China: The National People’s Congress

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Background Brief: China: The National People’s Congress

Executive Summary

The National People’s Congress (NPC) under its current Chairman, Wu Bangguo, has remained a conservative institution and has not sought actively to increase its authority at the expense of other parts of the political system. Wu’s own pronouncements on the subject of political reform have been very conservative. The NPC as a whole remains firmly under the control of the Chinese Communist Party (CCP).

It has nonetheless developed into a more effective and professional legislative authority, carrying out a busy schedule of legislative activity. It is also becoming more active in providing formal interpretations of the law. It, or at least the Standing Committee, may need to start meeting more frequently to meet legislative demand.

The annual meeting of the NPC has become an important platform for the public presentation of the regime’s economic and social policies. The NPC is likely to continue the trend of developing its role in consensus building. It will also continue to increase its part in providing formal supervision over the activities of the executive, but without developing real teeth. There will not be any significant progress towards the development of Western style multi-party democracy in the NPC or in its electoral processes in the next five years.

A key relationship for the EU will be links between the NPC and the European Parliament. Formal links already exist, but more might be done, especially with the specialist committees of the NPC, for instance the Finance and Economic Committee or the Environment Protection and Resources Conservation Committee, where the EU is likely to have a direct interest in the legislation being prepared. Expert support for the legislative process has been provided in the past in areas such as the criminal law but would still be useful, especially in more complex areas of commercial law.

The National People’s Congress (NPC)

The National People’s Congress (NPC) is China’s national legislative body. In theory, it is the “highest organ of state power” according to China’s current country constitution, and formally holds powers of appointment and dismissal over the President and the Premier as well as over senior Ministers. In practice, it has often been seen as a simple “rubber stamp”, endorsing Party policies and decisions, and providing the formal legal framework for the Party/State to function in the modern age. While it is clear that the NPC cannot fully live up to its billing as the expression of the sovereign power of the Chinese people, it nonetheless occupies an important and significant place in the structure of the Chinese state and is increasingly used both as a platform for announcing major policy directions and as a means for consulting and involving a wide range of interests in the formulation of laws and some key policy documents. The Chairman of the Standing Committee of the NPC currently occupies the second highest ranking position in the Standing Committee of the Central Committee of the CCP which is an indication of the significance in which the office is held within the system. The current Chairman, Wu Bangguo will be stepping down in 2013, and
his successor is likely to hold a similarly senior position in the Party leadership.

This paper will look at how the NPC is constituted and what its principle functions are, examine briefly its record under the current Chairman of the Standing Committee, Wu Bangguo, and will speculate on how the NPC might develop in the next five years. It will attempt to draw some conclusions for the EU’s relationship with this body and for its wider engagement with China.

Meetings and Functions of the NPC

Each NPC is elected (mainly by provincial level People’s Congresses through an indirect process described below) for a fixed five year term. The current 11th NPC was elected in 2008 and the next Congress will be held in 2013. It consists of not more than 3000 deputies, representing China’s 32 provinces, special municipalities and autonomous regions, and special representation from the two Special Administrative Regions of Hong Kong and Macao, and the People’s Liberation Army (all of which have separate electoral procedures). The NPC deputies are elected indirectly and serve for the same term as the NPC itself. The NPC’s full functions, as provided for in the Constitution, are set out in Annex 1. They cover three main areas: legislation, supervision and personnel appointments for the principal offices of the state.

The NPC meets in full session once a year, in February/March, for about two weeks, during which it typically hears and approves reports on the work of the Government (from the Premier), the work of the Supreme Court (from the Chief Justice), the work of the Supreme Procuratorate (from the Chief Procurator), the work of the NPC Standing Committee (from the Chairman of the Standing committee), and reports on the annual economic plan and budget. It also may perform some legislative functions as the full NPC is the only body that can pass China’s most fundamental or basic laws, though most legislative activity is in practice devolved to the NPC Standing Committee. At the first session of each Congress, the NPC formally appoints the President, the Premier, the Vice Premiers and State Councillors, and the Ministers of the State Council, who again serve (in theory) for the whole of the term, although in practice Ministers are replaced more regularly (which is one of the powers of the NPC Standing Committee).

