



## CHINESE INTELLIGENCE-RELATED LEGAL DOCUMENTS

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Beijing, Nov. 18 (XINHUA) -- Following is the full text of the Constitution of the Communist Party of China (CPC) amended and adopted at the 16th CPC National Congress on Nov. 14, 2002:

### **CONSTITUTION OF THE COMMUNIST PARTY OF CHINA**

(Amended and adopted at the Sixteenth National Congress of the Communist Party of China on 14 November 2002)

#### General Program

The Communist Party of China is the vanguard both of the Chinese working class and of the Chinese people and the Chinese nation. It is the core of leadership for the cause of socialism with Chinese characteristics and represents the development trend of China's advanced productive forces, the orientation of China's advanced culture and the fundamental interests of the overwhelming majority of the Chinese people. The realization of communism is the highest ideal and ultimate goal of the Party.

The Communist Party of China takes Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory and the important thought of Three Represents as its guide to action.

Marxism-Leninism brings to light the laws governing the development of the history of human society. Its basic tenets are correct and have tremendous vitality. The highest ideal of communism pursued by the Chinese Communists can be realized only when the socialist society is fully developed and very advanced. The development and improvement of the socialist system is a long historical process. So long as the Chinese Communists uphold the basic tenets of Marxism-Leninism and follow the road suited to China's specific conditions and chosen by the Chinese people of their own accord, the socialist cause in China will be crowned with final victory.

The Chinese Communists, with Comrade Mao Zedong as their chief representative, created Mao Zedong Thought by integrating the basic tenets of Marxism-Leninism with the concrete practice of the Chinese revolution. Mao Zedong Thought is Marxism-Leninism applied and developed in China; it consists of a body of theoretical principles concerning the revolution and construction in China and a summary of experience therein, both of which have been proved correct by practice; it represents the crystallized, collective wisdom of the Communist Party of China. Under the guidance of Mao Zedong Thought, the Communist Party of China led the people of all ethnic groups in their prolonged revolutionary struggle against imperialism, feudalism and bureaucrat-capitalism, winning victory for the new-democratic revolution and founding the People's Republic of China, a people's democratic dictatorship. After the founding of the People's Republic, it led them in carrying out socialist transformation, completing the transition from New Democracy to socialism, establishing the basic system of socialism and developing socialism economically, politically and culturally.

After the Third Plenary Session of the Eleventh Party Central Committee, the Chinese Communists, with Comrade Deng Xiaoping as the chief representative, summed up their experience, both positive and negative, emancipated their minds, sought truth from facts, shifted the focus of the work of the whole Party onto economic development and

carried out reform and opening to the outside world, ushering in a new era of development in the cause of socialism, gradually formulating the line, principles and policies concerning the building of socialism with Chinese characteristics and expounding the basic questions concerning the building, consolidating and developing of socialism in China, and thus founding Deng Xiaoping Theory. Deng Xiaoping Theory is the outcome of the integration of the basic tenets of Marxism-Leninism with the practice of contemporary China and the features of the times, a continuation and development of Mao Zedong Thought under new historical conditions; it represents a new period of development of Marxism in China, it is Marxism of contemporary China and it is the crystallized, collective wisdom of the Communist Party of China. It is guiding the socialist modernization of our country from victory to victory.

Since the Fourth Plenary Session of the Thirteenth Party Central Committee and in the practice of building socialism with Chinese characteristics, the Chinese Communists, with Comrade Jiang Zemin as their chief representative, have acquired a deeper understanding of what socialism is, how to build it and what kind of a party to build and how to build it, accumulated new valuable experience in running the Party and state and formed the important thought of Three Represents. The important thought of Three Represents is a continuation and development of Marxism-Leninism, Mao Zedong Thought and Deng Xiaoping Theory; it reflects new requirements for the work of the Party and state arising from the changes in China and other parts of the world today; it serves as a powerful theoretical weapon for strengthening and improving Party building and for promoting self-improvement and development of socialism in China; and it is the crystallized, collective wisdom of the Communist Party of China. It is a guiding ideology that the Party must uphold for a long time to come. Persistent implementation of the "Three Represents" is the foundation for building our Party, the cornerstone for its governance and the source of its strength.

China is at the primary stage of socialism and will remain so for a long period of time. This is a historical stage which cannot be skipped in socialist modernization in China that is backward economically and culturally. It will last for over a hundred years. In socialist construction we must proceed from our specific conditions and take the path to socialism with Chinese characteristics. At the present stage, the principal contradiction in Chinese society is one between the ever-growing material and cultural needs of the people and the low level of production. Owing to both domestic circumstances and foreign influences, class struggle will continue to exist within a certain scope for a long time and may possibly grow acute under certain conditions, but it is no longer the principal contradiction. In building socialism, our basic task is to further release and develop the productive forces and achieve socialist modernization step by step by carrying out reform in those aspects and links of the production relations and the superstructure that do not conform to the development of the productive forces. We must uphold and improve the basic economic system, with public ownership playing a dominant role and diverse forms of ownership developing side by side as well as the system of distribution under which distribution according to work is dominant and a variety of modes of distribution coexist, encourage some areas and some people to become rich first, gradually eliminate poverty and achieve common prosperity, and continuously meet the people's ever-growing material and cultural needs on the basis of the growth of production and social wealth. Development is our Party's top priority in governing and rejuvenating the country. The general starting point and criterion for judging all our work should be how it benefits the development of the productive forces in our socialist society, adds to the overall strength of our socialist country and improves the people's living standards. The beginning of the new century marks China's entry into the new stage of development of building a well-off society in an all-round way and accelerating socialist modernization. The strategic objectives of economic and social

development at the new stage in the new century are to consolidate and develop the well-off standard of living initially attained, bring China into a well-off society of a higher level to the benefit of well over one billion people by the time of the Party's centenary and bring the per capita GDP up to the level of moderately developed countries and realize modernization in the main by the time of the centenary of the People's Republic of China.

The basic line of the Communist Party of China at the primary stage of socialism is to lead the people of all our ethnic groups in a concerted, self-reliant and pioneering effort to turn China into a prosperous, strong, democratic and culturally advanced modern socialist country by making economic development our central task while adhering to the Four Cardinal Principles and persevering in the reform and opening up.

In leading the cause of socialism, the Communist Party of China must persist in taking economic development as the central task, making all other work subordinated to and serve this central task. We must lose no time in speeding up economic development, implement the strategy of rejuvenating the country through science and education and that of sustainable development, give full play to the role of science and technology as the primary productive force. We must take advantage of the advancement of science and technology to improve the quality of workers and work hard to push forward the economy with good results, high quality and high speed.

The Four Cardinal Principles - to keep to the socialist road and to uphold the people's democratic dictatorship, leadership by the Communist Party of China, and Marxism-Leninism and Mao Zedong Thought - are the foundation on which to build our country. Throughout the course of socialist modernization we must adhere to the Four Cardinal Principles and combat bourgeois liberalization.

Reform and opening up are the only way to make our country strong. We must carry out fundamental reform of the economic structure that hampers the development of the productive forces, and keep and improve a socialist market economy; we must also carry out corresponding political restructuring and reform in other fields. The opening up means all-dimensional opening up, both externally and internally. We must expand economic and technological exchanges and cooperation with other countries, make more and better use of foreign capital, resources and technologies, and assimilate and exploit the achievements of all other cultures, including all the advanced modes of operation and methods of management of developed countries in the West that embody the laws governing modern socialized production. We must be bold in blazing new trails in the practice of reform and opening up.

The Communist Party of China leads the people in promoting socialist democracy and building socialist political civilization. It keeps expanding socialist democracy, strengthens the socialist legal system, rules the country by law, builds a socialist country under the rule of law and consolidates the people's democratic dictatorship. The system of people's congresses and the system of multiparty cooperation and political consultation under the leadership of the Communist Party of China should continue. The Party should encourage the people to act as the masters of the country and take effective measures to protect the people's right to run the affairs of the state and of society and manage economic and cultural undertakings. It should encourage the free airing of views and establish and improve systems and procedures of democratic decision-making and supervision. State legislation and law enforcement should be strengthened so as to gradually put all work of the state on a legal footing. Comprehensive measures for keeping law and order should be taken to maintain the long-term social stability. Efforts must be made according to law to crack down on the criminal activities and

criminals that endanger national security and interests, social stability and economic development. We should strictly distinguish between the two different types of contradictions - those between ourselves and the enemy and those among the people, so as to handle them properly.

The Communist Party of China leads the people in their efforts to build spiritual civilization as well as material and political civilizations and to combine ruling the country by law and ruling the country by virtue. Socialist spiritual civilization provides a powerful ideological driving force and intellectual support and helps create a good social climate for economic development, reform and opening up. It is essential to press ahead with education, science and culture, respect learning and talented people, raise the ideological, moral, scientific and educational levels of the entire nation, develop the fine national traditional culture, and develop a thriving socialist culture. It is essential to inspire the Party members and the people with the Party's basic line, patriotism, community spirit and socialist ideology, enhance their sense of national dignity, self-confidence and self-reliance, imbue the Party members with lofty ideals of communism, resist corrosion by capitalist and feudal decadent ideas and wipe out all social evils so that our people will have lofty ideals, moral integrity, a good education and a strong sense of discipline.

