The Constitution of the People's Republic of China


Contents

Preamble.................................................................................................................................................. 2

Chapter I - General Principles .................................................................................................................. 4

Chapter II - The Fundamental Rights and Duties of Citizens................................................................. 9

Chapter III - The Organization of the State ............................................................................................. 12

Section 1 The National People's Congress ........................................................................................... 12

Section 2 The President Of The People's Republic of China .............................................................. 17

Section 3 The State Council .................................................................................................................. 18

Section 4 The Central Military Commission ....................................................................................... 20

Section 5 The various Levels of Local People's Congresses and the various Levels of Local People's Governments .................................................................................................................. 20

Section 6 The Institutions of Self-Government in Minority Autonomous Areas ............................. 23

Section 7 The People's Courts and the People's Procuratorates......................................................... 24

Chapter IV - The National Flag, the National Anthem, the National Emblem and the Capital............. 26
Preamble

China is a country with one of the longest histories in the world. The various peoples of China have come together to create a magnificent culture, with a glorious revolutionary tradition.

In the years after 1840, feudal China was gradually transformed into a semi-colonial, semi-feudal nation. The Chinese people have struggled, making heroic sacrifices time and again to achieve national liberation and independence, democracy, and freedom.

Great, earth-shattering changes took place in China during the 20th century.

The Revolution of 1911, led by Dr. Sun Yat-sen, put an end the feudal imperial system and gave birth to the Republic of China. But the Chinese people's historic task to overthrow imperialism and feudalism remained unfulfilled.

In 1949, after an arduous struggle and an endless series of twists and turns, including armed conflict as well as other forms, the various peoples of China, led by the Chinese Communist Party with Chairman Mao Zedong as its leader, abolished the imperial, feudal, and bureaucratic-capitalist systems of governance, and, in founding the People’s Republic of China, won a great victory for the New Democratic Revolution. Since then, the Chinese people have had control of state power, becoming masters of their own country.

After the founding of the People's Republic, China gradually realized the transition from a New Democratic society to a socialist society. The socialist reform of the system of private ownership of the means of production has already been completed, the exploitation of man by man abolished and the socialist system established. The people's democratic dictatorship, led by the working class, founded on an alliance of workers and peasants, and essentially forming a dictatorship of the proletariat, has been strengthened and developed. The Chinese people and the Chinese People's Liberation Army have triumphed over imperialist and hegemonic aggression, sabotage, and armed provocation, thus safeguarding China's independence and national security and strengthening its national defense. There have been major successes in the area of economic development; an independent and relatively comprehensive socialist industrial system has already taken basic shape. Levels of agricultural production have increased significantly. Major advances have been made in the fields of education, science and culture, while education in socialist ideology has achieved clear results. The life of the average person has improved considerably.

The victory of China's New Democratic Revolution and the successes of the socialist cause are the achievements of all the peoples of China, as led by the Chinese Communist Party and the guidance of Marxism-Leninism and Mao Zedong Thought, secured by upholding truth, correcting errors, and overcoming numerous hardships and obstacles. China will remain in the first phrase of socialism for a significant length of time. The primary task of the nation is to concentrate efforts for socialist modernization along the path of socialism with Chinese characteristics. Under the leadership of the Communist Party of China and guided by Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory, and the important "Three Represents" thought, all the peoples of China will continue to sustain the people's democratic dictatorship, the path of socialism, and the reform and opening up of China, improve steadily the various institutions of socialism, develop the socialist market economy, socialist democracy, and the socialist legal system, foster self-reliance and hard work to progressively modernize the country's industry, agriculture, national defense, and the fields of science and technology, promoting the coordinated development of the material, political, and spiritual facets of
civilization, building China into a prosperous, powerful, democratic, and culturally-advanced socialist state.

The exploiting classes as such no longer exist in our country. However, class struggle will continue within a certain range for a long time to come. The Chinese people must battle against those forces and elements that are hostile to China’s socialist system and are trying to undermine it, either within China or abroad.

Taiwan is part of the hallowed ground that is the People’s Republic of China. It is the inviolable duty of all the people of China, including our compatriots in Taiwan, to carry out the great task of reunifying the motherland.

The process of socialist construction must rely on the workers, peasants and intellectuals, uniting all the strength it is possible to unite. During the long years of revolution and construction, a united patriotic front has formed under the leadership of the Chinese Communist Party, broadly composed of various democratic parties and people’s organizations, including all workers under socialism, those who advance the socialist cause, all patriots who uphold socialism, and all patriots who stand for reunification of the motherland. This united front will continue to strengthen and develop. The Chinese People’s Political Consultation Association, a organization of this united front which is broadly representative and which has played a significant historical role, will, in the future, play an even more vital role in the political and social life of the nation and the promotion of friendship with other countries, as well as in the efforts to achieve socialist modernization, reunification, and unity of the country. The current system of multi-party cooperation and political consultation under the leadership of the Chinese Communist Party will exist and continue its development for the foreseeable future.

The People’s Republic of China is a unified multi-ethnic state founded jointly by all the peoples within its borders. The socialist ideas of equality, unity, and mutual assistance as key parts of the relationships between ethnic groups have been established and will continue to be strengthened. In the struggle to ensure national unity, majority ethnic chauvinism, particularly Han chauvinism, must be opposed along with minority ethnic chauvinism. The state shall do everything possible to promote the common prosperity of all the peoples of China.

The revolutionary and developmental achievements of China could not have been possible without support of the people around the globe. The future of China is closely linked to the future of the entire planet. China maintains an independent foreign policy; when establishing diplomatic relations and promoting economic and cultural exchanges with other countries, China adheres to five foreign policy principles: mutual respect of sovereignty and territorial integrity, mutual non-aggression, mutual non-interference in internal affairs, equality and mutual benefit, and peaceful coexistence. China strictly opposes imperialism, hegemony, and colonialism, working to strengthen unity between the Chinese and the people of other countries, supporting oppressed peoples and developing countries in their righteous struggle to win or preserve national independence and develop their economies, striving to preserve world peace and to promote the goal of human progress.

This Constitution affirms in legal form the achievements gained from the struggles of all the peoples of China, defining the basic system of government and duties of the state; it is the primary national law and has supreme legal authority. The people of all ethnicities, all state institutions including the armed forces, all political parties and social organizations, and all enterprises and public institutions
throughout the country must view the Constitution as the fundamental standard of conduct; each
group has the duty to defend the dignity of the Constitution and to ensure its implementation.

Chapter I - General Principles

Article 1 The People's Republic of China is a socialist state ruled by a people's democratic dictatorship,
led by the working class with the alliance of workers and peasants as its foundation.

