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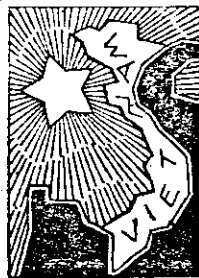
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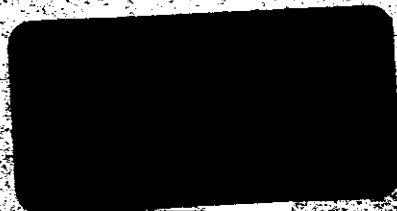
A NEW STAGE IN HER HISTORY



*With the kind cooperation
of the Vietnam News Service*

DECLARATION STATEMENT - DECLARATION OF
INDEPENDENCE - CONSTITUTION - NATIONAL ANTHEM
ADDRESS BY PRESIDENT HO-CHI-MINH

"VIETNAM NEWS" PUBLICATION, JUNE 1947, 543 SILOM, BANGKOK



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FOREWORD

For more than a year people all over the world has been hearing a new name, strange to them: Viet-Nam. Newspapers throughout the world have often referred to it, sometimes, we are sure, without really knowing what it meant. Some describe it as French Indo-China. Others, more conversant with Southeast Asia affairs, know it as the new republic made up now of Tongking and Annam and claiming Cochin-China.

Actually, there is nothing new about Viet-Nam. This was the name by which we knew our country long before colonization by the French.

It was in the sixties of the last century that the French arrived to wage on us a war of aggression in the name of "religion." Tu-Duc, then the Emperor was forced to surrender that part of Viet-Nam which the French called Cochin-China. In 1883, Tu-Duc was forced to sign a treaty which recognized the rest of Viet Nam as a French protectorate. It was then that the name Viet Nam disappeared and the country was called Tonking, Annam and Cochin-China. It was part of the French policy of "divide and rule." It was successful, for thenceforth Indo-China became known as a union of five countries: Tongking, Annam, Cochin-China, Laos and Cambodia.

Yet, despite a constant campaign of sly French maneuvers and barbarous repression over a period of 80 years, our people never ceased to strive for revival of our Fatherland and for its freedom and unity. French rule has seen an unbroken series of national uprisings.

During the last World War the French yielded to the Japanese. Vietnam opened war against both. Our country ranged along the side of the Allies, for our spirit was that of the democratic nations.

On August 18, 1945, the Japanese having surrendered, our forces came out of the hills and jungles and moved into Hanoi and into every town from Tonking to Cochin-China, taking over sovereign power.

His Majesty Bao-Dai abdicated of his own accord. On September 2, 1945, the Government of Ho Chi Minh was unanimously recognized by

unprecedented popular acclaim and the Democratic Republic of Viet Nam solemnly proclaimed.

Accordingly, on January 6, 1946, general elections were held throughout the country, even though war had broken out in Nam-bo. The Constituent Assembly was subsequently convened.

The French were forced then to recognize Viet Nam as a nation. They could not do otherwise. Thus, the Convention of March 6, 1946, was signed by the French and Viet Nam, followed on September 14, 1946, by the Modus Vivendi. Both these instruments have been respected by the French only in their violation.

On December 19, 1946, all-out war flared in Viet Nam. That war is still on and the people of Viet Nam are as determined today as they have ever been to fight for their unity and freedom. Their firmness is unshakable and any attempt by the French to set up puppet figures is doomed beforehand to failure.

What has made people of Viet Nam so united and so resolved to resist the French under leadership of Ho Chi Minh?

What has kept strongly alive the conviction that ultimate victory is theirs despite the opposition of a modern, motorized French force of 200,000 troops?

In a brief attempt to answer these questions, we publish the historic documents in this pamphlet, which tell upon what basis the Viet Nam Government is formed. They will give some hint of the spirit which lies behind President Ho Chi Minh's statement: "The Viet Nam people will then fight 5, 10 or 20 years, if they have to, to win their freedom."

Viet Nam must be her own master, even though it be within the framework of the French Union. She will settle for nothing less than this.