The Communist Party of China persists in its leadership over the People's Liberation Army and other people's armed forces, builds up the strength of the People's Liberation Army, and gives full play to its role in consolidating national defense, defending the motherland and participating in the socialist modernization drive.

The Communist Party of China upholds and promotes relations of equality, unity and mutual assistance among all ethnic groups in the country, upholds and constantly improves the system of regional ethnic autonomy, actively trains and promotes cadres from among ethnic minorities, and helps them with economic and cultural development in the areas inhabited by ethnic minorities so as to achieve common prosperity and all-round progress for all ethnic groups.

The Communist Party of China unites with all workers, farmers and intellectuals, and with all the democratic parties, personages without party affiliation and the patriotic forces of all ethnic groups in China in further expanding and fortifying the broadest possible patriotic united front embracing all socialist workers and all patriots who support socialism or who support the reunification of the motherland. We should constantly work to strengthen the unity of all the Chinese people, including our compatriots in Hong Kong and Macao special administrative regions and in Taiwan as well as overseas Chinese. We should accomplish the great task of reunifying the motherland in conformity with the principle of "one country, two systems".

The Communist Party of China stands for developing relations with other countries in order to bring about a favorable international environment for China's reform, opening up and modernization. In international affairs, it adheres to the independent foreign policy of peace, safeguarding China's independence and sovereignty, opposing hegemonism and power politics, defending world peace, and promoting human progress. It works to develop relations between China and other countries on the basis of the five principles of mutual respect for sovereignty and territorial integrity, mutual non-aggression, noninterference in each other's internal affairs, equality and mutual benefit, and peaceful coexistence. It strives for the constant development of good-neighborly relations between China and the surrounding countries and for the strengthening of the unity and cooperation between China and other developing countries. The Communist Party of China develops relations with communist parties and other political parties in other countries in accordance with the principles of

independence, complete equality, mutual respect and noninterference in each other's internal affairs.

In order to lead the people of all ethnic groups in China in attaining the great goal of socialist modernization, the Communist Party of China must adhere to the Party's basic line in strengthening and improving Party building, persist in the principle that the Party exercises self-discipline and is strict with its members, and carry forward its fine tradition and style of work. It must constantly improve its art of leadership and governance, raise its ability to resist corruption, prevent degeneration and withstand risks, constantly strengthen its class foundation, expand its mass base and enhance its creativity, cohesion and combat effectiveness, so that it will stand forever in the forefront of the times and make itself a strong nucleus that can lead all the Chinese people in the unceasing march along the road of socialism with Chinese characteristics. In building the Party, we must be determined to meet the following four essential requirements:

First, adhering to the Party's basic line. The whole Party must achieve unity in thinking and in action with Deng Xiaoping Theory, the important thought of Three Represents and the Party's basic line and will persevere in doing so for a long time to come. We must integrate the reform and the open policy with the Four Cardinal Principles, carry out the Party's basic line in all fields of endeavor, implement in an all-round way the Party's basic program for the primary stage of socialism and combat all "Left" or Right erroneous tendencies, maintaining vigilance against Right tendencies, primarily against "Left" tendencies. We must intensify the building of leading bodies at all levels, selecting and promoting cadres who have scored outstanding achievements in their public service and have won the trust of the masses in the reform, opening up and the modernization drive, and train and cultivate millions of successors to the cause of socialism, thus ensuring organizationally the implementation of the Party's basic line and program.

Second, persevering in emancipating the mind, seeking truth from facts and keeping pace with the times. The Party's ideological line is to proceed from reality in handling all matters, to integrate theory with practice, to seek truth from facts, and to verify and develop the truth through practice. Party members must adhere to this ideological line, explore new ways, boldly experiment with new methods, go in for innovation, work creatively, constantly study new situations, review new experience and solve new problems, and enrich and develop Marxism in practice.

Third, persevering in serving the people wholeheartedly. The Party has no special interests of its own apart from the interests of the working class and the broadest masses of the people. At all times the Party gives top priority to the interests of the people, shares weal and woe with them and keeps in closest contact with them, and it does not allow any member to become divorced from the masses or place himself above them. The Party follows the mass line in its work, doing everything for the masses, relying on them in every task, carrying out the principle "from the masses, to the masses", and translating its correct views into conscious action of the masses. The biggest political advantage of our Party lies in its close ties with the masses while the biggest potential danger for it as a ruling party comes from its divorce from them. The Party's style of work and its maintenance of ties with the masses of the people are a matter of vital importance to the Party, and the Party persistently opposes corruption, exerting great efforts to improve its style of work and make itself clean and honest.

Fourth, upholding democratic centralism. Democratic centralism is a combination of centralism on the basis of democracy and democracy under centralized guidance. It is the fundamental organizational principle of

the Party and is also the mass line applied in the Party's political activities. Within the Party, democracy and the initiative and creativity of Party organizations at all levels as well as the vast number of Party members must be given full play. Correct centralism must be practiced so as to ensure concerted action in the whole Party and prompt and effective implementation of its decisions. The sense of organization and discipline must be strengthened, and all members are equal before Party discipline. Supervision over leading organs of the Party and over Party members holding leading positions must be strengthened and the system of inner-Party supervision constantly improved. In its internal political activities, the Party conducts criticism and self-criticism in the correct way, waging ideological struggles over matters of principles, upholding truth and rectifying mistakes. Diligent efforts must be made to create a political situation in which there are both centralism and democracy, both discipline and freedom, both unity of will and personal ease of mind and liveliness.

Leadership by the Party means mainly political, ideological and organizational leadership. The Party must meet the requirements of reform, opening up and the socialist modernization drive and strengthen and improve its leadership. Acting on the principle that the Party commands the overall situation and coordinates the efforts of all quarters, the Party must play the role as the core of leadership among all other organizations at the corresponding levels. It must concentrate on leading economic development, organize and coordinate all forces in a concerted effort to focus on economic development. The Party must practice democratic and scientific decision-making; formulate and implement the correct line, principles and policies; do its organizational, publicity and educational work well and make sure that all Party members play an exemplary and vanguard role. The Party must conduct its activities within the framework of the Constitution and other laws. It must see to it that the legislative, judicial and administrative organs of the state and the economic, cultural and people's organizations work with initiative and independent responsibility and in harmony. The Party must strengthen its leadership over the trade unions, the Communist Youth League organizations, the women's federations and other mass organizations, and give full scope to their roles. The Party must adapt itself to the march of events and changing circumstances, improving its system and style of leadership and raising its governing capacity. Party members must work in close cooperation with the vast number of non-Party people in the common endeavor to build socialism with Chinese characteristics.

## Chapter I

### Membership

Article 1 Any Chinese worker, farmer, member of the armed forces, intellectual or any advanced element of other social strata who has reached the age of eighteen and who accepts the Party's Program and Constitution and is willing to join and work actively in one of the Party organizations, carry out the Party's decisions and pay membership dues regularly may apply for membership in the Communist Party of China.

Article 2 Members of the Communist Party of China are vanguard fighters of the Chinese working class imbued with communist consciousness.

Members of the Communist Party of China must serve the people wholeheartedly, dedicate their whole lives to the realization of communism, and be ready to make any personal sacrifices.

Members of the Communist Party of China are at all times ordinary members of the working people. Communist Party members must not seek personal gain or privileges, although the relevant laws and policies

provide them with personal benefits and job-related functions and powers.

Article 3 Party members must fulfill the following duties:

(1) To conscientiously study Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory and the important thought of Three Represents, study the Party's line, principles, policies and decisions, acquire essential knowledge concerning the Party, obtain general, scientific and professional knowledge and work diligently to enhance their ability to serve the people.

(2) To implement the Party's basic line, principles and policies, take the lead in reform, opening up and socialist modernization, encourage the people to work hard for economic development and social progress and play an exemplary and vanguard role in production, work, study and social activities.

(3) To adhere to the principle that the interests of the Party and the people stand above everything else, subordinating their personal interests to the interests of the Party and the people, being the first to bear hardships and the last to enjoy comforts, working selflessly for the public interests and working to contribute more.

(4) To conscientiously observe the Party discipline, abide by the laws and regulations of the state in an exemplary way, rigorously guard secrets of the Party and state, execute the Party's decisions, and accept any job and actively fulfill any task assigned them by the Party.

(5) To uphold the Party's solidarity and unity, be loyal to and honest with the Party, match words with deeds, firmly oppose all factions and small-clique activities and oppose double-dealing and scheming of any kind.

(6) To earnestly engage in criticism and self-criticism, boldly expose and correct shortcomings and mistakes in work and resolutely combat corruption and other malpractices.