The socialist system is the fundamental system of the People's Republic of China. The undermining
of the socialist system by any organization or individual is prohibited.

Article 2 In the People's Republic of China, all power belongs to the people.

The institutions through which the people exercise state power are the National People's Congress
and the various levels of local people's congresses.

On the basis of legal statutes and by various means and in various forms, the people manage state,
economic, cultural, and social affairs.

Article 3 The state institutions of the People's Republic of China put into practice the principle of
democratic centralism.

The National People's Congress and the various levels of local people's congresses are formed by
democratic elections. They are responsible to the people and subject to their supervision.

All administrative, judicial, and procuratorial bodies of the state are created by the people's
congresses; they are responsible to and supervised by their respective congresses.

The division of functions and powers among the central and local state institutions is made according
to the principle of giving full range to the initiative and enthusiasm of the local authorities, under the
unified leadership of the central government.

Article 4 All peoples in the People's Republic of China are equal. The state guarantees the lawful rights
and interests of ethnic minorities, defending and developing relationships of equality, unity, and
mutual assistance among all of China's peoples. Discrimination against or oppression of any ethnic
group is prohibited; any act which undermines the unity of the peoples of China or creates division
between them is prohibited.

According to the special status and needs of the various ethnic minorities, the state provides
assistance to regions inhabited by ethnic minorities in order to accelerate their economic and cultural
development.

Regional autonomy is exercised in the various regions where ethnic minorities live in compact
communities; in these areas institutions of autonomous government are established wielding
autonomous power. All minority autonomous regions are integral parts of the People's Republic of
China.

All minorities have the freedom to employ and develop their own spoken and written languages, and
to preserve or reform their traditional lifestyle and customs.
Article 5 The People's Republic of China shall adopt rule of law, and develop a socialist state under rule of law.

The state upholds the uniformity and defends the dignity of the socialist legal system.

No laws, administrative rules, or local regulations may contravene the Constitution.

All state institutions including the armed forces, all political parties, all social organizations, all enterprises, and all public institutions must abide by the Constitution and the law. All violations of the Constitution or the law must be prosecuted.

No organization or individual has privilege such that they are above the law or the Constitution.

Article 6 The basis of the socialist economic system of the People's Republic of China is public ownership of the means of production, which is to say ownership by the people as a whole and collective ownership by the working people.

The socialist system of public ownership puts an end to the system of exploitation of man by man, implementing the principle of "from each according to his ability, to each according to his labor."

Article 7 The state-owned economy, which is to say the socialist economy under ownership by the people as a whole, is the guiding force of the national economy. The state ensures the stability and growth of the state-owned economy.

Article 8 As their foundation, the rural collective economic organizations implement the household contract responsibility system that links remuneration to output, a dual-layered system that integrates unified management with decentralized management. Various forms of cooperative economy, such as production, sales, credit, and consumer cooperatives, belong to the sector of socialist economy held in collective ownership by the working people. Working people who are members of rural economic collectives have the right, within the limits prescribed by law, to maintain various kinds of private plots, to engage in household sideline production, or to raise privately-owned livestock.

Various forms of cooperative economy found in cities and towns, such as the handicraft, industrial, construction, transportation, commercial, and service trades, all belong to the sector of socialist economy held in collective ownership by the working people.

The state safeguards the lawful rights and interests of both urban and rural economic collectives, encouraging, guiding, and assisting in the growth of the collective economy.

Article 9 All mineral resources, bodies of water, forests, mountains, grasslands, uncultivated land, wetlands, and other natural resources are owned by the state, that is, by the people as a whole, with the exception of the forests, mountains, grasslands, uncultivated land, and wetlands that are owned by collectives as stipulated by law.

The state ensures the rational use of natural resources and works to protect rare animals and plants. The seizure or destruction of natural resources by any organization or individual through whatever means is prohibited.

Article 10 Urban land is owned by the state.
Except for those areas which belong to the state as stipulated by law, rural and suburban land is owned by collectives. Residential lots and private plots on flat or hilly ground are also owned by collectives.

Acting in the public interest, the state may, as stipulated by law, expropriate or make use of land while paying compensation.

No organization or individual may seize, purchase, sell, or otherwise engage in the unlawful transfer of land by any means. Land use rights may be transferred as stipulated by law.

Any organizations and individuals making use of land must use it rationally.

Article 11 Operating within the limits prescribed by law, non-public sectors of the economy, including individual and private sectors, form an important part of the socialist public economy.

The state protects the lawful rights and interests of the non-public sectors of the economy that include the individual and private sectors. The state encourages, supports, and guides the development of the non-public sectors of the economy, and exercises legal supervision and control over non-public sectors.

Article 12 Socialist public property is inviolable.

The state safeguards socialist public property. Seizure or destruction of state or collective property by any organization or individual through whatever means is prohibited.

Article 13 The legal right of citizens to hold private property shall not be infringed.

The state lawfully protects the right of citizens to hold and inherit private property.

Acting in the public interest, the state may, as stipulated by law, expropriate or make use of the private property of citizens while paying compensation.

Article 14 By encouraging the initiative of the working people, raising their level of technical skill, popularizing the use of advanced science and technology, improving systems of economic administration and enterprise management, instituting various forms of the socialist responsibility system, and improving the organization of labor, the state shall progressively improve labor productivity and economic efficiency while nurturing the productive forces of society.

The state practices strict economization and combats waste.

The state rationally manages accumulation and consumption, concerning itself with the interests of the nation, the collectives, and individuals. On the basis of expanded production, the state gradually improves the material and cultural life of its citizens.

The state institutes and strengthens a system of social security as dictated by the level of economic development.

Article 15 The state implements a socialist market economy.

The state strengthens economic legislation and improves macro-economic regulation and control.

The state lawfully prohibits any organization or individual from disrupting the socioeconomic order.
Article 16 Within the limits prescribed by law, state-owned enterprises have decision-making authority over their own operation.

As stipulated by law, state-owned enterprises implement democratic management by means of representative staff assemblies or other democratic forms.

Article 17 Provided that they abide by the relevant laws, collective economic organizations have the independent authority to make decisions about the conducting of economic activities.

Collective economic organizations implement democratic management, electing or removing managerial personnel and deciding major management issues as stipulated by law.

Article 18 In accordance with Chinese law, the People's Republic of China permits foreign enterprises, other foreign economic organizations, and foreign individuals to make investments in China, and to enter into various forms of economic cooperation with Chinese enterprises and other Chinese economic organizations.

