



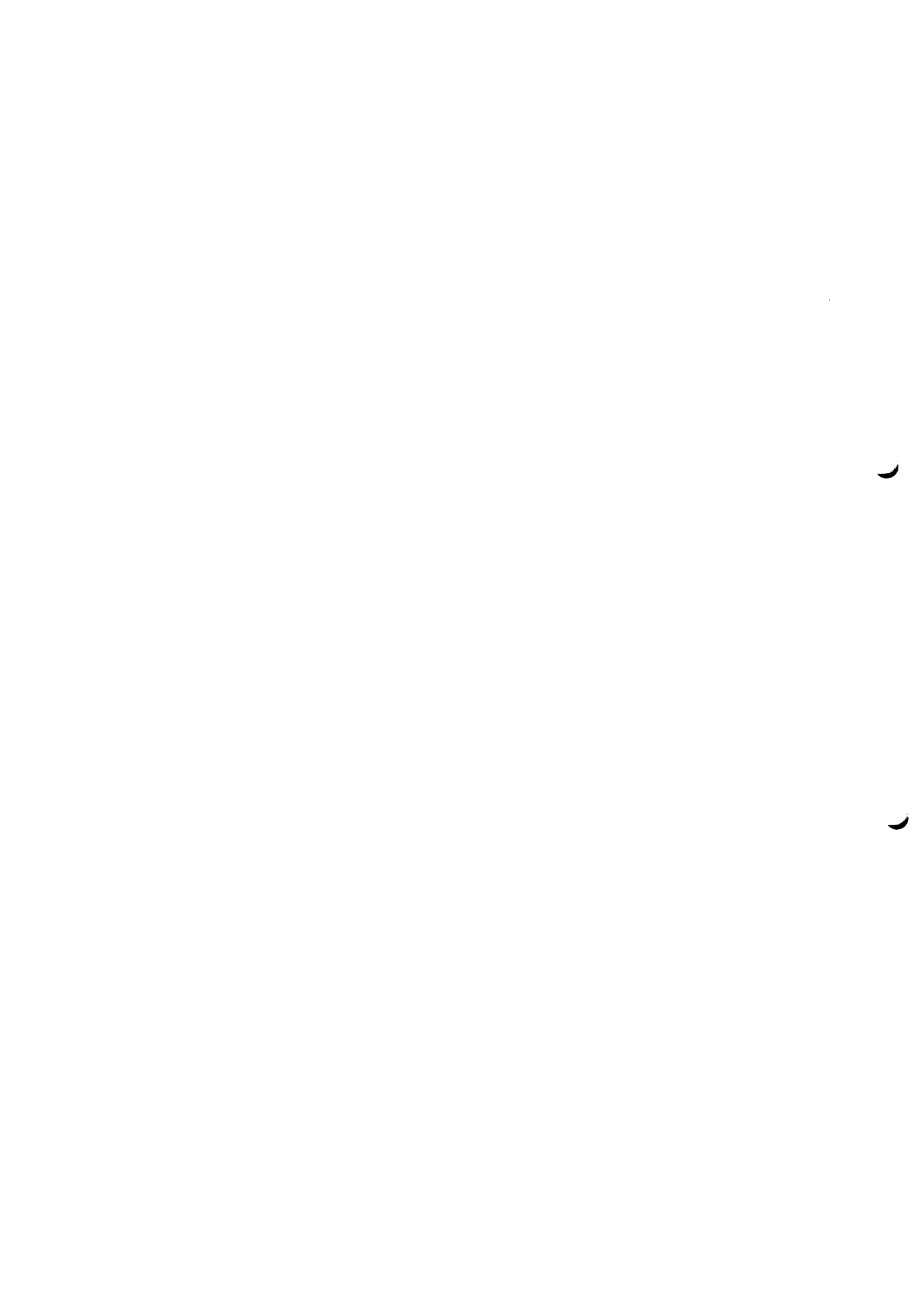
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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

DRAFT CONSTITUTION OF THE RUSSIAN FEDERATION

**Submitted to the Commission
on 13 November 1992**



THE CONSTITUTION OF THE RUSSIAN FEDERATION

We, the multinational people of the Russian Federation, united by common destiny on our land, holding the sacred memory of the ancestors who gave us the love for our Homeland and bright faith in the good and justice, establishing freedom, human rights and deserved life, civil peace and accord, preserving the historically evolved state unity, reviving Russia and making her democratic statehood inviolable, proceeding from the responsibility for our Motherland to the present and future generations, realizing ourselves as part of the world community, do hereby establish and adopt this Constitution for the Russian Federation and proclaim it the supreme law of our community.

SECTION 1. BASIC PRINCIPLES OF THE CONSTITUTIONAL SYSTEM

Article 1. State Sovereignty

(1) The Russian Federation - Russia - shall be a sovereign, law-based, democratic, federal and social State. The names of the state of the Russian Federation and Russia shall be equipollent.

(2) The multinational people shall be the bearer of sovereignty and the only source of the state power in the Russian Federation.

(3) The Russian Federation shall possess supreme authority in respect of its territory and the air space over it, independently define and carry on its internal and policies, adopt the Constitution of the Russian Federation and federal laws having supremacy throughout the territory of the Russian Federation.

(4) The State shall be an official representative of society. It shall serve the whole of society and not any part of it and shall be responsible to the man and citizen.

(5) The republican form of government shall be established in the Russian Federation.

(6) The State shall be secular and give no preference to any religion or atheism

Article 2. Man, His rights and Freedoms as a Supreme Value.

(1) Man, his life and health, honor and dignity, personal inviolability and security, rights and freedoms shall be a supreme value in the Russian Federation.

(2) The Russian Federation shall secure the rights and freedoms of the man and citizen according to the provisions of the Constitution of the Russian Federation and the generally recognized principles and norms of international law.

Article 3. Supremacy of Law

(1) The State and its bodies, local self-government bodies, enterprises, institutions, non-governmental associations, office holders and private citizens shall be subordinate to law and the Constitution of the Russian Federation based on it.

(2) The Constitution of the Russian Federation shall have a direct effect and shall be applicable throughout the territory of the Russian Federation. The laws and other legal acts which are inconsistent with the Constitution of the Russian Federation shall be null and void.

(3) All laws shall be officially published. Non-published laws shall not be applicable. Other normative acts affecting the rights, freedoms and duties of man and citizen may not be applied unless they have been published officially for general information.

(4) The generally recognized principles and the rules of international law and the international treaties and agreements of the Russian Federation shall form part of its law. Where an international treaty or agreement ratified by the Russian Federation establishes rules other than those contained in a law, the rules of this international treaty or agreement shall apply.

Article 4. Government by the People

(1) The people of the Russian Federation shall exercise their power directly and also through the system of the state bodies and local self-government in the forms and within the limits established by the Constitution of the Russian Federation and laws.

(2) Elections of the state bodies provided by the Constitution of the Russian Federation shall be free and conducted on the basis of universal, equal and direct suffrage by secret ballot.

(3) No part of society, no associations and no private person may acquire power in the State. Usurpation of the state power shall be a very grave crime.

(4) Citizens of the Russian Federation shall have the right to resist any attempt to effect a violent change or overthrow of the existing constitutional system.

Article 5. Political pluralism

(1) Democracy in the Russian Federation shall be realized on the basis of political, economic and ideological diversity, the multiple party system, and the free participation of citizens in political life.

(2) No ideology may be established as governmental and obligatory for all people.

Article 6. Separation of Powers

(1) The system of the state authority in the Russian Federation shall be based on the principles of its separation into legislative, executive and judicial powers, of demarcation of terms of reference and powers between the Russian Federation and the Republics, territories, regions, the cities of Moscow and St. Petersburg, autonomous regions and autonomous areas, and also local self-government.