L E H I

Vietnam News Service

Abdication Statement

By H.M. Bao Dai

The Happiness of the Viet Nam People !

The Independence of the Viet Nam Nation !

To achieve these aims, we declare ourselves ready to make all sacrifices, desirous that such sacrifices will benefit the nation.

Conscious that the union of Our compatriots at this moment is an absolute necessity for Our Fatherland, We had solemnly advised Our people on August 22 : " At this decisive moment in the nation's history, unity is life, and division death."

In view of the mighty democratic forces released in the north of Our Realm, We were apprehensive at first that conflict between the North and the South would be inevitable if we waited for the opening of a National Congress to take a decision, and We were aware that this conflict, if it ever took place, would entail much suffering for Our people besides giving a golden opportunity to the invader to despoil Our territory.

We cannot help owning to a certain melancholy in contemplating the achievements of Our glorious ancestors who had fought without respite for 400 years to extend the frontiers of Our Country from Thuan-hoa to Ha-tien.

We cannot help feeling a certain regret in looking back on Our 20 year-old reign, during which We had been in an impossible position to render any appreciable service to Our Country.

In spite of that, We decide to abdicate Our throne and hand over sovereign power to the Democratic Republican Government of Viet Nam.

In doing so, We have only three wishes to express :

- 1) We request the New Government to take care of the dynastic temples and royal tombs ;
- 2) We request the New Government to treat fraternally

all the parties and groups who have fought for the independence of the country, even though they had not followed closely the popular movement; that is to give them the opportunity to participate in the reconstruction of the country and to show that the new regime is founded on the absolute union of the whole population;

3) We invite all parties and groups, all classes of the society as well as the Royal Family to strengthen and support unreservedly the Democratic Government of Viet Nam in order to consolidate our national independence.

As for Us, during 20 years of Our rule, We have known so much bitterness. Henceforth, We are happy to assume the status of free citizens in an independent country. We will not permit anybody to abuse Our name or that of the Royal Family to sow discord among our compatriots.

Long live the Independence of Viet Nam!

Long live our Democratic Republic!

At Hue, August 26th, 1945

Signed: BAO-DAI

(Soon after His Majesty's abdication, Mr. NGUYEN VINH THUY became Supreme Councillor of the Viet-Nam Democratic Republic.)

Declaration Of Independence Of The Vietnam Democratic Republic

"We hold these truths that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, among these are Life, Liberty and the pursuit of Happiness."

This immortal statement is extracted from the Declaration of Independence of the United States of America in 1776. Understood in the broader sense, this means: "All peoples on the earth are born equal; every person has the right to live, to be happy and free."

The Declaration of Human and Civic Rights proclaimed by the French Revolution in 1791 likewise propounds: "*Every man is born equal and enjoys free and equal rights.*"

These are undeniable truths.

Yet, during and throughout the last eighty years, the French imperialists, abusing the principles of "freedom, equality and fraternity" have violated the integrity of our ancestral land and oppressed our countrymen. Their deeds run counter to the ideals of humanity and justice.

In the political field, they have denied us every freedom. They have enforced upon us inhuman laws. They set up three different political regimes in Northern, Central and Southern Vietnam in an attempt to disrupt our national, historical and ethnical unity.

They have built more prisons than schools. They have callously illtreated our fellow-compatriots. They have drowned our revolutions in blood.

They have sought to stifle public opinion and pursued a policy of obscurantism on the largest scale; they have forced upon us alcohol and opium in order to weaken our race.

In the economic field, they have shamelessly exploited our people.

drive them into the worst misery and mercilessly plundered our country.

They have ruthlessly appropriated our rice fields, mines, forests and raw materials. They have arrogated to themselves the privilege of issuing banknotes, and monopolised all our external commerce.

They have imposed hundreds of unjustifiable taxes, and reduced our countrymen, especially the peasants and petty tradesmen, to extreme poverty.

They have prevented the development of native capital enterprises; they have exploited our workers in the most barbarous manner.