All foreign enterprises, other foreign economic organizations, and Chinese-foreign joint ventures operating within Chinese territory shall abide by the laws of the People's Republic of China. Their lawful rights and interests are guaranteed by said laws.

Article 19 The state carries out development of socialist education, working to improve the status of science and culture nationwide.

The state sets up and administers schools of various types, making compulsory primary school education universal and expanding secondary school education, vocational education, and higher education as well as preschool education.

The state develops various educational facilities for eliminating illiteracy and providing political, scientific, technical, professional, and general education to workers, farmers, civil servants, and other working people. The state also encourages independent study.

The state encourages collective economic organizations, state enterprises, public institutions, and other elements of society to establish various types of educational institutions as provided for by law.

The state promotes the nationwide use of standard Mandarin Chinese (Putonghua).

Article 20 The state promotes the advancement of the natural and social sciences, popularizing scientific and technological knowledge and rewarding achievements in scientific research and technological innovation.

Article 21 The state develops medical and health services, promoting both modern medicine and traditional Chinese medicine, encouraging and supporting the establishment of various kinds of medical and health facilities by rural economic collectives, state enterprises, public institutions, and neighborhood organizations, promoting public health activities, and acting to protect the health of the general populace.

The state develops physical culture, promoting mass sports events to improve the physical fitness level of its citizens.

Article 22 The state promotes the development of literature and the arts, the press, radio and television broadcasting, the publishing industry, libraries, museums, cultural centers, and other
cultural undertakings that serve the people and the cause of socialism by sponsoring such collective cultural activities.

The state protects sites of scenic or historical interest, priceless cultural relics, and other important objects of China’s historical and cultural heritage.

Article 23 The state provides training to talented people from various fields that are willing to serve the cause of socialism, expanding the ranks of intellectuals and providing the basis for them to fully carry out their role in socialist modernization.

Article 24 By promoting the inculcation of high ideals, ethics, general knowledge, discipline, and legal values, and by formalizing and implementing rules of conduct and conventions of behavior for various sections of the population, the state strengthens the development of a civilized socialist society.

The state promotes civic virtues such as patriotism, love for the people, enjoyment of labor, respect for science, and devotion to socialism. The people are educated in patriotism, collectivism, internationalism, communism, dialectical and historical materialism, and are educated to oppose capitalism, feudalism, and other decadent ideas.

Article 25 The state promotes family planning so that population growth may correspond with plans for economic and social development.

Article 26 The state protects and improves the environment, in both the everyday and ecological senses of that word. The state prevents and controls pollution and other dangers to public health.

The state organizes and encourages the protection of forests as well as reforestation.

Article 27 All state institutions adhere to the principle of simple and efficient administration, instituting systems of work responsibility, staff training and performance reviews in order to consistently improve work quality and efficiency as well as combat bureaucracy.

All state institutions and civil servants must maintain the support of the people, keeping in close contact, listening to opinions and suggestions, accepting public supervision, and doing their best to serve the general public.

Article 28 The state maintains public order, preventing treason and other counter-revolutionary activities, punishing criminal acts including those that endanger public safety or disrupt the socialist economy, sentencing and reforming criminals.

Article 29 The armed forces of the People’s Republic of China belong to the people. Their purpose is to strengthen national defense, resist aggression, protect the motherland, ensure the peaceful labor of Chinese citizens, participate in national development, and to do their best to serve the people.

The state reinforces the revolutionary spirit, the modernization, and the standardization of the armed forces in order to increase their capability to conduct national defense.

Article 30 The People’s Republic of China is administratively divided as follows:

1. The country as a whole is divided into provinces, autonomous regions, and municipalities directly under the central government;
2. Provinces and autonomous regions are divided into autonomous prefectures, counties, autonomous counties, and cities;

3. Counties and autonomous counties are divided into townships, minority townships, and towns. Municipalities directly under the central government and other large cities are divided into districts and counties. Autonomous prefectures are divided into counties, autonomous counties, and cities. Autonomous regions, autonomous prefectures, and autonomous counties are all minority autonomous areas.

Article 31 When necessary, the state may establish special administrative regions. The administrative system to be instituted in a particular special administrative region shall, in light of specific circumstances, be stipulated in laws enacted by the National People’s Congress.

Article 32 The People’s Republic of China protects the lawful rights and interests of foreign citizens in Chinese territory; foreign citizens in Chinese territory must abide by the laws of the People's Republic of China.

The People’s Republic of China may grant asylum to foreign citizens who request it for political reasons.

Chapter II - The Fundamental Rights and Duties of Citizens

Article 33 All persons having the nationality of the People’s Republic of China are citizens of the People’s Republic of China.

All citizens of the People’s Republic of China are equal before the law. The state respects and protects human rights.

Every citizen is entitled to the rights stipulated in the Constitution and the laws, and at the same time must carry out the duties prescribed therein.

Article 34 All citizens of the People’s Republic of China who have reached the age of 18 have the right to vote and stand for election, regardless of ethnic status, race, sex, occupation, family background, religious beliefs, level of education, property situation, or length of residence, except those persons who have had their political rights lawfully revoked.

Article 35 Citizens of the People’s Republic of China enjoy freedom of speech, freedom of the press, freedom of assembly, freedom of association, and the freedom to demonstrate.

Article 36 Citizens of the People’s Republic of China enjoy religious freedom.

No state institution, public organization, or individual may compel citizens to adhere to, or not to adhere to, any religion; nor may they discriminate against citizens who adhere to, or do not adhere to, any religion.

The state safeguards normal religious activities. No one may make use of religion to engage in activities that are disruptive to the public order, that cause harm to the health of citizens or that interfere with the educational system of the state.
Religious organizations and religious affairs are not subject to foreign control.

Article 37 The personal freedom of citizens of the People’s Republic of China is inviolable.

No citizen may be arrested except by judgment of a people’s court, or with the approval or by judgment of a people’s procuratorate; all arrests must be made by a public security organ.

It is forbidden to unlawfully detain or otherwise deprive a citizen of their personal freedom or put restrictions thereon, or carry out unlawful search of their person.

Article 38 The personal dignity of citizens of the People’s Republic of China is inviolable. It is forbidden to make, by any means, libelous statements, unfair accusations, or false incriminations that are directed towards citizens.

Article 39 The residences of citizens of the People's Republic of China are inviolable. Unlawful entry and search of a citizen’s residence is prohibited.

Article 40 The freedom and privacy of personal correspondence made by citizens of the People's Republic of China are protected by law. No organization or individual may, on any grounds, infringe upon a citizen's freedom and privacy of personal correspondence, except in cases where, to satisfy the needs of national security or of an ongoing criminal investigation, public security or procuratorial organs are permitted to examine correspondence in accordance with procedures prescribed by law.