This annual NPC session has become one of the great set pieces in the Chinese political calendar because of the Report on the Work of the government in which the Premier summarises the achievements of the administration over the past year and sets out the main policy guidelines and targets for the coming years. It has over recent years become increasingly open to the press with greater access given to the deputies and regular press conferences presented by government spokesman, culminating in another of the great set pieces, the Premier’s press conference at the end of the session. This is one of the few regular occasions on which a senior member of the leadership meets the press, and although it is carefully managed, it does allow for a more human presentation of the Chinese leadership and their policies.

The annual NPC session also hears, debates and approves the annual economic plan and budget. Once every five years, it also is the body to which the Five Year Programme for the Economic and Social Development (commonly known as the Five Year Plan) is publicly presented, and which has the authority to approve the Programme. The NPC thus occupies
a crucial place in the economic planning system, as the focus for the annual and Five Year Plans and the culmination of the planning processes. The documents that are presented to the NPC have been worked over both at official levels and through a lengthy consultation process whereby representatives of interest groups have their opinions solicited on the draft. In the case of the Five Year Plan/Programme its main provisions are also approved in advance by the Chinese Communist Party (CCP).

The NPC is an important element for consensus building and the reconciliation of differing institutional interests within the Chinese system. The formal presentations to the NPC, especially the Premier’s work report, are the product of detailed and prolonged drafting exercises, bringing together the various interest groups. Much of this goes on behind the scenes, and is carried out before the documents in question are actually presented. The discussion at the NPC remains relatively superfluous to this process. But the NPC and its meetings act as an enabler allowing these processes to take place. It is becoming a much more capable and efficient organisation. It has a number of specialist committees, charged with overseeing specific areas of work, such as the Foreign Affairs Committee and the Finance and Economic Committee. Often the committee members are distinguished professionals in their field including former Ministers and senior officials. But little is revealed of how these committees actually supervise or work in practice. Probably much of the work is done by their professional full-time staff which has grown considerably over the years. They are engaged in a lot of the detailed work of preparing legislation.

The Standing Committee of the NPC

A Standing Committee of the NPC is elected by each new Congress at the beginning of its five year term. The Standing Committee consists of approximately 150 members (all deputies to the NPC), elected by secret ballot at the first session of each new Congress. It also elects a Chairman, currently Wu Bangguo, and a number of Vice Chairmen. The Chairman is the highest ranking legislative/parliamentary figure in China. He presides over the meetings of the NPC and of its Standing Committee. The Standing Committee exercises the powers and functions of the NPC when it is not in session and itself meets every two months (usually for about a week), mainly to take forward the legislative agenda, but also to make formal appointments and dismissals of senior government officials, and to conduct other formal but essential business such as the ratification of treaties. The Standing Committee of the NPC regularly hears reports from the State Council (the Executive) on issues of the day. It has the power to request these reports and others are made on the initiative of the government. The Standing Committee also has the authority to make amendments to the annual economic plan when necessary, and can thus give some flexibility to the planning system through an ability to respond to circumstances. The NPC Standing Committee meets in closed session, though its deliberations and decisions are reported by the official press. The Standing Committee of the NPC is an active and busy body, as is evidenced by the latest annual report on its work which stated that it had: “deliberated and passed 16 bills and draft decisions on legal issues; listened to and deliberated 13 work reports by the State Council, the Supreme People’s Court, and the Supreme People’s Procuratorate; investigated compliance with six laws; conducted investigations and studies on two special topics and made inquiries on three special topics; handled 506 bills submitted by NPC deputies; approved three treaties and accords China
concluded with foreign countries and China's accession to one international convention; made decisions on and approved the appointment or removal of a number of employees in state bodies.”