In the autumn of 1940, when the Japanese fascists, in order to fight the Allies, invaded Indochina and set up new bases of war, the French imperialists surrendered on bended knees and handed over our country to the invaders.

Subsequently, under the joint French and Japanese yoke, our people were literally bled white. The consequences were dire in the extreme. From Quang-tri up to the North, two millions of our countrymen died from starvation during the first months of this year.

On March 9, 1945, the Japanese disarmed the French troops. Again the French either fled or surrendered unconditionally. Thus, in no way have they proved capable of "protecting" us; on the contrary, within five years, they have twice sold our country to the Japanese.

Before March 9, many a time, did the Viet.Minh League invite the French to join in to fight against the Japanese. Instead of accepting this offer, the French, on the contrary, let loose a wild reign of terror with rigour worse than ever before against Viet.Minh's partisans. They even slaughtered a great number of our "condamnes politiques" imprisoned at Yen-bay and Cao-bang.

Despite all that, our countrymen went on maintaining vis a vis the French a humane and even indulgent attitude. After the events of March 9th, the Viet.Minh League helped many Frenchmen to cross the borders, rescued others from Japanese prisons, and in general, protected the lives and properties of all the French in their territory.

In fact, since the autumn of 1940, our country ceased to be a French colony and became a Japanese possession.

After the Japanese surrender, our people, as a whole, rose up and proclaimed their sovereignty and founded the Democratic Republic of Vietnam.

The truth is that we have wronged lack our independence from

Japanese hands and not from the French.

The French fled, the Japanese surrendered, Emperor Bao-Dai abdicated, our people smashed the "yoke" which pressed hard upon us for nearly one hundred years, and finally made our Vietnam an independent country. Our people at the same time overthrew the monarchical regime established tens of centuries ago, and founded the Republic.

For these reasons, we the members of the Provisional Government representing the entire people of Vietnam, declare that we shall from now on have no more connections with imperialist France; we consider null and void all the treaties France had signed concerning Vietnam, and we hereby cancel all the privileges that the French arrogated to themselves on our territory.

The Vietnam people, animated by the same common resolve, are determined to fight to the death against all attempts at aggression by the French imperialists.

We are convinced that the Allies who have recognised the principles of equality of peoples at the Conferences of Teheran and San Francisco cannot but recognise the Independence of Vietnam.

A people which has so stubbornly opposed the French domination for more than 80 years, a people which, during these last years so doggedly ranged itself and fought on the Allied side against Fascism, such a people has the right to be free, such a people must be independent.

For these reasons, we, the members of the Provisional Government of the Democratic Republic of Vietnam, solemnly declare to the world:

"Vietnam has the right to be free and independent and, in fact, has become free and independent. The people of Vietnam decide to mobilize all their spiritual and material forces and to sacrifice their lives and properties in order to safeguard their right of Liberty and Independence."

Hanoi, September 2nd, 1945.

Signed: *Ho Chi-Minh*, President; *Tran Huy-Lieu*,
Vo Nguyen-Giap, *Chu Van-Tan*, *Duong Duc Hien*,
Nguyen Van-To, *Nguyen Manh-Ha*, *Cu Huy Can*,
Pham Ngoc-Thach, *Nguyen Van-Xuan*, *Vu Trong-*
Khanh, *Pham Van-Dong*, *Dao Trong-Kim*, *Vu*
Dinh-Hoe, *Le Van-Hien*.

6

**President Ho Chi Minh's
Address To The 2nd Session
Of The National Assembly
October 25, 1946**

(Translated from the Vietnam)

“For more than ten days all the members of the National Assembly have been working hard, and today the National Assembly has successfully completed its task—an achievement which will be recorded in the nation's history and handed down to future generations: it has provided the nation with a Constitution.

“Thanks to the Members of Parliament, we are found to accept today our first Constitution and especially within such a short space of time since our Revolution.

“This is not merely the first Constitution in Vietnam. It is the first in the whole of Asia. We feel no self-complacency about our achievement because our Constitution is not yet perfect, but it meets the present situation.

