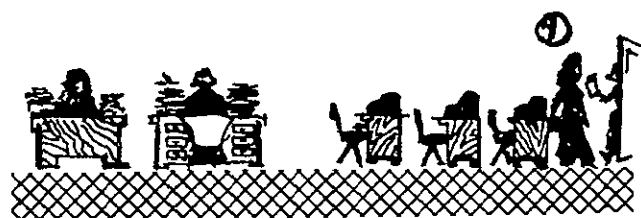
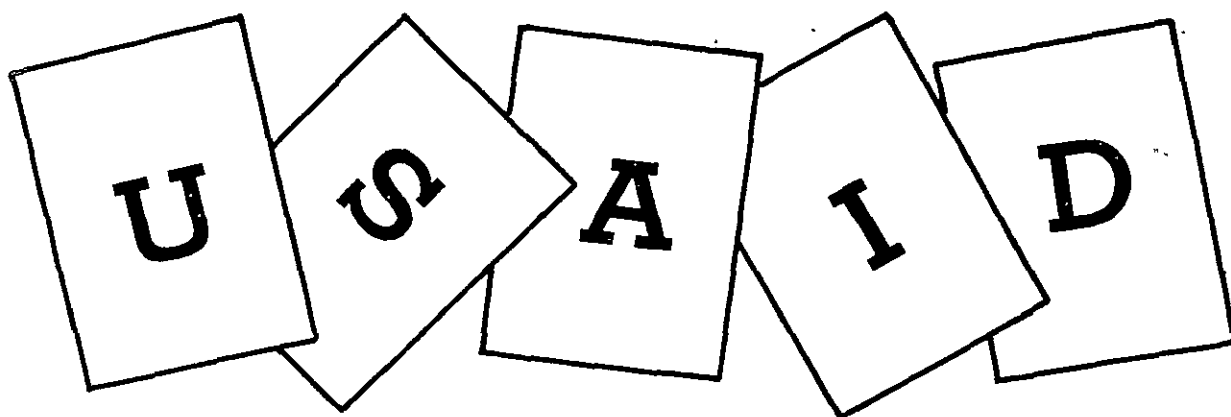


Public Administration Bulletin Vietnam



No. 37

Date : May 1, 1967

CONTENTS

| | <u>page</u> |
|--|-------------|
| I. RECENT DECREES AND DOCUMENTS ON MAJOR PROGRAMS | |
| <u>Central Government</u> | 4 |
| the Constitution--- | |
| expropriation of private property--- | |
| the Commission for Handicrafts and Industry--- | |
| salary ceilings raised for lower clerical ranks--- | |
| <u>Local Government and Rural Development</u> | 53 |
| returnees may run for local office--- | |
| money for phase 2 of rural development: | |
| how much for each city and province--- | |
| <u>Open Arms</u> | 58 |
| the policy of national reconciliation--- | |
| the 1967 program: procedures, and requirements | |
| and rewards for returnees--- | |
| <u>Refugees</u> | 71 |
| the problem as of April 1 | |
| II. PERSONNEL | 72 |
| the National Assembly--- | |
| the Congress of the Armed Forces--- | |
| the Committee for National Leadership--- | |
| the Central Committee on Administrative Improvement--- | |
| recent changes in central agencies--- | |
| recent changes in key personnel in provinces, districts, and cities--- | |

III. NOTES AND TRENDS IN VIETNAMESE ADMINISTRATION

returnees: the trend is up---
returnees: why they quit the Viet Cong---
jobs for returnees---
changes in village and hamlet government---
constitutions and politics---
Vietnamese and American values and preferences
in administration---
warehousing---

The Office of Public Administration (ADPA) of USAID/Saigon, is on the first and second floors at 85 Le van Duyet, Saigon. Our APO Address is ADPA/USAID, APO 96243.

We publish the Bulletin monthly, with occasional lapses into two-months intervals when more urgent business intervenes. Your opinions are welcome. New readers are welcome. To receive it you have only to let us know. Our telephone numbers are 93083 to 93090 (USAID), ext. 547.

CENTRAL GOVERNMENT: the Constitution*

P R E A M B L E

Confident that the patriotism, indomitable will, and unyielding traditions of the people will assure a radiant future for our country:

Conscious that after many years of foreign domination, followed by the division of our territory, dictatorship and war, the people of Viet Nam must take responsibility before history to perpetuate those hardy traditions and at the same time to welcome progressive ideas in order to establish a republican form of government of the people, by the people and for the people whose purpose is to unite the nation, unite the territory and assure independence, freedom, and democracy with justice and altruism for the present and future generations;

We, 117 Deputies of the National Constituent Assembly representing the people of Vietnam, after debate, approve this Constitution.

* put into effect April 1, 1967, by executive action.

CHAPTER I

BASIC PROVISIONS

Art. 1 - (1) Viet-Nam is a territorially indivisible, unified and independent Republic.

(2) Sovereignty resides in the whole people.

Art. 2 - (1) The State recognizes and guarantees the basic rights of all citizens.

(2) The State advocates equality of all citizens without discrimination as to sex, religion, race or political party. Minority compatriots will receive special support so that they can achieve the same rate of progress as the population as a whole.

(3) It is the duty of every citizen to serve the interests of the nation and the people.

Art. 3 - The functions and powers of the legislative, executive and judicial branches of government must be clearly delineated. Activities of these three branches must be coordinated and harmonized in order to realize public order and prosperity on the basis of freedom, democracy and social justice.

Art. 4 - (1) The Republic of Viet-Nam opposes Communism in any form.

(2) Every activity designed to publicize or carry out Communism is prohibited.

Art. 5 - (1) The Republic of Viet-Nam will comply with those provisions of international law which are not contrary to its national sovereignty and the principle of equality between nations.

(2) The Republic of Viet-Nam is determined to oppose all forms of aggression and strives to contribute to the building of international peace and security.

CHAPTER II

RIGHTS AND DUTIES OF CITIZENS.

Art. 6 - (1) The State respects human dignity.

(2) The law protects the freedom, lives, property and honor of every citizen.

Art. 7 - (1) The State respects and protects the security of each individual and the right of every citizen to plead his case before a Court of Law.

(2) No one can be arrested or detained without a legal order issued by an agency with judicial powers conferred upon it by law, except in case of flagrant violation of the law,

(3) The accused and his next of kin must be informed of the accusation against him within the time limit prescribed by law. Detentions must be controlled by an agency of the Judiciary.

(4) No citizen can be tortured, threatened or forced to confess. A confession obtained by torture, threat or coercion will not be considered as valid evidence.

(5) A defendant is entitled to a speedy and public trial.

(6) A defendant has the right to a defense lawyer for counsel in every phase of the interrogation, including the preliminary investigation.

(7) Any person accused of a minor offense who does not have a record of more than three months imprisonment for an intentional crime may be released pending trial, provided that he or she is employed and has a fixed residence. Women pregnant more than three months accused of minor offenses who are employed and have fixed residence can be released pending trial.

(8) Accused persons will be considered innocent until sentence recognizing their guilt is handed down.

In event of doubt, the court will rule in favor of the accused.

(9) If unjustly detained, a person has the right to demand compensation for damages from the State after he has been pronounced innocent, in accordance with the provisions of law.

(10) No one can be detained for indebtedness.

Art. 8 - (1) The private life, home and correspondence of every citizen must be respected.

(2) No one has the right to enter, search or confiscate the property of a person unless in possession of orders from a court or when necessary to the defense of security and public order according to the spirit of the law.

(3) Privacy of correspondence is protected by law. Any restriction imposed on this right must be determined by law.

Art. 9 - (1) The State respects and guarantees freedom of religious belief and freedom to preach and practice religion of every citizen as long as it does not violate the national interest and is not harmful to public safety and order or contrary to good morale.

(2) No religion is recognized as the State religion. The State is impartial in the development of various religions.

Art. 10 - (1) The State recognizes freedom of education.

(2) Basic education is compulsory and free of charge.

(3) University education is autonomous.

(4) Talented persons who do not have means will be given aid and support to continue their studies.

(5) The State encourages and supports research and creative work by citizens in the fields of science, letters and the arts.

Art. 11 - (1) Culture and education must be considered matters of national policy, on a national, scientific and humanistic basis.

(2) An appropriate budget must be reserved for the development of culture and education.

Art. 12 - (1) The State recognizes freedom of thought, speech, press and publishing as long as it does not harm personal honor, national security or good morals.

(2) Censorship is abolished except for motion pictures and plays.

(3) Press regulations will be prescribed by law.

Art. 13 - (1) Every citizen has the right to meet and form associations in accordance with conditions and procedures prescribed by law.

(2) Every citizen has the right to vote, run for office and participate in public affairs on an equal basis and in accordance with conditions and procedures prescribed by law.

(3) The State respects the political rights of all citizens, including the right to petition freely and engage in overt, non-violent and legal opposition.

Art. 14 - Every citizen enjoys freedom to choose his place of residence and freedom of movement including the right to go and return from abroad. These freedom can be restricted by law only for reasons of public health, security or defense.

Art. 15 - (1) Every citizen has the right and the duty to work and will receive fair remuneration enabling him and his family to live in dignity.

(2) The State will endeavor to create employment for all citizens.

Art. 16 - Freedom to join labor unions and to strike is respected within the framework and regulations prescribed by law.

Art. 17 - (1) The State recognizes the family as the foundation of society. The State encourages and facilitates the formation of families, and assists expectant mothers and infants.

(2) Marriage must be based on mutual consent, equality and cooperation.

(3) The State encourages family cohesion.

Art. 18 - (1) The State endeavors to establish a system of social security.

(2) It is the duty of the State to establish a system of social welfare and public health.

(3) It is the duty of the State to support the nation's warriors both spiritually and materially, as well as to support and raise the nation's orphans.

Art. 19 - (1) The State recognizes and guarantees the right of private property.

(2) The State advocates a policy of making the people property owners.

(3) Expropriation or requisition by the State for the common good must be accompanied by speedy and just compensation at price levels existing at time of expropriation or requisition.

Art. 20 - (1) Freedom of trade and competition is recognized, but it cannot be exercised to secure monopoly or control of the market.

(2) The State encourages and assists economic cooperation which has the nature of mutual economic assistance.

(3) The State gives special support to those elements of society which have a low standard of living.

Art. 21 - The State advocates raising the standard of living of rural citizens, and especially helping farmers to have farmland.

Art. 22 - On the basis of equality between duties and rights, workers have the right to choose representatives to participate in the management of business enterprises, especially in matters concerning wages and conditions of work in accordance with framework and procedures prescribed by law.

Art. 23 - (1) Military personnel elected to public office or serving in positions in the central government must be demobilized or take leave of absence without salary, according to their choice.

(2) Military personnel on active duty are not permitted to engage in political party activity.

Art. 24 - (1) The State recognizes the presence of minorities in the Vietnamese community.

(2) The State respects the habits and customs of the minority compatriots. Customary courts will be established to pronounce judgments on some disputes involving habits and customs of minority compatriots.

(3) A law will prescribe special rights in order to assist minority compatriots.

Art. 25 - Every citizen has the duty to defend the country and the Republic.

Art. 26 - Every citizen has the duty to defend the constitution and respect the law.

Art. 27 - Every citizen has the duty to fulfill his military obligations as prescribed by law.

Art. 28 - Every citizen has the duty to pay taxes in accordance with the provisions of law.

Art. 29 - Any restriction upon the basic rights of the citizens must be prescribed by law and the time and place within which such a restriction is in force must be clearly specified. In any event the essence of all basic freedoms cannot be violated.

CHAPTER III

THE LEGISLATURE

Art. 30 - Legislative authority is vested by the people in the National Assembly. The National Assembly includes two houses, the Lower House and the Upper House.

The Lower House

Art. 31 - (1) The Lower House includes from 100 to 200 Representatives.

(2) Representatives are elected by universal suffrage, direct and secret ballot. Candidates run as individuals from separate constituencies no larger than provinces.

(3) Representatives serve for four years. They may be re-elected.

(4) The election for a new Lower House will be completed at least one month prior to the completion of the term of the old Lower House.

Art. 32 - Citizens meeting the following qualifications may run for the Lower House:

(1) Vietnamese citizenship at birth or having held Vietnamese citizenship for at least seven years, or having recovered Vietnamese citizenship for at least five years, counting from the day of elections;

(2) At least 25 years old on the day of election;

(3) Enjoying full rights of citizenship;

(4) Having draft status in order;

(5) Meeting other conditions specified in the electoral law.

The Upper House

Art. 33 - The Upper House includes from 30 to 60 members.

(1) Senators are elected at large by universal suffrage, direct and secret ballot. Election is by list voting and on a basis of plurality. Each list includes from one-third to one-sixth of the total membership of the House.

(2) Senators serve for six years. One half of the Upper House is re-elected every three years. Senators may be re-elected.

(3) Members of the first Upper House will be divided into two groups by drawing lots. The first group will serve six years, the second group three years.

(4) The election of one half of the Upper House must take place at least two months before the term of that half of the Upper House ends.

Art. 34 - Candidates for the Upper House must be citizens thirty years of age by election day. They must meet all the conditions prescribed in the Upper House election law and those prescribed in Article 32.

Art. 35 - (1) If for any reason a vacancy occurs in the Lower House more than two years prior to the end of the term, an election will be held within three months to choose a replacement.

(2) If for any reason a vacancy occurs in the Upper House, the election of the replacement will be held concurrently with the next regular election of one-half of the Upper House.

Art. 36 - Procedures and conditions for the candidacies and election of Representatives and Senators, including ethnic minority Representatives, will be prescribed by law.

Guarantees for Representatives and Senators

Art. 37 - (1) Representatives or Senators cannot be prosecuted, pursued, arrested or judged for any statement or vote in the National Assembly.

(2) During their entire term of office, Representatives and Senators cannot be prosecuted, pursued, arrested or judged without the approval of three-fourths of the total number of Representatives or Senators, except in cases of flagrant violation of the law.

(3) In cases of flagrant violation of the law prosecution or detention of Representatives and Senators must cease if the house concerned so decides.

(4) Representatives and Senators have the right to keep secret the origin of documents presented to the National Assembly.

(5) Responsibilities of Representatives and Senators are not compatible with any other elected position.

(6) Representatives and Senators may serve as instructors at universities and advanced technical schools.

(7) Under no circumstances may a Representative or Senator or his spouse participate in a bid or sign a contract with a government agency.

Art. 38 - (1) In cases of treason or other serious crime, Representatives or Senators may be removed from office by the house concerned.

(2) Removal from office must be proposed by two-thirds of the total number of Representatives or Senators.

(3) The resolution to remove a member from office must be approved by three-quarters of the total number of Representatives or Senators.

(4) The Representative or Senator concerned has the right to defend himself in debate during all phases of the removal procedure.

Authority of the National Assembly

Art. 39 - The National Assembly has the authority to:

- (1) Vote legislation.
- (2) Ratify treaties and international agreements.
- (3) Determine declarations of war and holding of peace talks.
- (4) Determine declarations of a state of war.
- (5) Control the government in the carrying out of national policy.
- (6) Within the framework of each house, pass on the validation of the election of Representatives or Senators.

Art. 40 - (1) Each house, with the agreement of third of its membership, has the right to request the Prime Minister or government officials to appear before it to answer questions regarding the execution of national policy.

(2) Committee chairmen in each house have the right to request government officials to appear before sessions of their committee to report on problems relating to various ministries.

Art. 41 - The Upper House has the right to open investigations regarding the execution of national policy and to request public agencies to produce documents necessary in its investigations.

Art. 42 - (1) The National Assembly has the right to recommend the replacement of part or all of the government by a two-thirds majority vote of the total number of Representatives and Senators.

(2) The recommendation is binding unless the President has special reasons for rejecting it.

(3) In the event of rejection by the President, the National Assembly has the right to vote final approval of the recommendation by a three-quarters majority vote of the total number of Representatives and Senators. This recommendation by the National Assembly is binding from the day it is voted.

Legislative Procedures

Art. 43 - (1) Representatives and Senators have the right to introduce bills.

(2) The President may introduce bills.

(3) Bills must be submitted to the office of the Lower House.

(4) If the Lower House approves or rejects a bill, it must transmit the bill to the office of the Upper House within three consecutive days.

(5) If the Upper House agrees with the viewpoint of the Lower House, the bill will be transmitted to the President for promulgation or will be abolished.

(6) If the Upper House does not agree with the viewpoint of the Lower House, it must return the bill to the Lower House within three consecutive days along with an explanation for its action.

(7) In the latter case, the Lower House has the right to vote final approval of the bill with a two-thirds majority of its total membership.

(8) If the Lower House is unable to reach a two-thirds majority, the viewpoint of the Upper House will be considered as approved.

(9) The time limit for debating and voting on a bill in the Upper House may not exceed half the time required to debate and vote on the bill in the Lower House. The time limit for debating and voting on a bill in the Lower House may not exceed twice the time required to debate and vote on the bill in the Upper House.

Art. 44 - (1) Bills approved by the National Assembly will be transmitted to the President within three consecutive days.

(2) The President must promulgate the law within 15 days from the date of receipt.

(3) If the National Assembly appraises the matter as urgent, the bill must be promulgated within seven consecutive days.

(4) If the President does not promulgate the bill within the specified period of time, the bill will automatically become law and will be promulgated by the Chairman of the Upper House.