Article 41 Citizens of the People’s Republic of China have the right to make criticisms or suggestions with regards to any state institution or public employee. Citizens have the right to lodge complaints, accusations, or charges with the corresponding state institution regarding the misconduct or criminal actions of other state institutions or public employees; the fabrication or distortion of facts for purposes of false incrimination or defamation, however, is prohibited.

In cases of complaints, accusations, or charges lodged by citizens, the state institution concerned must handle the matter responsibly after a careful examination of the facts. No one may suppress such complaints, accusations, and charges, or retaliate against the citizens lodging them.

Citizens who have suffered damages stemming from an infringement of their civil rights by a state institution or public employee have the right to compensation as stipulated by law.

Article 42 Citizens of the People’s Republic of China have both the right and the duty to work.

Through various means, the state provides the basic conditions for employment, strengthens occupational health and safety, improves working conditions, and, on the basis of expanded production, increases remuneration and welfare benefits.

To work is the honor of every citizen with the capability to work. All people working in state-owned enterprises or in urban or rural economic collectives should approach their work as the masters of the country that they are. The state promotes socialist labor competition, commending and rewarding model and advanced workers. The state encourages citizens to take part in voluntary labor.

The state provides the requisite vocational training to citizens in preparation for employment.

Article 43 Working people in the People’s Republic of China have the right to leisure.

The state develops facilities for the rest and recuperation of the working people, and designates work and vacation time for employees.
Article 44 The state institutes a mandatory retirement system for the staff of enterprises and organizations as well as the public employees of state institutions. The livelihood of retired workers is ensured by the state and society at large.

Article 45 Citizens of the People’s Republic of China have the right to material assistance from the state and society when they are old, disabled, or ill. The state develops the social insurance, social relief, medical, and health services that are prerequisites for proper enjoyment of this right by citizens.

The state and society at large ensures the livelihood of disabled veterans, provides pensions to the families of martyrs, and gives favored treatment to the families of military personnel.

The state and society help make arrangements for the work, daily well-being, and education of the blind, deaf, mute, and other disabled citizens.

Article 46 Citizens of the People’s Republic of China have both the duty and the right to receive education.

The state promotes the general development, including moral, intellectual and physical development, of children and young people.

Article 47 Citizens of the People’s Republic of China have the freedom to engage in scientific research, literary and artistic creation, and various other cultural pursuits. The state encourages and assists the creative endeavors of citizens engaged in education, science, technology, literature, art, and other cultural work that is beneficial to the people.

Article 48 In the People’s Republic of China, women have the same rights as men in all aspects of life, including the political, economic, cultural, social and familial spheres.

The state protects the rights and interests of women, applies the principle of equal pay for equal work to both sexes, and selects and trains women for work as government cadres.

Article 49 Marriage, families, mothers, and children are protected by the state.

Both husband and wife are obligated to practice family planning.

Parents have the duty to raise and educate their minor children, and adults have the duty to support and assist their elderly parents.

The freedom of marriage shall not be violated. The abuse of the elderly, women, and children is prohibited.

Article 50 The People’s Republic of China safeguards the legitimate rights and interests of Chinese nationals residing abroad as well as the rights and interests of returned overseas Chinese and of the family members of Chinese nationals residing abroad.

Article 51 Citizens of the People’s Republic of China, in exercising their rights and freedoms, may not damage the interests of the state, of society, or of the collective, or infringe upon the lawful freedoms and rights of other citizens.

Article 52 It is the duty of citizens of the People’s Republic of China to promote national unity and the solidarity between the various ethnicities.
Article 53 Citizens of the People’s Republic of China must abide by the Constitution, respect the laws, guard state secrets, make careful use of public property, observe labor rules, maintain public order, and respect public morality.

Article 54 It is the duty of citizens of the People’s Republic of China to uphold the security, honor, and interests of the nation; they must not commit acts detrimental to the national security, national honor, or national interests.

Article 55 It is the sacred duty of every citizen of the People’s Republic of China to defend the motherland and resist aggression.

It is the honored duty of citizens of the People’s Republic of China to serve in the military and join people’s militias as prescribed by law.

Article 56 It is the duty of citizens of the People’s Republic of China to pay taxes as prescribed by law.

Chapter III - The Organization of the State

Section 1 The National People's Congress

Article 57 The National People's Congress of the People's Republic of China is the highest organ of state power. Its permanent representative body is the Standing Committee of the National People's Congress.

Article 58 The National People's Congress and its Standing Committee exercise national legislative authority.

Article 59 The National People's Congress is composed of deputies elected by the provinces, autonomous regions, municipalities directly under the central government, and special administrative regions, as well as the armed forces. All minority ethnic groups are entitled to appropriate representation.

Election of deputies to the National People's Congress is presided over by the Standing Committee of the National People's Congress.

The number of deputies to the National People's Congress and the means for their election are designated by law.

Article 60 All terms of office in the National People's Congress are five years.

The Standing Committee of the National People's Congress must complete the election of deputies to the subsequent National People's Congress two months prior to the expiration of the terms of deputies to the current National People's Congress. Should extraordinary circumstances prevent such an election, it may be postponed and the term of office of the current National People's Congress deputies extended by means of a vote where more than two-thirds majority of the Standing Committee of the current National People's Congress approve the postponement. The election of deputies to the subsequent National People's Congress must be completed within one year following the resolution of the extraordinary circumstances.
Article 61 The National People’s Congress holds a session once every year, convened by its Standing Committee. A session of the National People's Congress may be convened at any time the Standing Committee deems necessary or when more than one-fifth of the deputies to the National People's Congress so propose.

When the National People’s Congress meets, it elects a presidium to chair the session.

Article 62 The National People's Congress exercises the following functions and powers:

1. Amendment of the Constitution;
2. Supervision of the enforcement of the Constitution;
3. Formulation and amendment of fundamental laws related to criminal offences, civil affairs, state institutions, and other matters;
4. Election of the President and the Vice-President of the People’s Republic of China;
5. Confirmation of candidates for the post of Premier of the State Council following nomination by the President of the People’s Republic of China, and, following nomination by the premier, candidates for the posts of vice-premier, state councilor, ministers of the various ministries and commissions, the auditor general and the Secretary General of the State Council;
6. Election of the Chairman of the Central Military Commission and, upon nomination by the chairman, confirm candidates for the other posts in the Central Military Commission;
7. Election of the President of the Supreme People's Court;
8. Election of the Procurator General of the Supreme People's Procuratorate;
9. Examination and approval of plans for national economic and social development and reports on the implementation thereof;
10. Examination and approval of the national budget and reports on the implementation thereof;
11. Modification or rescinding of inappropriate decisions made by the Standing Committee of the National People's Congress;
12. Approval of the establishment of provinces, autonomous regions, or municipalities directly under the central government;
13. Decisions related to the establishment of special administrative regions and the systems to be instituted therein;
14. Decisions related to issues of war and peace;
15. Exercise other functions and powers such as the highest organ of state power should exercise.