“What does our Constitution say to the world? It says that Vietnam is a democratic, independent Republic. It says our people are enjoying liberty and equality. It says all our people are equal before the law, irrespective of rank, class, sex or national minority. It proclaims that Vietnam respects the rights of property and the freedom of religion. The Constitution of Vietnam symbolises the unity of its people in their struggle for righteousness and justice.

“Now I solemnly adjure you to strive for:

The People's well-being: clothing and food for all our people;

The People's rights: all the democratic freedoms for all our people;

The People's nation : independence and unity.

We do not wish anything more. But we are determined not to give way."

Extolling the National Assembly for having defined the Status of Labour, President Ho Chi Minh said :

"Thanks to your definition of Rights of Labour, both intellectual and manual labourers will from now on be in a position to work for the good of the nation.

" Our country needs to be built up. To be built up we must work ; to work we need workers. That is why our workers need favourable conditions for working. Good conditions create good workers."

Then President Ho Chi Minh continued :

" I wish all the members of Parliament will bring back to their respective people the spirit of determination which permeates this National Assembly, and I earnestly invite you :

To appeal to the people to maintain solidarity so as to strengthen still further our people's coalition ;

To urge the people to carry out the 'New Life' principles ;

To encourage them to increase production and combat famine;

To fight against illiteracy ;

To prohibit gambling, robbery and bribery;

To criticise the government's imperfections, and to make concrete proposals for the welfare of the people.

" You will tell the people that we are going to face more difficulties, but when the people, the National Assembly, and the government are united, we are certain to reach our goal: NATIONAL UNITY, INDEPENDENCE, STRENGTH, and PROSPERITY."

DEMOCRATIC REPUBLIC of VIETNAM



The territory of Vietnam composed of *Bacbo* or Northern Vietnam, *Trungbo* or Central Vietnam, and *Nambo* or Southern Vietnam is one and indivisible (*Constitution, Art. 2*)

Constitution
of the
Democratic Republic of Vietnam

*Adopted by the National Assembly
through a vote of 240 to 0 at its
meeting on November 8, 1946,
in Hanoi, capital of the Democratic
Republic of Vietnam, and proclaimed
on November 9, 1946.*

Constitution

of the

Vietnam Democratic Republic

PREAMBLE

The August Revolution regained the independence of our Fatherland, the liberty of our people and founded the Democratic Republic.

After 80 years of struggle, the Vietnam people threw off the colonial yoke and, at the same time, abolished the internal feudal regime.

The nation entered upon a new stage in its history.

From now on our people face the tasks of preserving the integrity of our territory, achieving full independence and building up the country on democratic foundations!

Being entrusted by the nation with the task of drafting the first Constitution of the Democratic Republic of Vietnam, the National Assembly is deeply conscious that the Constitution, to embody the glorious achievements of the Revolution, should be based on the following principles:

The union of all the people without distinction of race, clan, creed, wealth or sex;

The guaranteeing of democratic liberties;

The establishment of a true people's government.

Permeated by the spirit of unity symbolized in the struggle of the entire nation and manifested in an enlarged and enlightened democratic regime, Vietnam now goes forward confidently in consonance with the progressive movements of the world and the peaceful aspirations of mankind.

12

Chapter I

GENERAL PROVISIONS

ARTICLE 1. Vietnam is a Democratic Republic.

All power in the country belongs to the people of Vietnam without distinction of race, class, creed, wealth or sex.

ARTICLE 2. The territory of Vietnam composed of *Bac-Bo* or Northern Vietnam, *Trung-Bo* or Central Vietnam, and *Nam-Bo* or Southern Vietnam, is one and indivisible.

ARTICLE 3. The national flag of Vietnam is red centered with a five-pointed golden star.

The national anthem of Vietnam is the "Tien-Quan Ca."
The Capital of Vietnam is Hanoi.

Chapter II

THE DUTIES AND RIGHTS OF THE CITIZENS

A. DUTIES:

ARTICLE 4. It is the duty of every citizen:

- to defend the country;
- to abide by the Constitution;
- to observe the laws.

ARTICLE 5. All Vietnamese citizens are liable for military service.

