary custody, the body effecting his/her arrest must immediately report the case to the National Assembly or its Standing Committee for consideration and decision.

Article 82

1. A National Assembly representative is responsible to discharge the duties of a representative and is entitled to membership of the Ethnic Council and Committees of the National Assembly.
2. It is the responsibility of the Standing Committee of the National Assembly, the Prime Minister, the Ministers, the other members of the Government and the other State bodies to create the necessary conditions for representatives to the National Assembly to fulfil their duties.
3. The State shall ensure the expenditure for the activities of representatives to the National Assembly.

Article 83

1. The sessions of the National Assembly are open to the public. When necessary, according to the recommendations of the State President, the National Assembly's Standing Committee, the Prime Minister or at least two-thirds of its members, the National Assembly can decide on a secret meeting.
2. The National Assembly shall hold two sessions each year. When required by the State President, the Prime Minister or at least one-third of the total membership of the National Assembly, National Assembly shall hold extraordinary sessions. The Standing Committee convenes the session of the National Assembly.
3. The first session of the newly-elected National Assembly shall be convened sixty days after its election at the latest; it shall be opened and presided over by the

chairman of the outgoing Assembly until the election of the new chairman by the incoming Assembly.

Article 84

1. The State President, the Standing Committee of the National Assembly, the Ethnic Council and Committees of the National Assembly, the Government, the Supreme People's Court, the Supreme People's Procuracy, the State Audit, The Central Committee of the Vietnam Fatherland Front and the central bodies of its member organisations have the right to submit draft laws to the National Assembly and draft ordinances to the National Assembly's Standing Committee.
2. Members of the National Assembly may present motions concerning laws, ordinances, draft laws and draft ordinances to the National Assembly and the National Assembly's Standing Committee.

Article 85

1. Laws and resolutions of the National Assembly must be approved by the majority of its members; the drafting or amendment of the Constitution and decisions on extending and reducing its tenure and revoking one of its members must be approved by at least two-thirds of its total membership.
The ordinances and resolutions of the Standing Committee of the National Assembly must be approved by more than half of its membership.
2. Laws and ordinances must be made public fifteen days following their adoption at the latest, except in case where the decree-laws are presented by the State President for review.

CHAPTER VI

THE STATE PRESIDENT

Article 86

The State President is the Head of State and represents the Socialist Republic of Vietnam both in domestic and foreign affairs.

Article 87

The State President shall be elected by the National Assembly from among its members.

The State President is responsible and accountable to the National Assembly for his or her work.

His or her term of office follows that of the National Assembly. At the end of the latter's tenure he shall continue in office until a new President of the State is elected by the new legislature.

Article 88

The State President has the following duties and powers:

1. To promulgate the Constitution, laws and ordinances; to recommend to the National Assembly Standing Committee to revise its ordinances within ten days from the date these ordinances were passed; if such ordinances are still voted for by the National Assembly Standing Committee despite the State President's recommendation, the State President can submit it to the National Assembly for decision at its next session;
2. To recommend to the National Assembly to elect, suspend or revoke the Vice President of the State or the Prime Minister; on the basis of resolutions of the National Assembly, to appoint, suspend or revoke Deputy Prime Ministers, Ministers and other members of the Government;
3. To recommend to the National Assembly to elect, suspend or revoke the President of the Supreme People's Court and the Head of the Supreme People's Procuracy; on the basis of resolutions of the National Assembly, to appoint, to suspend or revoke Judges of the Supreme People's Court; to appoint, suspend or revoke Judges of other courts and Chief Justices of the Supreme People's Procuracy, Deputy Procurators General and Procurators of the Supreme People's Procuracy; to grant pardons and on the basis of resolutions of the National Assembly, to proclaim an amnesty;
4. To decide on the award of medals, badges, State prizes and State honours and distinctions; to grant Vietnamese nationality, release from Vietnamese nationality, restore Vietnamese nationality, or deprive of Vietnamese nationality.