Article 63 The National People’s Congress has the power to remove from office the following persons:

1. The President and the Vice-President of the People’s Republic of China;
2. The premier, vice-premiers, state councilors, ministers of the various ministries and commissions, the auditor general, and the Secretary General of the State Council;
3. The Chairman of the Central Military Commission and other members of the commission;
4. The President of the Supreme People’s Court;
5. The Procurator General of the Supreme People’s Procuratorate.

Article 64 Amendments to the Constitution are proposed by the Standing Committee of the National People’s Congress or by consensus of more than one-fifth of the deputies to the National People’s Congress; amendments are adopted by a vote where a two-thirds majority of the deputies support the amendment.

Laws and other resolutions are to be adopted by a majority vote of all deputies to the National People’s Congress.

Article 65 The Standing Committee of the National People’s Congress is composed as follows:

The Chairman
The Vice-Chairmen
The Secretary General
Committee Members

There should be appropriate representation of ethnic minorities among the members of the Standing Committee of the National People’s Congress.

The National People’s Congress elects, and has the power to recall, members of its Standing Committee.

No member of the Standing Committee of the National People’s Congress shall hold office in any state administrative, judicial, or procuratorial institution.

Article 66 The Standing Committee of the National People’s Congress is elected for the same term as the National People’s Congress; it shall exercise its functions and powers until a new Standing Committee is elected by the subsequent National People’s Congress.

The Chairman and Vice-Chairmen of the Standing Committee shall serve no more than two consecutive terms.

Article 67 The Standing Committee of the National People’s Congress exercises the following functions and powers:

1. Interpretation of the Constitution and supervision of its enforcement;
2. Formulation and revision of the laws, excluding those that are properly formulated by the National People’s Congress;
3. Amendment or revision, when the National People’s Congress is not in session, of laws enacted by the National People’s Congress, provided that the basic principles of these laws are not contravened;
4. Interpretation of laws;
5. Review and approval, when the National People's Congress is not in session, of small revisions to plans for national economic and social development or to the state budget when it proves necessary during the course of implementation;

6. Supervision over the affairs of the State Council, the Central Military Commission, the Supreme People's Court, and the Supreme People’s Procuratorate;

7. Repeal of any administrative rules or regulations, resolutions, or orders made by the State Council that contravene the Constitution or the law;

8. Repeal of any local regulations or decisions by organs of state authority in the provinces, autonomous regions, and municipalities directly under the central government that contravene the Constitution, the laws, or administrative rules and regulations;

9. Confirmation, when the National People's Congress is not in session and after nomination by the Premier of the State Council, of candidates for various posts, including ministers of the various ministries or commissions, the auditor general, and the Secretary General of the State Council;

10. Confirmation, when the National People's Congress is not in session and after nomination by the Chairman of the Central Military Commission, of candidates for positions on the commission;

11. Appointment or removal, at the recommendation of the President of the Supreme People's Court, of a vice-president, a Supreme People’s Court justice, a member of its Judicial Committee, or the President of the Military Court;

12. Appointment or removal, at the recommendation of the Procurator General of the Supreme People's Procuratorate, of the Deputy Procurators General or procurators of the Supreme People’s Procuratorate, members of its Procuratorial Committee, or the Chief Procurator of the Military Procuratorate, as well as the approval of the appointment or removal of chief procurators of the people's procuratorates of provinces, autonomous regions, and municipalities directly under the central government;

13. Confirmation of the appointment or recall of plenipotentiary representatives stationed abroad;

14. Confirmation of the ratification or abrogation of treaties or other important agreements signed with foreign states;

15. Institution of titles and ranks for military and diplomatic personnel or other special status individuals;

16. Granting of state medals and titles of honor, institution of standards for the conferment thereof;

17. Granting of special pardons;

18. Resolutions, when the National People’s Congress is not in session, concerning a proclamation of war in the event of an armed attack on the country or of obligation to honor terms of international mutual defense treaties to prevent aggression;

19. Resolutions concerning full mobilization or partial mobilization;

20. Resolutions concerning the declaration of a state of emergency, either nationwide or in specified provinces, autonomous regions, or municipalities directly under the central government.
21. The exercising of other functions and powers such as the National People’s Congress may deem to assign.

Article 68 The Chairman of the Standing Committee of the National People’s Congress directs the work of the Standing Committee and convenes its meetings. The vice-chairmen and the secretary general assist the chairman in his work.

The chairman, the vice-chairmen and the secretary general constitute the Council of Chairmen, handling the important daily work of the Standing Committee of the National People's Congress.

Article 69 The Standing Committee of the National People’s Congress is responsible to the National People’s Congress and submits reports on its work to the congress.

Article 70 The National People’s Congress establishes a Minority Affairs Committee, a Law Committee, an Economics and Finance Committee, an Education, Science, Culture and Public Health Committee, a Foreign Affairs Committee, an Overseas Chinese Committee and other special committees as necessary. These special committees work under the direction of the Standing Committee of the National People’s Congress when the full congress is not in session.

The special committees research, debate, and formulate relevant legislation under the direction of the National People's Congress and the Standing Committee.

Article 71 The National People’s Congress and the Standing Committee may, when they deem necessary, appoint commissions to make inquiry into specific questions, and draft corresponding resolutions on the basis of their reports. All the state institutions, public organizations, and individual citizens concerned are obliged to supply these commissions with any information they require during the process of their investigations.

Article 72 Deputies to the National People's Congress and members of its Standing Committee have the right, in accordance with procedures prescribed by law, to propose pieces of legislation that are within the scope of the functions and powers of the National People's Congress and the Standing Committee, respectively.

Article 73 Deputies to the National People’s Congress have the right during sessions, and members of the Standing Committee the right during meetings, to address questions, in accordance with procedures prescribed by law, to the State Council or the ministries and commissions under the State Council, which in turn must make responsible reply.

Article 74 No deputy to the National People's Congress may be arrested or placed on trial for criminal charges without the consent of the presidium of the current session of the National People's Congress or, when the National People's Congress is not in session, without the consent of its Standing Committee.