B. RIGHTS.

ARTICLE 6. All Vietnamese citizens enjoy equal rights in the economic, political and cultural fields.

ARTICLE 7. All Vietnamese citizens are equal before the law and enjoy equal opportunity to participate in the administration and in national construction, each according to his or her abilities and character.

ARTICLE 8. Besides enjoying full and equal rights, the ethnical minorities are to receive every help and encouragement to enable them to reach the common level of advancement as speedily as possible.

ARTICLE 9. Women enjoy full and equal rights as men under the Constitution in every respect.

ARTICLE 10. Vietnamese citizens enjoy :

- Freedom of speech,
- Freedom of the press,
- Freedom of assembly and meeting,
- Freedom of religion,
- Freedom to reside and travel in the country or to go abroad.

ARTICLE 11. Vietnamese citizens may not be arrested and detained except under the law, and their residence and correspondence are inviolable.

ARTICLE 12. The rights of property and possession of Vietnamese citizens are guaranteed.

ARTICLE 13. The rights and interests of both manual and intellectual workers are guaranteed.

ARTICLE 14. Aged and infirm Vietnamese citizens unfit to work are to be assisted by the state. And the education of children is to be provided for.

ARTICLE 15. Primary education is compulsory and free of charge. In local primary schools, the ethnical minorities have the right to learn in their own language.

Poor students are to be helped by the government.

Private schools are free to operate, they have to conform to the educational programme provided by the Government.

ARTICLE 16. Foreigners who immigrate owing to their struggle for Democracy and Freedom are granted the right of asylum in Vietnam.

C. ELECTION — REVOCATION — VETO.

ARTICLE 17. The mode of elections to all popular representative state bodies is first and primarily through universal suffrage by free, direct and secret ballot.

ARTICLE 18. All Vietnamese citizens from the age of 18 upwards, without distinction of sex, have the right to vote except lunatics and those deprived of civic rights.

Candidates must be qualified electors, at least 21 years of age, and be able to read and write the Vietnamese language. Citizens on military duty have the right to vote and to stand for elections on a par with all other citizens.

ARTICLE 19. The method and procedure of polling is to be determined by law.

ARTICLE 20. All citizens have the right to recall their elected representatives according to Articles 41 and 61.

ARTICLE 21. All citizens have the right to decide on constitutional issues and all problems affecting the destiny of the nation according to Articles 32 and 70.

Chapter III

THE PEOPLE'S PARLIAMENT

ARTICLE 22. The People's Parliament is the body entrusted with supreme powers in the Democratic Republic of Vietnam.

ARTICLE 23. The People's Parliament decides all questions of common national interest such as the enactment of laws, the sanctioning of budgets and the ratification of agreements entered into with foreign countries.

ARTICLE 24. Parliamentary elections are to be held normally once every three years, there being ordinarily one parliamentary representative for every 50,000 inhabitants.

The number of parliamentary representatives for up-country areas where there are ethnical minorities and for big cities will be determined by law.

ARTICLE 25. A member of the People's Parliament represents not only his own constituency but the entire nation as well.

ARTICLE 26. The People's Parliament determines if necessary on the validity of elections and accepts the resignation of its members.

ARTICLE 27. The People's Parliament shall elect from its members its own President and two Vice-Presidents along with twelve permanent and three substitute members to form its Permanent Committee. The President and Vice-Presidents of the People's Parliament will assume the functions of

Chairman and Vice-Chairmen of the Permanent Committee respectively.

ARTICLE 28. The People's Parliament shall meet twice a year on being convoked by the Permanent Committee (about May and November).

The Permanent Committee, when it deems necessary, may summon the People's Parliament to an extraordinary meeting.

The Permanent Committee shall summon the People's Parliament if at least a third of all the members of the latter so desire or if, in exceptional circumstances, the Government requires it to do so.

ARTICLE 29. At every meeting of the People's Parliament at least half of its total membership shall constitute a quorum. To declare war, the decision must be taken by at least a two-third majority.