(7) To maintain close ties with the masses, disseminate the Party's views among them, consult with them when problems arise, keep the Party informed of their views and demands in good time and defend their legitimate interests.

(8) To promote new socialist ways and customs and advocate communist ethics. To step forward and fight bravely in times of difficulty or danger, daring to make any sacrifice to defend the interests of the country and the people.

Article 4 Party members enjoy the following rights:

(1) To attend relevant Party meetings, read relevant Party documents, and benefit from the Party's education and training.

(2) To participate in the discussion of questions concerning the Party's policies at Party meetings and in Party newspapers and journals.

(3) To make suggestions and proposals regarding the work of the Party.

(4) To make well-grounded criticism of any Party organization or member at Party meetings, to present information or charges against any Party organization or member concerning violations of discipline or the law to the Party in a responsible way, to demand disciplinary measures against such a member, or call for dismissal or replacement of any incompetent cadre.

(5) To participate in voting and elections and to stand for election.

(6) To attend, with the right of self-defense, discussions held by Party organizations to decide on disciplinary measures to be taken against themselves or to appraise their work and behavior; other Party members may also bear witness or argue on their behalf.

(7) In case of disagreement with a Party decision or policy, to make reservations and present their views to Party organizations at higher levels even up to the Central Committee, provided that they resolutely carry out the decision or policy while it is in force.

(8) To put forward any request, appeal, or complaint to higher Party organizations even up to the Central Committee and ask the organizations concerned for a responsible reply.

No Party organization, up to and including the Central Committee, has the right to deprive any Party member of the above-mentioned rights.

Article 5 New Party members must be admitted through a Party branch, and the principle of individual admission must be adhered to.

An applicant for Party membership must fill in an application form and be recommended by two full Party members. The application must be accepted at a general membership meeting of the Party branch concerned and approved by the next higher Party organization, and the applicant must undergo observation for a probationary period before being granted full membership.

Party members who recommend an applicant must make genuine efforts to acquaint themselves with the applicant's ideology, character, personal record and work performance and explain to each applicant the Party's program and Constitution, qualifications for membership and the duties and rights of members, and must make a responsible report to the Party organization on the matter.

The Party branch committee must canvass the opinions of persons concerned, inside and outside the Party, about an applicant for Party membership and, after establishing the latter's qualification following rigorous examination, submit the application to a general membership meeting for discussion.

Before approving the admission of applicants for Party membership, the next higher Party organization concerned must appoint people to talk with them, in order to get to know them better and help deepen their understanding of the Party.

In special circumstances, the Central Committee of the Party or the Party committee of a province, autonomous region or municipality directly under the Central Government may admit new Party members directly.

Article 6 A probationary Party member must take an admission oath in front of the Party flag. The oath reads: It is my will to join the Communist Party of China, uphold the Party's program, observe the provisions of the Party Constitution, fulfill a Party member's duties, carry out the Party's decisions, strictly observe Party discipline, guard Party secrets, be loyal to the Party, work hard, fight for communism throughout my life, be ready at all times to sacrifice my all for the Party and the people, and never betray the Party.

Article 7 The probationary period of a probationary member is one year. The Party organization should make serious efforts to educate and observe the probationary members.



Probationary members have the same duties as full members. They enjoy the rights of full members except those of participating in voting and elections and standing for election.

Upon the expiration of the probationary period of a probationary member, the Party branch concerned should promptly discuss whether he is qualified for full membership. A probationary member who conscientiously performs his duties and is qualified for full membership shall be granted full membership as scheduled; if continued observation and education are needed, the probationary period may be extended, but by no more than one year; if a probationary member fails to perform his duties and is found to be unqualified for full membership, his probationary membership shall be annulled. Any decision to grant a probationary member full membership, extend a probationary period, or annul a probationary membership must be made through discussion held by the general membership meeting of the Party branch concerned and approved by the next higher Party organization.

The probationary period of a probationary member begins from the day the general membership meeting of the Party branch admits him as a probationary member. The Party standing of a member begins from the day he is granted full membership on the expiration of the probationary period.

Article 8 Every Party member, irrespective of position, must be organized into a branch, cell or other specific unit of the Party to participate in the regular activities of the Party organization and accept supervision by the masses inside and outside the Party. Leading Party cadres must attend democratic meetings held by the Party committee or leading Party members' groups. There shall be no privileged Party members who do not participate in the regular activities of the Party organization and do not accept supervision by the masses inside and outside the Party.

Article 9 Party members are free to withdraw from the Party. When a Party member asks to withdraw, the Party branch concerned shall, after discussion by its general membership meeting, remove his name from the Party rolls, make the removal public and report it to the next higher Party organization for the record.

The Party branch shall try to educate the Party member who lacks revolutionary will, fails to fulfill the duties of a Party member, or is not qualified for membership and require him to correct his mistakes within the time. If he remains incorrigible after education, he should be persuaded to withdraw from the Party. The case shall be discussed and decided by the general membership meeting of the Party branch concerned and submitted to the next higher Party organization for approval. If the Party member being persuaded to withdraw refuses to do so, the case shall be submitted to the general membership meeting of the Party branch concerned for discussion to decide on the removal of his name from the Party rolls, after which the decision shall be submitted to the next higher Party organization for approval.

A Party member who fails to take part in regular Party activities, pay membership dues or do work assigned by the Party for six successive months without good reason is regarded as having given up membership. The general membership meeting of the Party branch concerned shall decide on the removal of such a person's name from the Party rolls and report it to the next higher Party organization for approval.

## Chapter II

### Organization System of the Party

Article 10 The Party is an integral body organized under its program

and Constitution on the principle of democratic centralism. The basic principles of democratic centralism as practiced by the Party are as follows:

(1) Individual Party members are subordinate to the Party organization, the minority is subordinate to the majority, the lower Party organizations are subordinate to the higher Party organizations, and all the constituent organizations and members of the Party are subordinate to the National Congress and the Central committee of the Party.

(2) The Party's leading bodies at all levels are elected except for the representative organs dispatched by them and the leading Party members' groups in non-Party organizations.

(3) The highest leading body of the Party is the National Congress and the Central Committee elected by it. The leading bodies of local Party organizations are the Party congresses at their respective levels and the Party committees elected by them. Party committees are responsible, and report their work, to the Party congresses at their respective levels.

(4) Higher Party organizations shall pay constant attention to the views of lower organizations and the rank-and-file Party members, and solve in good time the problems they raise. Lower Party organizations shall report on their work to, and request instructions from, higher Party organizations; at the same time, they shall handle, independently and in a responsible manner, matters within their jurisdiction. Higher and lower Party organizations should exchange information and support and supervise each other. Party organizations at all levels should enable Party members to keep well informed of inner-Party affairs and to have as many opportunities as possible to involve themselves in them.

(5) Party committees at all levels function on the principle of combining collective leadership with individual responsibility based on division of labor. All major issues shall be decided upon by the Party committees after discussion in accordance with the principle of collective leadership, democratic centralism, individual consultations and decision by meetings. The members of the Party committees should earnestly perform their duties in accordance with the collective decisions taken and division of labor.

(6) The Party forbids all forms of personality cult. It is necessary to ensure that the activities of the Party leaders are subject to the supervision of the Party and the people, and at the same time to uphold the prestige of all the leaders who represent the interests of the Party and the people.

Article 11 The election of delegates to Party congresses and of members of Party committees at all levels should reflect the will of the voters. Elections shall be held by secret ballot. The lists of candidates shall be submitted to the Party organizations and voters for full deliberation and discussion. The election procedure in which the number of candidates nominated is greater than the number of persons to be elected may be used directly in a formal election or this procedure may be used first in a preliminary election in order to draw up a list of candidates for the formal election. The voters have the right to inquire about the candidates, demand a change or reject one in favor of another. No organization or individual shall in any way compel voters to elect or not to elect any candidate.

If any violation of the Party Constitution occurs in the election of delegates to a local Party congress or to Party congresses at the primary level, the Party committee at the next higher level, after investigation and verification, should decide to declare the election invalid and take

appropriate measures. The decision shall be reported to the Party committee at the next higher level for checking and approval before it is formally announced and implemented.

Article 12 When necessary, the Central Committee of the Party and the local Party committees at all levels will convene conferences of delegates to discuss and decide on major problems that require timely solution. The number of delegates to such conferences and the procedure governing their election shall be determined by the Party committees convening them.

Article 13 The formation of a new Party organization or the dissolution of an existing one shall be decided upon by the higher Party organizations.

The Central Committee of the Party and the local Party committees at all levels may send out their representative organs.

When the congress of a local Party organization at any level or the congress of Party organization at the primary level is not in session, the next higher Party organization may, when it deems it necessary, transfer or appoint responsible members of that organization.

Article 14 When making decisions on important questions affecting the lower organizations, the leading bodies of the Party at all levels should, under normal circumstances, solicit opinions of the lower organizations. Measures should be taken to ensure that the lower organizations can exercise their functions and powers normally. Except in special circumstances, higher leading bodies should not interfere with matters that ought to be handled by lower organizations.