Article 75 Deputies to the National People's Congress may not be held liable for speeches made or votes cast during a session.

Article 76 Deputies to the National People’s Congress shall set a positive example by strictly adhering to the Constitution and the laws, protecting state secrets, and supporting the enforcement of the Constitution and the laws as part of their public or business affairs.
A deputy to the National People's Congress should maintain a close relationship with his or her constituency and with the people in general, listening and responding to their opinions and demands, working diligently to serve them.

Article 77 Deputies to the National People's Congress are subject to supervision by the assembly which elected them. The assemblies have the power to recall elected deputies according to procedures stipulated by law.

Article 78 The organization and working procedures of the National People's Congress and its Standing Committee are dictated by law.

Section 2 The President Of The People's Republic of China

Article 79 The President and Vice-President of the People's Republic of China are elected by the National People's Congress.

All citizens of the People's Republic of China who have the right to vote, to stand for election, and who have reached the age of 45 are eligible to be chosen as President or Vice-President of the People's Republic of China.

The terms of office for the President and Vice-President of the People's Republic of China are the same as those of deputies to the National People's Congress; presidents and vice-presidents shall serve no more than two consecutive terms.

Article 80 Pursuant to the decisions of the National People’s Congress and its Standing Committee, the President of the People's Republic of China promulgates laws; appoints or removes the premier, vice-premiers, state councilors, ministers in charge of ministries or commissions, the auditor general and the secretary general; confers state medals and honorary titles; issues special pardon orders; declares states of emergency and war; and issues mobilization orders.

Article 81 The President of the People's Republic of China represents the People's Republic of China when conducting national affairs and receiving foreign diplomatic representatives. Pursuant to the decisions of the Standing Committee of the National People's Congress, the president appoints or recalls plenipotentiary representatives stationed abroad, and ratifies or abrogates treaties or important agreements signed with foreign states.

Article 82 The Vice-President of the People's Republic of China assists the President in his work.

The Vice-President of the People's Republic of China exercises such presidential functions and powers as the President may choose to delegate.

Article 83 The President and Vice-President of the People's Republic of China exercise their functions and powers until a new president and vice-president elected by the subsequent National People's Congress assume office.

Article 84 In the event that the office of the President of the People's Republic of China is left vacant, the vice-president succeeds to the office of the president.

In the event that the office of the Vice-President of the People's Republic of China is left vacant, the National People's Congress shall elect a new vice-president to fill the vacancy.
In the event that both the office of the President and the office of the Vice-President of the People's Republic of China are left vacant, the National People's Congress shall elect a new president and a new vice-president. Prior to the election, the Chairman of the Standing Committee of the National People's Congress shall provisionally assume the duties of president.

Section 3 The State Council

Article 85 The State Council of the People's Republic of China, otherwise referred to as the Central People's Government, is the executive body of the highest organ of state power, the state's supreme administrative authority.

Article 86 The State Council is composed as follows:

The Premier
The Vice-Premiers
The State Councilors
The Ministers (of ministries)
The Ministers (of commissions)
The Auditor General
The Secretary General

The responsibility for the work of the State Council lies with the premier. The various ministers assume responsibility over the work of their respective ministries and commissions.

The organization of the State Council is dictated by law.

Article 87 The terms of office for members of the State Council are the same as those of deputies to the National People's Congress.

Premiers, vice-premiers and state councilors shall serve no more than two consecutive terms.

Article 88 The premier directs the work of the State Council. Vice-premiers and state councilors assist the premier in this task.

An executive meeting of the State Council is attended by the Premier, the Vice-Premiers, the State Councilors, and the Secretary General of the State Council.

The premier convenes and chairs both executive and plenary meetings of the State Council.

Article 89 The State Council exercises the following functions and powers:

1. Adoption of administrative measures, enactment of administrative regulations, and the issuance of resolutions and orders in accordance with the Constitution and the laws;
2. Submission of proposals to the National People's Congress or the Standing Committee;
3. Formulation of the duties and responsibilities of each ministry and commission belonging to the State Council and exercise of cohesive leadership over their activities, as well as the direction of all
other national administrative tasks that do not fall within the jurisdiction of the individual ministries or commissions;

4. Exercise of cohesive, nationwide leadership over the work of regional administrative authorities at various levels, and formulation of the specific division of functions and powers between the central government and the national administrative authorities in the various provinces, autonomous regions, and municipalities directly under the central government;

5. Draft and implementation of plans for national economic and social development as well as the state budget;

6. Direction and administration of economic affairs and development both urban and rural;

7. Direction and administration of educational, scientific, and cultural affairs as well as public health, physical culture, and family planning;

8. Direction and administration of the regulatory and supervisory tasks of civil, public security, and judicial authorities;

9. Conducting of foreign affairs and signing of treaties and agreements with foreign states;

10. Direction and administration of national defense development;

11. Direction and administration of minority affairs, including the safeguarding of equal rights for ethnic minorities and the autonomy of minority autonomous regions;

12. Protection of the legitimate rights and interests of Chinese nationals residing abroad as well as the lawful rights and interests of returned overseas Chinese and of family members of Chinese nationals residing abroad;

13. Modification or annulment of improper orders, directives, or regulations issued by ministries or commissions;

14. Modification or annulment of improper decisions or orders made by state administrative authorities at the various levels;

15. Approval of the districting of provinces, autonomous regions and municipalities directly under the central government, and approval of the creation and districting of autonomous prefectures, counties, autonomous counties, and cities;

16. Decision by law to declare a state of emergency in areas belonging to provinces, autonomous regions, or municipalities directly under the central government.

17. Determination of the size of administrative authorities and, in accordance with the law, appointment, training, appraisal, commendation, sanction, and removal of administrative officials;

18. Exercise of other functions and powers such as the National People's Congress or the Standing Committee may assign to it.

Article 90 Ministers in charge of ministries or commissions of the State Council are responsible for the work of their respective departments; they convene and chair ministerial meetings or general and executive commissarial meetings to discuss and make decisions regarding major issues that arise during work of their respective departments.
The ministries and commissions issue orders, directives, and regulations within the jurisdiction of their respective departments, in accordance with the laws and the administrative regulations, resolutions, and orders of the State Council.

Article 91 The State Council establishes a state auditing agency to supervise the financial transactions of each department of the State Council, the local governments at various levels, and all state-owned financial and monetary institutions and enterprises.

Under the direction of the Premier of the State Council, the auditing agency exercises independent authority through supervisory audits in accordance with the law; it is not subject to interference from any other administrative authority, public organization, or individual.