Art. 45 - Within the period allowed for promulgation the President has the right to send a message outlining his reasons and requesting the National Assembly to reconsider one or more articles of the bill.

(2) In this case, the National Assembly will meet in joint plenary session to vote final approval of the bill with an absolute majority of the total number of Representatives and Senators. If the National Assembly votes to reject the amendment proposed by the President, the bill will automatically become law and will be transmitted to the President for promulgation.

Art. 46 - (1) The draft budget must be submitted to the office of the Lower House prior to September 30.

(2) Representatives and Senators have the right to propose additional expenditures but must at the same time propose equivalent new receipts.

(3) The Lower House must vote on the budget prior to November 30 and transmit the approved version to the Upper House by December 1 at the latest.

(4) The Upper House must vote on the draft budget before December 31.

(5) During the above mentioned period, if the Upper House reconsiders one or more provisions of the draft budget, then the procedures outlined in Article 43 will be applied. In the event that the draft budget has not been finally voted by December 31, the President has the right to sign a decree authorizing expenditure of one-twelfth of the previous budget until the Lower House has voted final approval of the draft budget.

Regulations

Art. 47 - (1) Each house will meet in regular and extraordinary sessions.

(2) Every year each house will meet in two regular sessions: one session beginning on the first Monday of April; the other beginning on the first Monday of October. A session cannot last for more than ninety days. However, the Lower House can prolong its session in order to vote final approval of the draft budget.

(3) Either house may meet in extraordinary sessions when so requested by the President or one-third of the Representatives or Senators. When extraordinary sessions are convened by the President, the President will set the agenda.

Art. 48 - (1) Each house will meet in open session except when more than half the members present in the house request a closed session.

(2) In open sessions complete reports of the debate and documents presented will be printed in the official journal.

Art. 49 - (1) Each house will elect its Chairman and permanent officers.

(2) Each house may establish permanent committees.

(3) Each house is responsible for establishing its own internal rules.

(4) The offices of the two houses will meet together to determine procedures for maintaining liaison between houses.

Art. 50 - (1) The Chairman of the Upper House will convene and preside over joint plenary sessions of both houses.

(2) If the Chairman of the Upper House is unable to perform this function, it will be carried out by the Chairman of the Lower House.

CHAPTER IV

THE EXECUTIVE

Art. 51 - Executive authority is vested by the people in the President.

Art. 52 - (1) The President and Vice-President run together on one list and are elected by the entire nation by direct and secret ballot.

(2) The term of office of the President and Vice-President is four years. The President and Vice-President can be re-elected once.

(3) The term of office of the President and Vice-President ends precisely at 12:00 noon on the last day of the forty-eighth month from the day they took office, and the term of the new President and Vice-President begins at that time.

(4) The election of the new President and new Vice-President will be held on a Sunday, four weeks before the term of the incumbent President ends.

Art. 53 - Citizens who fulfill the following conditions may run for President or Vice-President:

(1) Must have Vietnamese citizenship from day of birth and continuous residence in Viet-Nam for at least ten-years as of the date of the election. Time spent abroad on official assignment or in political exile is considered as residence in Viet-Nam;

(2) Must be 35 years of age as of election day;

(3) Must have legal draft status;

(4) Must enjoy full rights of citizenship;

(5) Must meet all other conditions set forth in the Presidential and Vice-Presidential election law.

Art. 54 - (1) The Supreme Court will establish a list of candidates, will control the fairness of the election, and will announce the result.

(2) Candidates will receive equal means in the electoral campaign.

(3) Procedures and conditions governing candidacies and election of the President and Vice-President will be prescribed by law.

Art. 55 - When assuming office, the President, witnessed by the Supreme Court and National Assembly, shall take the following oath before the nation: "I solemnly swear before the nation to protect the fatherland, respect the Constitution, serve the interests of the people, and to the best of my ability fulfill my duties as President of the Republic of Vietnam."

Art. 56 - (1) The duties of the President and Vice-President may terminate prior to the end of their terms of office in the following circumstances:

- (a) Death;
- (b) Resignation;
- (c) Impeachment;

(d) Serious and prolonged illness such that the incumbent can no longer carry out his duties. This disability must be recognized by three-fourths of the total membership of the two houses of the National Assembly after complete medical examination.

(2) In the event that the duties of the President are terminated more than one year prior to the end of his term of office, the Vice-President will temporarily assume the Presidency for a period not to exceed three months in order to organize the election of a new President and new Vice-President for a new term of office.

(3) In the event that the duties of the President are terminated within one year prior to the end of his term of office, the Vice-President shall assume the Presidency for the remainder of the term, except in cases of impeachment of the President.

(4) If for any reason the Vice-President is unable to assume the Presidency, the Chairman of the Upper House will assume the office for a period not to exceed three months in order to organize the election of a new President and new Vice-President for a new term of office.

Art. 57 - The President promulgates laws within the period determined in Article 44.

Art. 58 - (1) The President appoints the Prime Minister. Upon the proposal of the Prime Minister, the President appoints members of the government.

(2) The President has the right to reorganize all or part of the government on his own initiative, or upon the recommendation of the National Assembly.

Art. 59 - (1) The President appoints, with the approval of the Upper House, Chiefs of diplomatic missions and Rectors of Universities.

(2) The President represents the nation in international relations and receives the letters of accreditation of diplomatic envoys.

(3) The President signs and, after ratification by the National Assembly, promulgates treaties and international agreements.

Art. 60 - The President is the Supreme Commander of the Armed Forces of the Republic of Viet-Nam.

Art. 61 - (1) The President grants all types of decorations.

(2) The President has the right to grant amnesty and pardon for criminals.

Art. 62 - (1) The President determines national policy.

(2) The President presides over the Council of Ministers.

Art. 63 - (1) The President communicates with the National Assembly by message. In each regular sessions, and whenever the President considers it necessary, he will advise the National Assembly of the situation in the country and of the government's domestic and foreign policies.

(2) The Prime Minister and other government officials may participate in sessions of the National Assembly or its committees in order to present and explain matters relating to national policy and its execution.

Art. 64 - (1) In special situations, the President may sign

decrees declaring states of emergency, curfew or alert over part or all of the territory of the country.

(2) The National Assembly must meet no later than twelve days after the date of promulgation of the decree in order to ratify, amend or reject it.

(3) If the National Assembly rejects or amends the President's decree, the special situations which were decreed will end or be modified accordingly.

Art. 65 - In a state of war, and when elections cannot be held, the President, with the approval of two-thirds of the National Assembly, has the right to prolong the terms of office of some of the elected bodies of the country and to appoint some province chiefs.

Art. 66 - (1) The Vice-President is Chairman of the Culture and Education Council, the Economic and Social Council and the Ethnic Minority Council.

(2) The Vice-President cannot hold any other position in the government.

Art. 67 - (1) The Prime Minister directs the government and the administrative agencies of the nation.

(2) The Prime Minister is responsible before the President for carrying out national policy.

Art. 68 - (1) The President, Vice-President, Prime Minister and members of the government cannot hold any position in the private sector whether it is remunerated or not.

(2) Spouses of persons holding the above positions may not participate in government bids or contracts.

Art. 69 - (1) It is the task of the National Security Council to: examine all matters relating to national defense; propose measures appropriate to the maintenance of national security; propose the declarations of states of emergency, curfew, alert or war; propose declarations of war or the holding of peace talks.

(2) The President is Chairman of the National Security Council.

(3) A law shall prescribe the organization and procedures of the National Security Council.

Local Administration

Art. 70 - (1) The principle of local separation of power is recognized for legal regional entities: Villages, Provinces, Cities, and the Capital.

(2) The organization and regulation of local administration shall be prescribed by law.

Art. 71 - (1) Deliberative bodies and the heads of executive agencies of local administrative units will be popularly elected by direct and secret ballot.

(2) At the village level, Village Chiefs may be elected by Village Councils from among Village Council members.

Art. 72 - The heads of executive agencies of local administrative units are:

Villages - Village Chiefs;
Provinces - Province Chief;
Cities - Mayor;
Capital - Mayor.

Art. 73 - The deliberative bodies of local administrative units are:

Villages - Village Council;
Provinces - Province Council;
Cities - Municipal Council;
Capital - Municipal Council.

Art. 74 - The government will appoint two civil servants who have the responsibility to assist Mayors, Province Chiefs and Village Chiefs in administrative and security matters, as well as other administrative personnel.

Art. 75 - Members of deliberative bodies and heads of executive agencies of local administrative units may be dismissed by the President if they violate the Constitution, laws of the nation, or national policy.

CHAPTER V

THE JUDICIARY

Art. 76 - (1) Independent judicial power is vested in the Supreme Court and is exercised by judges.

(2) A law shall establish the organization and administration of the Judiciary.

Art. 77 - Every court must be established by law with an element that judges and an element that prosecutes, both of which are professionally qualified. Courts must respect rights of defense.

Art. 78 - (1) The responsibilities of Presiding Judges and Prosecuting Judges are clearly delineated, and the two are governed by separate regulations.

(2) Presiding Judges make decisions according to their consciences and the law, under the control of the Supreme Court.

(3) Prosecuting Judges monitor the application of the law in order to protect public order, under the control of the Ministry of Justice.

Art. 79 - Presiding Judges can be relieved of their functions only in cases of mental and physical incapacity, conviction, or violation of discipline.

The Supreme Court

Art. 80 - (1) The Supreme Court includes from nine to fifteen judges chosen by the National Assembly and appointed by the President from a list elected by the Association of Judges, Association of Prosecutors and Association of Lawyers.

(2) Judges of the Supreme Court must be judges or lawyers who have served at least ten years in the judiciary.

(3) The Term of office of Judges of the Supreme Court is six years.

(4) The numbers of electors of the Association of Judges, Association of Prosecutors and Association of Lawyers must be equal.

(5) The organization and regulation of the Supreme Court will be prescribed by law.

Art. 81 - (1) The Supreme Court is empowered to interpret the Constitution, to decide on the constitutionality of all laws and decree-laws, and to decide on the constitutionality and legality of decrees and administrative decisions.

(2) The Supreme Court is empowered to decide on the dissolution of a political party whose policy and activities oppose the republican form of government.

(3) In these cases, the Supreme Court will meet in plenary session. Representatives of the legislative and executive branches may participate in order to present their viewpoints.

(4) Decisions declaring the unconstitutionality of a law or the dissolution of a political party require a three-fourths vote of the total number of Supreme Court judges.

Art. 82 - The Supreme Court is empowered to decide appeals from lower courts.

Art. 83 - The Supreme Court has a separate budget and is empowered to establish regulations governing the judiciary.

Art. 84 - (1) The Judicial Council has the following responsibilities:

To propose the appointment, promotion, transfer and disciplining of judges;

To advise the Supreme Court in matters relating to the judiciary.

(2) The Judicial Council will be composed of judges elected by the Association of Judges.

(3) The organization and regulation of the Judicial Council will be prescribed by law.

CHAPTER VI

SPECIAL INSTITUTIONS

Special Court

Art. 85 - The Special Court is empowered to remove from office the President, Vice-President, Prime Minister, Ministers, Secretaries of State, Supreme Court Judges and members of the Inspectorate in cases of treason or other high crimes.

Art. 86 - (1) The Special Court is chaired by the Chairman of the Supreme Court and consists of five Representatives and five Senators.

(2) When the Chairman of the Supreme Court is a defendant the Special Court will be chaired by the Chairman of the Upper House.

Art. 87 - (1) A motion to bring charges and citing reasons therefor must be signed by more than one half of the total number of Representatives and Senators. The motion must be approved by a two-thirds majority vote of the total number of Representatives and Senators. In the particular case of the President and Vice-President, the motion must be signed by two-thirds of the total number of Representatives and Senators and it must be approved by a majority vote of three-fourths of the total number of Representatives and Senators.

(2) The functions of the accused must be suspended from the date of approval of the motion by the National Assembly until the decision of the Special Court is rendered.

(3) The Special Court decides removal from office by a three-fourths vote of its membership. In the particular case of the President and Vice-President, the decision must be by a four-fifths vote of the total membership.

(4) The accused will enjoy the right of defense during the entire proceedings.

(5) After having been removed from office, the accused may be tried by an ordinary court.

(6) The organization, administration and procedures of the Special Court will be prescribed by law.

Inspectorate

Art. 88 - The Inspectorate is empowered to:

(1) Inspect, control and investigate personnel of all public and private agencies directly or indirectly engaged in corruption, speculation, influence-peddling or acts harmful to the national interest;

(2) Inspect accounts of public agencies and commercial enterprises;

(3) Audit the property of personnel of public agencies including the President, Vice-President, Prime Minister, National Assembly members, and the Chairman of the Supreme Court.

(4) In the cases of the Chairman and members of the Inspectorate, the audit of personal property will be conducted by the Supreme Court.

Art. 89 - (1) The Inspectorate is empowered to propose disciplinary measures against guilty persons or to request prosecution by competent courts.

(2) The Inspectorate has the right to announce publicly the results of its investigations.

Art. 90 - (1) The Inspectorate includes from nine to eighteen Inspectors, one-third designated by the National Assembly, one-third by the President, and one-third by the Supreme Court.

(2) Inspectors will enjoy those guarantees necessary for them to carry out their duties.

Art. 91 - The Inspectorate has an autonomous budget and is empowered to establish regulations governing its internal organization and the Inspectorate branch. The organization and regulation of the Inspectorate will be prescribed by law.

Armed Forces Council

Art. 92 - (1) The Armed Forces Council advises the President in matters relating to the Armed Forces, especially promotion, transfer and disciplining of soldiers of all ranks.

(2) The organization and regulation of the Armed Forces Council will be prescribed by law.

Culture and Education Council

Art. 93 - (1) The Culture and Education Council has the responsibility to advise the government in the drafting and execution of cultural and educational policy. A National Academy will be established.

(2) With the approval of the National Assembly, the Culture and Education Council may select representatives to brief the National Assembly on related matters.

(3) The Culture and Education Council may contribute ideas before the National Assembly debates laws relating to culture and education.

Art. 94 - (1) The membership of the Culture and Education Council includes:

One-third designated by the President;

~~Two~~ thirds elected by public and private cultural and educational organizations and by parent-teacher associations.

(2) The term of office of the Culture and Education Council is four years.

(3) The organization and regulations of the Culture and Education Council will be prescribed by law.

Economic and Social Council

Art. 95 - (1) The Economic and Social Council has the responsibility to advise the government in economic and social matters.

(2) With the approval of the National Assembly, the Economic and Social Council may select representatives to brief the National Assembly on related matters.

(3) The Economic and Social Council may contribute ideas before draft laws and economic and social programs are debated.

Art. 96 - (1) The membership of the Economic and Social Council includes:

One-third designated by the President;

Two-thirds nominated by industrial and commercial organizations, and by labor unions and associations having an economic and social character.

(2) The term of office of the Economic and Social Council is four years.

(3) The organization and regulation of the Economic and Social Council will be prescribed by law.

Ethnic Council

Art. 97 - (1) The Ethnic Council, representing the ethnic minorities living on the territory of Vietnam, has the responsibility to advise the government in matters affecting ethnic minorities.

(2) With the approval of the National Assembly, the Ethnic Council may select representatives to brief the National Assembly on related matters.

(3) The Ethnic Council may contribute ideas before draft laws, programs and plans affecting ethnic minorities are debated.

Art. 98 - (1) The membership of the Ethnic Council includes:

One-third designated by the President;

Two-thirds elected by the ethnic minorities.

(2) The term of office of the Ethnic Council is four years.

(3) The organization and regulations of the Ethnic Council will be prescribed by law.

CHAPTER VII

POLITICAL PARTIES AND OPPOSITION

Art. 99 - (1) The Nation recognizes that political parties have an essential role in a democratic system.

(2) Political parties may be organized and may operate freely, according to the procedures and conditions prescribed by law.

Art. 100 - The Nation encourages progress toward a two-party system.

Art. 101 - The Nation recognizes the formalization of political opposition.

Art. 102 - Regulations governing political parties and political opposition will be prescribed by law.

CHAPTER VIII

AMENDING THE CONSTITUTION

Art. 103 - (1) The President or an absolute majority of the total number of Representatives or an absolute majority of the total number of Senators has the right to propose amendments to the Constitution.

(2) The proposal must cite reasons, and must be submitted to the Office of the Upper House.

Art. 104 - A Joint Committee will be established to research the proposed amendment and report to joint plenary sessions of the Assembly.

Art. 105 - The resolution to amend the Constitution must be approved by two-thirds of the total number of Representatives and Senators.

Art. 106 - The President promulgates a law amending the Constitution according to the procedures prescribed in Article 4.

Art. 107 - Article 1 of the Constitution and this article may not be amended or deleted.

CHAPTER IX

TRANSITIONAL PROVISIONS

Art. 108 - The constitution takes effect from the date it is promulgated, and the Provisional Charter of June 19, 1965 is automatically invalidated.

Art. 109 - During the transitional period, the National Assembly popularly elected on September 11, 1966, representing the people of the nation in the legislative sphere, will:

1. Draft and approve:

Election laws for the election of the President and Vice-President, Upper House and Lower House; laws organizing the Supreme Court and the Inspectorate; political party and press regulations.

2. Ratify treaties.

Art. 110 - From the time the first President and Vice-President take office, the Assembly popularly elected on September 11, 1966 assumes legislative powers until the first National Legislative Assembly is convened.

Art. 111 - During the transitional period, the National Leadership Committee and the Central Executive Committee will continue in power until the first President and Vice-President take office.