**Deputies to the NPC**

The 3000 deputies to the NPC are required to attend full sessions of the NPC and the attendant group and general meetings of their delegation. When the NPC is not in sessions they may be called up on to join groups set up for the investigation of specific questions, and have the right to attend meetings of the People’s Congress which elected them. But usually they have other jobs and do not serve as full time parliamentarians. Members of the NPC Standing Committee are elected from the among the Deputies to the NPC. They are elected on the basis that they will represent (1) the Communist Party; (2) other political parties and patriotic and democratic personages not affiliated to any political party; (3) social organizations of workers, youth and women; (4) the People’s Liberation Army; and (5) ethnic minorities with a population more than a million. They have more demanding requirements; they are expected to undertake their duties on a full-time basis and may not serve in a state administrative, judicial or procuratorial position. They are, however, able to hold Party and other positions – for example the most senior Vice Chairman, Wang Zhaoguo, is also a member of the Politburo and Chairman of the All China Federation of Trade Unions.

**The Chinese People’s Political Consultative Conference**

The Chinese People’s Political Consultative Conference (CPPCC) meets at the same time as the NPC, although their set piece events are scheduled separately, and it has a similar five year term. The CPPCC was established before the formal foundation of the People’s Republic of China and acted as the legislative body before the PRC until the National People’s Congress was set up in 1954. The CPPCC has no formal legislative or supervisory powers, and its members are appointed and selected rather than elected. The functions and workings of the CPPCC are covered in a separate ECRAN paper.

**Composition of the NPC: Elections and Democracy**

The NPC consists of not more than 3000 Deputies. They are elected every five years by an indirect process (at provincial level they are elected by the People’s Congress of that province) and special arrangements have been made for the two Special Administrative Regions, for representation from Taiwan, and for the People’s Liberation Army. The exact numbers to represent each constituency are decided by the NPC Standing Committee, which is the body responsible for the process of elections to the full NPC. Direct elections to “People’s Congresses” take place only at the lower levels at which such Congresses exist counties, districts, townships and towns. These elections occur once every five years, in advance of the process of selecting the Deputies for the National People’s Congress. They are a carefully managed process, governed by the Electoral Law passed in 1979, and amended several times, most recently in 2010. In nods towards a democratic process, the voting in both direct and indirect elections is held by secret ballot and the law requires that
the number of candidates exceeds the number of vacancies (and there are specified proportions for this, to cut down on the possibility of too many candidates). Nonetheless, through provisions for the selection and adoption of candidates, the Party has generally managed to ensure that only persons who are politically acceptable are able to stand and be elected for office as a People’s Congress Deputy. Independent candidates are actively discouraged and are seldom able to stand, let alone be elected. The current round of elections, in preparation for the next full People’s Congress in 2013, is being held in 2011. A number of independent candidates have tried to put themselves forward as candidates but have met with a very chilly reception from the authorities. Above the basic levels, the processes are even less transparent and easily manipulated by the Party. It is not a requirement that the Deputies elected by indirect election to provincial or higher People’s Congresses need themselves to be Deputies of the lower People’s Congress which elects them. Thus members of the senior leadership are elected by a wide range of provinces with which they have no obvious immediate connection. The final outcome is a group of deputies for the National People’s Congress in which members of the Communist Party comprise about 70 per cent of the total and the body as a whole is largely amenable to the party’s direction. In any case, a further check is added as the Standing Committee of the outgoing NPC is the body in charge of organising and supervising the election of the Deputies to its successor.

There was one further amendment made to the electoral process during the current term, to rectify what was becoming an increasingly anomalous position whereby the number of voters in each rural electoral unit was four times the number in each urban unit. The Electoral Law was amended in 2010 to allow for equal representation in legislative bodies to rural and urban people. This was hailed by the Chinese press as being of great significance to the improvement of the people’s congress system and the development of the socialist democracy, as it could better demonstrate equality among people, regions and ethnic groups. The old system could possibly have had some justification when the rural population was 80% of the whole (on the grounds of trying to establish a rough equality between urban and rural interests) – but made no sense at all following the rapid urbanisation of Chinese society in recent years and was resulting in the serious under representation of the countryside and its interests.