(2) Organs of legislative, executive and judicial authority shall function independently. They shall have no right to transcend the powers established for them by the Constitution of the Russian Federation and laws.

Article 7. Federal State

(1) The state-territorial structure of the Russian Federation shall be based on the principles of federalism. It is to secure the unity of the Russian Federation, the decentralization of state power and realize the right of peoples for self-determination.

(2) The basic principles of the legal status of the Republics, regions, the cities of Moscow and St. Petersburg, autonomous regions, autonomous areas shall be established and guaranteed by the Constitution of the Russian Federation. The constitutional-legal status of the cities of Moscow and St. Petersburg shall correspond to the constitutional-legal status of a territory or region.

(3) The powers of state government, which are not referred by the Constitution to the jurisdiction of the Russian Federation or to the joint terms of reference of the Russian Federation and the Republics, territories, regions, autonomous regions, autonomous areas, shall belong to the Republics, territories, regions, autonomous regions, autonomous areas and shall be exercised by them independently in accordance with the Constitution of the Russian Federation, the constitutions of the Republics, the charters of territories and regions, and federal laws on autonomous regions and autonomous areas.

Article 8. Social State

(1) The social task of the Russian Federation shall be the provision of equal and just opportunities for the personality's development and the achievement of the well-being of man and society.

(2) The State shall protect the labor and health of people, determine the subsistence minimum and the minimum level of wages and salaries, provide support for the family, maternity, paternity and childhood, disabled and elderly persons, develop the system of social services, institute pensions, and issue other guaranties of social protection.

(3) The State shall pursue a human democratic policy, create the necessary conditions for the cultural development of man and society and secure ecological safety and rational nature use.

Article 9. Diversity of Forms of Economic Activity

The social market economy where there is freedom of economic activity, entrepreneurship and labor, diversity and equality of forms of property, their legal protection, fair competition, and public benefit shall constitute the basis of the economy of the Russian Federation.

(2) The state shall regulate economic life in the interest of man and society.

(3) Economic relations shall be built on social partnership between man and the State, the worker and the employer, the producer and consumer.

Article 10. The Entry of the Russian Federation into an Alliance of States

The Russian Federation shall be entitled to enter into an alliance with other states and in established cases leave it, to take part in the creation of the alliance bodies and to give to them part of its powers.

Article 11. The Russian Federation in the World Community.

The Russian Federation shall be a full-fledged member of the world community, observe the generally recognized principles and rules of international law, own international treaties and agreements, may participate in international organizations and other associations, systems of collective security and seek towards universal and just peace, mutually beneficial international cooperation and settlement of global problems.

Article 12. Integrity and Stability of the Constitutional system

(1) Provisions established in the present section of the Constitution shall constitute the basic principles of the constitutional system of the Russian Federation.

(2) Provisions of the subsequent sections of the Russian Federation may not contradict the basic principles of the constitutional system of the Russian Federation.

(3) The provisions of the present section of the Constitution shall be amended by a referendum of the Russian Federation, a nationwide vote.

SECTION 2. FUNDAMENTAL RIGHTS, FREEDOMS AND DUTIES
OF MAN AND CITIZEN

CHAPTER 1. GENERAL PROVISIONS

Article 13

(1) The fundamental rights and freedoms of man shall be unalienable and belong to him from birth.

(2) The list of rights and freedoms of man and citizen contained in the Constitution of the Russian Federation shall not be exhaustive, shall not detract from the other rights and freedoms and may be supplemented by law.

(3) The rights and freedom of man and citizen may not be restricted otherwise than by the Constitution of the Russian Federation and the law with the purpose of protecting the constitutional system of the Russian Federation, social morality, the rights and freedoms of other persons.

(4) By-laws that restrict the rights and freedoms of man and citizen shall have no legal force.

Article 14

(1) Every person shall be a subject of law and be recognized in this capacity.

(2) All persons shall be equal before the law and have the right to the equal protection of the laws.

(3) All persons shall be equal in their rights and freedoms, regardless of race, color of skin, nationality, sex, language, social descent, property, social and official status, convictions, attitude to religion, participation in voluntary associations, place of residence and other circumstances. Infringement of equality depending on these circumstances shall be punishable by law.

(4) The rights and freedoms of persons belonging to ethnical minorities shall be guaranteed in accordance with the constitution of the Russian Federation, the generally

recognized principles and rules of international law and the international treaties and agreements.

Article 15.

(1) Enjoyment by man and citizen of his rights and freedoms shall not infringe upon the rights and freedoms of other persons.

(2) Enjoyment of rights and freedoms for a forcible change as the overthrow of the constitutional system of the Russian Federation, propaganda and incitement of racial, national, social, religious hatred and hate and also violence and war shall be prohibited.

CHAPTER II. CITIZENSHIP

Article 16

(1) Every person shall have the right to the acquisition and termination of citizenship of the Russian Federation in accordance with the federal law.

Citizenship of the Russian Federation shall be equal for all citizens irrespective of the grounds on which it was acquired.

(2) A citizen of the Russian Federation may not be deprived of his citizenship or his right to change citizenship.

(3) A citizen of the Russian Federation may not be deported beyond the boundaries of the Russian Federation.

(4) A citizen of the Russian Federation may not be extradited to another state otherwise than on the grounds of generally recognized rules of international law or an international treaty or agreement of the Russian Federation.

(5) The Russian Federation shall guarantee to its citizens protection and patronage beyond its boundaries.

Article 17

(1) Republics may institute their citizenship. All citizens of the Republics shall be citizens of the Russian Federation. Citizens of the Russian Federation shall be citizens of the Republic in which they are domiciled, if the Republic has instituted its citizenship. Citizenship of the Republic in other cases shall be acquired in accordance with the law.

(2) Republics, territories, regions, autonomous regions, autonomous areas shall have no rights to restrict or abrogate rights and freedoms, and also to alter or revoke duties ensuing from citizenship of the Russian Federation.

Article 18

(1) A citizen of the Russian Federation may hold citizenship of a foreign state in accordance with the federal law or an international treaty or agreement of the Russian Federation.

(2) The fact that a citizen of the Russian Federation is a national of a foreign State shall not detract from his rights and freedoms and shall not release him from the duties ensuing from citizenship of the Russian Federation, unless otherwise provided for by the Constitution of the Russian Federation, the federal law or the international treaty or agreement of the Russian Federation.

Article 19

(1) Persons who are not citizens of the Russian Federation but reside on its territory on legal grounds shall enjoy rights and freedoms and bear duties on a par with citizens of the Russian Federation without exceptions introduced by the Constitution of the Russian Federation, the federal law and international treaties and agreements of the Russian Federation.

(2) The Russian Federation shall grant the right of asylum to foreign nationals and stateless persons in accordance with generally recognized rules of international law and the federal law adopted on their basis.

CHAPTER III. CIVIL AND POLITICAL RIGHTS AND FREEDOMS

Article 20

(1) Every person shall have the right to life. In the Russian Federation, no one may be arbitrarily deprived of his or her life.

(2) The State seeks to abolish capital punishment.

Until its revocation capital punishment may be imposed by the federal law as the extraordinary penalty for the gravest crimes committed against man and may be appointed solely by the judgement of jury.

Article 21

(1) Every person shall have the right to liberty and personal inviolability..

(2) Restriction of liberty, including arrest, shall take place only by decision of a court of law. Pending the judicial decision the person may not be detained for a period exceeding 48 hours. The legality of detention shall be verified by a court of law.

(3) Grounds for restricting personal inviolability may be instituted by the federal law.

(4) No one may be subjected to violence, torture or any other degrading treatment and punishment.

(5) No one may be subjected to scientific, medical, military and any other experimentation without his or her consent.

Article 22

(1) Every person shall have the right to the inviolability of his or her private life, to the privacy of correspondence, talks, postal, telephone, telegraphic and other communications. Restriction of this right shall be allowed on the strength of a law or a judicial decision.