Art. 112 - During the transitional period, Courts presently in operation will continue to exercise judicial authority until the judicial organs prescribed in this constitution are established.

Art. 113 - The Assembly elected on September 11, 1966 will establish a list of candidates, will control the propriety and will announce the result of the election of the first President and Vice-President.

Art. 114 - During the first Presidential term, the President may appoint province chiefs.

Art. 115 - The election of the President and Vice-President must be organized no later than six months from the date of promulgation of this constitution.

Art. 116 - The election of the National Assembly and the organization of the Supreme Court and Inspectorate must be carried out no later than twelve months from the date the first President assumes office.

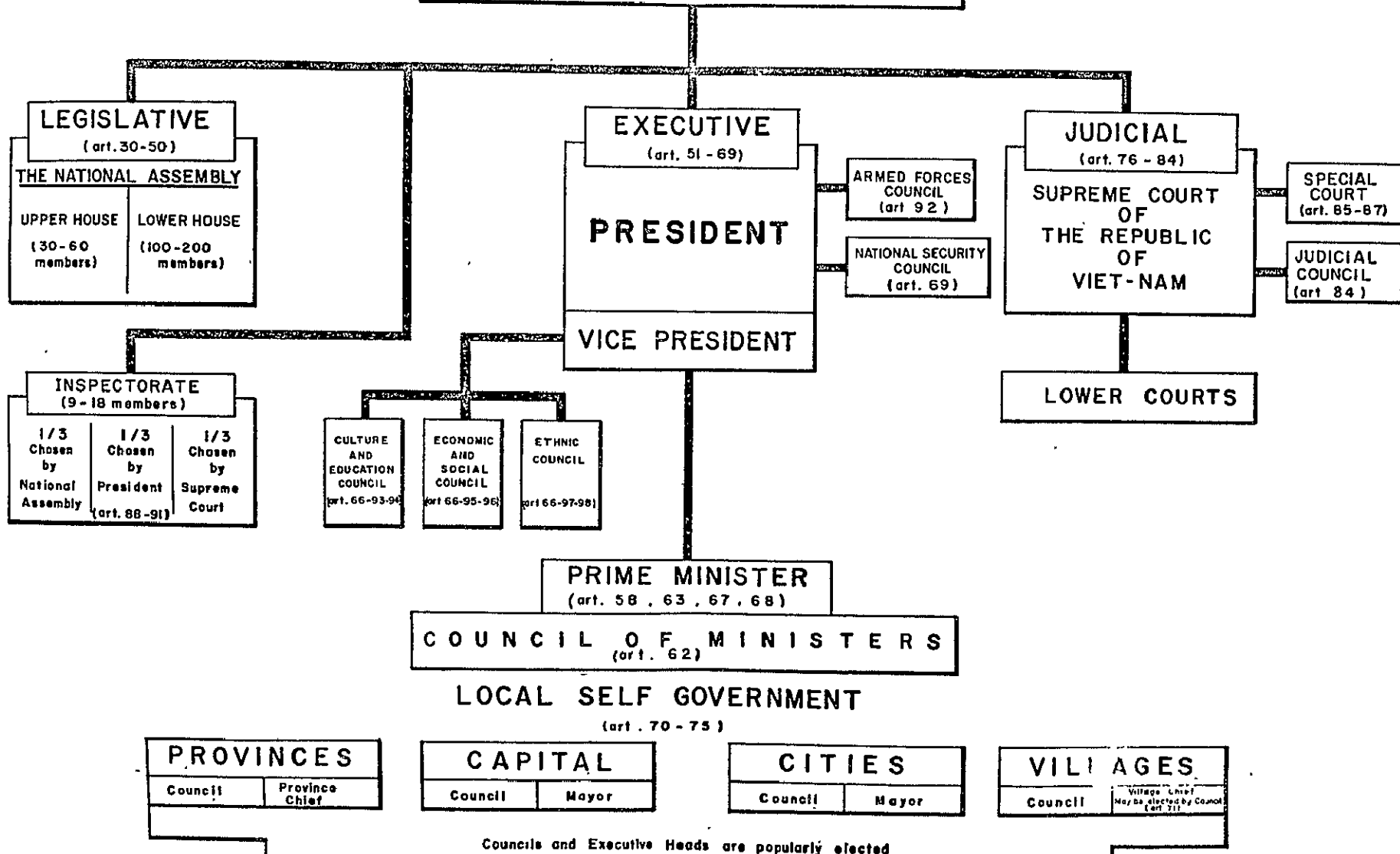
Art. 117 - The other structures prescribed by the Constitution must be established no later than two years from the date the first National Assembly is established.

(Unofficial translation, by
American Embassy, Saigon)

THE REPUBLIC OF VIET NAM

THE CONSTITUTION

PROMULGATED APRIL 1, 1967



Councils and Executive Heads are popularly elected

CENTRAL GOVERNMENT: expropriation of private property

Decree-Law No. 022/67:

THE CHAIRMAN OF THE NATIONAL DIRECTORY,

Considering the Provincial Constitution, dated 19 June 1965, supplemented by Decision #6-QLVNCH/QD, dated 6 June 1966 of the Armed Forces Council, Republic of VN Armed Forces;

Considering Decision #3-QLVNCH/QD, dated 14 June 1965, supplemented by Decision #7-QLVNCH/QD, dated 6 June 1966, of the Armed Forces Council, Republic of VN Armed Forces, establishing and prescribing the composition of the National Directory;

Considering Decree #001-a/CT/LDQG/SL, dated 19 June 1965, and subsequent documents prescribing the composition of the Central Executive Committee;

Considering the Decree dated 21 July 1925 prescribing new regulations for land;

Considering the Decree dated 15 June 1930, and Order #580-Cob/SG, dated 19 November 1951, determining the expropriation of land for works of public interest in the southern and central parts of South VN;

Considering Edict #32, dated 10 May 1955, prescribing the procedures for reestablishing land registers and other archives that have been destroyed, lost due to theft and other incidents;

Considering Law #17/59, dated 18 June 1959, amending the regulations for registration of mortgage and registration of judiciary mortgage;

Considering the recommendations of the Chairman of the Central Executive Committee;

After the discussion and decision have been made by the National Directory;

DECREES THAT:

- 0 -

ARTICLE 1. With regard to the real property that has been taken by the Government and used for the execution of public works, national defense works or works of public interest before the publication of this Decree-law, the expropriation will be

formalized in compliance with the following clauses:

CHAPTER I

GENERAL CLAUSE

ARTICLE 2. The transfer to ownership of the property indicated in Article 1 above to the VN Government, local administrative and legal entities, or Government agencies will be executed by means of a contract of sale of the property or a judgment after issuance of the following document:

1. An Order has been issued by the Chairman of the Central Executive Committee authorizing the purchase of the property for the Vietnamese Government or Government Agencies, or by the Special Commissioner for Administration, authorizing the purchase of the property for local administrative and legal entities.

2. An Order has been issued by the Commissioner of the Commission (Ministry) using the property, or responsible for the control of the activities of Government Agencies; or a Decision has been issued by Province Chief confirming the details of the property and the offered price for purchase, if the Order indicated in paragraph 1 above does not mention these points.

ARTICLE 3. All the following acts regarding the part of property that has been expropriated will be null and void:

1. All registrations of preferential rights or special delegations made after the date of publication of the Order prescribing the details of the property and the offered buying price.

2. The contracts made after the above date for the purpose of transferring the ownership of the entire real property to any natural person or artificial person other than the legal personality using the property.

CHAPTER II

ADMINISTRATIVE MEASURES

ARTICLE 4. An Order authorizing the purchase (of the property) accompanied with a plan drawn to an appropriate scale will be signed after consideration of a report submitted by the agency using the property.

ARTICLE 5. The Order or Decision confirming the details of the property with the offered buying price will be signed, based on:

1. The land registry certificate or cadastral record or other documents confirming the ownership as stated in Articles 15 and 16.

2. The record prepared by the local appraisal committee whose composition will be determined by an Order or Decision of the local administration and must include a legal representative of the property owner.

In case of transfer of ownership to the Vietnamese Government, and Government Agencies, this document must be countersigned by the Office of the Commissioner in Administration and the Ministry of Finance.

In case of transfer of ownership to the local administrative and legal entities, the document must be agreed upon by the agency responsible for controlling the use of the local budget.

ARTICLE 6. The Order of Decision confirming the details of the property, the property owner's name, the area of the property etc., along with the offered price must indicate the year of expropriation of the property and the official authorized to sign the property purchase contract, and must be:

1. Published in the Official Gazette of the Republic of Vietnam.
2. Published in the form of a notice indicating summarized necessary information for two consecutive days in three newspapers authorized to publish legal notices.

The notice should indicate that the public may consult the dossier designated in Article 7, specify the delay for announcing the preferential rights stated in Article 9, and reiterated in Articles 12, 27, and 28 of this Decree law.

3. Province Chiefs, Capital City Mayor or City Mayors provide notifications for the Presiding Judge of the Court of 1st Instance or Court of Peace with Extended Jurisdictions, Chief of the Land Registry Service, and Administrative Agency in the area where the property is located.

The above notification will be posted for ten full days at the District Administrative Office, Provincial Administrative Office, Town Administrative Office, City Administrative Office, and Public Offices in the area where the property is located.

ARTICLE 7. As of the date of posting the above notification, a dossier consisting of:

1. A copy of this Decree-law.
2. The Order authorizing the purchase,
3. The Order or Decision confirming the details of the property along with the offered purchase price,

must be lodged for a 3 month period at the Provincial Administrative Office, District Administrative Office, and Communal Administrative Offices, in the area where the property is located, for consultation by the public.

ARTICLE 8. Province Chief must prepare a certificate stating that the procedures provided for in Articles 6 and 7 above have been thoroughly executed.

CHAPTER III

TRANSFER OF OWNERSHIP AND CONSEQUENCES RELATED TO THE RIGHT OF PRIORITY FOR MORTGAGE AND TO OTHER REAL PROPERTY RIGHTS

ARTICLE 9. Within a period of 15 full days upon expiration of the period for posting the notification stated in Article 6, all creditors having preferential rights (right of priority, mortgage, other real property rights) must provide notifications for the Province Chief or Mayor if they have not yet formally registered these real property rights in the land registry books.

The right of priority prescribed above is based on the land registry books in compliance with the current law. In case the books are lost or destroyed, it is based on the order of declarations, or on the evidence which creditors must produce to the Court.

Notifications on claims, if any, can be submitted by registered letters on non-registered letters which the individuals concerned must personally submit to the Administrative Office. The official who receives the letters must issue receipts for them.

ARTICLE 10. Also within the above-mentioned delay, regarding all formally registered operations for mally registered operations for establishing culturalestates, endowment funds, the Communal Administrative Authority or the Chief of the Land Registry Service must issue an extract from those registrations and give notifications to Province Chief or Mayor.

In case the land registry books are not yet established, lost or destroyed and are not yet re-established, the individuals concerned must make statements on the above operations again to the Communal Administrative Agency so that this Agency will notify the Provincial Administrative Office of it.

ARTICLE 11. Creditors having the above preferential rights can only request the appraisalment of the property, not the increase of the purchase price.

If the individual concerned requests the redetermination of the price, he must declare in the notification stated in Article 9 that he will submit such a request in which he will have to indicate his remarks and demands, with an obligation to pay all survey expenses, court fees, costs of justice, and to deposit a security the amount of which is determined by the Court.

The individual concerned can also request the reassessment of the price by indicating it on the notification itself. Thus, adequate details must be indicated on the notification, and accompanied with all documents relating to this matter.

ARTICLE 12. If the notification is not effectuated within the delay, that property will be regarded as free from any caution (mortgage, attachment, mention of restraint on alienation etc...) or from whatever preferential right regardless of its nature.

If the notification is made but without any observation on the offered price, it is considered that creditors have agreed on this price.

ARTICLE 13. The procedures stipulated in Articles 9 and 10 above will not be applied regarding expropriated pieces of property the price of which does not exceed 5,000 VN\$.

In this case, the land owner or his assignee or representative should be responsible for settling his debts or for reinvestment.

The amount of 5,000 VN\$ designated in paragraph of this Article and the other amounts designated in the other articles of this Decree-law are the prices determined by the Appraisal Committee.

ARTICLE 14. Regarding expropriated pieces of property subject to preferential rights, special delegation, which are determined at more than 5,000 VN\$, the Court will decide about the questions:

- Reinvestment case of inheritance, cultural estates destined to the celebration of the anniversary of the death of a person, property entrusted to a male descendant (huong hoa), property assigned to a descendant the income of which is to be used as offerings to ancestors (ky dien), or property offered for the benefit of a pagoda or temple (hau dien).

- Sharing between the creditors and the land owner, except that the individuals concerned agree to let the land owner or the rightful beneficiary receive the entire sum.

CHAPTER IV

EVIDENCE OF OWNERSHIP; RIGHTFUL BENEFICIARY REPRESENTING
THE LAND OWNER; CONTRACTING PARTY

ARTICLE 15. The boundaries of the expropriated property will be marked based on the real estate register or land register.

ARTICLE 16. If the real estate register or land register held at the commune or the local Land Registry Agency is destroyed or missing;

1. The Communal Administrative Authority will have to certify that the expropriated property belongs to the person whose name is indicated on the title deed (in case the title deed is not lost) on condition that this person makes a statement to be fully responsible for any mistake in the title deed or for forgery.

2. The Communal Administrative Authority will have to certify that the expropriated property belongs to the individual concerned in case the title deed is lost and this will be based on:

a. The actual fact, if the offered price of the property is less than 5,000 VN\$.

b. The actual fact and the statements of two witnesses, if the offered price is more than 5,000 VN\$ but does not exceed 10,000 VN\$.

c. The actual fact, after posting up the name of the land owner and the plan of the property at the communal administrative office for 15 full days without receiving any disproof, and if the offered price is more than 10,000 VN\$ but does not exceed 20,000 VN\$.

This procedure is applied instead of those provided for in paragraph 1 and 2, and items a & b above, if deemed necessary by the Communal Administrative Agency.

ARTICLE 17. If the land owner is deceased or absent, or cannot appear, due to whatever reasons, to the Communal Administrative Authority to produce the contract or present his observations, the Communal Administrative Agency will authorize the rightful beneficiary to represent the land owner to prepare the contract or present observations, and receive the money.

The Communal Administrative Authority's decision will be based on:

1. The actual facts, if the offered price of the expropriated property is less than 5,000 VN\$;

2. The actual facts, and the statement of the Chief of the family council of the land owner if the offered price is more than 5,000 VN\$ but less than 10,000 VN\$;

3. The actual facts, and the report prepared by the family council of the land owner if the offered price of the property is more than 10,000 VN\$ but less than 20,000 VN\$.

This procedure is applied instead of procedures 1 and 2 indicated above, if deemed necessary by the Communal Administrative Agency.

The contracting party receiving the money should be fully responsible to other rightful persons. After the contract has been prepared, in case of disputes arising about the ownership of the property concerned, or about the amount of money that has been received, the other contracting agency will not be involved in the dispute, and whatever it may be, the above contract will remain available.

ARTICLE 18. If, due to some serious reason, the Communal Administrative Authority refuses to certify the ownership of the property or the capacity of the rightful beneficiary in accordance with the procedures stipulated above, or if the offered price of the expropriated property is more than 20,000 VN\$ or if the total amount paid to each land owner or rightful beneficiary exceeds this sum, the individuals concerned are required to justify their rights or positions in compliance with the current law applied in civil matter.

ARTICLE 19. The following persons are entitled to exercise the rights that have been recognized for the property owner, excluding the receipt of the money resulting from the sale of the property in case the offered price is more than 5,000 VN\$, this case will require a Court decision on reinvestment:

1. Usufructuaries, regarding cultural estates.
2. Wife, regarding dowry.

ARTICLE 20. The procedures stipulated in Articles 17 and 18 are also applied to certify the rights and positions of the usufructuaries.

ARTICLE 21. Regarding the category of public property not affected to the public use, and commune's private property, the Communal Administrative Authority is entitled to exercise all rights that have been recognized.

However, the Communal Administrative Authority must comply with the current law for reinvestment.

ARTICLE 22. The recognition of ownership, capacity of the rightful beneficiary representing the land owner, and of the usufructuaries in compliance with the special procedures indicated in this Chapter is only applicable to the expropriated part of property.

CHAPTER V

PROCEDURES FOR TRANSFER OF OWNERSHIP

ARTICLE 23. The transfer of ownership is carried out immediately after the property sale contract has been signed or after a judgment has been rendered in the place of this contract.

In case of disputes arising about the question of ownership of the expropriated property, the transfer of ownership will be executed only after a Court sentence has decided on the case.

ARTICLE 24. The property sale contract will be signed in the local area between:

- The representative of the Ministry using the property, or of the Government Agency, or of the local administrative legal entity, and;
- The land owner or the rightful person recognized by the current law or by virtue of special provisions stated in Chapter IV.

These persons are entitled to sign the sale contract without requiring an agreement of their spouse if the offered price of the property does not exceed 50,000 VN\$.

The contract will be signed:

- After the delay for posting the notice indicated in Article 6 has expired, if the offered price of the expropriated property does not exceed 5,000 VN\$.
- After the delay for the notification of preferential rights and special delegations has expired, if the offered price of the property is more than 5,000 VN\$ and there is no request for the review of this price.