ARTICLE 30. The meeting of the People's Parliament is open to the public. The press is allowed to report all deliberations and decisions arrived at.

In exceptional cases the People's Parliament is entitled to hold a secret meeting.

ARTICLE 31. The President of the Democratic Republic of Vietnam shall promulgate all bills, measures and laws which have been passed by the People's Parliament not later than ten days after they have been voted upon. However within this interval of time, the President of Vietnam may ask the People's Parliament to re-consider their decision. The President is obliged to publish any revised decision of the People's Parliament.

ARTICLE 32. Any matter vitally concerning the nation's destiny must be presented to the nation for final decision, if agreement by at least two-thirds of the People's Parliament has been obtained to this effect.

The mode of procedure for arriving at this final decision will be fixed by the law.

ARTICLE 33. The People's Parliament may dissolve itself with the consent of at least two thirds of all its members. The Permanent Committee, in the name of the People's Parliament, shall proclaim such dissolution.

ARTICLE 34. When the People's Parliament dissolves, whether the period of its normal duration be expired or not, its functions shall be assumed by the Permanent Committee until a new Parliament is elected.

ARTICLE 35. Two months before the normal expiration of the People's Parliament, the Permanent Committee shall announce re-elections. These re-elections must be carried out within these two months before the expiration of the People's Parliament.

When the People's Parliament voluntarily dissolves, the Permanent Committee immediately proclaims re-elections. These re-elections must be carried out within two months after dissolution.

The Permanent Committee must convoke the new Parliament at the latest one month after elections.

If the term of office of the People's Parliament expires during such crises as war time, the Permanent Committee is allowed to prolong their functioning for an indefinite time; however, the People's Parliament must be re-elected not later than six months after the end of such crises.

ARTICLE 36. During the time that the People's Parliament does not meet, the Permanent Committee is entitled:

- a) to vote on bills and decrees and other such projects proposed by the Government. All such decisions are to be presented to the People's Parliament at its next meeting, in order to get them approved, rescinded or modified;
- b) to convoke the People's Parliament;
- c) to control and criticize the Government.

ARTICLE 37. To be valid and binding, all the Permanent Committee's decisions must be accepted by more than half of its members.

ARTICLE 38. If the People's Parliament cannot meet, the Permanent Committee and the Government are together entitled to decide upon war or peace.

ARTICLE 39. After the report of the Permanent Committee on its working, which is to be presented at the beginning of every session, a vote of confidence in the Permanent Committee may be proposed, if requested by not less than a fourth part of the total members of the People's Parliament. In case of no-confidence, the whole Permanent Committee must resign.

Out-going members of the last Permanent Committee are eligible for re-election.

ARTICLE 40. The Government may not ordinarily arrest or pass

... on any of the members of the People's Parliament without the prior permission of the People's Parliament or in case it is not meeting, of the Permanent Committee.

A member of the People's Parliament may not be prosecuted for a speech or opinion expressed during the sessions.

In case of flagrant breaches of the common laws, the Government may arrest a member of the People's Parliament, but it has to report to the Permanent Committee within twenty four hours; the Permanent Committee or the People's Parliament will decide on the validity of such arrest.

When a member of the People's Parliament loses his right to vote, he loses at the same time all his rights and privileges as a member of the People's Parliament.

ARTICLE 41. If the People's Parliament receives a request from at least a fourth part of the electors of any constituency to recall their parliamentary representative, it must consider the question. And if at least two thirds of all the members of the People's Parliament agree to dismiss this parliamentary representative, he must resign.

ARTICLE 42. The honorarium of the members of the People's Parliament will be determined by law.

Chapter IV

THE GOVERNMENT

ARTICLE 43. The highest executive authority of the whole nation is the Government of the Democratic Republic of Vietnam.

ARTICLE 44. The Government consists of the President of the Democratic Republic of Vietnam, the Vice-President and the Cabinet. The Cabinet consists of the Prime Minister, the other Ministers and Under-Secretaries and, if need be, a Deputy Prime Minister.