(2) Every person shall have the right to the protection of his or her dignity and reputation.

(3) Collections, safekeeping, use and dissemination of information about the person's private life without his or her consent shall not be allowed, except in cases prescribed by the federal law.

(4) A citizen of the Russian Federation shall have the right to get conversant with the documents and materials directly affecting his or her rights and freedoms and to receive pertinent information placed at the disposal of a state agency, local self-government body, enterprise, institution, voluntary association or official.

Article 23

(1) The home shall be inviolable. No one may enter a home against the will of those residing in it. The federal law may provide for exceptions from this rule in the interest of protecting the people's life and health and preventing the infliction of considerable damage on the home or the property therein.

(2) Searches and other actions committed with the penetration of a home shall be allowed solely on the strength of the federal law or a decision. In urgent cases the federal law may prescribe a different procedure for the subsequent obligatory judicial verification of the legality of such actions.

Article 24

(1) Every person who stays on the territory of the Russian Federation on a lawful basis shall have the right to the freedom of movement and to the choice of his or her place of stay and residence within the bounds of the Russian Federation.

(2) Every person may freely leave the Russian Federation. Citizens of the Russian Federation shall have the right to return to the Russian Federation unhindered.

(3) Limitations on the rights enumerated in the present Article may be imposed by the federal law.

Article 25

(1) Every person shall have the right to enjoy his or her freedom of thought and speech and to opinion and conviction. No one may be forced to express his or her opinion

(2) Every person shall have the right to carry on a free retrieval, receipt, production and distribution of information by any lawful method.

(3) Limitations of these rights may be imposed by the federal law for the purpose of protecting personal, family, professional commercial, official or state secrets and also public morality. The list of data comprising the official or state secrets shall be established by the federal law comprehensively.

Article 26

Every person shall be guaranteed freedom of conscience - the right to freely profess or not to profess any religion, to choose, hold and spread religious, non-religious and other convictions and act pursuant to them subject to the observance of law.

Article 27

(1) Every person shall have the right to freely determine and indicate his or her nationality. No one shall be forced to determine and indicate his or her nationality.

(2) Every person shall have the right to use his or native language, to freely choose the language of intercourse, education, instruction and creative work.

(3) Impairment of national dignity shall be an indictable offence.

Article 28

Citizen of the Russian Federation shall have the right to take part in the management of the affairs of the State and society both directly or through their representatives.

Article 29

(1) Citizen of the Russian Federation shall have the right to vote and be elected to elective state organs and local self-government bodies in accordance with the law.

(2) Citizen of the Russian Federation who have reached the age of 18 shall take part in elections. Citizen who have been certified legally unfit by the court of law may not vote

and be elected. Citizens kept in places of confinement by the court's sentences shall not be elected

(3) Citizens of the Russian Federation staying beyond the boundaries of the Russian Federation shall be entitled to take part in the election of the Supreme Soviet of the Russian Federation, the President and the Vice-President of the Russian Federation, of the organs of state power of the Republics, territories, regions, autonomous regions, autonomous areas and local self-government bodies, and also in the referendums in the Russian Federation.

(4) The right to vote for, and the possibility of being elected to, the local self-government bodies may be granted to foreign nationals domiciled on the appropriate territory, and also stateless persons.

Article 30

Citizens of the Russian Federation shall have the right to equal access to government and local services.

Demands on candidates to the posts of government and local employees shall be determined by the content of their official duties.

Article 31

Citizens of the Russian Federation shall have the right to assemble peaceably and without arms. They may hold meetings, street processions, demonstrations and picketing subject to preliminary notification. The procedure for exercising this right shall be prescribed by the federal law.

Article 32

(1) Citizens of the Russian Federation shall have the right to form associations and organizations.

Exceptions from this rule shall be established by the Constitution of the Russian Federation and the federal law.

(2) No one may be coerced into joining any association or becoming its member.

Article 33

Citizens of the Russian Federation shall have the right to apply personally to state organs, local self-government bodies and officials and also to address to them their individual and collective appeals. These organs, bodies and office holders shall be obliged within their terms of reference to examine these appeals, take decisions on them and give motivated replies within the period prescribed by the law.

CHAPTER IV. ECONOMIC, SOCIAL AND CULTURAL RIGHTS AND FREEDOMS

Article 34

In the Russian Federation, , economic liberty of every person shall be realized in the right of property, the right to free entrepreneurship and the right to free labor.

Article 35

(1) Every person shall have the right to be a property owner.

The right of inheritance shall be guaranteed.

Article 36

(1) Every person shall have the right to work and the right to a free choice of work as an independent producer or under a labor contract.

(2) Every person shall have the right to safe and hygienic working conditions, to remuneration for work without any discrimination and not below the minimum amount fixed by the federal law and also to protection from unwarranted dismissal and to assistance in case of unemployment.

(3) Every person shall have the right to rest and leisure. The worker employed on a labor contract shall be guaranteed the definite length of working time fixed by the law, off-days and holidays annually, and reduced working days for certain trades and jobs.

Article 37

(1) Every person shall have the right to health protection, including medical care. Medical service for citizens of the Russian Federation shall be accorded free of charge by national and local health bodies from budget resources, insurance premiums and other contributions. In cases provided for by international treaties and the agreements of the Russian Federation, free medical aid shall also be rendered to persons who are not citizens of the Russian Federation.

(2) The State shall guarantee the federal programs of health protection and health-building, take measures to develop the national, local and private systems of health service, encourage the activity promoting the health of every person, to develop physical culture and sports, ecological and sanitary-epidemiological well-being.

(3) Concealment by officials of facts and circumstances endangering the life and health of people shall entail responsibility by law.

Article 38

Every person shall have the right to favorable environment and to the redressing of the harm inflicted on his health and property by ecological breaches of the law.

Article 39

(1) Every person shall have the right to social protection, including the right to social security in the event of old age, loss of capacity for work, loss of the breadwinner and in other cases stipulated by the law.

(2) Pensions, temporary disability and unemployment benefits may not be below the officially set subsistence minimum.

(3) The State shall develop the system of social protection, encourage various forms of social assistance and charity.

Article 40

(1) Every person shall have the right to housing. No one may be arbitrarily deprived of his or her living quarters.

(2) The State and the local self-government bodies shall encourage housing construction and create other conditions for the implementation of the right to housing.

(3) People with low income and other categories of the Russian Federation who are in need of housing and who are covered by the law shall be granted habitable premises for use free of charge or for payment within their reach from the national, local and other housing stocks in accordance with the norms stipulated by the law.

Article 41

(1) Every person shall have the right to education.

(2) Universal accessibility of preschool, general secondary and vocational education, free of charge, shall be guaranteed in state and local educational institutions and enterprises.

(3) Every person shall have the right to receive a higher education on competition terms and free of charge in a state or local educational institution or enterprise.

Article 42

(1) Freedom of artistic and technical creativity of scientific research and teaching, and also intellectual property shall be protected by the law.

(2) Every person shall have the right to take part in cultural life and to use national and local cultural institutions.

CHAPTER V. GUARANTEES OF RIGHTS AND FREEDOMS

Article 43

(1) Every person shall have the right to state protection against illegal encroachment on the rights and freedoms of man and citizen.

(2) Every person shall be entitled to defend his or her rights and freedoms, and also the rights and freedoms of other persons in court with all the other statutory means.

(3) Every person shall have the right to the redress of harm done unlawfully to his or her health, honor and reputation, and also to his or her property.

(4) Every person shall be entitled to apply to interstate bodies protecting the rights and freedoms of man and citizen in accordance with international treaties and agreements of the Russian Federation, if he or she was refused the protection of his or her right in all courts stipulated by the federal law.