ARTICLE 25. The contract may be prepared in the form of an administrative deed or drawn up by a solicitor for all pieces of property in a commune which belong to one or several landowners.

Fingerprints or signatures by Chinese characters are also considered available with the presence of a witness.

ARTICLE 26. In case of non-agreement on the offered purchase price, the rightful persons must submit a request by registered mail to the Province Chief or City Mayor.

They can submit their requests in person to the Provincial Administrative Office or City Administrative Office. In this case, the official who receives the requests must deliver a receipt to them.

The requests must be accompanied with necessary justificative documents, and must mention the statements, observations, demands, with an obligation to pay all survey expenses and costs of justice in compliance with Articles 37 and 38 of this Decree.

Upon receipt of the requests, the Province Chief or City Mayor must transmit them to the Court of First Instance or Court of Peace with Extended Jurisdiction for consideration.

ARTICLE 27. The delay allowed to the land owners or rightful persons to appear to sign the contract or to petition for review of the price is three months starting from the date of posting the notice indicated in Article 6.

In any case, this delay shall not be suspended or extended.

ARTICLE 28. Any land owner or rightful person who fails to appear to sign the contract or does not submit his request for review of the price within the prescribed delay will be regarded as agreeing to sell the expropriated property at the offered price and under the specific details.

The Province Chief will prepare a record to confirm the facts, and submit it to the Court to:

- Readjust the price, if the preferential creditors request it.
- Recognize the agreement, if there are not preferential creditors, or if they do not request the review of the price.

ARTICLE 29. The judgment of readjustment of the price or recognizing the agreement will substitute for the property sale contract.

ARTICLE 30. After the property sale contract or the judgment substituting for it has been registered, it will be transmitted to the local Land Registry Agency for registration in the real estate register or for entries in the land title deed register, and will be transmitted to the Ministry of Finance for registration in the public property register.

The transfer of title to the Vietnamese Government, Government Agencies, and local administrative legal entities will automatically be executed in reference to the above-mentioned contract or judgment, and will be exempted from registration to compel the payment to be made.

ARTICLE 31. If the expropriated property is a public property purchased by public funds, no procedures will be required other than the updating of the real estate register, either the numbers of the piece of land or of the public property.

The updating will automatically be executed, referring to the Order authorizing the purchase, and the Order or Decision confirming the details of the expropriated property.

CHAPTER VI

TRIAL PROCEEDINGS CONCERNING THE TRANSFER OF OWNERSHIP

ARTICLE 32. The dossier transmitted by the Province Chief to the Court for the purpose provided in Articles 11, 14, 26, and 28, above will consist of:

A. For all cases:

1. A copy of this Decree-law.
2. The Order authorizing the purchase.
3. The Order or Decision confirming the details and the offered price of the property.
4. The certificate indicated in Article 8.

B. For each particular case:

1. When the Court is requested to decide on the sharing, reinvestment (Art. 14): Notification of preferential rights and special delegations.
2. When the Court is requested to readjust the price of the property (Art. 11 and 26): notification of preferential rights or request for readjustment of the price with indications as to the statements, observations and demands of the individual concerned, and with necessary justificative documents.
3. When the Court is requested to issue a sentence recognizing the agreement (Art. 28): record confirming that there has been no individual appearing to sign

the contract or to request the readjustment of the price.

ARTICLE 33. If the dossier received is improper or incomplete, the Court will notify the individuals concerned of it within a delay of 15 days as of the date of receipt of the dossier, so that they will complete or to put into proper form within a one-month delay. Upon expiration of that time, the Court will decide according to each particular case.

In all cases, starting from the date the dossier is received or from the end of the time for completing the dossier, the Court will have to:

1. Readjust the price within a 3 month period.
2. Recognize the agreement within a 15-day period.
3. Decide on the distribution of reinvestment within a one-month period.

If several matters are to be decided upon, the attendant periods of time may be added together.

ARTICLE 34. For the readjustment of the price, the Court only takes cognizance of : the requests aiming to change the price of the property.

The Court can deliberately designate one or many surveyors, or require that surveyors be designated, order that all measures be implemented, and have all necessary procedures executed.

ARTICLE 35. If it is necessary to require that surveyors be designated, the Court will notify:

- The individuals concerned (land owner, assignee representing the creditors having preferential rights etc...) who request for readjustment of the price.
- The local representative of the Ministry or Government Agency or the administrative legal entity who requests the purchase of the property and has been delegated to prepare the contract, so that each party will designate two surveyors, and inform the Court and the other party of this within a period of 15 days as of the date of receipt of the notification from the Court. This delay is also the time allowed for depositing the security.

The surveyors appointed by the individuals concerned who request for readjustment of the price are responsible for convening other surveyors for carrying out. However, they must previously inform

the Court and other surveyors of that for at least 2 full days before the meeting.

The surveyors appointed by both parties will work together to estimate the price of the property. Their report must be submitted to the Court within 30 days, starting from the date of appointment.

ARTICLE 36. In case no surveyors are appointed within the prescribed period of time, it is considered that the individuals requesting the review of the price have agreed on the offered purchase price, and the Court will issue an order recognizing this agreement.

Any designated surveyor that fails to conduct the survey for whatever reason will be regarded as agreeing on the conclusion taken by a majority of other surveyors who have actually conducted the survey.

If the survey report is not submitted within the prescribed period of time, the Court will try the case according to the state of the dossier.

ARTICLE 37. If the price fixed by the Court is equal to the offered purchase price, the individuals requesting the review of the price will be charged with all expenses (court fees, law costs, survey charges).

If the price fixed by the Court is equal to the wanted sale price, all expenses will be paid by the budget of the agency purchasing the property.

If the price fixed by the Court is higher than the offered purchase price but lower than the wanted sale price, the Court will order each party to share the expenses in proportion to the balance between the price offered or wanted by each party and the price fixed by the Court.

In all cases, the expenses born by the individuals requesting the review of the price will not be higher than the price fixed by the Court. The balance amount will be covered by the public funds used for the purchase of the property.

ARTICLE 38. If all the rightful persons request the readjustment of the price, they will be dispensed from any deposit of security.

If among the preferential creditors, land owner of his representative (assignee), and other rightful individuals, some

agree on the offered purchase price while others do not agree on it and request the review of the price, the Court will order the latter to deposit a security to cover incurred expenses.

In case of failure to deposit the security; it is considered that means withdrawal of the request, and they have agreed upon the offered purchase price, and the Court will issue a sentence recognizing this agreement.

If the readjusted price minus the expenses is still higher than the offered purchase price, the individuals who have not requested for readjustment are also entitled to take advantage of this balance amount.

If the readjusted price minus the expenses is lower than the offered purchase, only the individual requesting for readjustment will be charged with this balance amount.

ARTICLE 39. The judgment readjusting the price or recognizing the agreement is final in nature, and may only be subject to petition for review to the Court of Cassation.

The declaration of petition for review must be made at the Court Clerk's office within 3 days of the pronouncement of the judgement.

ARTICLE 40. Current law relating to trial proceedings will apply if they are not in conflict with the provisions set forth in this Decree law.

CHAPTER VII

PAYMENT

ARTICLE 41. The sum paid to the land owner or rightful beneficiary consists of the price of the property plus the interest.

ARTICLE 42. The price of the property is the price offered for the purchase and agreed upon by the land owner or rightful person, or the price adjudged by the Court.

This price will be equal to the price estimated at the time when the land is expropriated and the work intended has not yet started. All expenses resulting from the removal of houses, crops, vegetation, tombs, and equipment will be certified by the agency using the property.

The Appraisement Committee after examination of the case will pay compensation to each damaged person.

ARTICLE 43. The simple interest calculated on the price of the property is rated at six per cent (6%).

The interest is computed on a one full year basis, and the number of years for which the interest is paid is not limited. The year when the land is expropriated and the year when payment is made are calculated as two years.

ARTICLE 44. The price of the expropriated property will be paid in cash to the land owner or rightful person immediately after the contract is signed or after a judgment substituting for the contract is made available, if the property transferred is priced at no more than 5,000 VN\$, or if the property is not subject to a promise of sale, or mortgage or any special delegation, or if there are only creditors having preferential rights and they all agree to allow the land owner or rightful person to receive the full amount of money.

ARTICLE 45. This Decree-Law is to free expropriated pieces of property. Creditors will be paid compensation following the procedures concerning the land owner.

Concerning the payment of sums which are delayed and have not yet been made pending Court decisions on sharing or reinvestment (Art. 14) or due to the absence of the land owner without representative, they will be deposited at the "Deposit and Consignment Office".

All charges on the expropriated property will automatically be cancelled by the payment of the money or deposition at the "Deposit and Consignment Office".

CHAPTER VIII

MISCELLANEOUS CLAUSES

ARTICLE 46. All sale contracts or judgments rendered in the place of which as well as decisions on the sharing or reinvestment of the sale price of property set forth in this Decree-law are exempted from registration tax and stamp duty.

If the land owner or the rightful persons has not requested readjustment of the price of the expropriated property, this property may be exempted from the succession tax.

ARTICLE 47. All judgments substituting for the sale contracts (not including those fixing the price) and all Court

decisions on the sharing or reinvestment of funds produced from the transfer of property to the Vietnamese Government, local legal entities or Government Agencies are exempted from all fees and costs of justice.

ARTICLE 48. The above pieces of property are also exempted from registration tax, and other fees for delivery of real estate certificates.

ARTICLE 49. Regarding the expropriation for public interest executed under the Decree dated 15 June 1930 or Order #480-Cab/SG, dated 19 November 1951, the provisions of this Decree-law will also apply if the payment has not been made yet, but the land has been taken, and if the Commission using the property considers there is need apply it.

In the above case, the clauses in this Decree-law will apply continuously, referring to the Order issued by the Commission using the property, and regarded as an Order authorizing the sale of the property (Art. 4):

1. Order declaring the expropriation as set forth in Article 2, Order #480-Cab/SG, dated 19 November 1951;
2. Law or Decree authorizing the carrying out of the public work stipulated in Article 1, Decree dated 15 June 1930.

ARTICLE 50. Regarding the property stated in Article 2 the purchase of which having been authorized by an Order in compliance with the current law, the Commission using the property can, as deemed necessary, issue an Order to assimilate the above order to one or both of the following documents, according to the case:

- Order authorizing the purchase (Art. 2 and 4);
- Order confirming the details of the property and the offered purchase price (Art. 2 & 5).

Thus, the clauses in this Decree-law will apply continuously to the case.

ARTICLE 51. The Chairman of the Central Executive Committee will be in charge of the execution of this Decree Law.

This Decree-law will be published in the Official Gazette of the Republic of Vietnam.

Saigon, 14 February 1967

LT GENERAL NGUYEN VAN THIEU

CENTRAL GOVERNMENT: The Commission for Handicrafts and Industry:

Republic of Vietnam
Office of the Chairman
Central Executive Committee

The Chairman, Central Executive Committee

Considering.....

DECREES:

Art. 1 - Decree No. 138-SL/CKN of 5 December 1966 is hereby abolished and replaced by the following provisions:

Art. 2 - The Commission for Handicraft & Industry is composed of the following agencies --

A. Central Agencies, namely:

- The Office of the Director of Cabinet
- The Secretariat General
- The Directorate of Industrial Supply
- The Directorate of Techniques
- The Directorate of Mining
- The Institute of Standards
- The Committee on National Enterprises
- The Inter-Ministerial Committee on Investment

B. Dependent Agencies, namely:

- The Industrial Development Center
- The Handicraft Development Center

Art. 3 - The office of the Director of Cabinet is headed by a Director of Cabinet who is responsible for helping the Commissioner for Handicraft & Industry, solving problems relating to the Commission, directing and coordinating activities of the dependent agencies, and determining the general policies of the Commission.

The office of the Director of Cabinet is composed of:

- A Chief of Cabinet whose functions are to direct:
 - The Private Secretary
 - The Press Secretary
 - Four Expeditors
 - One Generalist
 - The team of Specialists, comprising six Specialists remunerated on a contractual basis
 - The team of Industrial Inspectors, comprising four Inspectors ranking equally with the Chiefs of Service.

Art. 4 - The Secretariat General, headed by a Secretary General, has the following functions:

- to render decisions on administrative, accounting, personnel, and legislative matters;
- to coordinate the administrative viewpoints of all Directorates and Services depending on the Commission for Handicraft & Industry;
- the Secretary General directly heads the Directorate of Administration and Legislation. This Directorate is charged with the above matters.

Art. 5 - The Committee on National Enterprises, presided over by the Commissioner for Handicraft & Industry, is charged with the functions of coordinating and controlling the following national enterprises and mixed enterprises:

A. National Enterprises

- Anhoa-Nongson Industrial Plant
- Bien Hoa Industrial Plant
- Thu Duc Industrial Plant
- Vietnam Sugar Company
- Binh Duong Sugar Company
- Nong-Son Coal Mines
- Tan Mai Wood Mill Plant
- Ha Tien Cement Plant
- Long Tho Hydraulic Lime Plant

B. Mixed Enterprises

- Vietnam Cotton Industry Company
- Vietnam Paper Company
- Dong Nai Paper and Chemical Products Company (COGIDO)
- Vietnam Oil Refinery Company
- Vietnam Glass Company
- Vinh Hao Company

The Committee on National Enterprises has a Permanent Secretariat headed by a Secretary General of the Committee. The Secretary General of the Committee is entitled to the compensation and rights of a Secretary General of a Commission.

The organization of the Committee of National Enterprises shall be determined by an Arrete of the Commissioner for Handicraft & Industry.

Art. 6 - The Inter-Ministerial Committee on Investment, presided

over by the Commissioner for Handicraft & Industry, is charged with the functions of reviewing and approving all investment projects, in accordance with Decree-Law No. 2/3 of 14 February 1963 "Fixing Investment Regulations in Vietnam."

Art. 7 - The Institute of Standards is charged with the responsibility of establishing, diffusing, and applying the standards for all products of Vietnam.

The Institute of Standards is placed under the direction of a Director who has the rank of a Director of a Directorate, having several Services.

The organization of the Institute of Standards shall be determined by an Arrete of the Commissioner for Handicraft & Industry.

Art. 8 - The organizations of the Industrial Development Center and the Handicraft Development Center remain unchanged.

Art. 9 - All provisions contrary to the present Decree are abolished.

Art. 10 - The Commissioner General for Economy & Finance, the Commissioner at the Prime Minister's Office and the Commissioner for Handicraft & Industry are charged, each to that which concerns him, with the execution of the present decree.

The present decree shall be published in the official Journal of the Republic of Vietnam.

Saigon, 30 March 1967

Signed: Vice Marshal Nguyen Cao Ky

CENTRAL GOVERNMENT: GVN salary ceilings raised for lower clerical ranks:

March 31, 1967, the Prime Minister promulgatee arrete No. 682/ND/DHCV establishing new higher salary ceiling indexes for personnel in the administrative branches from orderly to senior clerk. The new salary index ceilings are as follows:

- Senior clerk, principal, super class, after 3 years in seniority, salary index 710; after 6 years, salary index 750.
- Clerk, principal, super class, after three years, salary index 510; after 6 years, salary index 540.
- Clerk typist, principal, super class, after 3 years, salary index 490; after 6 years, salary index 520.
- Orderly, principal, super class, after three years, salary index 290; after 6 years, salary index 310.

(Vietnam Press,
Apr. 1, 1967.
evening edition)

LOCAL GOVERNMENT AND RURAL DEVELOPMENT: returnees
may run for local office:

Saigon April 7, 1967

NR : 1171 PPP 071610H
FM : Under Secretary for Open Arms, Saigon
TO : Open Arms Chiefs Throughout the Country
INFO : Province Chiefs and Mayors Throughout the
Country. No. # 581/TBTCH/PH

In conformity with directive # 522/DUHC/NC/6 of February 14, 1967 issued by Special Commissioner for Administration to all province chiefs on improvement of village/hamlet administration, Open Arms returnees can offer themselves as candidates of village/hamlet officials for Rural Pacification if their data are quite legal and especially their conduct is certified quite good by official agencies. Please follow-up the matter and keep this office notified of the results.

LOCAL GOVERNMENT AND RURAL DEVELOPMENT: money for
phase 2: how much for each city and province:

REPUBLIC OF VIETNAM
CENTRAL EXECUTIVE COMMITTEE
CHAIRMAN'S OFFICE

-*-*-

No. 86-UBHP/NSNV/NG.V.

