

THE ORGANIZATION OF THE PRESIDENCY AND ITS

CONNECTED SERVICES

(Summarized from a lecture given by Secretary General of the Presidency Nguyễn-Thanh Cung at Viet-Nam Press Agency).

Functions of the President of Republic

According to the provisions of the Constitution of Viet-Nam, the President of the Republic is invested with "executive power and the leadership of the people".

The functions and powers of the President of the Republic were defined in Chapter III of the Constitution.

Powers of the Chief of State are extended to the following five fields:

- Diplomatic
- Civilian
- Military
- Judiciary
- Financial

In the Diplomatic Field

The President of the Republic:

- concludes and approves (in accord with the National Assembly) international treaties and agreements.
- appoints Viet-Nam ambassadors and receives credentials from foreign diplomatic representatives.
- represents the nation in its relations with foreign countries.
- declares wars and signs armistices (in accord with the National Assembly).

In the Civilian Field

The President of the Republic is the Head of the National Administration.

The administrative agencies number 14 at the present time and are called departments.

There are:

Interior Department		Information and Youth Department	
Justice	"	National Education	"
Foreign Affairs	"	Health	"
National Defense	"	Labor	"
Finance	"	Agriculture	"
National Economy	"	Public Works and Com- munication	"

Real Estate and Agrarian Reform Department

Reconstruction and Planning Department

Each Department is headed by a Secretary of State appointed by the President of the Republic whom he is responsible to both in the political and technical fields.

As for the Department of Defense, the President of the Republic is himself the Defense Secretary. He is assisted by an Assistant Defense Secretary appointed by himself.

All the Secretaries of State, considered as the President's assistants, make up the Cabinet Council which meets under the chairmanship of the Chief Executive to discuss problems presented by the Head of the State prior to making any decision.

The President of the Republic appoints or dismisses civil servants in administrative or technical services.

In Military Field

The President of the Republic is the Supreme Commander of the armed forces. As such he appoints or dismisses all military or civilian personnel serving in the armed forces.

In Judiciary Field

The President of the Republic has the power of granting amnesty, attenuating, commuting and calling off penalties.

It was by this authority that the President rejected the appeal for mercy presented by Ba-Cut and he will examine those submitted by the Binh-Xuyên rebels.

The President signs decrees appointing or dismissing judges.

In Financial Field

The President of the Republic decides the national budget which is afterwards presented to the National Assembly for discussion.

In a word the President of the Republic determines and implements the nation's foreign and home policies. But what are his means? These are precisely grouped into the Presidency.

The Presidency is made up of:

- main services
- connected services

The main services are located at the Dinh Doc-Lap and in the premises along Thong-Nhut Boulevard.

The connected services, so called for reason of convenience, are other agencies depending on the President directly.

In the first group are the:

- The Secretary of State at the Presidency;
- The Director of Cabinet of the Presidency;
- The Secretary General of the Presidency.

More details about these three offices are given further.

Now, why were the connected services created? There are several reasons to that:

In the first place those offices cannot be linked up with any ministerial department such as the Inspection General for Financial and Administrative Affairs.

Secondly, the connected services deal with subjects which the President pays particular attention to and which he incessantly follows up, for instance the COMIGAL for refugees, the Directorate General for Planning, the Directorate General for Budget and Foreign Aid.

There are also newly created services which require presidential supervision such as the COMIGAL for Agricultural Development.

Other services even though temporary are of great importance, such is the case of the service in charge of liaison with ICC.

There are also services which are not promoted to the rank of ministries but which are none the less important. For instance the Special Commissariat for Civic Action. On the other hand former ministries are now set under the guidance of the President of the Republic such as the Directorate General for Social Welfare.

At the present time there are 14 services connected with the Presidency.

