

Constitution Chapter Five: Fundamental Rights and Duties of the Citizen

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Article 49

A citizen of the Socialist Republic of Vietnam is a person with Vietnamese nationality.

Article 50

In the Socialist Republic of Vietnam human rights in the political, civic, economic, cultural and social fields are respected. They are embodied in the citizen's rights and are determined by the Constitution and the law.

Article 51

The citizen's rights are inseparable from his duties.

The State guarantees the rights of the citizen; the citizen must fulfill his duties to the State and society.

The citizen's rights and duties are determined by the Constitution and the law.

Article 52

All citizens are equal before the law.

Article 53

The citizen has the right to participate in the administration of the State and management of society, the discussion of problems of the country and the region; he can send petitions to State organs and vote in referendums organised by the State.

Article 54

The citizen, regardless of nationality, sex, social background, religious belief, cultural standard, occupation, time of residence, shall, upon reaching the age of eighteen, have the right to vote, and, upon reaching the age of twenty-one, have the right to stand for election to the National Assembly and the People's Councils in accordance with the provisions of the law.

Article 55

The citizen has both the right and the duty to work.

The State and society shall work out plans to create ever more employment for the working people.

Article 56

The State shall enact policies and establish regimes for the protection of labour.

The State shall establish working times, wage scales, regimes of rest and social insurance for State employees and wage-earners; it shall encourage and promote other forms of social insurance for the benefit of the working people.

Article 57

The citizen enjoys freedom of enterprise as determined by law.

Article 58

The citizen enjoys the right of ownership with regard to his lawful income, savings, housing, chattel, means of production funds and other possessions in enterprises or other economic organisations; with regard to land entrusted by the State for use, the matter is regulated by the provisions of Articles 17 and 18.

The State protects the citizen's right of lawful ownership and right of inheritance.

Article 59

The citizen has both the right and the duty to receive training and instruction.

Primary education is compulsory and dispensed free of charge.

The citizen has the right to get general education and vocational training in various ways.

With regard to school students with special aptitudes the State and society shall create conditions for them to blossom out.

The State shall enact policies regarding tuition fees and scholarships.

The State and society shall create the necessary conditions for, handicapped children to acquire general knowledge and appropriate job training.

Article 60

The citizen has the right to carry out scientific and technical research, make inventions and discoveries, initiate technical innovations, rationalise production, engage in literary and artistic creation and criticism, and participate in other cultural activities. The State protects copyright and industrial proprietorship.

Article 61

The citizen is entitled to a regime of health protection.

The State shall establish a system of hospital fees, together with one of exemption from and reduction of such fees.

The citizen has the duty to observe all regulations on disease prevention and public hygiene.

It is strictly forbidden to produce, transport, deal in, store and use unlawfully opium and other narcotics. The State shall enact regulations on compulsory treatment of drug addiction and treatment of dangerous social diseases.

Article 62

The citizen has the right to build dwelling-houses accord to zoning regulations and the law. The right of lessees and lessors are protected by the law.

Article 63

Male and female citizens have equal rights in and fields - political, economic, cultural, social, and the family.

All acts of discrimination against women and all acts damaging women's dignity are strictly banned.

Men and women shall receive equal pay for equal work. Women workers shall enjoy a regime related to maternity. Women who are State employees and wage-earners shall enjoy paid pre-natal and post-natal leaves during which they shall receive all their wages and allowances as determined by law.

The State and society shall create all necessary conditions for women to raise their qualifications in all fields and fully play their roles in society, they shall see to the development of maternity homes, pediatric departments, creches and other social-welfare units so as to lighten house work and allow women to engage more actively in work and study, undergo medical treatment, enjoy periods of rest and fulfill their maternal duties.

Article 64

The family is the cell of society.

The State protects marriage and the family.

Marriage shall conform to the principles of free consent, progressive union, monogamy and equality between husband and wife.

Parents have the responsibility to bring up their children into good citizens. Children and grandchildren have the duty to show respect to and look after their parents and grandparents.

The State and society shall recognize no discrimination among children.

Article 65

Children enjoy protection, care and education by the family, the State and society.