Article 15 Only the Central Committee of the Party has the power to make decisions on major policies of a nationwide character. Party organizations of various departments and localities may make suggestions with regard to such policies to the Central Committee, but shall not make any decisions or publicize their views outside the Party without authorization.

Lower Party organizations must firmly implement the decisions of higher Party organizations. If lower organizations consider that any decisions of higher organizations do not suit the specific conditions in their localities or departments, they may demand modification. If the higher organizations insist on their original decisions, the lower organizations must carry out such decisions and refrain from publicly voicing their differences, but retain the right to report to the next higher Party organization.

Newspapers, journals and other means of publicity run by Party organizations at all levels must disseminate the line, principles, policies and decisions of the Party.

Article 16 When discussing and making decisions on any matter, Party organizations must keep to the principle of subordination of the minority to the majority. A vote must be taken when major issues are decided on. Serious consideration should be given to the differing views of a minority. In case of controversy over major issues in which supporters of the two opposing views are nearly equal in number, except in emergencies where action must be taken in accordance with the majority view, the decision should be put off to allow for further investigation, study and exchange of opinions followed by another vote. Under special circumstances, the controversy may be reported to the next higher Party organization for a ruling.

When, on behalf of the Party organization, an individual Party member is to express views on major issues beyond the scope of the existing

decisions of the Party organizations, the content must be referred to the Party organization for prior discussion and decision, or referred to the next higher Party organization for instructions. No Party member, whatever his position, is allowed to make decisions on major issues on his own. In an emergency, when a decision by an individual is unavoidable, the matter must be reported to the Party organization immediately afterwards. No leader is allowed to take decisions arbitrarily on his own or to place himself above the Party organization.

Article 17 The central, local and primary organizations of the Party must all pay great attention to Party building. They shall regularly discuss and examine the Party's work in publicity, education, organization and discipline inspection, its mass work and united front work. They must carefully study ideological and political developments inside and outside the Party.

### Chapter III

#### Central Organizations of the Party

Article 18 The National Congress of the Party is held once every five years and convened by the Central Committee. It may be convened before the normally scheduled date if the Central Committee deems it necessary or if more than one-third of the organizations at the provincial level so request. Except under extraordinary circumstances, the Congress may not be postponed.

The number of delegates to the National Congress of the Party and the procedure governing their election shall be determined by the Central Committee.

Article 19 The functions and powers of the National Congress of the Party are as follows:

- (1) To hear and examine the reports of the Central Committee;
- (2) To hear and examine the reports of the Central Commission for Discipline Inspection;
- (3) To discuss and decide on major questions concerning the Party;
- (4) To revise the Constitution of the Party;
- (5) To elect the Central Committee; and
- (6) To elect the Central Commission for Discipline Inspection.

Article 20 The powers and functions of the National Conference of the Party are as follows: to discuss and make decisions on major questions; and to replace members and elect additional members of the Central Committee and the Central Commission for Discipline Inspection. The number of members and alternate members of the Central Committee to be replaced or newly elected shall not exceed one-fifth of the respective totals of members and alternate members of the Central Committee elected by the National Congress of the Party.

Article 21 The Central Committee of the Party is elected for a term of five years. However, when the next National Congress is convened before or after its normally scheduled date, the term shall be correspondingly shortened or extended. Members and alternate members of the Central Committee must have a Party standing of five years or more. The number of members and alternate members of the Central Committee shall be determined by the National Congress. Vacancies on the Central Committee shall be filled by its alternate members in the order of the number of votes by which they were elected.

The Central Committee of the Party meets in plenary session at least once a year, and such sessions are convened by its Political Bureau.

When the National Congress is not in session, the Central Committee carries out its decisions, directs the entire work of the Party and represents the Communist Party of China in its external relations.

Article 22 The Political Bureau, the Standing Committee of the Political Bureau and the General Secretary of the Central Committee of the Party are elected by the Central Committee in plenary session. The General Secretary of the Central Committee must be a member of the Standing Committee of the Political Bureau.

When the Central Committee is not in session, the Political Bureau and its Standing Committee exercise the functions and powers of the Central Committee.

The Secretariat of the Central Committee is the working body of the Political Bureau of the Central Committee and its Standing Committee. The members of the Secretariat are nominated by the Standing Committee of the Political Bureau of the Central Committee and are subject to endorsement by the Central Committee in plenary session.

The General Secretary of the Central Committee is responsible for convening the meetings of the Political Bureau and its Standing Committee and presides over the work of the Secretariat.

The members of the Military Commission of the Central Committee are decided on by the Central Committee.

The central leading bodies and leaders elected by each Central Committee shall, when the next National Congress is in session, continue to preside over the Party's day-to-day work until the new central leading bodies and leaders are elected by the next Central Committee.

Article 23 Party organizations in the Chinese People's Liberation Army carry on their work in accordance with the instructions of the Central Committee. The political work organ of the Military Commission of the Central Committee is the General Political Department of the Chinese People's Liberation Army; the General Political Department directs Party and political work in the army. The organizational system and organs of the Party in the armed forces are prescribed by the Military Commission of the Central Committee.

#### Chapter IV

##### Local Organizations of the Party

Article 24 The Party congress of a province, autonomous region, municipality directly under the Central Government, city divided into districts, or autonomous prefecture is held once every five years.

The Party congress of a county (banner), autonomous county, city not divided into districts, or municipal district is held once every five years.

Local Party congresses are convened by the Party committees at the corresponding levels. Under extraordinary circumstances, they may be held before or after their normally scheduled dates upon approval by the next higher Party committees.

The number of delegates to the local Party congresses at any level and the procedure governing their election are determined by the Party committees at the corresponding levels and should be reported to the next

higher Party committees for approval.

Article 25 The functions and powers of the local Party congresses at all levels are as follows:

- (1) To hear and examine the reports of the Party committees at the corresponding levels;
- (2) To hear and examine the reports of the commissions for discipline inspection at the corresponding levels;
- (3) To discuss and decide on major issues in the given areas; and
- (4) To elect the Party committees and commissions for discipline inspection at the corresponding levels.

Article 26 The Party committee of a province, autonomous region, municipality directly under the Central Government, city divided into districts, or autonomous prefecture is elected for a term of five years. The members and alternate members of such a committee must have a Party standing of five years or more.

The Party committee of a county (banner), autonomous county, city not divided into districts, or municipal district is elected for a term of five years. The members and alternate members of such a committee must have a Party standing of three years or more.

When local Party congresses at various levels are convened before or after their normally scheduled dates, the terms of the committees elected by the previous congresses shall be correspondingly shortened or extended.

The number of members and alternate members of the local Party committees at various levels shall be determined by the next higher committees. Vacancies on the local Party committees at various levels shall be filled by their alternate members in the order of the number of votes by which they were elected.

The local Party committees at various levels meet in plenary session at least twice a year.

Local Party committees at various levels shall, when the Party congresses of the given areas are not in session, carry out the directives of the next higher Party organizations and the decisions of the Party.

Congresses at the corresponding levels, direct work in their own areas and report on it to the next higher Party committees at regular intervals.

Article 27 Local Party committees at various levels elect, at their plenary sessions, their standing committees, secretaries and deputy secretaries and report the results to the higher Party committees for approval. The standing committees of local Party committees at various levels exercise the powers and functions of local Party committees when the latter are not in session. They continue to handle the day-to-day work when the next Party congresses at their levels are in session, until the new standing committees are elected.

Article 28 A prefectural Party committee, or an organization analogous to it, is the representative organ dispatched by a provincial or an autonomous regional Party committee to a prefecture covering several counties, autonomous counties or cities. It exercises leadership over the work in the given region as authorized by the provincial or autonomous regional Party committee.

## Chapter V

### Primary Organizations of the Party

Article 29 Primary Party organizations are formed in enterprises, rural areas, government departments, schools, scientific research institutes, communities, mass organizations, intermediaries, companies of the People's Liberation Army and other basic units, where there are at least three full Party members.

In primary organizations, primary Party committees and committees of general Party branches or Party branches are set up as the work requires and according to the number of Party members, subject to approval by the higher Party organizations. A primary Party committee is elected by a general membership meeting or a delegate meeting. The committee of a general Party branch or a Party branch is elected by a general membership meeting.

Article 30 A Primary Party committee is elected for a term of three to five years, while a general Party branch committee or a Party branch committee is elected for a term of two or three years. Results of the election of a secretary and deputy secretaries by a primary Party committee, general branch committee or branch committee shall be reported to the higher Party organizations for approval.

Article 31 The primary Party organizations are militant bastions of the Party in the basic units of society, where all the Party's work proceeds and they serve as the foundation of its fighting capacity. Their main tasks are:

(1) To disseminate and carry out the Party's line, principles and policies, the decisions of the Central Committee of the Party and other higher Party organizations, and their own decisions; to give full play to the exemplary, vanguard role of Party members, and to unite and organize the cadres and the rank of file inside and outside the Party to fulfill the tasks of their own units.