CHAIRMAN OF THE CENTRAL
EXECUTION COMMITTEE

Considering the Constitution of RVN issued on April 1, 1967;

Considering the Decision No. 3-QLVNCH/QD of June 14, 1965 by the Armed Forces Council of Republic of Vietnam bearing on the constitution of the National leadership Committee;

Considering the Decree No. 001-a/CT/LDQG/SL dated June 19, 1966 fixing the composition of the Central Executive Committee;

Considering the Decree No. 203-TC dated May 30, 1965 modifying the financial regulations to be applied to the implementation of the National Budget;

Considering the Decree No. 23-TTP dated January 23, 1965 appointing Authorizing Officers for Payments and Receipts for the National Budget;

Considering the Decree-Law No. 001/67 dated January 1, 1967 promulgating the National Budget for FY'67;

Considering the Decree No. 158-XDNT dated July 30, 1965 establishing the Central Rural Construction Council;

Considering the Decision No. 662-TTNT dated April 24, 1965 modified by the Decision No. 138-ND/XDNT dated January 26, 1966 establishing the Provincial Rural Construction Council;

Considering the resolutions of the Central Rural Construction Council;

DECIDES THE FOLLOWING

Article 1. There is hereby granted in the second phase to the Rural Construction Budgets of the Municipalities and Provinces a fund of FOUR HUNDRED AND EIGHTY NINE MILLION PIASTERS ONLY (489,000,000\$VN) intended for implementation of the Rural Construction Program for 1967 as follows:

I. MUNICIPALITIES

| | | |
|------------|---|-------------------|
| - Da Nang | : | VN\$ 3,000,000.00 |
| - Vung Tau | : | 5,000,000.00 |
| - Cam Ranh | : | 2,000,000.00 |
| - Da Lat | : | 2,000,000.00 |

II. PROVINCES

a. South Vietnam

| | | |
|----------------|---|--------------------|
| - An Giang | : | VN\$ 43,000,000.00 |
| - An Xuyen | : | 8,000,000.00 |
| - Ba Xuyen | : | 11,000,000.00 |
| - Bac Lieu | : | 10,000,000.00 |
| - Bien Hoa | : | 12,000,000.00 |
| - Binh Duong | : | 12,000,000.00 |
| - Binh Long | : | 5,000,000.00 |
| - Binh Tuy | : | 6,000,000.00 |
| - Chau Doc | : | 12,000,000.00 |
| - Chuong Thien | : | 10,000,000.00 |
| - Dinh Tuong | : | 12,000,000.00 |
| - Gia Dinh | : | 20,000,000.00 |
| - Go Cong | : | 10,000,000.00 |
| - Hau Nghia | : | 7,000,000.00 |
| - Kien Giang | : | 12,000,000.00 |
| - Kien Hoa | : | 12,000,000.00 |
| - Kien Phong | : | 9,000,000.00 |
| - Kien Tuong | : | 6,000,000.00 |
| - Long An | : | 16,000,000.00 |
| - Long Khanh | : | 6,000,000.00 |
| - Phong Dinh | : | 12,000,000.00 |
| - Phuoc Long | : | 5,000,000.00 |
| - Phuoc Tuy | : | 7,000,000.00 |
| - Tay Ninh | : | 14,000,000.00 |
| - Vinh Binh | : | 9,000,000.00 |
| - Vinh Long | : | 12,000,000.00 |
| - Sa Dec | : | 7,000,000.00 |

b. Central VN Plateau

| | | |
|--------------|---|---------------|
| - Binh Dinh | : | 16,000,000.00 |
| - Binh Thuan | : | 9,000,000.00 |
| - Khanh Hoa | : | 13,000,000.00 |
| - Ninh Thuan | : | 9,000,000.00 |
| - Phu Yen | : | 13,000,000.00 |
| - Quang Nam | : | 15,000,000.00 |
| - Quang Ngai | : | 16,000,000.00 |
| - Quang Tin | : | 13,000,000.00 |
| - Quang Tri | : | 15,000,000.00 |
| - Thua Thien | : | 15,000,000.00 |

c. Central VN High Plateau

| | | |
|------------|---|--------------|
| - Darlac | : | 7,000,000.00 |
| - Kontum | : | 5,000,000.00 |
| - Lam Dong | : | 4,000,000.00 |
| - Phu Bon | : | 3,000,000.00 |

| | |
|-------------|---------------------|
| - Pleiku | : VN\$ 7,000,000.00 |
| - Quang Duc | : 4,000,000.00 |
| - Tuyen Duc | : 8,000,000.00 |
| | <hr/> |
| | 489,000,000.00 |
| | <hr/> |

Article 2. This cost is charged to the National Budget, Item 31, Chapter 902, FY'67.

Article 3. The Director General of National Budget and Foreign Aid, the Director of Treasury and the Province Chiefs and Mayors are charged, each as to what concerns him, with the execution of the present Decision.

Saigon, April 13, 1967

By order of the Chairman of the
Central Executive Committee
Director General of Budget and
Foreign Aid

S/s LUU VAN TINH

Controller of Obligated expenses
April 11, 1967

Signature: NGUYEN NGOC THO

OPEN ARMS: the policy of national reconciliation:

Today on Hung Vuong day when the entire nation is reminded of its origins, the Government solemnly announces its course of action and its policy concerning the National Reconciliation Program to be put into effect throughout the country.

With the Constitution as a base, the National Reconciliation Program is a part of a campaign for the attainment of our national objective. This objective is to accomplish reforms within the framework of historical continuity to liberate the nation and to free the people. The three guiding principles of the National Reconciliation Program are National Community, National Concord and National Progress.

The principle of National Community is based on the fact that our ties of blood demand us to have tolerance rather than hatred. This principle aims at bringing together all the Vietnamese spiritual heritage bequeathed on us by our forefathers, and at the same time to strive and keep us with the rate of progress of mankind in this second half of the twentieth century. This principle requires that we reject the communist proposed divorce with our traditions. For indeed this denial of the past will bring the nation and the individual into the pit of extermination and slavery.

The principle of National Concord, which aims at restoring the life of harmony that had been worked out by our ancestors after so much hardship, will establish the foundation of our democratic regime. In an atmosphere of peace and harmony, all disagreements and differences will be expressed, not through the use of steel and not at the cost of bloodshed, but rather through democratic procedures.

The principle of National Progress will guide our people to move forward in freedom and with greater expectations. Based on this principle, the social revolution which is being carried out by the Republic will bring about progress and social justice.

All citizens without discrimination will have equal opportunity to develop their capabilities and to enjoy the fruit of the progress the achievement of which everyone will have a chance to contribute his share.

The three principles of National Community, National Concord and National Progress will strengthen our unity of purpose and action within the national community and thus will create the essential conditions for the Vietnamese people to be the masters of their own destiny.

In recent days, the Government of the Republic of Vietnam has many times set forth proposals for the restoration of peace and has stated its readiness to meet North Vietnamese authorities either at the demilitarized zone or at any other place. Such initiatives on the part of the Government have no other purpose than to safeguard the supreme interests of the Vietnamese race.

In the field of Chieu Hoi Open Arms action, these three principles provide the Government and the people three ways to implement the National Reconciliation Program.

First, all those who decide to leave the ranks of the communists and reintegrate in the national community will be warmly welcomed as citizens with full rights of citizenship. All returnees will be protected by the Government which will also provide them facilities to build a new life. In other words, every citizen who abandons the communist ranks will enjoy the rights set forth in the Constitution, including the right to have the law protect his freedom, his life, his property and his honor, the right to vote and to run for office, the right to go back and live within one's family, the right to choose his place of residence and the right to enjoy the national assistance on the pursuit of his profession.

Second, the citizens who rally to the national cause will be employed in accordance with their ability so that every Vietnamese, without distinction, will have the opportunity to contribute positively to the reconstruction and development of the country.

Third, the citizens who rally to the national cause, but who have violated the law under communist coercion or deception, whether they have been convicted or not, will enjoy all the guarantees set forth in the Constitution. The country will be tolerant to the utmost so they have the opportunity to put their ability and determination to serve and redeem themselves.

The Government hereby orders all cadres at all levels, civilian, military and administrative, and calls on the entire people to disseminate and carry out the National Reconciliation policy and program.

The realization of this policy will help shorten this destructive war initiated by the communists and will soon bring about the day which has been yearned for by the entire people for more than twenty years: the day of a lasting and genuine peace.

(promulgated Apr. 19, 1967, by the Prime Minister, on Hung Vuong Day.)

OPEN ARMS: the 1967 program: procedures for cadre and requirements and rewards for returnees:

REPUBLIC OF VIETNAM
MINISTRY GENERAL OF INFORMATION & OPEN ARMS

No. 111/TDTTCH/CH/SQT/KT/TT

COMMUNIQUE

To

Open Arms Chiefs throughout the Country

Subject : Procedural Operation of Foreign Aid Program for 1967 Open Arms Activity.

Reference: Open Arms Communique No. 403/PFTT/PDUCH/HC dated August 11, 1964.

- No. 982/BCH/HC/19 dated June 15, 1965.
- No. 306/BFTTCH/KCH/SQT dated May 3, 1966.
- Official letter No. 980-UBHP/NSNV/Ngv dated January 23, 1967 from DGBFA.
- Resolution No. 023-TBFTTCH/CH/SQT/KT dated January 21, 1967 from Central Open Arms Organization.

This communique aims at fixing and giving explanations to Open-Arms Chiefs so that they can have a thorough knowledge of the procedural working-out of foreign aid for open arms activity in 1967.

A. Expenditure procedure

1/ General characteristics of 1967 Open Arms Budget

The Open Arms Budget for 1967 is listed on article 13, chapter 212, code 84. It is put under the direct management of the central open arms organization, and expended in accordance with the National Budget regulations as follows:

- Expenditures can be depending on needs and circumstances, cleared at central or local Open Arms by administrative cash vouchers to be charged to funds released to the provinces.

- Provinces can not establish an imprest fund to be charged on expenditure release (the establishment of imprest fund for local use concerning emergency activity will be dealt with below).

- Expenditures should be charged on the article fixed in the budgeting project (the transfer of expenditure from one article to

another should be approved by the Open Arms central office.

- Clearance and justification of expenditures for personnel and materials should be made according to National Budget regulations in force;

- Expenditure rate relating to the supply of materials and carrying out of activities is fixed as follows:

- Up to 20,000\$00 - Exempted from competitive pricing is obligated expenditure control procedures but purchase orders should be signed by the authorizing officer before the procurement of commodities.
- From 20,001\$00 to 200,000\$00 - Competitive pricing is mandatory, purchasing regardless of price (bon de command) should be controlled and approved before the receiving of commodities.
- From 200,001\$00 to 1,000,000\$00 - Should obtain competitive bids or make a contract agreement after ample pricing.
- Over 1,000,000\$00 - Bidding is mandatory.

2/ Budgeting Project of 1967 Open Arms Program

The aforementioned budgeting Project is composed of 4 categories of expenditures classified according to fixed articles of the National Budget:

Article 1. - Payment of Salary and allowances.

- Salary and Per Diem for Open Arms Armed Propaganda cadres (no longer borne by the National Budget as it was in 1966).
- Salary and Per Diem for instructors.

Article 3. - Operational expenditures

- Feeding of returnees
- Tailoring and clothing
- Pocket money
- Transportation
- Rewards
- Propaganda campaign
- Political training
- Vocational training
- Per Diem for returnees
- Equipment for Open Arms Armed Propaganda cadres

Article 5. - Miscellaneous allowances

- Special allowance for high-ranking returnees
- Domestic-use allowance for returnee families resettled in Chieu Hoi villages.
- Return-home allowance
- Allowance for dead members of returnee families.
- 12 month-salary allowance for Open Arms Armed Propaganda cadres killed in the course of their duties.

Article 7. - New activities

- Open Arms Center construction, repair and equipment.
- Establishment of Open Arms villages

3/ Expenditures

In principle, all expenditures concerning article 3 should be paid by central or local administrative cash vouchers (to be charged to fund released to the provinces).

However, in order to meet the necessary requirements of Open Arms activities requiring cash, ref. official letter No. 980-UBHP/NSNV/ Ngv dated January 21, 1967, the Directorate General of Budget and Foreign Aid has agreed to allow the Open Arms organization set up an imprest fund in central (Saigon) and distribute money to provinces through the use of money-orders. The money sent to the province will be deposited at the treasury service concerned (or the nearest treasury service, if the province concerned has no treasury service) or a non-profit account in the name of the Province Chief or Mayor. In case the contact between the province and the treasury service is beset with difficulties, due to the security situation, the province headquarters can hold such fund at its province under the responsibility of the Mayor or Province Chief.

Mayors and Province Chiefs are deputy authorizing officers of the fund who will designate a liquidator and examine and sign on correct vouchers.

The Open Arms Chief acts as Cashier (and enjoys no allowance). Funds will be gradually advanced to Open Arms Services by the Province headquarters concerned for expense according to needs.

The following categories of expenditures are paid by the imprest fund:

- The nine types of expenditures recorded in article 3 (except expenditure for Open Arms Armed Propaganda cadres' equipment which is to be cleared by the central (Saigon). A money order will be

sent to provinces indicating clearance):

- Food, clothing, pocket money, transportation, weapons and exploitation rewards, propaganda campaign, political training vocational training and per-diem.

Two types of expenditures recorded in article 5: return-home allowance and allowance for members of returnee families who are killed.

In order to facilitate the vouchering and expenditure control, two imprest funds have been established, and money-orders will be issued separately:

- Imprest fund No..... covering expenditures recorded in article 3.
- Imprest fund No..... covering expenditures recorded in article 5.

B. Allowances and Vouchering Procedures of Activities

Allowances of Permanent Open Arms Activities

a) Feeding.

The feeding price provided for a returnee in the 1967 National Budgeting Project is 30\$00 per day.

However, the new rate can only be applied after getting the approval of the Central Executive Chairman's Office. Pending approval, returnees will be fed according to the old tariff, e.g., during the 60 days of refuge in Open Arms Centers, the feeding fees per day for

- 1 returnee.....24\$00
- His wife or child over 15.....24\$00
- His children under 15.....12\$00

Feeding fees should be given to the returnee representative committee daily for marketing cooking.

The provincial Open Arms Center is considered as a temporary shelter for returnees when they return to GVN territory. The center takes charge of the making of ID cards, classification and political training. The maximum dwelling period for carrying out of the aforesaid activities is fixed at 2 months. Beyond that deadline, the returnee who wishes to stay longer at the center, due to special reasons, should have the approval of the Central (Saigon).

b) Clothing

In principle clothing fee for a returnee who just returns to the GVN is 1,000\$00 for the purchase of one pajama suit, one trousers and one shirt.

In reality, the returnee can request cash for clothing according to his liking. However, it would be advisable to maintain close control so as to avoid the case where they use the money for another expense in lieu of clothing. In cases where the returnee has a family, he can apply a part of this allowance for clothing for the family. He must have a pajama suit made for himself. Clothes are provided on a permanent basis and the returnee need not return them upon leaving the center.

c) Pocket money

During 60 days in the Open Arms Center, the monthly pocket-money to be given to:

- 1 returnee is 200\$00
- His wife and Children is. 100\$00 each.

If the one-month period has not expired when a returnee is transferred to another Open Arms Center, he then has no right to get additional pocket-money.

After his return home, any returnee who is requested to come over to the center for training or for other reasons is allowed 100\$00 of pocket-money even though his dwelling period in the Center is only for a few days.

d) Return-home

Return home allowance for a returnee family is 1,000\$00. The center must issue a return-home certificate's and is responsible for the granting of allowance. It is advisable to inform the province that received the concerned returnee in order to avoid duplication, as return-home allowance is granted only once.

e) Per Diem

The returnee who participates in activities which are useful to Open Arms Program, such as intelligence, Open Arms propaganda campaigns, whether he works independently or in coordination with friendly agencies, is to get 80\$00 per diem, but the feeding fees should be taken off his per diem if the concerned works at the center (re Resolution No. 10/PTT/PDUGH/18/QD dated January 2, 1965).

Per diem is granted during the period of field duty (no maximum amount of per-diem is fixed) recorded in the mission order

delivered by the Provincial Open Arms Service, and approved and signed by the Province headquarters authorities.

f) Transportation

Returnees home travel authorization to carry out activities or move from one place to another is authorized to enjoy transportation means or get cash for bus fare or air-ticket, if need be.

Transportation fees are to be borne by the province from which the returnee has departed.

g) Campaign

Permanent propaganda campaigns include the printing of leaflets, posters, slogans, mottos, movie slides, the exploitation and organization of cultural performances.

The local Open Arms Chief has authority to spend up to 5,000\$00 per month for forecited propaganda activities without having requested approval from the central (Saigon) beforehand.

In case it is necessary to organize a special propaganda campaign having a wider scope central (Saigon) approval is mandatory. The projected program should be submitted to the central as well as the estimated cost list and drafts of leaflets, slogans, etc., for examination beforehand (so that they can be approved in due time).

The Directorate for Operations will issue a guided communique dealing with propaganda matters.

h) Political Training

The political training for returnees is carried out at three levels: provincial, Regional and Central levels depending on the returnee elements (temporarily, the communique No. 10-QP/PUBCH/KH/K dated February 20, 1964 is still applicable).

The political training method should be flexible and practical, and avoid idle theory. Therefore:

- It would be advisable to introduce visitations to cultural, social, economical and military structures into the political training program so that returnees can see with their own eyes all the progress achieved by the government concerning the betterment of government machinery and people's living conditions.

- It would be advisable to audio-visualize all materials and focuss attention on the organization of seminars (conversation , debate, comparison).

On an average, the political training cost is 500\$00 for each returnee, including:

- Production of materials (including audio-visual materials)
- Office supplies for students
- Organizing observation visits (tours)
- Taking pictures of returnees to complete their training dossier, individual file, application form "7", return-home certificate, etc....
- Rewards granted to outstanding students, closing ceremony and party.
- Organizing annual Returnee Nation-wide Assemblies so as to give them refresher motivational training (expenditures concerning feeding, transportation, pocket-money, etc...granted to congress returnee participants are to be charged to other articles).

i) Trade Training

1/ Organize breeding and cultivation demonstration pilot centers at or near the center in order to teach returnees improved agricultural methods along with the political learning during a maximum period of 2-month dwelling at the Open Arms centers. This should be technically supported by local technical services.