Article 44

Every person shall be guaranteed the right to legal aid for the purpose of implementing and defending his or her rights and freedoms. This right may not be limited.

In cases provided for by the law legal aid shall be given free of charge. Independent collegiums of advocates and other voluntary associations of lawyers and also individual persons having the right to provide legal aid shall be available to give such aid.

Article 45

(1) Every person shall have the right to have his case examined by a competent, independent and impartial court of law.

(2) The defendant shall be held innocent unless his guilt has been proved in the manner stipulated by the federal law and established by the court's judgement that has come into force. The defendant shall not be obliged to prove his innocence. Unavoidable doubts as to his guilt shall be interpreted in his favor.

(3) Every person shall be entitled to solicit the court about the review of his or her case in the manner stipulated by the law.

(4) The person convicted for a crime have the right to request the mitigation of punishment or pardon.

(5) No one shall be charged with responsibility for one and the same offence for the second time.

Article 46

The law that provides for or strengthens the person's legal responsibility shall have no retroactive force. No one may bear responsibility for the deed which at the time of its commission was not regarded as a breach of law. If after the infringement of the law the responsibility has been cancelled or mitigated, a new law shall be applied.

Article 47

(1) No one shall be obliged to be a witness against himself or herself, his or her spouse or close relations whose range is determined by the federal law. Other instance of release from the duty to bear witness shall be established by the federal law.

(2) Evidence obtained with the infraction of the law shall have no legal force.

Article 48

(1) Control over the observance of the rights and freedoms of man and citizen shall be entrusted with the Parliamentary Commission of the Russian Federation for Human rights. His status shall be determined by the federal law.

(2) The Parliamentary Commission of the Russian Federation for Human Rights shall be appointed by the Supreme Soviet of the Russian Federation for its term of office, shall be accountable to the latter and enjoy the same immunity that is held by the deputies of the Supreme Soviet of the Russian Federation.

(3) The legislature of a Republic, territory, region, autonomous region and autonomous area may appoint its commissioners for human rights and set up other organs with the same function and determine their status.

The Parliamentary Commission of the Russian Federation for Human Rights shall interact with these office holders or organs.

CHAPTER VI. DUTIES

Article 49

(1) Every person shall observe the Constitution of the Russian Federation, respect for the rights and freedoms of other people, bear other statutory duties.

(2) Ignorance of an officially published normative legal act shall not absolve of responsibility of its non-observance.

(3) The execution of an obviously criminal order shall entail responsibility by law.

Article 50

Basic general education shall be compulsory. Parents or the persons in loco parentis shall be obliged to provide children with such education

Article 51

Every person shall be obliged to preserve nature and the environment and to show thrifty attitude towards the animal and plant world.

Article 52

Every person shall be obliged to show concern for the preservation of historical and cultural heritage and take care of monuments of history, culture and nature.

Article 53

Every person shall be obliged to pay statutory taxes and duties.

Article 54

In accordance with the federal law citizens of the Russian Federation shall bear the civic duty of taking part in the administration of justice as a juror.

Article 55

(1) Defence of the Fatherland shall be the duty of citizens of the Russian Federation.

(2) Citizens of the Russian Federation shall undergo military service in accordance with the federal law.

(3) A citizen of the Russian Federation, who holds that military service runs counter to his convictions or who belongs to a small people and resides in the area of their compact settlement, and also in other cases stipulated by the federal law, shall have the right to have military service replaced by civil service

Article 56

No one shall be compelled to perform duties not provided for by the Constitution of the Russian Federation and its laws.

SECTION 3. CIVIL SOCIETY

CHAPTER VII. PROPERTY, LABOR, ENTREPRENEURSHIP

Article 57

(1) Property in all its forms - private, state and other - shall be recognized and guaranteed. The use of the right of property shall not contradict public weal.

(2) All property owners shall enjoy legal protection.

(3) Property shall be inviolable. No one may be arbitrarily deprived of his or her property. Compulsory alienation of objects of property shall be allowed when there

is evidence of proved public necessity, with compensation of damage in cases provided for by the federal law. Confiscation shall be carried out by a judicial decision. Nationalization shall not be allowed.

Article 58

(1) The land, its subsoil, waters, the animal and plant world, and other natural objects shall be in state, private and other ownership and shall be the common possession of the peoples living on the respective territory, of the entire people the Russian Federation and may not be used to the detriment of their interests.

All natural objects shall be subject to protection and rational use.

(2) The land and other natural objects shall not be concentrated in the hands of an owner or holder over and above the limit prescribed by the law.

(3) The implementation of the rights to land shall not be prejudicial to its fertility and the environment.

It shall be forbidden to change the purposeful designation of agricultural lands to keep them unused or use them beyond the proper purpose.

Article 59

(1) Labor is free and shall be encouraged by the State and society.

(2) Freedom of individual and collective labor contracts shall be guaranteed. The labor contract may not aggravate the worker's status established by the Constitution of the Russian Federation and its law.

(3) The work collective shall have the right to take part in the management of affairs of their enterprise or institution, to conclude a collective labor agreement.

The status of work collectives shall be defined by the law.

(4) The State shall facilitate the creation of conditions for full employment of the population, realize professional tuition and retraining programs and guarantee the payment of allowances for labor training and of unemployment benefits.

(5) The right to individual and collective labor disputes, including the right to strikes shall be recognized. The order of implementing this right shall be established by the law.

Article 60

The State shall protect the rights of consumers and support public forms of their protection.

Article 61

(1) The State shall guarantee the freedom of enterprises and competition.

(2) The limits and types of state monopoly, and also antimonopoly and other measures for the regulation of competition shall be established by the federal law.

Unfair competition shall be banned.

(3) Provision shall be made for the business activity of foreign juridical persons, and also natural persons who are not citizens of the Russian Federation on the terms and conditions and in the order prescribed by the law. Foreign investments may not be nationalized and shall be protected by the law.

CHAPTER VIII. NON-GOVERNMENT ASSOCIATIONS

Article 62

(1) Political, professional, youth, national-cultural, religious and other non-governmental associations shall be freely set up and operate in the Russian Federation. The law shall define cases, conditions and the order of registration of non-governmental associations or other statutory documents.

The State shall guarantee non-interference in the lawful activity of non-governmental associations.

(2) The internal organization and activity of non-governmental associations shall not be prejudicial to the fundamental rights and freedoms of man and citizen.

(3) Decisions taken by non-governmental associations shall not have obligatory force for state agencies and local self-governmental bodies, their institutions and enterprises, and also for the employed workers in the discharge of their duties.

(4) The non-governmental association shall be a juridical person. It may own property and engage in economic activity that corresponds to its statutory documents. Business activity shall not be allowed for non-governmental association, except being made for its certain types stipulated by law.

(5) Non-governmental association shall have the right to unite, set up international non-governmental association and take part in them.

Article 63

(1) Parties and other non-governmental association shall promote the expression of the civil society's political will and participate in elections.

(2) There shall be freedom of setting up factions by parties, other than political non-governmental association and non-party people in the representative bodies of state power and local self-government.

Organizational structures of these associations shall not be set up in other state and local self-government bodies and also in military units.

Article 64

(1) Trade unions shall be set up to safeguard the economic and social rights and freedoms of their members and to promote the protection of improvement of their working conditions.

(2) Trade unions shall be established to carry out their activity in enterprises and institutions. No trade union possesses the exclusive right of uniting members and representing all workers and other employed in the respective enterprise, institution and economic sector of one type of activity.

Article 65

(1) Non-governmental associations of citizens on the basis of people's attitude to religion shall be separated from the State and shall be equal before the law.

(2) Religious associations shall operate pursuant to the own rules and subject to the observance of law.

Article 66

(1) Actions taken by state agencies, local self-governmental associations, office holders, institutions and private citizens to eliminate the multiple party system, to unlawfully resist the activity of voluntary associations and to provide illegitimate advantages for some of them shall be an indictable offence.