5. To have overall command of the armed forces and hold the office of Chairman of the National Defence and Security Council; to decide on conferment, promotion, demotion and deprivation of army rank of general, commander-in-chief, vice commander-in-chief and naval commander-in-chief; to appoint, suspend or revoke Chief of the general staff and Chairman of the Political Head Office of Vietnamese People's Army; on the basis of resolutions of the National Assembly or of the National Assembly's Standing Committee, to proclaim or retract the decision on the state of war; on the basis of resolutions of the National Assembly's Standing Committee, to issue orders on general mobilisation or limited mobilisation, to declare or lift a state of emergency and in cases where the National Assembly Standing Committee cannot meet, to declare a state of emergency nationwide or in a particular locality;
6. To accept foreign ambassadors extraordinary and plenipotentiary; on the basis of resolutions of the National Assembly's Standing Committee, to appoint and recall ambassadors extraordinary and plenipotentiary of the Socialist Republic of Vietnam; to decide on the conferment of titles and ranks on the ambassadorial title; to decide on negotiation and conclusion of international treaties in the name of the State; to submit to the National Assembly international treaties for ratification and termination as provided by clause 14 of Article 70; to decide on ratification, accession to or termination of other international treaties in the name of the State.

Article 89

1. The National Defence and Security Council consists of a Chairman, Vice Chairmen and other members who are approved by the National Assembly under the nomination of the State President.
The National Defence and Security Council shall operate as a collegium and take its decisions by a vote of the majority.
2. The National Defence and Security Council proposes to the National Assembly to decide on a state of war and in case the National Assembly cannot meet, proposes to the National Assembly's Standing Committee to decide on a state of war; mobilises all forces and potentialities of the country for national defence; exercises special

duties and powers entrusted by the National Assembly in case of war and decides on the participation of the armed forces in activities contributing to the protection of peace in the region and in the world.

Article 90

The State President is entitled to attend sessions of the Standing Committee of the National Assembly and sessions of the Government.

The State President has the right to request the Government to hold meetings to discuss issues which the State President considers necessary to exercise his duties and authorities.

Article 91

The State President shall issue orders and decisions for the accomplishment of his duties and the exercise of his powers.

Article 92

The Vice President of the State shall be elected by the National Assembly from among its members.

He shall assist the State President in the performance of his duties and may be delegated by him to perform certain tasks.

Article 93

When the State President is incapacitated for work over a long period of time, the Vice President shall act as President.

In case of vacancy of the State Presidency, the Vice President shall be acting President until the election of a new President by the National Assembly.

CHAPTER VII

THE GOVERNMENT

Article 94

The Government is the highest administrative body of the Socialist Republic of Vietnam, exercises the executive power and is the executive body of the National Assembly.

The Government is accountable to the National Assembly and shall report to the National Assembly, its Standing Committee and the State President.

Article 95

1. The Government shall be composed of the Prime Minister, the Deputy Prime Ministers, the Ministers and heads of ministerial-level agencies.

The structure and numbers of members of the Government are decided by the National Assembly.

The Government shall operate as a collegium and take its decisions by a vote of the majority.

2. The Prime Minister as the head of the Government is accountable to the National Assembly for the activities of the Government and its assigned duties and shall report to the National Assembly, the National Assembly's Standing Committee and the State President on the activities of the Government and the Prime Minister
3. The Deputy Prime Ministers shall assist the Prime Minister in the performance of his duties, as required by him, and are accountable to the Prime Minister. In the absence of the Prime Minister, one of his Deputies shall be delegated by him to direct the work of the Government.
4. The Ministers and Heads of ministerial-level agencies shall be personally accountable to the Prime Minister, the Government and the National Assembly for their respective fields and branches, and shall be, together with other members of the Government, collectively accountable for the activities of the Government.

Article 96

The Government has the following tasks and powers:

1. To organise the implementation of the Constitution, laws and resolutions of the National Assembly, ordinances and resolutions of the Standing Committee of the National Assembly, and orders and decisions of the President;
2. To organise the implementation of the Constitution, the laws, resolutions of the National Assembly, the ordinances and resolutions of the National Assembly's Standing Committee and decrees and decisions of the State President; To initiate and draft policies and to submit them to the National Assembly and the National Assembly's Standing Committee for decision or to decide on these policies according to its jurisdiction in the exercise of its duties and jurisdiction as provided by this Article; to recommend draft laws draft state budgets and other projects to the National Assembly; to propose the draft ordinances to the National Assembly's Standing Committee;
3. To exercise uniform management of the economy, culture, society, education, medicine, science, technology, environment, information, media, international relations, national defence, national security and social order and security; to exercise the decisions on mobilisation and the state of emergency and carry out all other necessary measures to protect the country and to safeguard the lives and the property of the People;
4. To recommend to the National Assembly to create or dissolve ministries and ministerial-level agencies and to establish, merge, divide or adjust the boundaries of provinces and cities under direct central rule and to set up or disband special administrative economic units; to recommend to the National Assembly's Standing Committee to establish, merge, divide or adjust the administrative boundaries below the level of provinces and cities under direct central rule;
5. To exercise the uniform management of the national bureaucracy; exercise the management of cadres, civil servants, officials and public service in state bodies; to exercise the work of inspection and examination and handling of citizen's complaint