Article 66

The family, the State and society shall create favourable conditions for young people to study, work, relax, develop bodies and minds, and shall educate them in morality, national tradition,

civic consciousness and the socialist ideal, for them to be in the van of creative Labour and national defense.

Article 67

War invalids, sick soldiers, and the families of fallen soldiers and revolutionary martyrs shall enjoy preferential treatment in State policies. War invalids shall enjoy favourable conditions for their physical rehabilitation, shall be given employment suited to their state of health and assistance in securing stable living conditions.

Individuals and families credited with meritorious service to the country shall be given commendation and reward and shall be looked after.

Old people, infirm people and orphans without support shall receive State assistance.

Article 68

The citizen shall enjoy freedom of movement and of residence within the country; he can freely travel abroad and return home from abroad in accordance with the provisions of the law.

Article 69

The citizen shall enjoy freedom of opinion and speech, freedom of the press, the right to be informed, and the right to assemble, form associations and hold demonstrations in accordance with the provisions of the law.

Article 70

The citizen shall enjoy freedom of belief and of religion; he can follow any religion or follow none. All religions are equal before the law.

The places of worship of all faiths and religions are protected by the law.

No one can violate freedom of belief and of religion; nor can anyone misuse beliefs and religions to contravene the law and State policies.

Article 71

The citizen shall enjoy inviolability of the person and the protection of the law with regard to his life, health, honor and dignity.

No one can be arrested in the absence of a ruling by the People's Court, a ruling or sanction of the People's Office of Supervision and Control except in case of flagrant offenses. Taking a person into, or holding him in, custody must be done with full observance of the law.

It is strictly forbidden to use all forms of harassment and coercion, torture, violation of his honor and dignity, against a citizen.

Article 72

No one shall be regarded as guilty and be subjected to punishment before the sentence of the Court has acquired full legal effect.

Any person who has been arrested, held in custody, prosecuted, brought to trial in violation of the law shall be entitled to damages for any material harm suffered and his reputation shall be rehabilitated. Anybody who contravenes the law in arresting, holding in custody, prosecuting, bringing to trial another person thereby causing him damage shall be dealt with severely.

Article 73

The citizen is entitled to the inviolability of his domicile.

No one can enter the domicile of another person without his consent, except in cases authorized by the law.

Safety and secrecy are guaranteed to the citizen correspondence, telephone conversations and telegrams.

Domiciliary searches and the opening, control, and confiscation of a citizen's correspondence and telegrams can only be done by a competent authority in accordance with the provisions of the law.

Article 74

The citizen has the right to lodge complaints and denunciations with the competent State authorities against the illegal doings of State organs, economic bodies, social organisations, units of the people's armed forces, or of any individual.

The complaints and denunciations must be examined and settled by the State authorities within the time laid down by the law.

All acts violating the interests of the State, the rights and legitimate interests of collectives and citizens shall be dealt with severely in time. The person who has suffered loss and injury shall be entitled to damages for any material harm suffered and his reputation rehabilitated.

It is strictly forbidden to take vengeance on the person making complaints and denunciations, or to misuse the right to make complaints and denunciations with the aim of slandering and causing harm to another person.

Article 75

The State shall protect the legitimate interests of Vietnamese people residing abroad.

The State shall create the necessary conditions for Vietnamese residing abroad to maintain close ties with their families and native land and to contribute to national construction.

Article 76

The citizen must show loyalty to his motherland.

To betray one's motherland is the most serious crime.

Article 77

It is the sacred duty and the noble right of the citizen to defend his motherland.

The citizen must fulfill his military obligation and join in the all-people national defense.

Article 78

The citizen has the duty to respect and protect the properly of the State and the public interest.

Article 79

The citizen has the duty to obey the Constitution and the law, join in the safeguarding of national security and social order and the preserving of national secrets, and abide by the regulation public life.

Article 80

The citizen has the duty to pay taxes and perform public-interest Labour according to the provisions of the law.

Article 81

Foreigners residing in Vietnam must obey the Constitution and law of Vietnam; they shall receive State protection with regard to their lives, possessions and legitimate interests in accordance with the provisions of Vietnamese law.

Article 82

The Socialist Republic of Vietnam shall consider granting asylum to foreigners struggling for freedom, national independence, socialism, democracy and peace, or are harmed because of their scientific work.