- 1) Inspectorate General for Administrative and Financial Affairs.- 206 Cong-Ly street;
- 2) COMIGAL for Refugees (the activities of this service are decreasing and the service is gradually dissolved) 29 Dong-Khanh street;
- 3) National Institute of Administration, 4 Alexandre de Rhodes street;
- 4) Directorate General for Budget and Foreign Aid, 7 Hong-Thap-Tu street;
- 5) Directorate General for Public Function, 233 Tu-Do street;
- 6) Directorate General for Planning - Dien-Hong Conference Hall, 1st floor;
- 7) Special Commission for Civic Action, 272 Hien-Vuong street;
- X 8) Directorate General for Civil Guard, 35 Hung-Vuong Cholon;
- 9) Inspectorate General for the People's Militia, 117 Chi-Lang street;
- 10) Delegation in charge of liaison with ICC (camp de Mares);
- 11) Commission General for Agricultural Development, 29 Dong-Khanh Boulevard;
- 12) Directorate for Social Welfare with Highlands and in the Delta in Central Region, Dalat;
- 13) Directorate General for Social Welfare, 114 Bui-Thi-Xuan street;
- 14) Special service for Chinese Affairs, 130 Hong-Thap-Tu street;

The National Institute of Administration has three main goals:

- 1) To train officials and civil servants;

- 2) To make studies on administration in Vietnam and foreign countries, gather documentation, exchange information with foreign countries and provide administration materials to various departments and public services;
- 3) To set up and run a library with books on administration subjects.

The Institute is directed by a Board of Directors set under the chairmanship of the delegate of the President of the Republic.

Upon completion of his study the student can be assigned "Doc Su" or "Giam Su".

The Institute also gives evening courses to civil servants or employees of private enterprises to promote their professional skills and to prepare candidates for competitive examinations at their assimilation into administrative ranks. /nations

The Directorate General for Planning's functions are:

- 1) To examine, set up, coordinate programs and projects pertaining to the national recovery in the financial, economic and social fields.
- 2) To follow up implementation of programs or projects approved by the government.

The Directorate General for Budget and Foreign Aid's main function is the management and supervision, depending on governmental programs, of resources either domestic or donated by friendly nations.

The service has to work out and implement the national budget.

Other duties are to

- Examine fiscal and economic problems in order to determine a budget policy;
- Examine and compare documents relative to the budget.

Drafts of so called autonomous budgets (government railways, reconstruction office etc.) and provincial and municipal budgets are to be submitted to the Directorate General for Budget which also supervises their implementation.

Within the Directorate General for Budget and Foreign Aid there is a Directorate for the Checking of Expenses within the limits of funds earmarked on the budget or on foreign aid programs. That office has branches in Hue, Dalat and Banmethuot.

In the field of foreign aid the Directorate General's function is:

- to sort the main objectives of various programs to present them by priority order to the National Council for Foreign Aid;
- to examine needs and programs sent in by different departments and report to the National Council;
- to carry out the Committees' decisions and above all the implementation of programmes of assistance, from the point of view of distribution and use of materials and funds from Foreign Aid;
- to provide liaison between aid-missions and the government.

Let us consider the main agencies of the Presidency of the Republic represented by:

- The Secretary of State to the Presidency;
- The Director of Cabinet of the Presidency and the Secretary General;

The post of Secretary of State to the Presidency has been created to assist the President in the handling of the Presidency's affairs and of matters especially entrusted upon him by the President.

In addition, the Secretary of State to the Presidency is in charge of coordinating the work and supervising the agencies directly affiliated to the Presidency which I have just mentioned.

So this is a "function" and not a ministerial department endowed with different directorates and services. At Dinh Doc-Lap, the President is assisted by the Secretary of State to the Presidency only.

I insist on this point because some are beguiled on the nature of the position. This has in fact given rise to many clarifications by the Secretary of State to the Presidency himself.

The Directorates and Services affiliated to the Presidency are thus functioning under the supervision of the Secretary of State to the Presidency and under the direct instructions of the Director of Cabinet and of the Secretary General.

In addition, the Secretary of State to the Presidency is also assigned by the President to preside over many councils such as:

- National Council of Foreign Aid.
- Board of Directors of the National Institute of Administration.
- Council of Overseas Studies etc ...

By presidential order, the Secretary of State to the Presidency can call and preside over many extraordinary meetings with officials of different Ministries, Directorates, or Provinces on important issues.

The Secretary of State to the Presidency is assisted by 2 aides who also receive direct instructions from the President of the Republic, the Director of Cabinet and the Secretary General of the Presidency.

The Director of Cabinet's tasks can be summarized into three words: confidential, political and urgent.