(2) Non-governmental associations whose activity involves racial, national, social and religious enmity and hatred, violence, terrorism and war, leads to the emergence of parallel structures of state power, to forcibly change or overthrow of the constitutional system in the Russian Federation, and also armed, para-military and secret social associations shall be prohibited.

(2) Non-governmental associations violating the conditions or the order of other registration and the requirements of their statutory documents shall bear responsibility by law.

CHAPTER IX. UPBRINGING, EDUCATION, SCIENCE AND CULTURE

Article 67

(1) Upbringing, education, science and culture shall be free and supported by the State.

(2) State agencies, local self-government bodies, enterprises, institutions, non-governmental associations and private persons may set up educational, scientific and cultural enterprises and institutions in accordance with law.

(3) Enterprises, institutions and private persons who carry on activity in the sphere of upbringing, education, science and culture shall be obliged to promote the formation of man as a free, moral and responsible personality observing the Constitution of the Russian Federation and laws.

Article 68

(1) The national and local systems of upbringing and education shall be secular in character.

(2) The Russian Federation shall establish federal state educational standards and support various forms of education and self-education.

(3) State educational institutions shall be autonomous.

Article 69

(1) The State facilitate the social recognition of science and ensure the conditions for the development of fundamental research and other priority scientific studies and R&D projects.

(2) The State shall guarantee access to scientific and documentary information through national and local libraries, archives and other specialized institutions in accordance with law.

Article 70

The State and society shall preserve, develop and protect national cultures, monuments of history, intellectual and artistic heritage and promote the multiplication of spiritual values. The right of ethnical communities to cultural autonomy shall be guaranteed.

CHAPTER X. THE FAMILY

Article 71

(1) The family, maternity, paternity and childhood shall be protected by the State and society.

(2) The marriage shall be based on the voluntary consent and equality of spouses.

Article 72

(1) Parents shall bear the duty of maintaining and upbringing their children till they attain their majority. They are equal in their rights to bring up their children. Parents or persons in loco parentis shall have the right to choose the character and forms of the upbringing and education of their children and in accordance with law.

(2) The upbringing of children shall provide for social protection in accordance with law.

(3) Children shall enjoy equal legal protection, regardless of the origin and civil status of parents.

(4) The State and society shall maintain, bring up and educate orphans and other children deprived of parental care and promote the charitable activity in respect to children.

(5) The child shall have the right to express its opinion, the right to freedom of thought and conscience.

It shall be forbidden to use the children's labor that is harmful for their normal development.

(6) Able-bodied children of age shall be obliged to take care of their incapacitated parents with low incomes.

(7) Within the framework of its policy vis-a-vis the young people the Russian Federation shall support young families and create the conditions for the education and employment of the young people.

CHAPTER XI. MASS COMMUNICATION

Article 73

(1) Freedom of mass communication shall be guaranteed. Censorship monopolization of mass media and abuse of freedom of mass communication shall not be allowed.

(2) Private citizens, non-governmental association, institutions, enterprises, local self-governmental bodies, and state agencies may be founders and owners of mass media.

(3) Non-governmental association shall be entitled make use of state-owned, local and private radio and TV stations on the conditions and in the order established by the federal law.

(4) Mandatory suspension or termination of the functioning of mass media shall be allowed by judicial decision on the basis of the law.

SECTION 4. FEDERAL STRUCTURE

CHAPTER XII. THE RUSSIAN FEDERATION AND ITS TERRITORY

Article 74

(1) The territory of the Russian Federation shall comprise:

the Republic Adygeya, the Republic of Bashkortostan, the Republic of Buryatiaya, the Republic of Altai, the Republic of Dagestan, the Ingush Republic, the Kabardino-Balkar Republic, the Republic of Kalmykia (Halmg Tangch), the Karachai-Circassian Republic, the Republic of Karelia, the Komi Republic, the Mary Republic (Republic of Marii El), the Mordovian Republic, the Republic of Saha (Yakutia), the North Osetian Republic, the Republic of Tatarstan, the Republic of Tuva, the Udmurt Republic, the Republic of Hakassia, the Chechen Republic, and the Chuvash Republic (Chavash Respubliki);

the Altai, Krasnidar, Krasnoyarsk, Primoriye, Stavropol, and Khabarovsk Territories;

the Amur, Archangel, Astrakhan, Belgorod, Bryansk, Vladimir, Volgograd, Vologda, Voronezh, Vyatka, Yekaterinburg, Ivanovo, Irkutsk, Kaliningrad, Kaluga, Kamchatka, Kemerovo, Murmansk, Nizhni Novgorod, Novgorod, Novosibirsk, Omsk, Orenburg, Orel, Penza, Perm, Pskov, Rostov, Ryazan, Samara, Saratov, Sakhalin, Simbirsk, Smolensk, Tambov, Tver, Tomsk, Tula, Tyumen, Chelyabinsk, Chita and Yaroslavl Regions;

the Cities of Moscow and St. Petersburg;

the Jewish Autonomous Region;

the Agin Buryat, the Komi-Permyak, Koryak, Nenets, Taimyr (Dolgano-Nenets), , Ust-Ordyn Buryat, Khanty-Mansi, Chukot, Evenki and Yamalo-Nenets Autonomous areas.

(2) The autonomous region shall possess the rights and bear the duties of a territory. The autonomous area may be a part of the Republic, territory, and region. The specific features of the legal status of the autonomous region and autonomous area shall be determined by the federal law adopted upon the representation of the autonomous region and autonomous area.

(3) The status of the Republic, territory, region, autonomous region, and autonomous area may not be altered without their consent. Changes in the constitutional-legal status of a Republic, territory, region, autonomous region, and autonomous area and their unification shall be effected on the basis of the freedom of the will of two-thirds of their

voters in the presence of an appropriate decision by the Supreme Soviet of the Russian Federation.

(4) The Republic, territory, region, autonomous region, and autonomous area shall consist of self-governing territorial units. Depending on the specific features of the ethnic composition and other circumstances, these units may be granted the relevant status. A law on the status may be passed by the Supreme Soviet of the Russian Federation upon the representation of the respective Republic of the Republic, territory, region, autonomous region, and autonomous area.

(5) The State recognizing the Constitution of the Russian Federation may be admitted to the Russian Federation at its request.

Article 75

(1) The Republics, territories, regions, autonomous regions, and autonomous areas, the internal waters and the territorial sea of the Russian Federation shall comprise the single integral territory of the Russian Federation.

The territory of a Republic, territory, region, autonomous region, and autonomous area may not be changed without their consent.

(2) Alteration of the boundaries of the Russian Federation that diminish its territory may not be made without the respective expression of the will of the population of the Republic, territory, region, autonomous region, and autonomous area whose territory is affected by such alteration and without the subsequent respective expression of the will of the whole of the people of the Russian Federation through a federal referendum.

(3) A more precise definition of the base line of the state border of the Russian Federation shall be registered in the manner provided for the conclusion of territorial international treaties or agreements of the Russian Federation.

(4) The boundaries between Republic, territory, region, autonomous region, and autonomous area may be altered under the treaties or agreements concluded between them with the consent of the Supreme Soviet of the Russian Federation.