and denouncements; to fight against authoritativeness and corruption in the state apparatus; to direct the work of the ministries, the ministerial-level agencies and the bodies of the Government, the People's Committees at all levels and to guide and control the People's Councils in their implementation of their legal duties and authorities;

6. To protect the rights and interests of the State and society, human rights and citizen's rights and to ensure social order and security;
7. To negotiate and conclude international treaties in the name of the State as delegated by the State President; to negotiate, sign, ratify and accede to international treaties in the name of the Government, except the international treaties proposed to the National Assembly for approval as provided by clause 14 of Article 70 and to protect the interests of the State, the legitimate interests of Vietnamese organisations and citizens in foreign countries;
8. To coordinate with the Central Committee of the Vietnamese Fatherland Front and the central bodies of socio-political organisations in the exercise of its duties and authorities.

Article 97

The tenure of the Government is the same as that of the National Assembly. When the latter's tenure ends, the Government shall continue in office until the new legislature establishes a new Government.

Article 98

The Prime Minister is elected by the National Assembly among its members.

The Prime Minister has the following duties and powers:

1. To direct the work of the Government; to direct the construction of policies and the organisation of implementation of the laws;
2. To direct and to be accountable for the activities of the national administration from the central to local level and to ensure the unity and thoroughness of the national administration;
3. To submit to the National Assembly for approval recommendations on appointment,

suspension or dismissal of Deputy Prime Ministers, Ministers and heads of ministerial-level agencies; to appoint, suspend or dismiss Vice Ministers and officials of equal rank of ministries and ministerial-level agencies; to approve the election, suspension, secondment and dismissal of Chairmen and Deputy Chairmen of the People's Committees of provinces and cities under direct central rule;

4. To suspend or annul decisions, directives and circulars of Cabinet Ministers and other Government members, decisions and directives of the People's Councils and Chairmen of the People's Committees of provinces and cities under direct central rule that contravene the Constitution, the law and other formal written documents of superior State bodies; to suspend the execution of resolutions of the People's Councils of provinces and cities under direct central rule that contravene the Constitution, the law and formal written orders of superior State bodies and at the same time, to propose to the Standing Committee of the National Assembly to annul them;
5. To decide and direct the negotiation of and to direct the conclusion and joining of international treaties within the duties and authorities of the Government; to organise the implementation of international treaties in which the Socialist Republic of Vietnam is a member;
6. To submit regular reports to the people through the mass media on major issues to be settled by the Government and the Prime Minister.

Article 99

1. Ministers and heads of ministerial-level agencies are members of the Government, preside over ministries and bodies of ministerial-level agencies, direct the work of ministries and ministerial-level agencies; shall be responsible for State administration in the fields and branches under their respective authority to organise and monitor the implementation of the laws in their respective fields and branches throughout the country.
2. Ministers and heads of ministerial-level agencies shall report to the Government and the Prime Minister and exercise a regime of reporting to the People on issues under their respective management.

Article 100

The Government, the Prime Minister, Ministers and heads of ministerial-level agencies shall issue legal documents to exercise their duties and authorities, review the implementation of these documents and handle illegal documents in concordance with the law.

Article 101

The Chairman of the Central Committee of the Vietnamese Fatherland Front and the heads of socio-political organisations shall be invited to attend sessions of the Government when relevant problems come up for discussion.

CHAPTER VIII

THE PEOPLE'S COURT AND THE PEOPLE'S PROCURACY

Article 102

1. The People's Courts are the judicial bodies of the Socialist Republic of Vietnam, exercising the judicial power.
2. The People's Courts comprise the Supreme People's Court and other courts established by law.
3. The People's Courts are responsible for the protection of justice, human rights, citizen's rights, socialist regime, interests of the State and legal rights and interests of organisations and individuals.

Article 103

1. Trials before the People's Courts shall be attended by People's Assessors, except in the case of trials in lower courts
2. The Judges and Assessors are independent and shall only obey the law; interference with the trials of the Judges and Assessors by bodies, organisations, and individuals is strictly prohibited.