2/ Organize trade training classes at the Open Arms center for returnees or those who have completed their political training course and who request to stay for vocational training.

3/ Allow returnees cited in item 2 to be trained at government trade schools, private trade schools and local firms.

Vocational training for returnees is also carried out during the same period at three levels: province, region and central. Special adherence should be paid to the following points:

- Only common trades which can help returnees gain employment easily and whose training period is short (one month at maximum) are taught at the provincial level. For example: carpentry, masonry, brick making, bamboo weaving, haircutting etc..

- Longer training courses (2 months at maximum) can be organized at regional level but should not overlap with those being organized at the provincial and central levels.

Expenditures for vocational training recorded in items 1, 2, 3 above-mentioned, depending on circumstances, include:

- Organizing cost: renting of land for demonstration pilot center, if need be, remuneration for trade teachers (this remuneration should be approved by the central).

- Tuition paid to private trade schools: according to the agreement concluded with the schools.

- Office supplies for students: 60\$00.

- Feeding fees:

- If taking meals at the Open Arms Center, the tariff of feeding fees is fixed at 24\$00 per day as it was applied for returnee dwellers at the center.

- In case the center has no available room for students, they must board outside the center and the feeding fees is fixed according to the local living standard, but meal should be similar (and reasonable) to that served at the center.

- Pocket money: as fixed at the concerned item.

Regional service chiefs and inspectors should draw up a trade-training project for 1967 and submit it to the central (Saigon) for study and fixing fund release for each place. However, it is feasible to rely (base) on the aforesaid principles so as to open trade-training courses immediately, if required.

k) Rewards

Reward for special activities

As for returnees who achieve meritorious and special deeds, including the bringing back of enemy's documents or supply of reliable and valuable information from the enemy, service chiefs can propose to the Mayor, Province Chief (Open Arms Committee Chairman) to fix appropriate rewards up to 10,000\$00, depending on the case.

Reward which are over 10,000\$00 must be submitted to central Open Arms for approval.

Public servants and cadres who achieve meritorious activities are only allowed to get administrative rewards (reward certificate, encouragement certificate, proposal for promotion, etc., but no cash-reward).

A third-person who is not a meritorious public servant or serviceman can receive a cash reward to be charged on the National Budget through the central Open Arms organization's resolution.

Weapons reward

Returnees bringing weapons with him will be rewarded in accordance with the tariff fixed by Decree No. 0144-HC/187ND dated September 18, 1964 as follows:

| | |
|---|------------|
| - Pistol | 800\$00 |
| - Foreign rifle, Mas 36, British and Japanese rifle, etc. | 1,000\$00 |
| - Garant MI rifle | 1,200\$00 |
| - US and French carbine, german Mat 49 | 1,200\$00 |
| - Thompson machine pistol | 2,000\$00 |
| - B.A.R. 24/29 | 3,500\$00 |
| - Machine gun 30 | 5,000\$00 |
| - Machine gun 12.7 - 13.2 | 6,300\$00 |
| - Mortar 60 | 8,000\$00 |
| - Mortar 81 | 10,000\$00 |
| - Bazooka | 12,000\$00 |
| - Rocket, SKZ 57 (recoilless rifle) | 15,000\$00 |
| - SKZ 75 (recoilless rifle) | 20,000\$00 |

Vouchers should includes the resolution of the Province Chief, chairman of Open Arms Committee, and a weapons receipt issued by ARVN and GVN agencies which received weapons from returnees reported at national bases.

As for returnees who reported to allied Forces Units (US, Korean, New Zealand) there were some cases that trespassed on returnees' rights because allied units have kept weapons as trophies and refused to issue receipts to the concerned. In order to protect the returnees' rights, Open Arms centers must (are requested to) give explanations to friendly units to issue proper weapons receipts so as to clear cash reward for the concerned as a means of warding off difficult-to-solve complaints.

Usually when the returnee brought weapons to any province rewards should be made by the province concerned. However, if for special reasons the returnee is dispatched to another place, say the central Open Arms center, reward procedures and payment

can be made at the latter place, Dossier is composed of:

- Legal weapons-receipt issued by the agency receiving weapons.
- Certificate delivered by the concerned province certifying that the concerned returnee has not received cash reward.

The central Open Arms center must inform the provincial Open Arms center concerned immediately after completing the weapons reward clearance.

Imprest Fund Vouching Procedures

The manager of the imprest fund should keep three accounting books:

- Cash-book
- Receipt-book
- Voucher-book

The aforesaid books are supplied by printing shops to the government at the official price.

Open Arms services can request province H.Q. to supply them with these books (which are subject to payment) or request Central Open Arms to supply them directly.

a) Cash-book (Appendix 1)

The province chief or local representative, the Deputy Commissioner for Open Arms or central representative initial the first and last page of the book to certify the number of sheets (a 100-page copy book can be used provided that it is made out in accordance with the appendix 1).

The manager (book-keeper) is to record on the left page the date and amount of money (recorded on money-orders) received.

On the right page, he has to record expenditures and money released (day, month, year) and date of submitting vouchers to the central. Each expense item has an order number.

b) Receipt-book (Appendix 2)

This E3-Form book has 100 duplicating numbering sheets.

In each payment, the book-keeper has the money-receiver sign on the receipt E3-form.

If many persons get pay on the same activity, a collective description list with the signature of each individual should be attached.

If the receiver submits an individual invoice or receipt, the book-keeper will make a receipt E3-Form (the invoice requires a fiscal stamp).

E3-forms are prepared and signed below by the book-keeper and the province headquarters (chief?) will approve and sign as deputy authorizing officer.

c) Voucher-book (Appendix 3)

This E2-form book has 100 quadruplicating numbering sheets for recording the following details of E3-form receipts bearing the signature of creditors: date, receipt Number, money receiver, expense item, amount of money, code, expenditure.

**SOUTH VIETNAM
THE REFUGEE
PROBLEM**

| REGION I | Temporary Refugees | | | REGION II | Temporary Refugees | | |
|--------------|--------------------|----------------|----------------|--------------|--------------------|----------------|----------------|
| | In Camp | Outside Camp | Total | | In Camp | Outside Camp | Total |
| Da Nang | 8,160 | 0 | 8,160 | Binh Dinh | 74,995 | 138,845 | 213,840 |
| Quang Nam | 66,594 | 72,844 | 139,440 | Binh Thuan | 208 | 223 | 431 |
| Quang Ngai | 32,945 | 65,949 | 98,894 | Cam Ranh | 151 | 0 | 151 |
| Quang Tin | 16,457 | 37,256 | 53,713 | Darlac | 15,476 | 3,058 | 18,534 |
| Quang Tri | 10,123 | 2,287 | 12,410 | Khanh Hoa | 323 | 23,660 | 24,003 |
| Khue Thien | 8,892 | 0 | 8,892 | Kontum | 15,320 | 0 | 15,320 |
| Total | 143,171 | 178,338 | 321,509 | Lam Dong | 1,830 | 0 | 1,830 |
| | | | | Ninh Thuan | 25 | 307 | 332 |
| | | | | Phu Ben | 6,294 | 75 | 6,369 |
| | | | | Phu Yen | 1,911 | 86,630 | 88,541 |
| | | | | Pleiku | 9,806 | 0 | 9,806 |
| | | | | Quang Duc | 6,783 | 3,571 | 10,354 |
| | | | | Tuyen Duc | 519 | 0 | 519 |
| | | | | Total | 133,644 | 256,389 | 390,033 |
| REGION III | Temporary Refugees | | | REGION IV | Temporary Refugees | | |
| Eien Hoa | 17,979 | 4,573 | 22,552 | An Giang | 0 | 12,622 | 12,622 |
| Binh Duong | 11,561 | 22,658 | 34,219 | An Xuyen | 264 | 5,617 | 5,881 |
| Binh Long | 5,628 | 79 | 5,707 | Ba Xuyen | 0 | 1,664 | 1,664 |
| Binh Tuy | 41 | 893 | 934 | Bac Lieu | 0 | 3,408 | 3,408 |
| Gia Dinh | 0 | 1,225 | 1,225 | Chau Doc | 823 | 954 | 1,777 |
| Ha Nghia | 100 | 7,321 | 7,421 | Chuong Thien | 282 | 3,782 | 4,064 |
| Long An | 0 | 87 | 87 | Dinh Tuong | 85 | 1,476 | 1,561 |
| Long Khanh | 362 | 212 | 574 | Go Cong | 84 | 14,753 | 14,837 |
| Phuoc Long | 512 | 450 | 962 | Kien Giang | 36,685 | 85 | 36,770 |
| Phuoc Tuy | 0 | 2,642 | 2,642 | Kien Hoa | 665 | 6,604 | 7,269 |
| Saigon | 0 | 0 | 0 | Kien Phong | 0 | 8,750 | 8,750 |
| Tay Ninh | 425 | 7,564 | 7,979 | Kien Tuong | 0 | 5,997 | 5,997 |
| Vung Tau | 0 | 240 | 240 | Phong Dinh | 311 | 3,825 | 4,126 |
| | | | | Sa Dec | ** | ** | ** |
| Total | 36,598 | 47,944 | 84,542 | Vinh Binh | 48 | 7,718 | 7,766 |
| | | | | Vinh Long | 0 | 9,250 | 9,250 |
| | | | | Total | 39,227 | 86,495 | 125,722 |

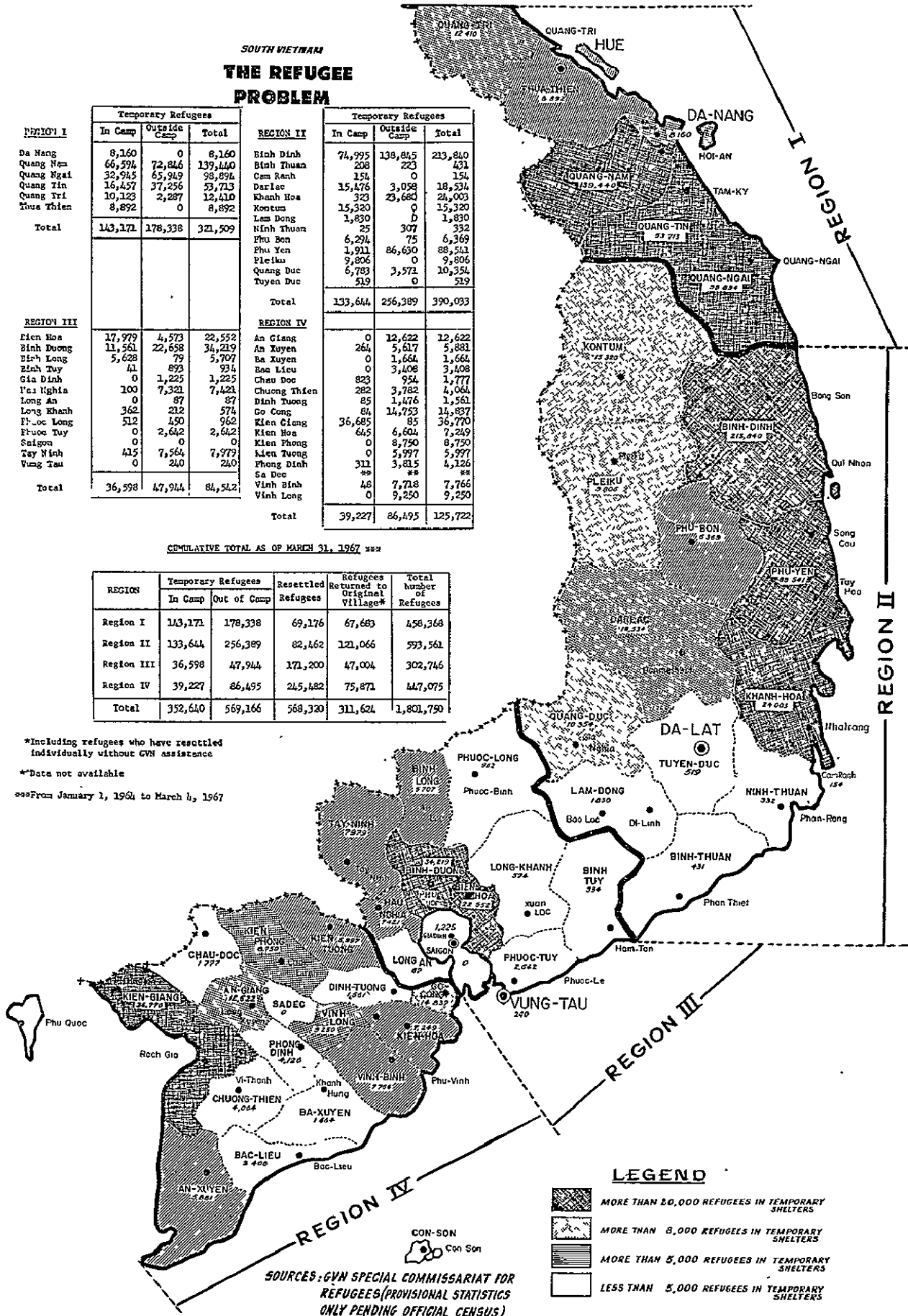
CUMULATIVE TOTAL AS OF MARCH 31, 1967 ***

| REGION | Temporary Refugees | | Resettled Refugees | Refugees Returned to Original Village* | Total number of Refugees |
|--------------|--------------------|----------------|--------------------|--|--------------------------|
| | In Camp | Out of Camp | | | |
| Region I | 143,171 | 178,338 | 69,176 | 67,683 | 458,368 |
| Region II | 133,644 | 256,389 | 82,462 | 121,066 | 593,561 |
| Region III | 36,598 | 47,944 | 171,200 | 47,004 | 302,746 |
| Region IV | 39,227 | 86,495 | 245,482 | 75,871 | 447,075 |
| Total | 352,640 | 569,166 | 568,320 | 311,624 | 1,801,790 |

*Including refugees who have resettled individually without GVN assistance

**Data not available

***From January 1, 1964 to March 31, 1967



LEGEND

- MORE THAN 20,000 REFUGEES IN TEMPORARY SHELTERS
- MORE THAN 8,000 REFUGEES IN TEMPORARY SHELTERS
- MORE THAN 5,000 REFUGEES IN TEMPORARY SHELTERS
- LESS THAN 5,000 REFUGEES IN TEMPORARY SHELTERS

SOURCES: GVN SPECIAL COMMISSARIAT FOR REFUGEES (PROVISIONAL STATISTICS ONLY PENDING OFFICIAL CENSUS)

PERSONNEL AND MINOR ORGANIZATIONAL CHANGES: the National Assembly:

The name of the Constituent Assembly has been changed to the National Assembly. It will continue in office until after the national election in September, 1967

Executive staff:

The National Assembly elected the following executive body Apr. 14, 1967:

| | |
|----------------------|---------------------------------|
| Mr. Phan Khac Suu | Chairman |
| Mr. Nguyen Huu Thong | First Deputy Chairman |
| Mr. Nguyen Van Dinh | Second Deputy Chairman |
| Mr. Ngo Thanh Tung | Secretary General |
| Mr. Nguyen Huu Luong | First Deputy Secretary General |
| Mr. Le Thanh Chau | Second Deputy Secretary General |
| Mr. Nguyen Van Sang | Third Deputy Secretary General |

Committees:

The National Assembly will have six principal committees:

- for the electoral laws
- for the statute governing the press
- for statutes governing political parties and opposition
- for judicial and legal matters
- for foreign affairs and information
- for the budget and accounting

Members and jurisdictions which they represent:

Prefecture of Saigon (Precinct I)

| | |
|-------------------|--|
| Mr. Phan Khac Suu | Agricultural Engineer |
| Mr. Dang Van Sung | Physician |
| Mr. Tran Van Van | Industrial (Assassinated on 7 Dec. 1966 & replaced by Huynh Hoa Lac, Journalist) |
| Mr. Pham Ngoc Hop | Secretary General, Prefectural Council |
| Mr. Giap Van Thap | Provincial Councillor |

Prefecture of Saigon (Precinct II)

| | |
|-------------------------------------|--|
| Mr. La Thanh Nghe | Pharmacist, Chairman of the Prefectural Council, 1965-1966 term (now Commissioner for Industry and Handicraft) |
| Mr. Trieu Sen Hoach | Prefectural Councillor |
| Mr. Van Cong Dinh | Prefectural Councillor |
| Mr. Ly Qui Chung alias Nguyen Ly | Newsman |
| Mr. Trinh Quang Vinh | Physician |
| Mr. Nguyen Van Sam | Professor |

Prefecture of Saigon (Precinct III)

| | |
|---------------------|------------------------------|
| Mr. Diep Van Hung | Prefectural Councillor |
| Mr. Tran The Minh | Tradesman |
| Mr. Dinh Thanh Chau | Lawyer, Saigon Supreme Court |
| Mr. Tang Cuu | Tradesman |
| Mr. Nguyen Van Dinh | Teacher |

Province of Gia Dinh (Precinct IV)

| | |
|----------------------|------------------------------|
| Mr. Nguyen Qui A | Major |
| Mr. Nguyen Huu Thong | Lawyer |
| Mr. Nguyen Thanh Duc | Engineer |
| Mr. Truong Van Thong | Civil Servant |
| Mr. Dinh Xuan Quang | Civilian/Military Councillor |