CHAPTER XIII. THE MATTERS WITHIN THE JURISDICTION OF THE RUSSIAN FEDERATION, REPUBLICS, TERRITORIES, REGIONS, AUTONOMOUS REGIONS AND AUTONOMOUS AREAS AND THEIR POWERS

Article 76

(1) The jurisdiction of the Russian Federation shall cover the following:

(a) adoption and amendment of the Constitution of the Russian Federation and federal laws, and control over their observance;

(b) federal structure, composition, territory of the Russian Federation and its integrity; approval of the formation of new territories, regions, autonomous regions, autonomous areas; confirmation of alterations of the boundaries of territories, regions, autonomous regions and autonomous areas;

(c) regulation of the rights and freedoms of man and citizen; citizenship of the Russian Federation; regulation and protection of the rights and national minorities;

(d) establishment of the system of the federal bodies of legislative executive and judicial power, the order of their organization and functioning, formation of federal state bodies, establishment of the general principles for the organization of the system of bodies of the state power of Republics, territories, regions, autonomous regions, and autonomous areas;

(e) federal state property and its management;

(f) establishment of the basic principles of federal policy and federal programs in the sphere of state, economic, ecological, social, cultural and national development in the Russian Federation;

(g) establishment of the legal principles governing a single market; financial, foreign currency, credit and customs regulations, issue of money, basic principles of pricing policy; federal economic services, including federal banks;

(h) federal budget; federal taxes and dues, federal funds of regional development;

(i) federal power systems, nuclear power engineering, fissionable materials; federal transport, railways, information and communication; space activity;

(j) foreign policy and international relations of the Russian Federation; issues of war and peace;

(k) foreign economic relations of the Russian Federation;

(l) defence and security; defence production; definition of the order of sale and purchase of arms, ammunition, military hardware and other military property; production of fissionable materials, toxic substances, narcotic drugs and the order of their use;

(m) status and protection of the state border, internal waters and territorial sea, air space, exclusive zone and continental shelf of the Russian Federation;

(n) judicature, procurator's office; criminal, criminal procedure and criminal enforcement law; amnesty and pardon; civil, civil procedure and business procedure law; legal regulation of intellectual property;

(o) federal law governing the conflict of laws;

(p) meteorological and geological services; standards, metrical system and computation of exact time; geodesy and cartography; official statistical and business accounting;

(q) federal state service;

(z) state orders and medals and honorific titles of the Russian Federation.

(2) Organs of state power of a Republic, territory, region, autonomous region, and autonomous area shall take part in the exercise of federal powers within the limits and in forms established by the Constitution of the Russian Federation and federal laws. In accordance with the federal law Republics, territories, regions, autonomous regions, and autonomous areas shall be guaranteed their representation in the legislative organ the Russian Federation.

Article 77. The concurrent jurisdiction of the Russian Federation and the Republics, territories, regions, autonomous regions, and autonomous areas shall cover the following:

(a) compliance of the constitutions and laws of the Republics, the statutes and other normative legal acts of the territories and regions, the normative legal acts of the autonomous region and autonomous area with the Constitution of the Russian Federation and federal laws;

(b) protection of the rights of man and citizen; protection of the rights of national minorities; insurance of the rule of law, law and order and public security; regime of the state border of the Russian Federation and border zones;

(c) alteration of boundaries of territories, regions, autonomous regions, and autonomous areas, establishment of general principles of their territorial division;

(d) possession, use and disposal of lands, subsoil, water and other natural resources; definition by mutual agreement of the status of federal natural resources with account of the need to preserve and support the historically evolved traditional forms of economic management and use of natural resources on relevant territories;

(e) delimitation of state property;

(f) nature use, environmental control and ecological safety; specially protected natural territories; protection of monuments and records of history, culture and nature;

(g) general questions of upbringing, education, science, culture, physical culture and sport;

(h) coordination of care of public health, protection of the family, motherhood, paternity and childhood; social protection, including social security;

(i) measures of control of catastrophes, natural calamities, epidemics and liquidation of their aftermath;

(j) establishment of general principles of taxation and collection of duties in the Russian Federation;

(k) administrative, administrative-procedural, labor and family legislation; land, housing, water, forest and subsoil legislation, and environmental control legislation;

(l) personnel of courts and law-enforcement bodies; the bar and notary office;

(m) protection of age-old habitat and the traditional way of life of small ethnical communities;

(n) establishment of general principles of local self-government organization;

(o) coordination of the international and foreign economic relations of the Republics, territories, regions, autonomous regions, and autonomous areas; implementation of international treaties and agreements of the Russian Federation;

(2) On the matters within the jurisdiction, indicated in the first clause of the present Article, the Russian Federation shall issue the fundamentals of legislation. In accordance with them, the Republics, territories, regions, autonomous regions, and autonomous areas shall carry on their own legal regulation within their terms of reference, including the adoption of laws and other legal acts.

(3) Federal bills on the matters of concurrent jurisdiction, indicated in the first clause of the present Article, shall be forwarded to the Republics, territories, regions, autonomous regions, and autonomous areas. Their proposals shall be considered in the Supreme Soviet of the Russian Federation.

Article 78

The Republics, territories, regions, autonomous regions, and autonomous areas shall be independent participants in international and foreign economic relations and agreements with other Republics, territories, regions, autonomous

regions, and autonomous areas, unless this runs counter to the Constitution of the Russian Federation and federal laws.

Article 79

(1) The federal organs of state authority of the Russian Federation by agreement with the organs of authority of the Republic, territory, region, autonomous region, and autonomous area, may transfer part of their powers to these bodies.

(2) The organs of authority of the Republic, territory, region, autonomous region, and autonomous area, by agreement with the federal organs of state authority of the Russian Federation, may transfer to them part of their powers.

(3) Within their terms of reference and powers, the Republics, territories, regions, autonomous regions, and autonomous areas may conclude mutual agreements, which are not inconsistent with the Constitution of the Russian Federation and federal laws.

Article 80

(1) The federal organs of state authority of the Russian Federation and the organs of state authority of the Republic, territory, region, autonomous region, and autonomous area shall implement the federal laws and other legal acts of the Russian Federation in the respective Republic, territory, region, autonomous region, and autonomous area in the order prescribed by the Constitution of the Russian Federation and federal law.

(2) Legal documents issued by the state organs, institutions and officials of the Russian Federation, of the respective Republic, territory, region, autonomous region, and autonomous area within the competence of these organs, institutions and officials shall be recognized throughout the territory of the Russian Federation

Article 81

(1) The organs of state authority of a Republic, territory, region, autonomous region, and autonomous area may not issue legal acts on matters within the jurisdiction of the Russian Federation, just as the federal organs of state authority may not issue legal acts on matters within the jurisdiction of a Republic, territory, region, autonomous region, and autonomous area.

(2) In case of the promulgation by the organs of state authority of a Republic, territory, region, autonomous region, and autonomous area of legal acts on the matters within the jurisdiction of the Russian Federation, federal laws shall be applicable.

(3) Pending the adoption by the federal organs of state authority of the fundamentals of legislation on the matters in the concurrent terms of reference, the organs of state authority of a Republic, territory, region, autonomous region, and autonomous area shall be entitled to independently exercise its own legal regulation on these matters. After the subsequent promulgation of the fundamentals of legislation on these matters, the legal acts of a Republic, territory, region, autonomous region, and autonomous area shall be brought into conformity with the fundamentals of legislation. In the legal acts of a Republic, territory, region, autonomous region, and autonomous area, the fundamentals of legislation shall be applicable.

(4) The relations between the federal organs of state authority and the organs of state authority of Republics, territories, regions, autonomous regions, and autonomous areas shall be built on the basis of the Constitution of the Russian Federation, the constitutions of the Republics, the statutes of territories, regions, the federal laws on the autonomous regions and autonomous areas, mutual respect and mutual responsibility.

(5) Disputes between the federal organs of state authority and the organs of state authority of the Republics, territories, regions, autonomous regions, and autonomous areas shall be settled with the mandatory use of conciliation. Disputes over matters indicated in Clauses (1) - (3) of the present Article shall be adjusted in the Constitutional Court of the Russian Federation.

CHAPTER XIV. LANGUAGES

Article 82

(1) The State shall create and guarantee the equal opportunities for the preservation and development of all the languages of the Russian Federation.

(2) The official language of the Russian Federation throughout its territory shall be Russian. It shall be used in all state organs and institutions.