**Supervision**

Much is made of the important supervisory role of the National People’s Congress. In 2006 a Law on the Supervision by the Standing Committee of People’s Congresses at all levels was passed. The law requires Congresses to supervise the work of the people’s governments, courts and procuratorates in order to promote administration according to the law and the impartial administration of justice. The main way in which this function is performed at national level is through the annual reports to the Congress submitted by the Premier, the Head of the State Planning apparatus and Minister of Finance, and the heads of the two branches of the judiciary. Although these reports are formally debated by the deputies in the course of the annual two week session and some minor amendments are often made to the text of the documents, there is no forensic questioning of the content of the report and they are invariably accepted by the Congress in full session. There have been a number of occasions on which there were significant numbers of votes cast against (or abstentions
from) some of the reports, most usually they were against the report of the Chief Procurator and were widely interpreted as signs of strong dissatisfaction with the performance of that body particularly over its failure to tackle corruption effectively – which is one of the main tasks of the Procuratorate. But these votes have never been sufficient to reject the report or to bring about either a change in the leadership of the Procuratorate or a major change in policy. In the lifetime of the present Congress, since 2008, such large scale demonstrations of dissatisfaction have not really occurred, although the voting on the reports (and on other issues) is never unanimous and contains a varying number of abstentions and votes against.

Opposition at the NPC

The current holder of the office of Chairman of the NPC Standing Committee is very much part of the central leadership caucus and has not tried in any significant way to augment the powers and influence of the NPC at the expense of the other organs of state. But this was not always the case. Individual leaders such as Peng Zhen and Qiao Shi in the 1980’s and 1990’s tried to use the NPC to expand their influence within the state system, and there has been a generalised trend of the NPC seeking to become more active, especially in its monitoring and supervision of government activities. But there has been no real attempt to set the NPC against the other branches of the system. There have been considerable tussles over some pieces of legislation, such as the Property Law in 2006 but these have tended to be part of wider political/debate rather than the NPC seeking to assert itself as an independent political actor.

The NPC as a Legal Authority

The NPC has the power, above that of the Supreme People’s Court, to interpret the legislation that it passes. This power has been exercised most notoriously in the case of the Hong Kong Basic Law where the NPC Standing Committee has issued a number of decisions and interpretations of the Basic Law mainly in the context of political development in Hong Kong. It has tended to take a conservative and literalist view of the provisions of the law. But it is difficult to judge whether this is the result of political climate in Beijing which has always been suspicious of a faster pace of democratic development in Hong Kong or whether this is a reflection of the jurisprudential approach of the National People’s Congress. It has also issued decisions and interpretations on a number of other laws, and normally does so when “the specific meaning of a provision needs to be further defined” or when new developments “make it necessary to define the basis on which to apply the law”. It makes these interpretations following a request from an appropriate executive or judicial authority. What the NPC has not been called upon to do is provide interpretations of China’s own basic law, the constitution. There is no constitutional court in China and there have been no legal challenges to executive decisions or actions based on reference to the provisions of the Constitution. The authority to interpret the Constitution is firmly vested in the NPC.

The NPC Under Wu Bangguo

Wu Bangguo has served two full terms as Chairman of the NPC Standing Committee, being
first elected in 2003, following his promotion to the Standing Committee of the Politburo the previous year. Wu's ties and his political inclinations are with the more conservative wing of the party. He served for many years in Shanghai, alongside Jiang Zemin, and was then a Vice Premier in the State Council under first Li Peng and then the more reform minded Zhu Rongji. His predecessor as Chairman of the NPC Standing Committee was Li Peng, a particularly hard line figure, and Wu does not appear to have wanted to rock the boat while continuing to build up the effectiveness of the NPC as a legislative body and trying to make it more responsive to the changing needs of China’s governmental system. He set up a comprehensive review of China’s legislation in 2009 and 2010, and claimed to have met the political target set by the Party of establishing a comprehensive legal system with Chinese characteristics by 2010.

The NPC, under Wu, has deliberately set out to give the impression of a workmanlike and efficient organisation, taking its responsibilities seriously, but without seeking to pose any challenge to the political status quo. Unlike some of his predecessors who occasionally tried to use the NPC to further their own political ambitions or to influence the course of the political debate in China, Wu has been content to concentrate on efficient administration and on avoiding controversy. While he has presided over a period of gradual opening up of the NPC’s proceedings and activities to a wider audience, and a greater measure of transparency in its action, he has nonetheless ensured that it has not been used as any sort of vehicle for voicing comments that deviate significantly from the political mainstream.