(2) To organize Party members to conscientiously study Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory, the important thought of Three Represents, the Party's line, principles, policies and decisions, acquire essential knowledge concerning the Party and obtain general, scientific and professional knowledge.

(3) To educate and supervise Party members, raise the overall quality of the Party membership, cultivate their Party spirit, ensure their regular participation in the activities of the Party organizations, make criticism and self-criticism, maintain and observe Party discipline, see that Party members truly fulfill their duties and protect their rights from encroachment.

(4) To maintain close ties with the masses, constantly seek their criticisms and opinions regarding Party members and the Party's work, safeguard the legitimate rights and interests of the masses and do effective ideological and political work among them.

(5) To give full scope to the initiative and creativeness of Party members and the masses and to discover, nurture and recommend fine, talented people from among Party members and the masses and encourage them to contribute their skills and learning to the reform, opening up and the socialist modernization drive.

(6) To educate and train the activists who apply for Party membership, attend to the routine work concerning the recruitment of new members and attach great importance to recruiting Party members from

among those in the forefront of production and work and from among young people.

(7) To see to it that Party and non-Party cadres strictly observe the law and administrative discipline and the financial and economic statutes and personnel regulations of the state and that none of them infringe on the interests of the state, the collective or the masses.

(8) To encourage Party members and the masses to conscientiously resist unhealthy practices and wage resolute struggles against all illegal and criminal activities.

Article 32 The primary Party committees in communities, townships and towns and the Party organizations in villages and communities provide leadership for the work in their localities and assist administrative departments, economic institutions and self-governing mass organizations in fully exercising their functions and powers.

In a state-owned or collective enterprise, the primary Party organization acts as the political nucleus and works for the operation of the enterprise. The primary Party organization guarantees and supervises the implementation of the principles and policies of the Party and the state in its own enterprise and backs the meeting of shareholders, board of directors, board of supervisors and manager (factory director) in the exercise of their functions and powers according to law. It relies wholeheartedly on the workers and office staff, supports the work of the congresses of representatives of workers and office staff and participates in making final decisions on major questions in the enterprise. It works to improve its own organization and provides leadership over ideological and political work, efforts for cultural and ethical progress and the trade unions, the Communist Youth League and other mass organizations.

In a non-public economic institution, the primary Party organization carries out the Party's principles and policies, provides guidance to and supervises the enterprise in observing the laws and regulations of the state, exercises leadership over the trade union, the Communist Youth League organization and other mass organizations, rallies the workers and office staff around it, safeguards the legitimate rights and interests of all quarters and stimulates the healthy development of the enterprise.

In an institution where the administrative leaders assume full responsibility, the primary Party organization acts as the political nucleus. In an institution where the administrative leaders assume full responsibility under the leadership of the Party committee, the primary Party organization discusses and decides on major issues and at the same time ensures that the administrative leaders are able to fully exercise their functions and powers.

In offices of the Party or the state at all levels, the primary Party organizations assist the chief administrators in fulfilling their tasks and improving their work. They exercise supervision over all Party members, including the chief administrators who are Party members, but do not direct the work of their units.

## Chapter VI

### Party Cadres

Article 33 Party cadres are the backbone of the Party's cause and public servants of the people. The Party selects its cadres according to the principle that they should possess both political integrity and professional competence, adheres to the practice of appointing people on their merits and opposes favoritism; it exerts genuine efforts to make the ranks of the cadres more revolutionary, younger in average age,



better educated and more professionally competent.

The Party attaches great importance to education, training, selection and assessment of cadres, especially to the training and selection of outstanding young cadres. The Party actively promotes the reform of the cadre system.

The Party attaches great importance to the training and promotion of women cadres and cadres from among the ethnic minorities.

Article 34 Leading Party cadres at all levels must show exemplary performance in carrying out their duties as Party members prescribed in Article 3 of this Constitution and must meet the following basic requirements:

(1) Know Marxism-Leninism, Mao Zedong Thought and Deng Xiaoping Theory well enough to perform their duties, earnestly put the important thought of Three Represents into practice, try hard to analyze and solve practical problems with the stand, viewpoint and methods of Marxism, keep stressing study, political awareness and integrity, and be able to stand the test of all trials and tribulations.

(2) Have the grand ideal of communism and firm conviction in socialism with Chinese characteristics, firmly implement the Party's basic line, principles and policies, be determined to carry out the reform and opening to the outside world, devote themselves to the cause of modernization and work hard to start undertakings and make solid achievements in socialist construction.

(3) Persist in emancipating their minds, seeking truth from facts, keeping pace with the times and blazing new trails in a pioneering spirit; conduct earnest investigations and studies so as to be able to integrate the Party's principles and policies with the actual conditions in their localities or departments and work efficiently; tell the truth, do practical work, seek tangible results and oppose formalism.

(4) Be fervently dedicated to the revolutionary cause and imbued with a strong sense of political responsibility, have practical experience, and be qualified for leading posts in organizational ability, general education and vocational knowledge.

(5) Properly exercise the power invested in them by the people, handle matters according to law, be upright and clean and work diligently for the people, set an example by their own actions, work hard and live simply, maintain close ties with the masses, uphold the Party's mass line, conscientiously accept the criticism and supervision of the Party and the masses, exercise self-respect, self-examination, self-caution and self-motivation, combat bureaucratism, and fight against malpractices such as abuse of power for personal gain.

(6) Uphold the Party's system of democratic centralism, maintain a democratic style of work, take the overall situation into consideration, and be good at uniting and working with other comrades, including those who hold differing opinions.

Article 35 Party cadres should be able to cooperate with non-Party cadres, respect them and be open-minded in learning from their strong points.

Party organizations at all levels must be good at discovering and recommending talented non-Party cadres with practical learning for leading posts, and ensure that the latter enjoy authority commensurate with their posts and can fully play their roles.

Article 36 Leading Party cadres at all levels, whether elected

through democratic procedure or appointed by a leading body, are not entitled to lifelong tenure, and they can be transferred from or relieved of their posts.

Cadres no longer fit to continue working due to old age or poor health should retire according to the regulations of the state.

## Chapter VII

### Party Discipline

Article 37 Party discipline refers to the rules of conduct that must be observed by Party organizations at all levels and by all Party members. It is the guarantee that the unity and solidarity of the Party are safeguarded and that the tasks of the Party are accomplished. Party organizations must strictly observe and maintain Party discipline. A Communist Party member must conscientiously act within the bounds of Party discipline.

Article 38 Party organizations should criticize, educate or take disciplinary measures against members who violate Party discipline, depending on the nature and seriousness of their mistakes and in the spirit of "learning from past mistakes to avoid future ones, and curing the sickness to save the patient".

Party members who have seriously violated criminal law shall be expelled from the Party.

It is strictly forbidden in the Party to take any measures against a member that contravene the Party Constitution or the laws of the state, or to retaliate against or frame a member. Any offending organization or individual must be dealt with according to Party discipline and the laws of the state.

Article 39 There are five measures for enforcing Party discipline: warning, serious warning, removal from Party posts, probation within the Party, and expulsion from the Party.

The period for which a Party member is placed on probation shall not exceed two years. During that period, the Party member concerned has no right to participate in voting or elections or stand for election. A Party member who during that time truly rectifies his mistake shall have his rights as a Party member restored. Party members who refuse to mend their ways shall be expelled from the Party.

Expulsion is the ultimate Party disciplinary measure. In deciding on or approving an expulsion, Party organizations at all levels should study all the relevant facts and opinions and exercise extreme caution.

Article 40 Any disciplinary measure to be taken against a Party member must be discussed and decided on at a general membership meeting of the Party branch concerned, and reported to the primary Party committee concerned for approval. If the case is relatively important or complicated, or involves the expulsion of a member, it shall be reported to a Party commission for discipline inspection at or above the county level for examination and approval, in accordance with the specific situation. Under special circumstances, a Party committee or a commission for discipline inspection at or above the county level has the authority to decide directly on disciplinary measures to be taken against a Party member.

Any decision to remove a member or alternate member of the Central Committee or a local committee at any level from his posts within the Party, to place such a person on probation within the Party or to expel him from the Party must be approved by a two-thirds majority vote at a

plenary meeting of the Party committee to which he belongs. In special circumstances, the decision may be taken first by the Standing Committee of the Political Bureau of the Central Committee or the standing committee of a local Party committee, pending confirmation at the plenary meeting of the Party committee. Such a disciplinary measure against a member or alternate member of a local Party committee is subject to approval by the higher Party committee.

A member or alternate member of the Central Committee who has seriously violated the criminal law shall be expelled from the Party on decision by the Political Bureau of the Central Committee; a member or alternate member of a local Party committee who has seriously violated criminal law shall be expelled from the Party on decision by the standing committee of the Party committee at the corresponding level.