(3) The Republics shall be entitled to introduce their official languages. In state organs and institutions of the Republics they shall be used on a par with the official language of the Russian Federation. The Republics, territories, regions, autonomous regions, and autonomous areas may determine with new acts the legal status of other languages of the peoples residing on their territory.

(4) The procedure for the use of the official languages of the Republics and other languages in the federal state organs and institutions shall be determined by the federal law.

(5) The languages of the ethnic communities may be used in places of their compact living in addition to the official language of the Russian Federation and the official languages of Republics in official relations.

The procedure for the use of such languages shall be defined by the law.

SECTION 5. THE SYSTEM OF STATE AUTHORITY. BASIC PRINCIPLES OF LOCAL SELF-GOVERNMENT

CHAPTER XV. FEDERAL LEGISLATIVE POWER

Article 83

(1) The Supreme Soviet of the Russian Federation - the federal parliament - shall be its sole representative and legislative body.

(2) The Supreme Soviet of the Russian Federation shall be a permanently acting organ and elected for a term of four years. The elections to the Supreme Soviet of the Russian Federation shall be held in the second Sunday of March of the year of expiring of its terms of office. The order of elections of deputies to the Supreme Soviet of the Russian Federation shall be prescribed by the federal law.

(3) The Supreme Soviet of the Russian Federation shall assemble on the 30th day after the election day. In urgent cases the Russian Federation may summon the Supreme Soviet of a new convocation before this time.

Since the commencement of the work of the next Supreme Soviet of the Russian Federation the powers of the Supreme Soviet of the Russian Federation of the previous convocation shall cease.

Article 84

(1) The Supreme Soviet of the Russian Federation shall consist of two chambers: the State Duma and Federal Assembly. The chambers shall be elected simultaneously.

(2) The State Duma shall consist of 450 deputies of the Russian Federation, members of this chamber to be elected by territorial single-member and multi-member constituencies formed on the basis of the unified norms of representation. Not less than one Deputy of the Russian Federation may be

elected to the State Duma from a Republic, territory, region, autonomous region, and autonomous area.

(3) The Federal Assembly shall consist of the Deputies of the Russian Federation, members of this chamber, to be elected on the basis of two Deputies from a Republic, territory, region, autonomous region, and autonomous area.

(4) The Supreme Soviet of the Russian Federation shall be competent if not less than three-fourths of its numerical strength have been elected to each chamber.

Article 85

The Supreme Soviet of the Russian Federation shall deal with the following matters:

(a) introduce amendments to the Constitution of the Russian Federation;

(b) exercise control powers within the limits and in the forms established by the Constitution of the Russian Federation;

(c) adopt decisions on the main directions of the home and foreign policies of the Russian Federation;

(d) appoint referendum for the Russian Federation;

(e) endorse changes in the boundaries between Republics, territories, regions, autonomous regions, and autonomous areas;

(f) confirm changes in the constitutional-legal status of the existing Republics, territories, regions, autonomous regions, and autonomous areas or the formation of the new Republics, territories, regions, autonomous regions, and autonomous areas; adopt federal laws on the autonomous regions and autonomous areas;

(g) admit to the Russian Federation new Republics, territories, regions, autonomous regions, and autonomous areas;

(h) endorse agreements, concluded pursuant to Article 79 of the Constitution of the Russian Federation, in the cases and in the order prescribed by the federal law;

(i) adopt the federal budget, changes to it and control its execution, introduce federal taxes and federal tax-related payments and dues; approve the basic trends of monetary and credit regulation; set up federal funds of regional development; take decisions on federal loans, economic and other aid;

(j) appoint the election of the President of the Russian Federation in cases provided by the Constitution of the Russian Federation;

(k) on the proposal of the President of the Russian Federation give its consent to him on the his appointment of the Chairman, Deputy Chairman and the members of the Government of the Russian Federation, whose jurisdiction covers general guidance of the economy, finance, internal and foreign affairs, defence and security, appoint judges of the Constitutional Court of the Russian Federation, the Supreme Court of the Russian Federation, the Supreme Economic Court of the Russian Federation and release from office the Procurator General of the Russian Federation;

(l) appoint and release from office the Parliamentary Commissioner of the Russian Federation for Human Rights, the Chairman and the members of the State Accounting Chamber;

(m) remove from office the President and Vice-President of the Russian Federation, the Chairman of the Chambers of the Supreme Soviet of the Russian Federation, the judges of the Constitutional Court of the Russian Federation, the Supreme Court of the Russian Federation and the Supreme Economic Court of the Russian Federation on the grounds and in the order stipulated by Article 96 of the Constitution of the Russian Federation;

(n) ratify and denounce international treaties and agreements of the Russian Federation in accordance with Article 86 of the Constitution of the Russian Federation;

(o) institute state orders and medals of the Russian Federation and introduce the order of institution and conferment of honorific and special titles;

(p) issue acts of amnesty;

(r) proclaim, prolong and revoke emergency and martial law; order general or partial mobilization; settle issues of war and peace;

(s) exercise other powers provided for by the Constitution of the Russian Federation.

(2) The laws, including fundamentals of legislation, resolutions, statements, declarations and appeals the enactments of the Supreme Soviet and the Russian Federation.

(3) The enactments of the Supreme Soviet of the Russian Federation shall be passed by a majority of the total number of the elected Deputies of the Russian Federation in each chamber with the exception of cases provided for by the Constitution of the Russian Federation.

Article 86

(1) The Supreme Soviet of the Russian Federation shall ratify and denounce the following international treaties and agreements of the Russian Federation.

(a) political, territorial, general economic, financial, and military treaties and agreements and those dealing with the historical and cultural heritage of the people of the Russian Federation;

(b) treaties and agreements affecting the rights and freedoms and duties of man and citizen;

(c) treaties and agreements on the participation in interstate unions and other associations and systems of collective security;

(d) treaties and agreements, the implementation of which calls for changes in federal laws in force and the adoption of new laws;

(e) other international treaties and agreements whose ratification or denunciation are envisaged by the federal law or the international treaty or agreement itself.

(2) If an international treaty or agreement of the Russian Federation contains provisions running counter to the Constitution of the Russian Federation, its ratification is possible after the introduction of the relevant amendments to the Constitution of the Russian Federation

(3) The international treaties and agreements of the Russian Federation affecting the matters under the jurisdiction of a Republic, territory, region, autonomous region, and autonomous area and their territory shall be concluded or denounced by agreement with them.

(4) The ratification and denunciation of international treaties and agreements of the Russian Federation shall be effected by the federal law. The territorial international treaties and agreements of the Russian Federation and the international treaties and agreements of the Russian Federation, indicated in point (c) of Clause 1 of the present Article shall be ratified and denounced by the federal law passed by two-thirds of the total number of the elected Deputies of the Supreme Soviet of the Russian Federation in each chamber of the Supreme Soviet of the Russian Federation.

(5) The Supreme Soviet of the Russian Federation shall be forthwith informed about the conclusion of denunciation of the international treaties and agreements not subject to ratification or denunciation.

Article 87

Transferred to other articles.

Article 88

(1) The chamber of Supreme Soviet of the Russian Federation shall:

(a) adopt its own rules of procedure containing, in particular, the order of joint activity agreed upon with other chamber and envisaged by the Constitution of the Russian Federation;

(b) form standing ad hoc commissions of the chamber;

(c) elect and recall the Chairman of the chamber and his deputy.

(2) In individual cases the chambers may set up joint committees of the chambers.

(3) The chambers, their commissions shall carry on their work on the drafts of federal laws and other enactments of the Supreme Soviet of the Russian Federation, check up the implementation of these enactments, hold hearings and investigations. The order of participation of officials and private citizens in said activity shall be determined by the federal law.