His political pronouncements have been infrequent, but they have all come very much from the more conservative end of the spectrum. He has shown no interest in fundamental political reform or in moving the NPC towards a more “Western” style of democratic behaviour. His two most reported sets of remarks were in 2009 and 2011, both following a very similar line. In March 2011 he said that “we have made a solemn declaration that we will not employ a system of multiple parties holding office in rotation; diversify our guiding thought; separate executive, legislative and judicial powers; use a bicameral or federal system; or carry out privatisation.”

**International Relations**

The current Chairman of the NPC Standing Committee, Wu Bangguo, has a busy schedule of formal visits to foreign countries, which are treated by the Chinese on a par with the most senior visitors and a significant part of its overall diplomatic effort. In addition to meetings with senior parliamentary figures, he invariably seeks meeting with top State and Government leaders wherever he travels and speaks with authority similar to that of the President or the Premier. Chairman Wu is also involved in the reception of senior state visitors to China.

Relations between the NPC and the European Parliament have not always been easy. The European Parliament has on occasion passed resolutions or taken stances on issues such as human rights, Tibet, and the status of Taiwan which the Chinese government has found objectionable. These objections have sometimes been voiced by statements issuing from the NPC or its leaders condemning the Parliament’s actions. But there is nonetheless a long established parliamentary exchange with China, which held its 32nd exchange in China in September 2011, and senior visits have taken place regularly in both directions.
Future of the NPC

It will be difficult for the NPC to develop any significant new role over the next five years. The new Party leadership, which will be elected in 2012, is likely to wish to pursue the same consensus driven political orientation as its predecessors. This is all the more likely in the case of the first term of their leadership. There is no evidence of any significant appetite in the prospective new leadership for substantive political reform which might lead to major changes in the way the NPC is constituted or operated. To a degree the role of the NPC will depend on who is elected the Chairman of its Standing Committee in 2013. The new Chairman will be a senior member of the Politburo Standing Committee which will be elected at the Party Congress in 2012, and his appointment will part of the carefully orchestrated balance and allocation of political power within the Chinese system that the Congress will produce. There will be no immediate temptation for the Chairman to use his office or the machinery of the NPC to further his political ambitions or to upset that balance. That said, the current Chairman has taken a particularly conservative and unchallenging approach. If the future Chairman were to be a figure of the stature and ambition of someone like Bo Xilai (the current party Secretary of Chongqing, but a potential candidate for promotion to the Standing Committee at the next Congress) then there might an attempt to make the NPC more obviously central to the political process as has been attempted in the past. But the office is more likely to go to a less controversial figure with strong Party connections such as Li Yuanchao (or possibly He Guoqiang if he remains in the top leadership).

The trend towards developing more channels for the supervision of the administration is also likely to continue. The Chinese leadership is struggling to find ways in which to respond to mounting manifestations of popular dissatisfaction with the way in which systems function: repeated examples of poor or corrupt administration from all walks of life are being reported in the press. Systemic failures like those presumably behind the Wenzhou rail crash in August 2011 do not get fully investigated. There is a potential role here for the NPC, with its carefully controlled and selected membership, and its existing place within the system, to exercise more of a public supervisory role, holding the executive to some form of account but without threatening the system. Despite the political standing of the Chairman of the Standing Committee, the NPC itself has neither the political nor the institutional weight within the Chinese system to direct or supervise the operations of the executive much more closely. But it can give some public expression on areas of concern within a controlled environment such as the annual session of the NPC. This can be a useful safety valve for the regime but it is unlikely to become a focus for concerted opposition to acts of the executive. Moreover, the current Chairman has specifically rejected any idea resembling a separation of powers on a Western model.