Province of Gia Dinh (Precinct V)

| | |
|---------------------|-----------------------|
| Mr. Phan Quang Dan | Physician |
| Mr. Nguyen Van Phat | Captain |
| Mr. Vu Ban | Physician |
| Mr. Nguyen Van Than | Provincial Councillor |
| Mrs. Tran Thi Xa | Professor |

First Tactical Zone

City of Hue

| | |
|----------------|---------------------------------------|
| Mr. Vo Huu Thu | Lieutenant-Colonel, ex-Province Chief |
|----------------|---------------------------------------|

City of Danang

| | |
|-----------------|---|
| Mr. Do Ai | Professor of Private Schools |
| Mr. Bui Van Gia | Professor of Private Secondary Schools |

Province of Quang Nam

| | |
|--------------------|---------------|
| Mr. Le Nguyen Long | Civil Servant |
| Mr. Khuc Thua Van | Farmer |

Province of Quang Ngai

| | |
|-----------------------|---------------|
| Mr. Tran Hoang | Professor |
| Mr. Vo Bao | Teacher |
| Mr. Nguyen Van Chuyen | Serviceman |
| Mr. Tran Van Phien | Civil Servant |

Province of Quang Tin

| | |
|-------------------|---------------|
| Mr. Phan Nhu Toan | Civil Servant |
| Mr. Ton That Uan | Serviceman |
| Mr. Vo Ngoc Trac | Farmer |

Province of Quang Tri

| | |
|-----------------------|---------------|
| Mr. Hoang Xuan Tuu | Civil Servant |
| Mr. Nguyen Thanh Vinh | Professor |

Province of Thua Thien

| | |
|---------------------|------------------------------|
| Mr. Nguyen Van Ngai | Professor of Private Schools |
| Mr. Tran Tan Viet | Lawyer |
| Mr. Tran Dien | Professor of Public Schools |

Second Tactical Zone

City of Cam Ranh

| | |
|-------------------|------------------|
| Mr. Nguyen Huu To | Naval Lieutenant |
|-------------------|------------------|

City of Dalat

Mr. Le Thanh Chau Professor

Province of Binh Dinh

Mr. Luong Thuong Hai Civil Servant
Mr. Phan Chau Tuan Tradesman
Mr. Ngo Van ~~Nham~~ Physician

Province of Binh Thuan

Mr. Nguyen Huu Duc Civil Servant
Mr. Nguyen Duy Cung Captain Physician

Province of Darlac

Mr. Nguyen Huu Xao Chairman, Administrative
Committee, Village of Lac Giao

Province of Kontum

Mr. Le Huu Lam Captain Physician

Province of Khanh Hoa

Mr. Hoang Ngoc Can Doctor Professor
Mr. Phan Ke Toai Captain Physician
Mr. Vu Dinh Long Professor of University

Province of Lam Dong

Mr. Nguyen Huu Tri Chairman, Provincial Council

Province of Ninh Thuan

Mr. Van Kinh Retired Civil Servant

Province of Phu Bon

Mr. Nguyen Huu Chung Forestry Engineer

Province of Phu Yen

Mr. Vo Thuong Kinh Land Proprietor
Mr. Ly Van Hiep Lawyer

Province of Pleiku

Mr. Ngo Thanh Tung Serviceman

Province of Quang Duc

Mr. Nguyen Tinh Thuat Civil Servant

Province of Tuyen Duc

Mr. Nguyen Huu Hiep Professor

Third Tactical Zone

City of Vung Tau, Administrative Unit of Con Son

Mr. Huynh Van Yen, alias
Huynh Binh Yen Provincial Councillor

Province of Bien Hoa

Mr. Do Huu Quan Retired Civil Servant
Mr. Truong Tien Dat Judge
Mr. Vu Minh Chau Industrial

Province of Binh Duong

Mr. Pham Dinh Hung Judge
Mr. Nguyen Dinh Quat Industrial and Craftman

Province of Binh Long

Mr. Ly Trong Le Major

Province of Binh Tuy

Mr. Nguyen Van Hung Civil Servant

Province of Hau Nghia

Mr. Nguyen Van Tien Land Proprietor

Province of Long Khanh

Mr. Nguyen Minh Dang Professor

Province of Long An

Mr. Le Tai Hoa Provincial Councillor

Province of Phuoc Long

Mr. Nguyen Ba Luong Chairman, Provincial Council

Province of Phuoc Tuy

Mr. Nguyen Huu Hieu Lawyer

Province of Tay Ninh

Mr. Nguyen Huu Luong Professor
Mr. Nguyen Cao Kien Major, Armed Forces Public
of Vietnam

Fourth Tactical Zone

Province of An Giang

Mr. Le Quang Liem Ex-Serviceman

| | |
|----------------------|-----------|
| Mr. Le Phuoc Sang | Judge |
| Mr. Nguyen Van Hoanh | Tradesman |
| Mr. Nguyen Van Hoan | Tradesman |

Province of An Xuyen

| | |
|-----------------------|---|
| Mr. Truong Minh Chicu | ex-Major Allied Cao Dai Religious Forces |
|-----------------------|---|

Province of Ba Xuyen

| | |
|--------------------|--|
| Mr. Nguyen Dat Dan | Serviceman (Representative of Vietnamese of Cambodian Origin): Elementary Schools Inspector |
| - Mr. Son Thi | |

Province of Bac Lieu

| | |
|-------------------|------------|
| Mr. Nguyen Van Be | Serviceman |
|-------------------|------------|

Province of Chau Doc

| | |
|-------------------|--|
| Mr. Ho Van Lang | Farmer |
| Mr. Huynh Van Lau | Tradesman |
| Mr. Thach Sung | (Representative of Vietnamese of Cambodian Origin), Tradesman |

Province of Chuong Thien

| | |
|-------------------|-----------|
| Mr. Dang Van Cong | Tradesman |
|-------------------|-----------|

Province of Dinh Tuong

| | |
|--------------------------|--|
| Mr. Le Thien Dien | Captain Physician |
| Mr. Trieu Van Tuc (Tuat) | Deputy Chairman, Provincial Council |

Province of Go Cong

| | |
|-------------------|-----------|
| Mr. Banh Ngoc Quy | Professor |
|-------------------|-----------|

Province of Kien Giang

Mr. Ly Thanh Le
Mr. Danh Thu

Professor Secondary Schools
(Representative of Vietnamese
of Cambodian Origin), Serviceman

Province of Kien Hoa

Mr. Le Quang Hoa
Mr. Nguyen Quy Ninh

Provincial Councillor
Retired Inspector of
Elementary Schools

Province of Kien Phong

Mr. Nguyen Van Tho
Mr. Bui Van Kieu

Chief, Canton of Phong Thanh
Vice-Chairman, Provincial
Council

Province of Kien Tuong

Mr. Mai Duc Thiep

Civil Servant

Province of Phong Dinh

Mr. Nguyen Van Giac
Mr. Nguyen Van Hoi

Provincial Councillor
Economy Inspector

Province of Vinh Binh

Mr. Nguyen Van Loc
Mr. Tieu Hy Sang

Provincial Councillor
(Representative of Vietnamese
of Cambodian Origin), Teacher

Province of Vinh Long

Mr. Nguyen Long Giao
Mr. Nguyen Van Vi
Mr. Lam Phi Dieu
Mr. Nguyen Van Sang

Farmer
Chairman, Provincial Council
Professor
Teacher

Province of Darlac (Highlander's Precinct)

Mr. Y Wick Buon Ya ex-Civil Servant

Province of Pleiku (Highlander's Precinct)

Mr. Nay Blim Civil Servant

Province of Kontum (Highlander's Precinct)

Mr. Nguyen Van Phien
alias Peang Serviceman

Province of Tuyen Duc (Highlander's Precinct)

Mr. Pang Ting K. Te Farmer

(North Vietnam Highlander's Immigrated Precinct)

Mr. Dam Van Quy Serviceman

Province of Phu Bon (Highlander's Precinct)

Mr. Ksor Rot Civil Servant

Province of Quang Ngai (Highlander's Precinct)

Mr. Dinh Van Roi Farmer

Binh Thuan (North Vietnam Highlanders who have Immigrated:
Precinct)

Mr. Vong A Sang Retired Colonel

Winh Thuan - Binh Thuan (Cham Precinct)

Mr. Thanh Giac Civil Servant

.....
PERSONNEL: The Congress of the Armed Forces: Members:

50 Members:

- The General Officers of the Armed Forces of the Republic of Vietnam
- The Commanders of the Corps Areas

- The Commander of the Capital Special Military Zone
- The Division Commanders

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PERSONNEL: The Committee for National Leadership: Members:

10 Military:

- Chairman Lt. Gen. NGUYEN VAN THIEU
- Secretary General: Lt. Gen. PHAM XUAN CHIEU
- Commissioner for the Executive: Air Vice-Marshal
NGUYEN CAO KY
- 7 other Commissioners:
 - The Commissioner General for Defense in the Central
Executive Committee: Gen. CAO VAN VIEN
 - The Chief of the Joint Gen. Staff of the Armed Forces:
Gen. CAO VAN VIEN
 - The Commander of the First Corps (Tactical Zone I):
Maj. HOANG XUAN LAM
 - The Commander of the Second Corps (Tactical Zone II):
Lt. Gen. VINH LOC
 - The Commander of the Third Corps (Tactical Zone III):
Lt. Gen. LE NGUYEN KHANG
 - The Commander of the Fourth Corps (Tactical Zone IV):
Maj. Gen. NGUYEN VAN MANH
 - The Commander of the Capital Special Military Zone:
Lt. Gen. LE NGUYEN KHANG

10 Civilians:

- Mr. TRAN VAN AN Newsman
- Lt. Gen. VAN THANH CAO Retired, Cao Dai
Religious leader
- Dr. PHAM HUU CHUONG Physician
- Dr. TRAN VAN DO Physician
- Mr. NGUYEN VAN HUYEN Lawyer, Catholic leader

- Mr. PHAN KHOANG Professor, Nation's People Party leader
- Mr. QUAN HUU KIM Engineer
- Mr. HUYNH VAN NHIEM Hoa Hao Religious leader
- Mr. VU NGOC TRAN Judge, Catholic leader
- Dr. NGUYEN LUU VIEN Physician, Dai Viet Party leader

PERSONNEL: the Central Committee for Administrative Improvement: members:

Agencies

Representatives

| | |
|---|---|
| Prime Minister's Office | Mr. Nguyen Dang Can, Specialist |
| Directorate Gl. of Budget & Foreign Aid | Mr. Nguyen Van Thong, Chief, Service of Study |
| Special Commission for Administration | Mr. Do Van Ro, Director for Management |
| Directorate of Telecommunication | Lt. Col. Khong Van Tuyen, Director of Telecommunications |
| Civil Service Supreme Council | Mr. Nguyen Thanh Qui, Chief Service of Research & Study |
| Special Commission for Mont. Affairs | Mr. Ngo Duc Trach, Chief Administrative Block |
| Commission for War Veterans | Mr. Tang Minh Chau, Chief of Cabinet |
| Commission for Agriculture | Mr. Dang Van Vy, Chief of Cabinet |
| Commission for Agriculture | Mr. Pham Huy Dung, Chief Service of Planning & Techniques |
| Commission Gl. for Cultural & Social Affairs | Mr. Bui Quang Uyen |
| Commission Gl. for Information & Open Arms | Mr. Luu Ba Cham |
| Commission for Communication & Transportation | Mr. Luu Van Phong, Chief, Service of General Administration |
| Commission for Labor | Mr. Pham Van Xam |
| Commission for Health | Mr. Le Van Nham, Chief, Service of Legislation |
| | Mr. Nguyen Van Chan, Director of Personnel & Finance |
| Commission for Public Works | Mr. Phan Van Ba, Chief of Administrative Service |
| Commission for Education | Mrs. Le Thi Don, Chief of Service of Legislation |
| Commission for Social Welfare | Mr. Truong Kinh Chau, Chief of Bureau of Legislation |
| Commission General for Defense | Mr. Tran Ngoc Diep |

| | |
|--|---|
| Commission General for Security | Mr. Tran Van Kinh, Field Administrator |
| Commission General for Justice | Mr. Doan Van Thieng |
| Commission General for Revolutionary Development | Mr. Ha Ngoc Nghinh, Chief, Service of Personnel |
| Commission General for Foreign Affairs | Mr. Phan Trong Nghiem, Director of Cultural Affairs and Legal Matters |
| Commission for Commerce | Mr. Ngo Van The, Chief of Service |
| Commission for Finance | Mr. Nguyen Tang Hong |
| Commission for Youth | Mr. Duong Thanh Long |

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PERSONNEL: Recent changes in central government agencies:

1. Mr. Buu Vien was named Director-General of Planning, replacing Mr. Nguyen Anh Thuan, Mar. 29, 1967.
2. Mr. Le Thien Ngo was appointed Secretary General of the Committee for National Enterprises, Apr. 4, 1967. The Committee for National Enterprises was created by decree No. 70-SL/CKN dated Mar. 30, 1967 and its chairman is the Secretary of State for Handicrafts and Industry.
3. The Committee for Economy and Finance is changed to consist of the following:
 - The Commissioner General for Economy & Finance Chairman
 - The Commissioner, Assistant for Economy Member
 - The Commissioner for Finance Member
 - The Commissioner for Agriculture Member
 - The Commissioner for Public Works Member
 - The Commissioner for Handicraft & Industry Member
 - The Commissioner for Commerce Member
 - The Commissioner for Labor Member
 - The Commissioner for Communication & Transportation Member
 - The Governor of the National Bank Member
 - The Director General for Budget and Foreign Aid Member

(Decree No. 64-SL/KTTC,
Office of the Prime Minister,
dated Mar. 24, 1967)

PERSONNEL: recent changes in key personnel in provinces, districts, and cities: as of May 1, 1967

| <u>PROVINCES</u> | <u>NAME</u> | <u>OFFICE</u> |
|------------------|----------------------|--|
| BINH LONG | Mr. Nguyen Trong Can | Deputy Prov. Chief for Administration |
| DARLAC | Mr. Binh Van Thang | Deputy Prov. Chief for Admin. |
| KIEN TUONG | Mr. Le Duy Lai | Deputy Prov. Chief for Admin. |
| PHONG DINH | Mr. Nguyen Van Khanh | Deputy Prov. Chief for Admin. |
| QUANG NAM | Mr. Nguyen Tao | Deputy Prov. Chief for Admin. |

There were no changes since April 1 in key personnel of District or cities.

NOTES AND TRENDS IN VIETNAMESE ADMINISTRATION: returnees:
the trend is up:

Between Jan. 1 and Mar. 18, 1966, the number of returnees to GVN authority was 4,698.

Between Jan. 1 and Mar. 18, 1967, the number of returnees to GVN authority was 8,559.

breakdown by regions

| | <u>REGION I</u> | <u>REGION II</u> | <u>REGION III</u> | <u>REGION IV</u> | <u>TOTALS</u> |
|-----------------|-----------------|------------------|-------------------|------------------|---------------|
| 1-7 Jan. | 43 | 253 | 78 | 63 | 437 |
| 8-14 Jan. | 61 | 74 | 112 | 173 | 420 |
| 15-21 Jan. | 35 | 291 | 208 | 58 | 592 |
| 22-28 Jan. | 65 | 225 | 315 | 218 | 523 |
| 29 Jan.-4 Feb | 41 | 216 | 177 | 147 | 581 |
| 5-11 Feb. | 64 | 200 | 181 | 167 | 612 |
| 12-18 Feb. | 24 | 71 | 413 | 108 | 616 |
| 19-25 Feb. | 105 | 293 | 325 | 385 | 1,108 |
| 26 Feb.-4 Mar. | 107 | 531 | 353 | 177 | 1,168 |
| 5 Mar.-11 Mar. | 76 | 212 | 160 | 750 | 1,198 |
| 12 Mar.-18 Mar. | 73 | 269 | 287 | 375 | 1,004 |
| TOTALS | 694 | 2,635 | 2,609 | 2,621 | 8,559 |

(from Chieu Hoi Newsletter,
No. 6, Mar. 22, 1967)

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NOTES AND TRENDS: returnees: why they leave the Viet Cong:

Nostalgia is the primary motive. They long to be home with their families in their ancestral place. They fear our guns and planes. They are disillusioned by Viet Cong methods.

The enemy's worse problems are: lack of food, lack medicine, lack of clothing, fear of death away from home, resentment at having to serve in the Viet Cong forces without end,

failure of the VC to notify their families of deaths,
doubts that the Viet Cong will ever win, and fear of
U.S. guns and planes.

(findings of a study
of returnees, by
Simulmatics Corporation.)

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NOTES AND TRENDS: U.S. policy re jobs for returnees:

CHIEU HOI DIVISION, OFFICE OF CIVIL OPERATIONS, OPERATIONAL MEMORANDUM NO. 33-67

April 13, 1967

TO : Regional Directors and Provincial Representatives, OCO
FROM : *William* Assistant Director for Chieu Hoi, OCO, Saigon
SUBJECT : Organized Employment Program for Hoi Chanh and Ex-Hoi Chanh

1. The time has arrived when an organized, sustained effort must be made on a nation-wide basis to find jobs for Hoi Chanh and ex-Hoi Chanh needing employment. The problem of employment has been intensified by the influx of returnees into many Chieu Hoi Centers during recent weeks. Failure to place returnees in jobs where they can earn a decent living for themselves and their families already has had a seriously adverse effect on the Chieu Hoi Program; i.e., it has been determined through many interviews with Hoi Chanh that many other Viet Cong who wish to come in to the GVN hesitate to do so because they have heard that they would experience extreme difficulty in finding a means of earning a living. If jobs are not found for the large numbers now coming in, this adverse effect will be magnified many times.