Article 41 When a Party organization is deciding on a disciplinary measure against a Party member, it should investigate and verify the facts in an objective way. The Party member in question must be informed of a decision regarding any disciplinary measure to be taken and of the facts on which it is based. The person concerned must be given a chance to account for himself and speak in his own defense. If the member does not accept the decision, he can appeal, and the Party organization concerned must promptly deal with or forward his appeal, and must not withhold or suppress it. Those who cling to erroneous views and unjustifiable demands shall be educated by criticism.

Article 42 If a Party organization fails to uphold Party discipline, it must be investigated.

In case a Party organization seriously violates Party discipline and is unable to rectify the mistake on its own, the next higher Party committee should, after verifying the facts and considering the seriousness of the case, decide on the reorganization or dissolution of the organization, report the decision to the Party committee at the next higher level for examination and approval, and then formally announce and carry out the decision.

## Chapter VIII

### Party Organs for Discipline Inspection

Article 43 The Party's Central Commission for Discipline Inspection functions under the leadership of the Central Committee of the Party. The Party's local commissions for discipline inspection at all levels and primary commissions for discipline inspection function under the dual leadership of the Party committees at the corresponding levels and the next higher commissions for discipline inspection.

The Party's commissions for discipline inspection at all levels serve a term of the same duration as the Party committees at the corresponding levels.

The Party's Central Commission for Discipline Inspection elects, in plenary session, its standing committee, secretary and deputy secretaries and reports the results to the Central Committee for approval. Local commissions for discipline inspection at all levels elect, at their plenary sessions, their respective standing committees, secretaries and deputy secretaries. The results of the elections are subject to endorsement by the Party committees at the corresponding levels and should be reported to the next higher Party committees for approval. The question of whether a primary Party committee should set up a commission for discipline inspection or simply appoint a discipline inspection commissioner shall be determined by the next higher Party organization in light of the specific circumstances. The committees of general Party branches and Party branches shall have discipline

inspection commissioners.

The Party's Central Commission for Discipline Inspection shall, when its work so requires, accredit discipline inspection groups or commissioners to Party or state organs at the central level. Leaders of the discipline inspection groups or discipline inspection commissioners may attend relevant meetings of the leading Party organizations in the said organs as non-voting participants. The leading Party organizations in the organs concerned must support their work.

Article 44 The main tasks of the Party's commissions for discipline inspection at all levels are as follows: to uphold the Constitution and other statutes of the Party, to check up on the implementation of the line, principles, policies and decisions of the Party and to assist the respective Party committees in improving the Party's style of work and in organizing and coordinating the work against corruption.

The commissions for discipline inspection at all levels shall frequently provide education for Party members on their duty to observe Party discipline and adopt decisions for the upholding of Party discipline; they shall supervise Party members holding leading positions in exercising their power; they shall examine and deal with relatively important or complicated cases of violation of the Constitution or other statutes of the Party by Party organizations or Party members and decide on or rescind disciplinary measures against Party members involved in such cases; they shall deal with complaints and appeals made by Party members; and they shall guarantee the rights of Party members.

The commissions for discipline inspection at all levels shall report to the Party committees at the corresponding levels on the results of their handling of cases of special importance or complexity, as well as on the problems encountered. The local commissions for discipline inspection at all levels and primary commissions for discipline inspection shall also present such reports to the higher commissions.

If a commission for discipline inspection at any level discovers any violation of Party discipline by a member of the Party committee at the corresponding level, it may take the initial step of verifying the facts and, if it is necessary to put a case on file, it should report to the Party committee at the corresponding level for approval, and if a member of the standing committee of the Party committee is involved, it should first report to the Party committee at the corresponding level and then to the commission for discipline inspection at the next higher level for approval.

Article 45 Higher commissions for discipline inspection have the power to examine the work of the lower commissions and to approve or modify their decisions on any case. If decisions so modified have already been ratified by the Party committee at the corresponding level, the modification must be approved by the next higher Party committee.

If a local commission for discipline inspection or a primary commission for discipline inspection does not agree with a decision made by the Party committee at the corresponding level in dealing with a case, it may demand the commission at the next higher level to reexamine the case; if a local or primary commission discovers cases of violation of Party discipline by the Party committee at the corresponding level or by its members, and if that Party committee fails to deal with them properly or at all, it has the right to appeal to the higher commission for assistance in dealing with such cases.

## Chapter IX

### Leading Party Members' Groups

Article 46 A leading Party members' group may be formed in the leading body of a central or local state organ, people's organization, economic or cultural institution or other non-Party unit. The group plays the role of the core of leadership. Its main tasks are: to see to it that the Party's line, principles and policies are implemented, to discuss and decide on matters of major importance in its unit, to do well in managing affairs concerning cadres, to unite with the non-Party cadres and the masses in fulfilling the tasks assigned by the Party and the state and to guide the work of the Party organization of the unit and those directly under it.

Article 47 The composition of a leading Party members' group is decided by the Party organization that approves its establishment. The group shall have a secretary and, if necessary, deputy secretaries.

A leading Party members' group must accept the leadership of the Party organization that approves its establishment.

Article 48 Party committees may be set up in state organs which exercise centralized leadership over their subordinate units. The Central Committee of the Party shall provide the specific procedure for their establishment and define their functions, powers and tasks.

## Chapter X

### Relationship Between the Party and the Communist Youth League

Article 49 The Communist Youth League of China is a mass organization of advanced young people under the leadership of the Communist Party of China; it is a school where a large number of young people learn about socialism with Chinese characteristics and about communism through practice; it is the Party's assistant and reserve force. The Central Committee of the Communist Youth League functions under the leadership of the Central Committee of the Party. The local chapters of the Communist Youth League are under the leadership of the Party committees at the corresponding levels and of the higher organizations of the League itself.

Article 50 Party committees at all levels must strengthen their leadership over the Communist Youth League organizations and pay attention to selecting and training League cadres. The Party must firmly support the Communist Youth League in the lively and creative performance of its work to suit the characteristics and needs of young people, and give full play to the League's role as a shock force and as a bridge linking the Party with great numbers of young people.

Those secretaries of League committees at or below the county level or in enterprises and institutions who are Party members may attend meetings of Party committees at the corresponding levels and meetings of their standing committees as non-voting participants.

## Chapter XI

### Party Emblem and Flag

Article 51 The emblem of the Communist Party of China is a design of sickle and hammer.

Article 52 The flag of the Communist Party of China is a red flag highlighted by a golden Party emblem on it.

Article 53 The Party emblem and flag are the symbol and sign of the Communist Party of China. Party organizations at all levels and all Party members shall safeguard the sanctity of the Party emblem and flag. Party emblems and flags should be made and used according to

regulations.

[Description of Source: Beijing Xinhua in English -- China's official news service for English-language audiences (New China News Agency)]

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### **"Explanations on Amendment To CPC Constitution"**

[FBIS Transcribed Text] Beijing, Nov. 18 (XINHUA) -- Following is the explanations by the leading official of the secretariat of the 16th National Congress of the Communist Party of China (CPC) on the Amendment to the Constitution of the CPC, which was adopted on Nov. 14 at the Congress.

The official made the explanations during an interview with Xinhua.

Basic reasons for revising the Party Constitution

The Party Constitution currently in force was adopted at the Twelfth National Congress of the CPC in September 1982. In accordance with the changing situation and tasks, revisions were made in some of the articles at the Thirteenth National Congress in November 1987 and in the General Program and some of the articles at the Fourteenth National Congress in October 1992, and very few revisions were made in the General Program at the Fifteenth National Congress in September 1997.

Since the Fifteenth National Congress, historic progress has been registered in China's reform, opening up and socialist modernization drive as the socialist market economy has initially taken shape, the strategic objectives for the second step of the modernization drive have been attained, and on the whole, the people have reached a well-off standard of living. Since the beginning of the new century, China has been in a new stage of development for building a well-off society in an all-round way and accelerating socialist modernization. The Party has set new objectives for development and worked out a new program of action at the new stage in the new century, which necessitates changes in the relevant parts of the Party Constitution.

During these years, fresh progress has been made in the building of our Party, and new valuable experience has been accumulated in this regard. In particular, the important thought of Three Represents put forward by Comrade Jiang Zemin is a concentrated reflection of the fundamental requirements arising from the changes in China and other parts of the world today for strengthening Party building and promoting the great cause of building socialism with Chinese characteristics, and constitutes a new development in the Marxist theory of Party building. All this necessitates a revision of the Constitution, to include the important thought of Three Represents in it.

The general principle followed in the current revision of the Constitution is to uphold the guidance of Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory and the Party's basic line, conscientiously implement the important thought of Three Represents and include in the Constitution the major theoretical viewpoints and major principles and policies established in Comrade Jiang Zemin's report to the Sixteenth National Congress, so as to meet the new requirements arising from the new situation and tasks for the work of the Party and Party building.