Article 92 The State Council is responsible to the National People’s Congress, reporting to the congress or, when the congress is not in session, to the Standing Committee.

Section 4 The Central Military Commission
Article 93 The Central Military Commission of the People’s Republic of China directs the national armed forces.

The Central Military Commission is composed as follows:

The Chairman
The Vice-Chairmen
Commission Members

The primary responsibility for the work of the Central Military Commission lies with the chairman.

The terms of office for members of the Central Military Commission are the same as those of the deputies to the National People's Congress.

Article 94 The Chairman of the Central Military Commission is responsible to the National People's Congress and its Standing Committee.

Section 5 The various Levels of Local People's Congresses and the various Levels of Local People's Governments
Article 95 People's congresses and people's governments are seated in provinces, municipalities directly under the central government, counties, cities, municipal districts, townships, minority townships, and towns.

The organization of the various levels of local people's congresses and local people's governments is dictated by law.

Autonomous governments are established in autonomous regions, prefectures, and counties. The organization and working procedures of autonomous governments are dictated by law, in accordance with the basic principles as outlined in Sections 5 and 6 of Chapter 3 of the Constitution.

Article 96 The various local people's congresses are local organs of state power.
Local people’s congresses at or above the county level have standing committees.

Article 97 Deputies to the people’s congresses of provinces, municipalities directly under the central government, and districeted cities are elected by people’s congresses at the next lower level; deputies to the people’s congresses of counties, non-districeted cities, municipal districts, townships, minority townships, and towns are elected directly by their constituencies.

The numbers of deputies to the various local people’s congresses and the means for their election are dictated by law.

Article 98 The term of office for deputies to a local people’s congress is five years.

Article 99 The various local people’s congresses provide for the observance and implementation of the Constitution, the law, and the administrative regulations within their respective administrative jurisdictions. Within their lawfully designated range of authority, they adopt and issue resolutions as well as examine and decide on plans for local development of an economic, cultural, or public service nature.

Local people’s congresses at and above the county level shall examine and approve plans for economic and social development, the budgets of their respective administrative areas, and the reports on their implementation. They have the power to modify or rescind improper decisions made by their standing committees.

The people’s congresses of minority townships may, within the range of their legally defined authority, adopt particular measures suited to the cultural characteristics of the ethnic minority residing there.

Article 100 The people’s congresses and standing committees of provinces and municipalities directly under the central government may draft local regulations, provided these regulations do not contravene the Constitution, the laws, and administrative regulations, and that such local regulations are filed with the Standing Committee of the National People’s Congress.

Article 101 Local people’s congresses at the level of province, municipality, county, district, township, and town elect and have the power to recall, respectively, governors and deputy governors, mayors and deputy mayors, county heads and deputy county heads, district heads and deputy district heads, townships heads and deputy township heads, and town heads and deputy town heads.

Local people’s congresses at or above the county level elect and have the power to recall presidents of the people’s courts and chief procurators of the people’s procuratorates at the corresponding level. An election or recall of a chief procurator of a people’s procuratorate shall be reported to the chief procurator of the people’s procuratorates at the next higher level, for submission to the standing committee of the people’s congresses at that higher level for approval.

Article 102 Deputies to the people’s congresses of provinces, municipalities directly under the central government, and districeted cities are subject to the supervision of the assembly which elected them; deputies to the people’s congresses of counties, non-districeted cities, municipal districts, townships, minority townships, and towns are subject to supervision by their constituencies.

The electing assemblies and constituencies of deputies to the various levels of local people’s congresses have the power to recall the deputies via the procedures stipulated by law.
Article 103 The standing committee of a local people’s congress at or above the county level is composed of a chairman, vice-chairmen, and several committee members; it is responsible to the people’s congress at the corresponding level, reporting its work to the congress.

A local people’s congress at or above the county level elects and has the power to recall members of its standing committee.

No member of the standing committee of a local people’s congress at or above the county level shall hold concurrent office in state administrative, judicial, or procuratorial institutions.

Article 104 The standing committee of a local people’s congress at or above the county level discusses and makes decisions regarding major issues of various kinds within its jurisdiction; supervises the tasks of the people’s government, the people’s court, and the people’s procuratorate at the corresponding level; rescinds improper decisions or orders made by the people’s government at the corresponding level; rescinds improper resolutions made by the people’s congress at the next lower level; decides on the appointment or removal of state officials within its jurisdiction as prescribed by law; and, when the people’s congress at the same level is not in session, recalls or elects individual deputies to the people's congress at the next higher level.

Article 105 The various levels of local people’s governments are the executive bodies of the corresponding local organs of state power as well as the local administrative authority at the corresponding level.

The responsibility for the various levels of local people’s government lies with the corresponding governor, mayor, or the county, district, township, or town head.

Article 106 The terms of office in the various local people’s governments is the same as those of the deputies to the people’s congresses at the corresponding level.

Article 107 Within the range of their authority as prescribed by law, local people’s governments at or above the county level carry out administrative tasks related to the economy, education, science, culture, public health, physical culture, urban and rural development, finance, civic affairs, law enforcement, minority affairs, administration of justice, supervision, and family planning in their respective jurisdictions, as well as issue decisions and orders and carry out the appointment, training, appraisal, commendation, sanction, and removal of administrative officials.

People’s governments in townships, minority townships, and towns implement the resolutions of both the people’s congresses at the corresponding level and the decisions and orders of the administrative authorities at the next higher level as well as carry out administrative tasks within their jurisdiction.

Provincial and municipal people’s governments decide on the creation and districting of townships, minority townships, and towns.

Article 108 Local people’s governments at or above the county level direct the work of their subordinate departments and of lower level people’s governments, and have the authority to modify or invalidate improper decisions of the departments and people’s governments below them.

Article 109 Auditing agencies are established by local people's governments at or above the county level. The various levels of local auditing agencies exercise independent authority through
supervisory audits in accordance with the law and are responsible to the people’s government at the same level and to the auditing body at the next higher level.

Article 110 The various local people’s governments are responsible to people’s congresses at the corresponding levels and report to the congresses on their work. Local people’s governments at or above the county level are responsible to the standing committees of the people’s congresses at the corresponding levels when the congresses are not in session, and report to the standing committees on their work.

The various levels of local people’s governments are responsible to the state administrative authority at the next higher level, and report to said authority on their work. The various local people’s governments nationwide are state administrative authorities, subordinate to the unified leadership of the State Council.

Article 111 The neighborhood or village committees established, according to their place of residence, by urban and rural residents are grass-roots autonomous organizations of the masses. The chairman, vice-chairmen and members of the committees are elected by the residents themselves. The relationships between the neighborhood and village committees and the grass-roots state authorities are dictated by law.