ARTICLE 45. The President of the Democratic Republic of Vietnam is chosen from among the members of the People's Parliament and elected by a majority of at least two thirds of all its members.

If during the first vote, the requisite majority is not reached, the second vote shall decide by a relative majority. The President of Vietnam

is elected for five years and may be re-elected for consecutive terms. One month before the expiration of his functions, the Permanent Committee may summon the People's Parliament to elect a new President.

ARTICLE 46. The Vice-President of Vietnam is elected by the People's Parliament in the same way as the President. The length of his tenure of office is the same as that of the People's Parliament.

The Vice-President assists the President. In case the President dies or resigns; the Vice-President temporarily replaces him. The new President must be elected subsequently within two months.

ARTICLE 47. The President of Vietnam chooses the Premier from the People's Parliament and presents his appointment to the People's Parliament for approval.

If the choice is approved by the People's Parliament, the new Premier may nominate all the Ministers from among the People's Parliament and presents the nominated list to the People's Parliament for approval.

The Under-Secretaries may be chosen from outside the People's Parliament and must be introduced by the Premier to the Government's Council for approval.

The members of the Permanent Committee are not allowed to participate in the Cabinet.

ARTICLE 48. In case of a Ministerial vacancy, the Premier in agreement with the Permanent Committee, appoints immediately a temporary substitute pending approval by the People's Parliament.

ARTICLE 49. The President of the Vietnam Democratic Republic:

- a) represents the Nation;
- b) is invested with the command of the whole nation's armed forces, appoints or dismisses commanders of the land army, navy and air forces;
- c) signs decrees appointing the Premier, members of the Cabinet and high officials of the Government;
- d) presides over the Government's Council;
- e) promulgates all laws decided by the People's Parliament;
- f) confers decorations or honorific diplomas;
- g) decrees special amnesties;
- h) signs agreements with foreign nations;

- i) assigns representatives of Vietnam to foreign countries and receive foreign representatives ;
- j) declares war or peace according to Article 38.

ARTICLE 50. The President of Vietnam Republic is above the law unless he betrays the nation.

ARTICLE 51. In case the President, the Vice-President or a Cabinet member are prosecuted for treason, the People's Parliament will set up a special tribunal for their trial.

Arrest and legal prosecution of a member of the Cabinet for common law delinquencies must be previously agreed upon by the Government's Council.

ARTICLE 52. The Government is empowered to :

- a) execute laws and decrees of the People's Parliament ;
- b) propose bills or laws to the People's Parliament ;
- c) suggest emergency bills or laws to the Permanent Committee while the People's Parliament is not meeting ;
- d) annul orders and decisions of all subordinate administrative organs, if need be ;
- e) appoint or dismiss officials in its administrative organs and technical branches ;
- f) execute mobilization orders and take all measures acquired for national security ;
- g) draft and present the annual budget.

ARTICLE 53. Every decree of the Government must bear the signature of the President of the Vietnam Republic and the signatures of one or several other Ministers concerned as well.

These Ministers are responsible to the People's Parliament.

ARTICLE 54. Any Minister, on a successfully motion of no confidence against him by the People's Parliament, must resign. The whole Cabinet is not jointly responsible for individual Ministers.

The Premier is responsible for the Cabinet's policy. A no-confidence motion may be deliberated on by the Parliament only when proposed by the Premier, the Permanent Committee or a fourth part of the whole People's Parliament.

Within a space of 24 hours after the People's Parliament has passed a no-confidence motion in the Cabinet, the President of the Vietnam Republic is ~~entitled~~ to propose that the no-confidence motion be re-examined by the People's Parliament.

The second deliberation must be held, at the latest, 48 hours after the first one. Subject to the preceding qualification, the Cabinet must at once resign on a no-confidence motion being passed against it.

ARTICLE 55. All Ministers have to answer, either orally or in writing to all relevant questions of the People's Parliament or the Permanent Committee. At the latest they must answer within the space of ten days after receiving questions.

ARTICLE 56. When the People's Parliament dissolves, whether its normal duration be expired or not, the Cabinet exercises power till a new People's Parliament meets.