Formulated on the basis of an all-round review of our Party's historical experience and in accordance with the specific conditions of

the socialist modernization drive, the Constitution currently in force is viable by and large for guiding Party building. Therefore, minor revisions, not major ones, should be made in the Constitution. Proposed revisions from all quarters concerned have been accepted only if they proved to be mature in practice, and the immature ones have been rejected. The revision made this time highlights the role of the important thought of Three Represents in guiding the Party's work and Party building in the new situation. The revision, in keeping pace with the times and the spirit of reform and innovation, made some appropriate revisions and supplements, while keeping the framework of the Party Constitution unchanged. This is aimed at maintaining the authority and continuity of the Party Constitution. And this enables the Party Constitution to provide better guidance on the work of the Party and Party building, both at present and in a period to come.

Inclusion of the important thought of Three Represents in the Party Constitution

The important thought of Three Represents put forward by Comrade Jiang Zemin has become a deep-rooted consensus of the whole Party. The important thought of Three Represents is included in the Party Constitution to meet the fundamental requirements of the Party in improving its leadership and governance of the state, the objective needs of advancing the cause of building socialism with Chinese characteristics, and the common wish of all comrades of the Party.

Added to the General Program are statements about the historical process since the Fourth Plenary Session of the Thirteenth Central Committee of the Party and the expounding of the historical position and significant role of the important thought of Three Represents. Additions have been made to the 2nd and 19th paragraphs of the General Program and a new 6th paragraph has been written, fully affirming the work of the Party and the achievements in Party building in the 13 years since the Fourth Plenary Session of the Thirteenth Party Central Committee. Also expounded are the practical basis and theoretical sources of the important thought of Three Represents. In the practice of building socialism with Chinese characteristics over the 13 years, the Chinese Communists, with Comrade Jiang Zemin as their chief representative, have acquired a deeper understanding of what socialism is, how to build it and what kind of a party to build and how to build it, accumulated new valuable experience in running the Party and state and formed the important thought of Three Represents. The amended Constitution has expounded the historical position and significant role of the important thought of Three Represents, pointing out that the thought is a continuation and development of Marxism-Leninism, Mao Zedong Thought and Deng Xiaoping Theory, that it reflects the new requirements for the work of the Party and state arising from the changes in China and other parts of the world today, that it serves as a powerful theoretical weapon for strengthening and improving Party building and for promoting self-improvement and development of socialism in China, that it is the crystallized, collective wisdom of the CPC and that it is a guiding ideology that the Party must uphold for a long time to come. Persistent implementation of the "Three Represents" is the foundation for building our Party, the cornerstone for its governance and the source of its strength. The amended Constitution stresses that our Party must take Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory and the important thought of Three Represents as its guide to action. The whole Party must achieve unity in thinking and in action with Deng Xiaoping Theory, the important thought of Three Represents and the Party's basic line.

Additions relating to the articles include: In Article 3, the duties of Party members are expanded to include the study of the important thought of Three Represents; in Article 31, the tasks of the primary Party organizations now include organizing Party members to

conscientiously study the important thought of Three Represents; in Article 34, the earnest implementation of the important thought of Three Represents is added to the basic requirements for leading Party cadres at all levels.

#### Further expounding the nature of the Party

The 1st paragraph of the General Program has been revised as follows: "The Communist Party of China is the vanguard both of the Chinese working class and of the Chinese people and the Chinese nation. It is the core of leadership for the cause of socialism with Chinese characteristics and represents the development trend of China's advanced productive forces, the orientation of China's advanced culture and the fundamental interests of the overwhelming majority of the Chinese people. The realization of communism is the highest ideal and ultimate goal of the Party." This definition of the nature of the Party accords with its past and present and the requirements of our times. It is conducive for the Party to maintain its nature of the vanguard of the working class, to enhance the class foundation of the Party, to extend the coverage of the work of the Party, and to expand the mass foundation of the Party; and it helps all comrades of the Party to profoundly understand and carry out the Party's historical mission, and to rally and lead the people in a joint effort to build socialism with Chinese characteristics.

Making new summary of the Marxist-Leninist theses of the laws governing the development of human society in light of the specific conditions in China

The 3rd paragraph of the General Program has been rewritten in light of the practice of socialism for nearly a century and in response to the profound changes in the domestic and international situation in current years. The amended Constitution stresses that the basic tenets of Marxism-Leninism are correct and have tremendous vitality, that the highest ideal of communism pursued by Chinese Communists can be realized only when the socialist society is fully developed and very advanced, and that the development and improvement of the socialist system is a long historical process. It stresses that, so long as the Chinese Communists uphold the basic tenets of Marxism-Leninism and follow the road suited to China's specific conditions and chosen by the Chinese people of their own accord, the socialist cause in China will be crowned with final victory.

This formulation emphasizes that the CPC will, as always, uphold the basic tenets of Marxism-Leninism and its maximum program and at the same time integrate the basic tenets of Marxism-Leninism with China's practice and lead the people of all ethnic groups around the country in following their own road confidently and building socialism with Chinese characteristics.

New supplements to the General Program on the strategic objectives and guiding principles for China's economic and social development at the new stage in the new century

Since the Fifteenth National Congress of the CPC, the reform and opening up have been deepened, and the targets set by the Party for the 20th century have been met. To meet the needs of China's economic and social development at the new stage in the new century, the following supplements have been made to the General Program.

Specifying the objectives of building a well-off society in an all-round way in the first 20 years of this century. The 7th paragraph of the General Program of the revised version points out: development is our Party's top priority in governing and rejuvenating the country; the strategic objectives of economic and social development at the new stage in the new century are to consolidate and develop the well-off standard of living initially attained, bring China into a well-off society of a higher level to the benefit of well over one billion people by the time



of the Party's centenary and bring the per capita GDP up to the level of moderately developed countries and realize modernization in the main by the time of the centenary of the People's Republic of China.

Adding statements on China's basic economic system and development at the primary stage of socialism. The 7th paragraph of the General Program of the revised version points out: China is at the primary stage of socialism and will remain so for a long period of time; we must uphold and improve the basic economic system, with public ownership playing a dominant role and diverse forms of ownership developing side by side; we must keep and improve the system of distribution under which distribution according to work is dominant and a variety of modes of distribution coexist. The wording of implementation of the strategy of rejuvenating the country through science and education and that of sustainable development has been added to the 9th paragraph of the General Program. Added to the 11th paragraph are the wording that reform and opening up are the only way to make our country strong, and that we must ... keep and improve a socialist market economy.

Adding statements on ruling the country by law and building a socialist country under the rule of law. At its Fifteenth National Congress, the Party summed up its historical experience, particularly that gained in ruling the country since the Third Plenary Session of the Eleventh Party Central Committee, and put forward the basic principle of ruling the country by law and the important task of building a socialist country under the rule of law. At its Sixteenth National Congress, the Party has further proposed to develop socialist democracy and build socialist political civilization; it has elucidated the unity of leadership by the Party, the people being masters of the country and the ruling of the country by law, stressing the need to persevere in their integration and dialectic unity, and to keep building socialist democracy. Addition of these points in the 12th paragraph of the General Program in the amended Constitution shows that the CPC and the Chinese people have full confidence in the road of political development they have chosen and it will help all the Party members further enhance their awareness of the legal system, foster their sense of exercising state power according to law and consciously conduct activities within the framework of the Constitution of the state and other laws.

Adding statements on the combination of ruling the country by law and ruling the country by virtue. The 13th paragraph of the General Program in the amended Constitution has included the statement that the CPC leads the people in their effort to build spiritual civilization as well as material and political civilizations, and to combine ruling the country by law and ruling the country by virtue.

#### Setting new requirements for Party building and its leadership

In the new century, continuing to advance the modernization construction, accomplishing the great cause of reunification of the motherland and safeguarding world peace and promoting the common development constitute three major historical tasks the CPC shoulders.

In light of the Party's tasks, the Constitution has substantiated the content and requirements of Party building in the General Program. It has pointed out clearly that the Party must adhere to its basic line in strengthening and improving Party building; that it must persist in exercising self-discipline and being strict with its members, constantly improve its art of leadership and governance, raise its ability to resist corruption, prevent degeneration and withstand risks, constantly strengthen its class foundation, expand its mass base and enhance its creativity, cohesion and combat effectiveness so that our Party will stand forever in the forefront of the times; that the whole party must use Deng Xiaoping theory, the important thought of the "Three Represents" and the Party's Basic line to unify thinking, unify actions and

unswervingly persist in doing so for a long time; that all Party members must persevere in emancipating their minds, seeking truth from facts and keeping pace with the times and, acting in accordance with the Party's ideological line, explore new ways, boldly experiment with new methods and go in for innovation; that the biggest political advantage of our Party lies in its close ties with the masses while the biggest potential danger for it as a ruling party comes from its divorce from them; and that supervision over leading organs of the Party and over Party members holding leading positions must be strengthened and the system of inner-Party supervision constantly improved.

With regard to the basic requirements for the Party's leadership, the new wording is included to the effect that acting on the principle that the Party commands the overall situation and coordinates the efforts of all quarters, the Party must play the role as the core of leadership among all other organizations at the corresponding levels, and that the Party must improve its system of leadership and raise its governing capacity.