He is mainly in charge of questions of a confidential nature or affairs of a great importance and urgency in the political, diplomatic, administrative, military, monetary or security fields ...

He has to prepare records for cabinet meetings, release the decisions of such meetings and take care, along with the Secretary General, that these decisions be enforced.

He must also convey to the Ministries and provincial administration services the instructions or orders of the President and see to it that these are applied.

Other routine tasks of the Director of Cabinet are:

- Sorting the President's mail.
- Organizing the President's inspection tours.
- Making arrangements for big national festivities.
- Organizing or co-ordinating arrangements for receptions honouring state guests on their visit to Viet-Nam.

The Director of Cabinet has under his command or supervision the following services:

(1) The Private-Military Staff commanded by a high-ranking officer in charge of liaison with the Defense Secretary and top-flight military authorities to convey the Presidential instructions, study different military issues and report back to the President. The Chief of the Private Military Staff is to co-operate with the private security guard of the Chief Executive and is also responsible for the maintenance of security in Dinh Doc-Lap as a whole.

(2) - An office well known by the journalists -- the Presidential Press Office -- has charge of assuring the liaison with local and foreign press circles, releasing information and communiqués of the Presidency, reviewing the local press daily, and keeping the President informed of news selected from the papers and press dispatches.

(3) - The Service of Supplies and Maintenance is in charge of the purchase and upkeep of equipment of the Dinh Độc-Lập and of buildings connected with the Presidency.

This Service is also responsible for the management and distribution of official cars of the Presidency and it looks after the material organization of receptions at the Independence Palace.

(4) The Private Cabinet is dealing with the President's mail and personal affairs.

(5) The Protocol Service has to take care that the protocol rules and precedence order be observed during the official receptions and festivities.

(6) Another service is in close relation with the President: the Ciphering Service and Private Secretary's Office. It is in charge of sending and receiving coded telegrams and notes, working out the program of presidential audiences daily, submitting to the President requests worthy of interest from the individuals and organizing Presidential inspection tours.

Complaints, denunciation, wishes or suggestions sent in by individual groups are examined by the Bureau of Complaints.

The Correspondence and Filing Service keeps records, sorts mail and deals with the library of the Presidency:

The Personnel and Accounting Service deals with the personnel's salaries and supplies to the various bureaus and villas belonging to the Presidency. It also pays and controls the connected services expenses.

The Presidential Brigade is responsible for the security and protection of the Dinh Doc-Lap.

Besides the Director of Cabinet who is, as said previously, a close assistant to the Chief of State there is also another officer under direct supervision of the President. He is the Secretary General whose duties are to examine carefully all problems, administrative and political, which involve several departments and directorates. Since there is scarcely any problem limited to one department, the Secretary General examines all problems in fact.

He is also responsible for gathering all judiciary, administrative and political documents in order to set up a library which offers materials for various studies.

Where a department is dissolved, the Secretary General has the duty to deal with pending questions until he can hand them on to some office set up to replace the abolished department.

As far as administrative documents are concerned, the Secretariat General and the National Institute of Administration are comparatively better equipped than any other service.

Consequently projects to be submitted to the President are first examined by the Secretary General for violations of rules in force.

In some cases when the project contains conflicting proposals with those of another department the Secretary General points out the discrepancies or calls on concerned departments to reach an agreement.

If the project is of a judiciary character the Secretary General calls on the Department of Justice for advice.

The Secretary General is assisted by:

- a Secretariat the main function of which is to examine matters which are to be submitted to the Council of Ministers and to see to implementation of resolutions of Council.
- a Service of General Administration and documentation which examines and revises bills suggested by the Departments, which also prepares memoranda and letters to be presented to the President.

Another function of the Service is to gather judicial and administrative documents, to deal with questions pertaining to the statute, administration of personnel, and the sending of delegates or observers to international conferences abroad.

- An Official Journal Service - According to regulations in force, official documents such as laws, decrees, orders which are effective at the City the very day of their publication in the Government Journal are to reach the provincial administrative offices the following day. Since regional bulletins no longer are in use all official documents are to be printed in the Government Journal. The Press Office has the responsibility of keeping records of the documents it issues.