Chapter V

PEOPLE'S COUNCIL AND EXECUTIVE COMMITTEE

ARTICLE 57. From the executive point of view, Vietnam comprises three main administrative units ("bo"s), namely Northern, Central and Southern. Each *bo* is divided into provinces and cities, provinces and cities into prefectures and districts, and prefectures and districts into villages and quarters.

ARTICLE 58. In each province, main city, village and quarter there is a People's Council elected by direct universal suffrage.

These administrative units elect their own Executive Committee.

In *bo* and districts or prefectures, there are only Executive Committees. A *bo*'s Executive Committee is elected by the People's Councils of its respective provinces and cities. District and prefectural Executive Committees are elected by their respective village and quarter People's Councils.

ARTICLE 59. The People's Councils decide upon questions peculiar to their own localities. These decisions must not conflict with orders issued by higher authorities.

Executive Committees must:

- a) carry out orders issued by higher authorities;
- b) execute decisions of their own People's Councils after these decisions have been approved by higher authorities;
- c) manage the administrative machinery in their own localities.

ARTICLE 60. An Executive Committee is responsible to higher authorities as well as to its own People's Council.

ARTICLE 61. The members of People's Councils and Executive Committees may be compelled to resign; correct procedure for the purpose will be determined by law.

ARTICLE 62. A Government Act will determine the details of the organization of People's Councils and Executive Committees.

Chapter VI

THE JUDICIARY ORGANS

ARTICLE 63. The judiciary organs of Vietnam consist of:

- a) A Supreme Court of Appeal,
- b) Appeal Courts,
- c) Provincial and Prefectural Courts.

ARTICLE 64. All judges are appointed by the Government.

ARTICLE 65. All criminal cases must be attended by a People's Jury who either profer advice if the case be one of 'misdemeanour', or give verdicts with the judge if the case be one of 'felony'.

ARTICLE 66. The national minorities may use their own language before the Tribunal.

ARTICLE 67. The trial sessions must be held in public unless extraordinary circumstances preclude such procedure. All accused are allowed to conduct their own defence or plead with the assistance of an advocate.

ARTICLE 68. It is forbidden to torture, strike or ill-treat accused persons and prisoners.

ARTICLE 69. While trying cases, the judges have to discharge their functions in conformity with the law. No other authority is allowed to interfere with the functions of the judiciary.

Chapter VII

AMENDMENT OF THE CONSTITUTION

ARTICLE 70. Amendments to a part or to the whole Constitution are subject to the following conditions:

- a) the amendments must be requested by at least a two-third majority of the whole People's Parliament ;
 - b) the People's Parliament must elect a committee to draft the] amendments ;
 - c) the amendments, when thus ratified by the People's Parliament, must be put before the whole nation for final approval.
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VIET - NAM
National Anthem

TIÊN QUÂN CA

QUỐC - CA VIỆT NAM

Nhạc: VÃY CAO

Lời: ĐỖ HỮU ÍCH

Đoàn quân Việt - Nam đi, chung lòng cứu quốc. Đước chân
Đoàn quân Việt - Nam đi, sao vãng khắp chốn Đất giồng
dồn vang trên đường gặp ghềnh xa. Cứ in máu chiến thắng vang hời
nổi quê hương qua nơi lấm than. Cùng chung sức kiên thiết xây đời
nước. Súng đồng xa chen khúc quân hành ca. Đường vinh
mới. Đứng đều lên gông xích ta đập tan. Dù thấy
quang xây xác quân thù. Thắng gian lao, đoàn Việt lập chiến
tan, xương nát không sờn. Găng hy sinh, đời ta tươi thắm
khu. Thề phanh thấy uông máu quân thù! Tiến mau
hơn. Từ bao lâu ta nuốt căm hờn! Võ trang,
ra sa-trường. Tiên lên! - Cùng thét
dầu lên đường. Hỡi ai! Lòng chó
lên, Chí trai là đây nơi ước nguyện!
quên Bắc Sơn cũng Đólương, Thái..... Nguyên!