3. The People's Courts shall hold their hearings in public. In special cases, which require the protection of state secrecy, fine customs and beautiful habits of the nation, the protection of youths and the protection of privacy according to the legitimate requirement of the persons concerned, the People's Courts can hold their hearings in secret.
4. The People's Courts shall try their cases collegially and their decisions shall be in conformity with the will of the majority, except the cases of the trials with reduced procedure.
5. The principle of institute legal proceeding against is guaranteed in trials.
6. The regime of hearing in first instance and appeal is guaranteed.
7. The right of the accused or the defendants to be defended is guaranteed; the right of the persons concerned to defend their legitimate interests is guaranteed.

Article 104

1. The Supreme People's Court is the highest judicial body of the Socialist Republic of Vietnam.
2. The Supreme People's Court supervises and directs the judicial work of other courts, except the cases provided by the law.
3. The Supreme People's Court exercises the summarisation of the practice of trials, and ensures the uniform application of law in trials.

Article 105

1. The term of the President of the Supreme People's Court is consistent with the term of the National Assembly. The appointment, suspension and revocation of presidents of other courts are provided by the law.
2. The President of the Supreme People's Court is accountable to and reports to the National Assembly and, when the latter is not in session, to its Standing Committee and to the State President. The lines of reporting of presidents of other courts are provided by the law.
3. The appointment, approval, suspension and revocation, term of judges and the election and term of assessors are provided by the law.

Article 106

The sentences and decisions of the People's Court which have acquired legal effect must be respected by bodies, organisations, and individuals; they must be fully complied with by the bodies, organisations and individuals concerned.

Article 107

1. The People's Procuracies shall exercise the power to prosecution and control judicial activities.
2. The People's Procuracies comprise the Supreme People's Procuracy and other Procuracies provided by the law.
3. The People's Procuracies are responsible for the protection of law, human rights, citizen's rights, the socialist regime, interests of the State and legal rights and interests of organisations and individuals, thus contributing to ensuring that laws are strictly and uniformly observed.

Article 108

1. The term of the Head of the Supreme People's Procuracy is consistent with the term of the National Assembly. The appointment, suspension and revocation of heads of other Procuracies and Procurators are provided by the law.
2. The Head of the Supreme People's Procuracy is accountable to and reports to the National Assembly and, when the latter is not in session, to its Standing Committee and to the State President. The line of reporting of heads of other procuracies is provided by the law.

Article 109

1. A People's Procuracy is directed by its Head. The Heads of inferior Procuracies are subject to the leadership of the Heads of superior Procuracies. The Heads of Procuracies at all levels are subject to the overall leadership of the Head of the Supreme People's Procuracy.
2. When exercising the power to prosecution and controlling judicial activities, Procurators shall obey the law and are subject to the leadership of the Head of the People's Procuracy.

CHAPTER IX

THE LOCAL GOVERNMENT

Article 110

1. The administrative units of the Socialist Republic of Vietnam are distributed as follows:

The country is divided into provinces and cities under direct central rule;

A province is divided into districts, provincial cities and towns; a city under direct central rule is divided into urban districts, rural districts, towns and units of similar level;

A district is divided into communes and townlets; a provincial city and a town are divided into wards and communes and an urban district is divided into wards.

Special administrative economic units are created by the National Assembly.

2. The establishment, removal, merging, division or adjustment of the boundaries of administrative units must be consulted with the local people in concordance with the process and procedure provided by the law.

Article 111

1. Local governments are organised in administrative units of the Socialist Republic of Vietnam.
2. Local governments consist of the People's Council and the People's Committee which shall be organised consistent with the features of rural areas, cities, islands and special administrative economic units provided by the law.

Article 112

1. Local governments organise and ensure the implementation of the Constitution and the laws at local level; deal with local issues provided for by the law and are subject to the examination and supervision of superior state bodies.
2. The duties and authorities of local governments shall be determined on the basis of

differentiation of powers between central state bodies and local state bodies and between different ranks of local governments.

3. When necessary, local governments are delegated to exercise some duties of superior state bodies with the conditions deemed necessary to exercise those duties.

Article 113

1. The People's Council is the local body of State power; it represents the will, aspirations and mastery of the local People; it is elected by the local People and is accountable to them and to the superior State bodies.
2. The People's Council shall decide on local issues provided by the law; supervise conformity to the Constitution and the laws at local level and the implementation of the resolutions of the People's Council.