Legislation is likely to remain a relatively slow and protracted affair. New laws commonly now have two or more readings at the Standing Committee before they are passed, and the more important laws have to wait for the annual session of the NPC. It may be that the Standing Committee will have to increase the frequency and/or the length of its sittings. As Chinese society becomes increasingly complex and dependent on some form of legal structure to support it, the demand for legislation can only grow. The NPC Standing Committee still performs its functions in a rather stately fashion. Granted much of the work has already been done before any legislation reaches the Standing committee, but if it is to
take its legislative and scrutinising roles more seriously it will need to increase both the care
with which it examines and deliberates legislation and the amount of legislation that it
passes. Both these are likely to increase demands on the time of Standing Committee and
this is without any consideration being given to its much heralded role of supervising the
executive and calling it to account.

Should the PRC ever move further towards a legally based system in which legal challenges
to the executive become more common, the NPC occupies a potentially crucial position as
the sole authority to interpret the Constitution, and indeed the other laws that it passes. It
is beginning to issue more decisions and interpretations and to take a more active role in
the administration of the law.

In the much longer term, the NPC holds a number of seeds of potential political and
procedural change. In the past it has been able to be used on occasion as a blocking
mechanism for the introduction of controversial new pieces of legislation, and has shied
away from others that could have a significant impact on the way in which China operates.
There would certainly be scope for a more pro-active NPC to take a greater role in the
initiation of legislation.

Electoral reform, allowing legislators to be directly elected, would be a major change – but
there is no immediate prospect of this happening. Wu Bangguo has made his opposition to
any such process very clear, and he is likely to have spoken with the full authority of the
current leadership behind him. While China may undertake more experiments with direct
elections in various lower parts of the system, it will be extremely wary of any form of direct
election at national level, with all the potential that might have for opening up some form of
political opposition to the Party.

**Recommendations**

The most obvious partner for the NPC is the European Parliament. Formal mechanisms of
exchange already exist and regular meetings take place. These should continue, and be
broadened and deepened. Scope exists, for example, on exchanges on the duties and
responsibilities of deputies on supervision and questioning of the executive and how this
might be most effectively done.

As the scope and pace of the NPC’s legislative activity will inevitably increase, connections
should be developed with the specialist committees of the NPC, both the members and
their staff. Committees such as the Finance and Economics Committee have an important
role in the development of commercial and economic legislation. There is a clear EU interest
in how Chinese legislation in these areas develops.
Annex I: The Powers and functions of the NPC and its Standing Committee

ARTICLES 62, 63 and 67 OF THE PRC CONSTITUTION:

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

(1) to amend the Constitution;
(2) to supervise the enforcement of the Constitution;
(3) to enact and amend basic laws governing criminal offences, civil affairs, the State organs and other matters;
(4) to elect the President and the Vice-President of the People's Republic of China;
(5) to decide on the choice of the Premier of the State Council upon nomination by the President of the People's Republic of China, and on the choice of the Vice-Premiers, State Councillors, Ministers in charge of ministries or commissions, the Auditor-General and the Secretary-General of the State Council upon nomination by the Premier;
(6) to elect the Chairman of the Central Military Commission and, upon nomination by the Chairman, to decide on the choice of all other members of the Central Military Commission;
(7) to elect the President of the Supreme People's Court;
(8) to elect the Procurator-General of the Supreme People's Procuratorate;
(9) to examine and approve the plan for national economic and social development and the report on its implementation;
(10) to examine and approve the State budget and the report on its implementation;
(11) to alter or annul inappropriate decisions of the Standing Committee of the National People's Congress;
(12) to approve the establishment of provinces, autonomous regions, and municipalities directly under the Central Government;
(13) to decide on the establishment of special administrative regions and the systems to be instituted there;
(14) to decide on questions of war and peace; and
(15) to exercise such other functions and powers as the highest organ of state power should exercise.