At the same time, in order to further improve the basic system of discussing matters and making decisions within Party committees and make the decision-making more scientific and democratic, Item 5, Article 10 in Chapter II has been revised and improved to make it clear that all major issues shall be decided upon by Party committees after discussion in accordance with the principle of collective leadership, democratic centralism, individual consultations and decision by meetings.

In line with the actual establishment of leading Party members' groups and the work they have been carrying out in recent years, new provisions for the status and tasks of leading Party members' groups have specified. Added to Article 46 in Chapter IX is a reference to giving play to the role of leading Party members' groups as the core of leadership. Added to the tasks of leading Party members' groups is a reference to doing well in managing affairs concerning cadres.

In Article 47, the wording "The members of a leading Party members' group are appointed by the Party committee that approves its establishment" and "A leading Party members' group must accept the leadership of the Party committee that approves its establishment" has been revised as "The composition of a leading Party members' group is decided by the Party organization that approves its establishment" and "A leading Party members' group must accept the leadership of the Party organization that approves its establishment".

The new requirements the Party Constitution has set forth for Party building and its leadership have implemented the important thought of the "Three Represents", summed up the practical experience in recent years and conformed with the development of the situation to facilitate doing a still better job in the building of our Party, so that the all-round implementation of the Party's basic line and smooth development of socialism with Chinese characteristics will be guaranteed.

Proper revisions have been made for Party member applicants. Article 1 in Chapter I has been revised as follows: Any Chinese worker, farmer, member of the armed forces, intellectual or any advanced element of other social strata who has reached the age of eighteen and who accepts the Party's Program and Constitution and is willing to join and work actively in one of the Party organizations, carry out the Party's decisions and pay membership dues regularly may apply for membership in the Communist Party of China. This is beneficial to strengthening the Party's class foundation, expanding its mass base and enhancing its cohesion and influence in society at large.

Item 1, Article 3 in Chapter I clearly included into the obligations Party members must implement the conscientious study of Marxism-Leninism, Mao Zedong Thought and Deng Xiaoping Theory and the important thought of

"Three Represents" and observation of the Party discipline and abide by the laws and regulations of the state in an exemplary way.

Added to Article 34, Chapter VI, is a reference to the need of earnestly putting the important thought of Three Represents into practice, constantly stressing study, political awareness and integrity and being able to stand the test of all trials and tribulations; a reference to the lofty ideal of communism and firm conviction in socialism with Chinese characteristics; a reference to emancipating the mind, keeping pace with the times, blazing new trails in a pioneering spirit and working efficiently; a reference to the requirement of handling matters according to law and exercising self-respect, self-examination, self-caution and self-motivation.

These provisions in the Party Constitution on the essential requirements for leading Party cadres at all levels better accord with the requirements for the times and the reality of strengthening the contingent of cadres.

Supplementing and revising regulations concerning primary organizations of the Party.

In accordance with the new practice in their work, new tasks and requirements have been set forth primary Party organizations for their building in Article 29, Article 30, Article 31 and Article 32 in Chapter V.

The Article 29 adds contents concerning the importance of establishing primary Party organizations in communities, mass organizations and intermediaries. This helps Party organizations and Party work to cover all spheres of society effectively and efficiently.

In Article 30, as it has been revised, provides that a primary Party committee is elected for a term of three to five years instead of the previously prescribed three or four years. The revision makes it possible for the term of office of township or town Party committees or other relevant Party committees to tally with the term of office of Party committees at a higher level. As for what types of primary Party committees have a five-year term of office, additional specifications will be worked out.

In Item 6, Article 31, the wording "attach great importance to admitting outstanding workers, farmers and intellectuals in the forefront of production and work" is revised as "attach great importance to recruiting Party members from among those in the forefront of production and work and from young people". The revision highlights the priority in the recruitment of new Party members and better accords with the reality of our Party membership recruitment.

In Article 32, the term "village Party branches" has been replaced by "Party organizations in villages and communities". The main consideration for the revision is that along with the economic and social development in rural areas, some localities have adjusted the institutional setup of some village Party organizations in light of the needs of their work and the number of Party members, establishing a number of village Party committees or general village Party branches. The term of "village Party organizations" replacing "village Party branches" better accords with the reality in rural areas today. An explicit provision of the leadership of community Party organizations over community work is beneficial to reinforcing the organizational foundation for the Party's work in urban areas.

In Article 32, the term "primary Party organization in an enterprise owned by the whole people" has been revised as "primary Party organization in a state-owned or collective enterprise", and the wording

that the Party organization "backs the factory director (manager) in the exercise of his functions and powers according to law" has been replaced by "backs the meeting of shareholders, board of directors, board of supervisors and manager (factory director) in the exercise of their functions and powers according to law". The revision has also made it clear that they shall provide the leadership for cultural and ethical progress. The revision is conducive to giving better guidance to Party building in state-owned and collective enterprises and promoting their reform and development.

A new provision for the role of a primary Party organization in a non-public economic institution has been added to Article 32. It provides explicitly that the primary Party organization in a non-public economic institution carries out the Party's principles and policies, provides guidance to and supervises the enterprise in observing the laws and regulations of the state, exercises leadership over the trade union, the Communist Youth League organization and other mass organizations, rallies the workers and office staff around it, safeguards the legitimate rights and interests of all quarters and stimulates the healthy development of the enterprise.

The main consideration for the revision is that, with non-public economic institutions becoming an important force in China's economic and social development, strengthening Party building in this domain is suited to the need of upholding and improving the basic economic system for the primary stage of socialism, the need of strengthening the Party's ties with the workers and office staff in non-public enterprises, and the need of consolidating the Party's class foundation and expanding its mass base. The provision for this matter is necessary.

#### Supplementing the main tasks of Party discipline inspection organs

Combating and preventing corruption is a major political task for the whole Party. Added to Article 44 in Chapter VIII concerning the main tasks of the Party discipline inspection organs is an explicit reference to the organs assisting the respective Party committees in organizing and coordinating the work against corruption. The revision has been designed to make the provision more consistent with the anti-corruption leadership system and working mechanism that took shape in practical work, which features unified leadership by Party committees, concerted efforts of the Party and the government, organization and coordination by the Party discipline inspection commissions, division of responsibilities of all departments concerned and reliance on the support and participation of the people. Also added to Article 44's provisions on day-to-day work of the Party discipline inspection organs is a reference to the supervision over the exercise of power by leading Party cadres and the guarantee of the rights of Party members. The revision will make the work of discipline inspection better meet the requirements of the new situation and new tasks. It is also beneficial to developing inner-Party democracy, strengthening inner-Party supervision, and unfolding in a deep-going way the struggle against corruption.

#### Further description of the nature of the Communist Youth League of China

In Article 49, Chapter X, the wording that the Communist Youth League of China "is a school where a large number of young people learn about communism through practice" is changed into "a school where a large number of young people learn about socialism with Chinese characteristics and about communism through practice". The new wording will encourage young people to combine their lofty ideal of communism with their firm conviction in socialism with Chinese characteristics, study hard, work in a down-to-earth manner, stand tests and increase abilities in the great cause of reform, opening up and the socialist modernization drive.

### Adding a new chapter on the Party emblem and flag

The Constitution adopted at the 16th National Congress of the CPC adds Chapter XI on Party emblem and flag. Article 51 stipulates that the emblem of the Communist Party of China is a design of sickle and hammer. Article 52 provides that the flag of the Communist Party of China is a red flag highlighted by a golden Party emblem on it. And according to Article 53, the Party emblem and flag are the symbol and sign of the Communist Party of China, Party organizations at all levels and all Party members shall safeguard the sanctity of the Party emblem and flag, and the Party emblem and flag should be made and used according to regulations. This new chapter will play an important role in safeguarding the sanctity of the Party emblem and flag, give play to the role of the emblem and flag in arousing Party members, increase the Party members' sense of honor and awareness of their mission, and enhance the Party's cohesion and impact.

### Handling of opinions and proposals from Party organizations and Party members

Party organs at all levels and Party members have showed great concern about the revision of the Party Constitution. Party organizations and Party members in various localities and departments wrote to the Central Committee and relevant departments, airing their views and suggestions on revising the Constitution. A draft of the amendment to the Party Constitution was circulated among over 3,000 people within the Party, and they offered many good views and suggestions. These views and suggestions were earnestly studied, and many have been adopted. Some of these views and suggestions had not been adopted but have their main ideas reflected in the report to the 16th National Congress of the CPC. Some other views and suggestions which have not been included in the Party Constitution still need to be further studied in practice. Some would be incorporated into other regulations of the Party. It can be said that in revising the Party Constitution, the wisdom of the whole Party has been applied in a concentrated way through fully practicing inner-Party democracy.

[Description of Source: Beijing Xinhua in English -- China's official news service for English-language audiences (New China News Agency)]