Article 114

1. The People's Committee elected by the People's Council is the latter's executive body, the body of local State administration and is accountable to the People's Council and superior state bodies.
2. It is the responsibility of the People's Committee to implement the Constitution and the laws at local level, to organise the implementation of the resolutions of the People's Council and to exercise duties assigned by the superior state bodies.

Article 115

1. A representative of the People's Council represents the will and aspirations of the local People; he must maintain close ties with the electors, submit himself to their control, keep regular contact with them, regularly report to them on his activities and those of the People's Council, answer their requests and petitions and look into and activate the resolution of the People's complaints and denunciations. It is the duty of the representative of the People's Council to urge the People to abide by the law and State policies, the resolutions of the People's Council and to encourage them to join in State administration.
2. The representative of the People's Council has the right to interpellate the Chairman of the People's Council, the Chairman and other members of the People's Committee,

the President of the People's Court, the Head of the People's Procuracy and the heads of bodies under the People's Committee. The interpellated officials must respond to this interpellation within the time determined by law. The representative of the People's Council has the right to make recommendations to local State bodies. The officials in charge of these bodies have the responsibility to receive him and to examine and settle the issues raised in his or her recommendations.

Article 116

1. The People's Council and the People's Committee shall submit regular reports on the local situation in all fields to the Front and the mass organisations; shall listen to their opinions and recommendations on local power building and socio-economic development; shall cooperate with them in urging the people to work together with the State for the implementation of socio-economic, national defence and security tasks in the locality.
2. The Chairmen of the Vietnam Fatherland Front committee and the heads of socio-political organisations in the locality shall be invited to attend sessions of the People's Council and to attend meetings of the People's Committee of the same level when relevant problems are discussed.

CHAPTER X.

THE NATIONAL ELECTION COUNCIL AND THE STATE AUDIT

Article 117

1. The National Election Council is a body created by the National Assembly, responsible for the organisation of election of the National Assembly. It shall direct and coordinate the election of the People's Councils at all levels.
2. The National Election Council comprises a President, Vice Presidents and members
3. The details of organisation, duties and authorities of the National Election Council and the number of its members shall be provided by the law.

Article 118

1. The State Audit is a body created by the National Assembly, shall act independently and obey the law only. It exercises the audit of the management and use of public finance and property.
2. The State Auditor General presides over the State Audit, elected by the National Assembly. The term of the State Auditor General shall be provided by the law.
The State Auditor General is accountable and reports the results of audits to the National Assembly; when the latter is not in session, to its Standing Committee.
3. The details of the organisation, duties, and authorities of the State Audit shall be provided by the law.

CHAPTER XI

**THE EFFECT OF THE CONSTITUTION AND THE AMENDMENT OF THE
CONSTITUTION**

Article 119

1. The Constitution is the fundamental law of the Socialist Republic of Vietnam, and has the highest legal effect.

All other legal documents must conform to the Constitution.

All actions violating the Constitution shall be dealt with.
2. The National Assembly, its bodies, The State President, the Government, the People's Courts, the People's Procuracies, other State organs and the entire People are responsible to protect the Constitution. The mechanism of constitutional protection shall be provided by the law.

Article 120

1. The State President, the National Assembly's Standing Committee, or at least two-thirds of the entire number of National Assembly representatives have the right to propose the drafting of a Constitution and amendment of the Constitution. The

National Assembly shall decide on the drafting of constitution and amendment of the Constitution upon the approval of two-thirds of the entire number of National Assembly representatives.

2. The National Assembly shall create the Committee of Constitutional Drafting. The components, the number of members, duties and authorities of the Committee of Constitutional Drafting shall be decided by the National Assembly according to the recommendation of the National Assembly's Standing Committee.
3. The Committee of Constitutional Drafting drafts, organises the collection of People's opinion and submits to the National Assembly the draft Constitution.
4. The Constitution shall be enacted with the approval of at least two-thirds of the entire number of National Assembly representatives. The referendum on the Constitution shall be decided by The National Assembly.
5. The time limit for the promulgation and effective date of the Constitution shall be decided by the National Assembly.

This Constitution was approved by the National Assembly of the Socialist Republic of Vietnam, term XIII, at its sixth session on 28 November 2013.

PRESIDENT OF THE NATIONAL ASSEMBLY

Nguyễn Sinh Hùng