The neighborhood and village committees establish sub-committees for public mediation, security, and health in order to manage public affairs and social services in their area, mediate civil disputes, help maintain public order, and convey the opinions and requests of the residents to the people’s government along with suggestions for improvement.

Section 6 The Institutions of Self-Government in Minority Autonomous Areas

Article 112 The institutions of self-government in minority autonomous are the people’s congresses and people’s governments of autonomous regions, prefectures and counties.

Article 113 Within the people’s congress of an autonomous region, prefecture, or county, besides the deputies of the ethnic minority group with regional autonomy, the other ethnic groups that inhabit the area are also entitled to appropriate representation.

There shall be one or more members of the ethnic minority or minorities with regional autonomy among the chairman or vice-chairmen of the standing committee of the people’s congress of an autonomous region, prefecture or county.

Article 114 The chairmen of the autonomous regions, prefects of autonomous prefectures, and the county heads of autonomous counties shall belong to the ethnicity exercising regional autonomy.

Article 115 The institutions of self-government in autonomous regions, prefectures and counties are local organs of state power and exercise the functions and powers described in Section 5 of Chapter 3 of the Constitution. They also exercise autonomous power within the range of their authority as stipulated by the Constitution, the Law of the People’s Republic of China on Minority Regional Autonomy, and other laws and regulations, implementing the laws and policies of the state according to the local situation.

Article 116 The people’s congresses of national autonomous areas have the authority to draft regulations regarding the exercise of autonomy and other specific regulations while taking into
account the political, economic, and cultural characteristics of the minority or minorities residing there. The regulations regarding the exercise of autonomy and other specific regulations drafted by the government of an autonomous region shall be submitted to the Standing Committee of the National People’s Congress for approval before going into effect. Autonomous prefectures and counties making such regulations shall submit them to the corresponding standing committees of the people’s congresses at the provincial or regional level for approval before they are put into effect and also file a report with the Standing Committee of the National People’s Congress.

Article 117 The institutions of self-government in the minority autonomous areas have autonomous authority with regard to local financial administration. All revenues due to the minority autonomous areas as per the national financial system shall be managed and utilized independently by the autonomous governments.

Article 118 The institutions of self-government in the minority autonomous areas independently arrange and administer local economic development under the guidance of state planning. When exploiting natural resources or developing new enterprises in minority autonomous areas, the state shall give due consideration to the interests of the residents.

Article 119 The institutions of self-government in the national autonomous areas independently administer educational, scientific, cultural, athletic, and public health affairs within their borders, protect and assemble the cultural heritage of the ethnic minorities that reside there, and develop and promote the flourishing of their cultures.

Article 120 The institutions of self-government in the minority autonomous areas may, with the approval of the State Council and in accordance with the national military system and specific local needs, organize local public security forces to maintain public order.

Article 121 When performing their functions, the institutions of self-government in the minority autonomous areas employ the spoken and/or written language or languages in common use in the area in accordance with the regulations regarding the exercise of autonomy.

Article 122 The state provides financial, material, and technical assistance to ethnic minorities, helping to accelerate their economic and cultural development. The state assists the minority autonomous areas in training, from among the minority or minorities residing there, large numbers of cadres for posts at various levels as well as professionals and skilled workers in various fields.

Section 7 The People’s Courts and the People’s Procuratorates

Article 123 The people’s courts of the People’s Republic of China are the judicial organs of the state.

Article 124 The People’s Republic of China establishes the Supreme People’s Court, various levels of people’s courts, military courts, and other specialized people’s courts. The term of office of the President of the Supreme People’s Court is the same as those of the deputies to the National People’s Congress. The President shall serve no more than two consecutive terms.

The organization of the people’s courts is dictated by law.
Article 125 Except in special circumstances specified by law, all cases in the people's courts are open to the public. The accused has the right to mount a defense.

Article 126 The people's courts exercise judicial authority independently, in accordance with legal statutes, and are not subject to interference from any administrative institution, public organization, or individual.

Article 127 The Supreme People's Court is the supreme judicial institution.

The Supreme People's Court supervises the administration of justice at the various local people's courts and the specialized people's courts. Higher level people's courts supervise the administration of justice at lower level courts.

Article 128 The Supreme People's Court is responsible to the National People's Congress and its Standing Committee. The various levels of local people's courts are responsible to the state authorities which formed them.

Article 129 The people's procuratorates of the People's Republic of China are state legal supervisory organs.

Article 130 The People's Republic of China establishes the Supreme People's Procuratorate and the various levels of local people's procuratorates, military procuratorates, and other specialized people's procuratorates.

The term of office of the Procurator-General of the Supreme People's Procuratorate is the same as those of the deputies to the National People's Congress; the Procurator-General shall serve no more than two consecutive terms.

The organization of the people's procuratorates is dictated by law.

Article 131 The people's procuratorates exercise procuratorial authority independently, in accordance with legal statutes, and are not subject to interference from any administrative institution, public organization, or individual.

Article 132 The Supreme People's Procuratorate is the highest procuratorial organ.

The Supreme People's Procuratorate directs the work of the various local people's procuratorates and of the special people's procuratorates. Higher level people's procuratorates direct the work of lower level procuratorates.

Article 133 The Supreme People's Procuratorate is responsible to the National People's Congress and the Standing Committee. Local level people's procuratorates are responsible to the state authorities which formed them as well as to higher level people's procuratorates.

Article 134 Citizens of all ethnicities have the right to use their native language, either spoken or written, in court proceedings. The people's courts and people's procuratorates should provide translation to anyone participating in court proceedings who is not familiar with the spoken or written languages commonly used in the area.

In an area where people of a ethnic minority live in a compact community or where a number of minority groups reside in close proximity, court hearings should be conducted in any language or languages in common use; indictments, verdicts, proclamations, and other documents should,
according to specific requirements, be written in any language or languages commonly used in the area.

Article 135 When handling criminal cases, the people’s courts, the people’s procuratorates, and the public security agency shall divide the work, each taking responsibility for their own tasks but also coordinating their efforts and keeping tabs on each other to ensure the accurate, effective enforcement of the law.

Chapter IV - The National Flag, the National Anthem, the National Emblem and the Capital

Article 136 The national flag of the People's Republic of China is a red flag with five stars. The national anthem of the People's Republic of China is "March of the Volunteers."

Article 137 The national emblem of the People's Republic of China is an picture of Tian'anmen square illuminated by five stars, encircled by ears of grain and a cogwheel.

Article 138 The capital of the People's Republic of China is Beijing.