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

(1) the President and the Vice-President of the People's Republic of China;
(2) the Premier, Vice-Premiers, State Councillors, Ministers in charge of ministries or commissions, the Auditor-General and the Secretary-General of the State Council;
(3) the Chairman of the Central Military Commission and other members of the Commission;
(4) the President of the Supreme People's Court; and
(5) the Procurator-General of the Supreme People's Procuratorate.
Article 67 The Standing Committee of the National People's Congress exercises the following functions and powers:

(1) to interpret the Constitution and supervise its enforcement;

(2) to enact and amend laws, with the exception of those which should be enacted by the National People's Congress;

(3) to partially supplement and amend, when the National People's Congress is not in session, laws enacted by the National People's Congress, provided that the basic principles of these laws are not contravened;

(4) to interpret laws;

(5) to review and approve, when the National People's Congress is not in session, partial adjustments to the plan for national economic and social development or to the State budget that prove necessary in the course of their implementation;

(6) to supervise the work of the State Council, the Central Military Commission, the Supreme People's Court and the Supreme People's Procuratorate;

(7) to annul those administrative regulations, decisions or orders of the State Council that contravene the Constitution or other laws;

(8) to annul those local regulations or decisions of the organs of state power of provinces, autonomous regions, and municipalities directly under the Central Government that contravene the Constitution, other laws or administrative regulations;

(9) to decide, when the National People's Congress is not in session, on the choice of Ministers in charge of ministries or commissions, the Auditor-General or the Secretary-General of the State Council upon nomination by the Premier of the State Council;

(10) to decide, when the National People's Congress is not in session, on the choice of other members of the Central Military Commission upon nomination by the Chairman of the Commission;

(11) to appoint or remove, at the recommendation of the President of the Supreme People's Court, the Vice-Presidents and Judges of the Supreme People's Court, members of its Judicial Committee and the President of the Military Court;

(12) to appoint or remove, at the recommendation of the Procurator-General of the Supreme People’s Procuratorate, the Deputy Procurators-General and procurators of the Supreme People's Procuratorate, members of its Procuratorial Committee and the Chief Procurator of the Military Procuratorate, and to approve the appointment or removal of the chief procurators of the people's procuratorates of provinces, autonomous regions, and municipalities directly under the Central Government;

(13) to decide on the appointment or recall of plenipotentiary representatives abroad;

(14) to decide on the ratification or abrogation of treaties and important agreements concluded with foreign states;

(15) to institute systems of titles and ranks for military and diplomatic personnel and of other specific titles and ranks;

(16) to institute State medals and titles of honour and decide on their conferment;
(17) to decide on the granting of special pardons;

(18) to decide, when the National People's Congress is not in session, on the proclamation of a state of war in the event of an armed attack on the country or in fulfilment of international treaty obligations concerning common defence against aggression;

(19) to decide on general or partial mobilization;

(20) to decide on the imposition of martial law throughout the country or in particular provinces, autonomous regions, or municipalities directly under the Central Government; and

(21) to exercise such other functions and powers as the National People's Congress may assign to it.

**Annex II: The Leadership and Committees of the NPC**

CHAIRMAN OF THE STANDING COMMITTEE: Wu Bangguo

VICE CHAIRMEN OF THE STANDING COMMITTEE: Wang Zhaoguo, Lu Yongxiang, Uyunqimeg, Han Qide, Hua Jianmin, Chen Zhili, Zhou Tienong, Li Jianguo, Ismail Amat, Jiang Shusheng, Chen Changzhi, Yan Junqi, Sang Guowei

SECRETARY GENERAL: Li Jianguo.

SPECIALIST COMMITTEES:

- Nationalities Committee: Ma Qizhi
- Law Committee: Hu Kangsheng
- Internal and Judicial Affairs Committee: Huang Zhendong
- Finance and Economics Committee: Shi Xiushi
- Education, Science, Culture and Public Health Committee: Bai Keming
- Foreign Affairs Committee: Li Zhaoxiang
- Overseas Chinese Committee: Gao Qiren
- Environmental Protection and Resources conservation Committee: Wang Guangxi
- Agriculture and Rural Committee: Wang Yunlong

WORKING AND ADMINISTRATIVE BODIES:

- General Office
- Legislative Affairs Commission
- Budgetary Affairs Commission
- Credentials Committee, Hong Kong Special Administrative Region Basic Law Committee
- Macao Special Administrative Region Basic Law Committee