2. OCO Regional Directors and Provincial Representatives are requested at this time to attempt to establish an organized employment program or system for placing Hoi Chanh and ex-Hoi Chanh in contact with prospective employers. At the same time, this program should generate interest on the part of potential employers in the Hoi Chanh as prospective employees. The following procedures are suggested. These may of course be modified, expanded refined or altered at the discretion of Regions and Province authorities.

a. Organize a small working group, possibly consisting of:

- (1) A high-ranking representative of the Province Chief
- (2) The Chief of the Chieu Hoi Service
- (3) The chief of whatever GVN employment service may exist in the province.
- (4) A representative of the National Police
- (5) A representative of the local branch of the Military Security Service

(6) Representatives, as necessary, of the OCO ProvRep, including the Chieu Hoi Advisor.

b. Convene a meeting or series of meetings with representatives of:

(1) Major U.S./FWMAF/GVN military commands.

(2) Representatives of American contracting firms, such as RMK-BRJ and the Pacific Architects and Engineers.

(3) Representatives of major Vietnamese employers in the area.

The purpose of this meeting or those meetings should be to solicit the cooperation of the participating organizations. It would be useful if the meetings were called by the Province Chief.

c. Examine the feasibility of developing a method whereby potential employers can register their requirements for employees. Where no GVN employment service exists, it may be that the recipient of employer requests should be the Chief of the Chieu Hoi Service.

d. Arrange a regular system whereby the Chieu Hoi Center notifies potential employers (or the GVN employment service, where it is functioning) of the availability of Hoi Chanh and ex-Hoi Chanh with specific qualifications.

e. In the meantime, assure that the initial identification interview at the Chieu Hoi Center include questions as to whether the returnee wishes a job and what kind; and questions designed to determine his qualifications. Develop a special form or card for recording this information, pending possible development of a standard form at the national level.

3. a. Information available to Chieu Hoi Division, OCO Saigon indicates that the prospects of obtaining an MSS clearance or a contractor pass for an ex-VC in a non-sensitive position as an employee of a United States Government contractor are favorable in so far as announced GVN policy is concerned. Local MSS practice may be entirely different, however. Issuance of such clearance or pass may be contingent upon the possession of a valid GVN ID card and an up-to-date (not more than three-month-old) Residence Certificate. The attitude of local branches of the Military Security Service concerning the issuance of MSS clearances or contractor passes should be determined, and any problems which cannot be resolved at the local level should be referred to the Chieu Hoi Division, OCO, Saigon.

b. Efforts to reduce the time required for issuance of the permanent I.D. Card should continue.

4. Chieu Hoi Advisors are requested to monitor the employment program closely, and Regional Directors and Provincial Representatives are asked to provide strong support. This is not to be construed as a one-time effort; there will be need for an employment program for Hoi Chanh and ex-Hoi Chanh so long as the Chieu Hoi Program exists.

5. A special report is requested from each Province and Region on actions taken in pursuance of this Memorandum, the results achieved, and problems still remaining. The report should reach Chieu Hoi Division, Saigon, not later than 15 May 1967. Any developments thereafter should be included in the regular monthly reports.

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NOTES AND TRENDS: changes in village and hamlet government:

To explain the recent changes in village and hamlet government, changes now being put into effect, the Special Commission for Administration has published a booklet, CAI TO HANH CHANH XA AP: Suu Tap Cac Van Kien Can Ban (Reform of Village and Hamlet Administration: Basic Documents.) 10,000 copies are being distributed to provinces, districts, and villages. 20,000 more copies are being printed and will be distributed to schools and other organizations and groups. Copies in Vietnamese may be had from the Special Commission for Administration, Saigon.

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NOTES AND TRENDS: constitutions and politics:

Dr. Nguyen Van Bong, Rector of the National Institute of Administration and Chairman of the Central Committee on Administrative Improvement, has just published LUAT HIEN PHAP VA CHINH TRI HOC (Constitutions and Politics). It is available from Thu Lam An Thu Quan, 231 Pham Ngu Lao, Saigon, or from bookstores in Saigon.

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NOTES AND TRENDS: Vietnamese and American values and preferences in administration:

There are cultural differences between the Vietnamese type of administration and that practiced in the United States which may very well prohibit any real long-term success in the United States Vietnamese advisory effort. These differences are primarily a part of the societies from which the two administrative systems evolved. The Vietnamese system stems from the Chinese, with French overtones, and may be characterized as mandarinal, authoritarian, and oriented in terms of personal harmony. The American system is hierarchic, impersonal, legalistic, and oriented to achieve action. Vietnamese and Americans have cooperated very well in short-term projects based on technical facts, hardware, and short-term technical instruction. An interchange of mere skills of this sort is easy to achieve..... However, when one reaches that point of development where there has to be an interchange of attitudes and skills involving attitudes, one suspects the Vietnamese are loath to give up their culture-based harmony-oriented system for the more direct system-oriented result-oriented European-American system..... ... there are attitudinal differences which...are a hindrance to Vietnamese progress...particularly in administration and government.

The Vietnamese system evolved from the old Chinese Empire and is largely unchanged in its mores. The Emperor left administration to a group of officials called mandarins. These were chosen on the basis of being men of virtue, selected by examination, and generally falling into three ranks. Surprisingly, these ranks, in a later matching of counterparts and personnel ladders of rank and prestige, fell into the European system equivalent to the Bachelor's, the Master's, and the Doctor's degrees. Lesser mandarins were generally relegated to the District. As they advanced in prestige and experience and survived further examinations they could become province mandarins or serve at the Imperial Court. This system is reflected today in the..."line structure" of the Government of Vietnam. One outstanding characteristic of this system was control in communication downward, and another was veneration or extreme respect for the superior by the inferior. Afterglow from these cultural and moral habits continue today in the government of Vietnam.

Aside from the above discussion of mores in administration, but necessary to understand the present GVN pressures, was the old Vietnamese habit and tradition contained in the saying "The Emperor's law stops at the village hedge". Traditional law and

custom practiced in the village, adjudicated and applied by the village council of elders, let the people express themselves and articulate their aspirations to the lowest level of mandarins, and provided a very real measure of self government and self expression in villages and hamlets. This was lost in 1956 when the Diem government abolished village elected councils. Happily this self government and self expression is being restored by the Ky government in 1967.

Since the mandarin was prepared and schooled for his responsibilities as a ruler by the study of Confucian ethics and the emphasis was upon right-thinking, upon harmony, upon the natural balance of things, there was little administration as it is understood today. Little was done. All was morally (ideologically) guided.

In addition to this strong "line" function, there evolved a system of inspectors-general who represented the Emperor. This function or office has a direct descendant and image in today's GVN "government delegate" in serving to discover inequities and to bring them to the attention of the central government.

Also, Buddhism came to Vietnam, with its concept of "the middle way." This added to traditions of Confucianist harmony, the avoidance of extremes, moderation, inactivity, and above all, "harmony" between persons involved. The outstanding feature of Vietnamese administration even today is this orientation toward compromise for harmony between persons involved.

The main innovation by the French was to add to this system a series of ministries and other special-purpose central agencies to achieve certain things technologically: in public works, agriculture, etc. Were one to graph or draw these special-purpose agency additions, one would find them added to the national government as a series of independent or nearly independent fiefdoms, each with its own staff lines and control running out to the Provinces. Even today the province chiefs have little control over these central-ministry field units or offices and can do little more than "coordinate" them within the chief's provincial domain. The government seems like a weeping willow tree, its roots based in the villages and provinces, its trunk line from Saigon (the top of the tree) running via the office of the Prime Minister and the Special Commission for Administration (the former Ministry of Interior) but hundreds of other ministries' dangling branches running from other parts of the top of the tree afloat over, in, but not rooted in, the base (the Provinces and the villages.)

A recent innovation, born in the pressure of war to survive, is revolutionary development. This system recruits local persons, trains them in special government tasks, returns them to their home areas (provinces, or districts, or even villages), and there they supposedly know the people because they come from there and also supposedly know and render the national government service because they learned it in cadre training. Thus counter insurgency is supposedly achieved, locally, by locals, trained by national specialists. Although there is some thought that revolutionary development will continue in the postwar government and become permanently institutionalized, one cannot but note that the "regular" government dislikes this "upstart" effort and regards it as ad hoc, to be abolished when peace is achieved.

Other characteristics of GVN officialdom frequently observed by Americans pose problems of understanding too. It is sometimes incomprehensible to Americans that many GVN officials sit at their desks in mandarin dignity and let problems come to them rather than getting out of the office and going "where the action is", in the American manner. It bothers Americans that Vietnamese use the technique of delay and let time solve the problem rather than making a more or less immediate decision .

Another point is that the government of Vietnam has a tradition of strong personal financial responsibility. The last person to put his signature or seal on a piece of financial paper is personally responsible. As a consequence fiscal paper (without which there can be no action) moves slowly

Still another cause for wonderment by Americans is the absence of suggestions by inferiors to superiors, the absence of other than laudatory approving responses in "seminars", the absence of questions which are genuinely questions after instruction. In terms of Vietnamese ethics to question means to criticize the boss, to break the rules of harmony between individuals and to embarrass the elder, the authority. To Vietnamese, government relations between officials are personal, such as those between colleagues and friends, such as those between elder brother and younger brother, such as those between sponsor and protege. This enormously inhibits explanation and understanding, especially of anything new. This inhibits communication through official channels, and it is an interesting hypothesis that this inhibiting of official channels probably accounts for the enormous interest of Vietnamese officials and individuals (from clerks to top men) in unofficial details about their superiors and inferiors---to a degree which, to Americans, includes much irrelevant and even nosey gossip. The Vietnamese (so runs the hunch, the hypothesis) find it so difficult to ask their superiors or to inform their inferiors through official channels that they must pick (and nitpick) information, relevant or irrelevant, whence and where

they can. They too, seek to understand. Successful American advisors are frequently those who supply communication, vertically and horizontally, through talks and more talks via extra unofficial channels. Sometimes the American's ~~main~~ function is that he is an extra channel of communication.

Still another matter few Americans understand is the absence of sanctions against personnel in administration. One does not break another's rice bowl. The Asian will rarely diminish even slightly the ability of another person to make a living. Thus customs stations that have not received an international traveler for 20 years continue manned. Thus useless reports continue to be made and certified and filed. Thus one provides continuing employment---a habit irritating in this present post-1964 era of full employment in Vietnam and a habit incomprehensible to Americans who have had full employment since 1940. This is in a sense a reflection of village culture where modern comprehensive welfare programs are unknown but where all villagers feel responsible for any one of the village members (but not responsible for any one not a member of the village). This inhibits what we know as "o & m" as "work simplification", as "management analysis", as "cost reduction". Americans accept paying high wages to government workers, but insist that for more money they become more productive (thus training, systems overhaul, mechanization). Asians accept joyously any prospect of a raise in salaries but do not really expect it; but the idea of rendering higher paid workers more useful by upgrading, by training, by mechanical aids, thus not raising total costs on an input: output basis, is more than novel; it is counter-mores.

On the meaning of "face": some insist this is much over-rated as an Asian phenomenon or problem. Some say, too, that it is just as much as a problem in America as in Vietnam or the next Asian country. The application, however, is different by Americans and by Vietnamese. To Vietnamese and by Vietnamese it means one assumes courtesy, politeness. Whether the politeness is sincere or merely formal is irrelevant. Americans respect human dignity profoundly, but tolerate, even prefer, personal relations which, to Vietnamese are often brusque, wounding, confusing; which run a range from hearty joking and embarrassing overfamiliarity (to the Vietnamese) to brusque commands and official impersonality which Vietnamese mistake for rudeness and indifference. Thus the way the Vietnamese interprets American official personal relations is a social problem for the American.

Still another problem in Vietnam is the fact that after the Geneva Accords of 1954 many Vietnamese people were qualified to elect French citizenship and leave the country, and did. In terms of skills much was lost. Beyond this, with the loss of a portion of the educated leadership, the Armed Forces rose in importance as

a major unimpaired institutional source of managerial skills to reinforce an already overburdened civil service. This was a social upheaval. The soldier, who didn't even make the four-level social scale of Confucian values, was important. This was counter-mores. It worked. But our point is that it is still counter-mores to many that the soldier and officer replaces the mandarin scholar type. It is still believed profoundly by many Vietnamese to have been an expedient to be ended as soon as possible. Hence demonstrations and endless demands for return to a "civilian" government. Hence friction between civil and military officials on many levels. To Americans the question is without meaning; we have long civilianized our military and accustomed our civilians, since 1940, to semi-militarization of government.

Another aspect of Vietnamese social, political, and economic organizations which few Americans note, because of their own cultural bias for direct open action, is the covert nature of political and intergovernmental organizations. When an American stumbles on this he is frequently repelled. Douglas Pike (in his book VIET CONG: The Organization and Techniques of the National Liberation Front of South Vietnam, pages 9 and 10) notes how clandestine cliquing operates within formal organizations:

The winner, if he does not take all, takes most and the stakes are high. The world of organizational infighting is fluid and dynamic, in constant flux. One must keep running simply to hold his own. Daily activity involves negotiation and bargaining, sincere and otherwise, partially or completely in secret, and usually through third parties. The world should never know where one stands.... No position is ever irretrievable, no commitment ever final.... The rule is: be flexible, be changeable, adapt.... Loyalty may be a virtue, but consistency is not. (Primary kin group loyalty is an exception) Members assemble around individual leaders rather than around an ideology or a political platform. The best leader is paternalistic, sly, skilled at intrigue, master of the deceptive move, possessor of untold layers of duplicity, highly effective in the world in which he moves. Sagacity in the follower consists of knowing who to join and when, for timing is all important. It is no accident that the Vietnamese hold the professional magician in particular awe.....

It is part of acceptable mores, folk lore, in Vietnamese social relations, official and unofficial, that the sly man is more respected than the strong, and that the wise and sly man frequently wins. It is part of acceptable mores, folk lore, in American social relations, official and unofficial, that the sly man is not more respected than the strong, that the sly man

does not win, and that the truly wise man is above being sly.

It is evident that cultural and attitudinal bridges are needed. Vietnamese administrators have as much difficulty communicating concepts and ideas to Americans as Americans have communicating them to Vietnamese. Indeed in cases of good rapport between advisors and advisees one wonders which is which, which is learning and which is teaching. The answer probably is that both are, and that both American advisor and Vietnamese advisee are advisor and advisee and that each is becoming somewhat like the other in attitudes, in values and preferences concerning the project, the program, the things to be done.

It is also evident that given the cultural and attitudinal gaps, in the cases of successful rapport, the Vietnamese (given his basic orientation toward "harmony") will do the greater part of the accommodation. This might--as any social psychologist would conjecture---produce a slight feeling of uneasiness and perhaps guilt. He may sense that somehow he is being unVietnamese. He may develop occasional withdrawal systems. Or he may delay, to think it over again. His administrative decisions are therefore frequently slow and faltering, unnecessarily delayed----to the American waiting on them.

One of the benefits of Western civilization, particularly a benefit coming from the United States, is the point of view, the mores and attitude, that one can work in the realm of the possible, that it is today that counts, that it is the knowledge of the engineer rather than that of the philosopher or theoretician that counts; that in applying basic knowledge to more and more phenomena and problems one can achieve multiple increases in benefits in goods, gifts, services, work done, and troubles removed. There have not been any great scientific managers in Asian countries. Put another way, classical Chinese civilization inhibited the industrial revolution and produced a good deal more in the way of chrysanthemum painting than in machine-made textiles. The American basic idea is action. Abraham Hirsch says that we get quite moral about "doing something":

The American bureaucrat....structures his workday as a series of aggressive actions to be taken in the course of his working hours. As he walks to work in the morning, he is thinking: "At eight o'clock....I will call Joe and give him hell....at eight thirty I will go to that meeting--and I will fight hard for my view of the problem....The door to door salesman, too, structures his day in a like manner: a series of actions, of good fights. To the American and to other action-oriented people, life is a series of "Armageddons", major and minor, daily to be waged in an unending sequence of actions designed to make good triumph--to assure the success of whatever we have selected as being our "good".

"Daily to be waged": Another illustration, from play:
An audience of Texans was watching a ball game. Their favorite committed an error, dropped the ball, and let a run score. They booed him mercilessly. Someone observed that just the day before, in another game, they had cheered him wildly when he hit a home run. A Texan replied: "They were right to boo him. It's today that counts".

Americans by and large tend to leave the discovery of the true right way of life, of the philosophic great earth-shaking ideas, to Europeans (and historically to Asians). But they go on, on, on, making tens of thousands of useful, delightful applications of accepted established ideas! The result, in American factories, armed units, government offices, everywhere, is action, results. This does things. It changes things. It upsets equilibria. It disturbs traditions, it dissolves the "cake of custom" everywhere it reaches, and it reaches almost everywhere. And it is hard on a people whose central organizing idea is to preserve and search for "natural harmony".....

(Excerpts from "Games We Play", a think piece by ADPA, USAID)

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NOTES AND TRENDS: warehousing:

USAID is recruiting 60 warehouse specialists, to work in regions, provinces, and cities, to assist GVN in warehousing, stock control and materials accounting.