(4) The chambers sit separately. Joint sittings of the chambers shall be convened to hear the messages of the President of the Russian Federation, the Constitutional Court of the Russian Federation, and the reports of the Government of the Russian Federation.

Article 89

(1) The right to initiate legislation in the Supreme Soviet of the Russian Federation shall belong to its Deputies, the standing commission and joint committees of its chambers, the Federal Assembly, the President of the Russian Federation, the Constitutional Court of the Russian Federation, the Supreme Economic Court of the Russian Federation, the Parliamentary Commissioner of the Russian Federation for Human Rights, the legislative assembly of the Republic, territory, region, autonomous region, and autonomous area, and also the groups of voters exceeding one million people. This right shall be exercised by submitting bills and legislative proposals.

(2) The bills and legislative proposals submitted by the President of the Russian Federation shall be considered by the Supreme Soviet of the Russian Federation at its request in the priority order.

(3) Bills and legislative proposals shall be introduced to the State Duma. The bill passed by it shall be transmitted to the Federal Assembly. After it is approved by the Federal Assembly it shall become a federal law. The bill which has not been adopted as a federal law may not be introduced again within six months.

(4) In the event of disagreements between the chambers the matter at issue shall be referred for settlement to a conciliation commission formed on a parity basis. Its decision on a bill shall be considered in the State Duma. The bill approved once again by the State Duma shall be transmitted to the Federal Assembly. If this bill is not endorsed by the Federal Assembly, it may be passed as a federal law by the State Duma within one month by two-thirds of the total number of the Deputies of the Russian Federation elected to this chamber.

(5) Within seven days after the federal law is passed by the Supreme Soviet of the Russian Federation, it shall be presented for assent to the President of the Russian Federation, who shall sign it within 14 days since its receipt. Pending the expiration of the said period the President of the Russian Federation may return to the federal law not signed by him with his remarks to the Supreme Soviet of the Russian Federation. If the federal law has been passed again by two-thirds of the elected Deputies of the Russian Federation in each chamber or by three-fourths of the elected deputies of the Supreme Soviet in the State Duma, the President shall be obliged to sign it within seven days after its repeated adoption.

(6) The federal law shall be published officially by the Supreme Soviet of the Russian Federation within seven days after it was signed. The order and the period of the entry of the federal law into force shall be determined by the law itself. If this period has not been determined by it, the law shall enter into force upon the expiration of seven days after its official publication.

Article 90

(1) Any matter within the jurisdiction of the Russian Federation or within the joint terms of reference of the Russian Federation and its Republics, territories, regions, autonomous regions, and autonomous areas may be put on the referendum of the Russian Federation. The referendum of the Russian Federation may not be used to pass laws, settle questions of limiting the rights and freedoms of man and

citizen, of terminating the powers of organs of state authority of the Russian Federation and their officials, of adopting the budget, taxes, amnesty, pardon, emergency and martial law.

(2) A decision put to a referendum of the Russian Federation on the matter coming within the jurisdiction of the Russian Federation may be deemed taken, if the majority of voters have taken part in the referendum and if the majority of the voting constituents voted for this decision. A decision on this question put to the referendum of the Supreme Soviet, directly provided by the Constitution of the Russian Federation or a decision put to the referendum of the Russian Federation on the question that requires its legislative embodiment in the Constitution of the Russian Federation shall be deemed to have been adopted, if the majority of the constituents voted for it. For a decision to be adopted at the referendum of the Russian Federation in accordance with Clause 2 of Article 75 of the Constitution of the Russian Federation it is also necessary that it should be voted for by the majority of the constituents in the corresponding Republic, territory, region, autonomous region, and autonomous area.

(3) A decision put to the referendum of the Russian Federation on a matter coming within the joint terms of reference of the Russian Federation and its Republics, territories, regions, autonomous regions, and autonomous areas shall be deemed to have been adopted if the majority of the constituents have taken part in the referendum in the Russian Federation and if the majority of the voting constituents voted for the decision both in the Russian Federation as a whole and in most of its Republics, territories, regions, autonomous regions, and autonomous areas.

(4) The Supreme Soviet of the Russian Federation shall be obliged to formalize the decision taken at the referendum of the Russian Federation as a federal law.

(5) A referendum in the Russian Federation shall be appointed by the Supreme Soviet of the Russian Federation on the following proposals:

(a) of not less than the third of the total number of the elected Deputies of the Russian Federation;

(b) the President of the Russian Federation; [a variant: supported by not less than one fifth of the total number of the elected Deputies of the Russian Federation];

(c) by not less than one million voters.

Article 91

(1) A citizen of the Russian Federation possessing suffrage in accordance with Clause (2) and (3) of Article 29 of the Constitution of the Russian Federation may be eligible for election to the Supreme Soviet of the Russian Federation as its Deputy. The Deputy of the Russian Federation may not be a member of both chambers of the Supreme Soviet of the Russian Federation, a Deputy of the representative body of a Republic, territory, region, autonomous region, and autonomous area, and a local self-government body.

(2) The Deputy of the Russian Federation shall be guided by the interests of the whole people of the Russian Federation and take into account the interests of his or her constituents.

(3) Subject to the federal law the Deputy of the Russian Federation shall receive remuneration and compensation of his expenditures and shall have no right to get another regular payment and compensation. He may not be employed in a state or another service, engage in business activity and be a member of the organs of enterprises, institutions, no-governmental associations, except for party organs.

(4) The Deputy of Supreme Soviet of the Russian Federation shall enjoy the right of immunity. He or she may not be subjected to personal inspection, search, detention, arrest, administrative penalties imposed by a court of law, and may not be criminally liable without the consent of the corresponding chamber of the Supreme Soviet of the Russian Federation with the exception of cases of detention when he commits a grave crime. The Immunity of the Deputy of the Russian Federation shall extend to his or her correspondence, documents, the means of communication, transport vehicles, official and living premises he or she uses.

(5) A representation on the deprivation of a Deputy of the Russian Federation of his or her immunity shall be submitted to the corresponding chamber of the Supreme Soviet of the Russian Federation by the Procurator-General of the Russian Federation.

(6) The Deputy of the Russian Federation may not be liable to prosecution for the views he expressed or for voting in the exercise of his or her Deputy activity.

(7) State organs and institutions and their officials shall be obliged to render assistance to the Deputies of the Russian Federation in the discharge of their powers.

CHAPTER XVI. THE PRESIDENT OF THE RUSSIAN FEDERATION.
FEDERAL EXECUTIVE POWER

Article 92

(1) The President of the Russian Federation shall be the highest-ranking office-holder of the Russian Federation. He shall head the executive power in the Russian Federation and represent the Russian Federation in internal and external relations.

(2) A citizen who has attained the age of 35 and is not over 65 years, who does not hold the citizenship of a foreign State and has not been subject to any disqualifications, indicated in Clause (2) of Article 29 of the Constitution of the Russian Federation, shall be eligible as President of the Russian Federation.

(3) The President of the Russian Federation may not hold any other office, be a Deputy, engage in business activity and be a member of the organs of enterprises, institutions, and non-governmental associations

(4) The President of the Russian Federation shall be elected by citizens of the Russian Federation by direct ballot for a term of five years. Voting for the candidatures of the President and Vic-President of the Russian Federation shall be common. No one may be elected to the office of the President of the Russian Federation more than two times. The order of election of the President of the Russian Federation shall be prescribed by the federal law.

(5) The President of the Russian Federation shall discharge his official functions since the time of taking the following solemn oath: "Before entering on the execution of the office of President of the Russian Federation I [the name is indicated here] do swear to faithfully serve Russia and her multinational people, respect and protect the rights and freedoms of man and citizen, defend the sovereignty and the Constitution of the Russian Federation". The solemn oath shall be taken at a joint sitting of the chambers of the Supreme Soviet of the Russian Federation and the Constitutional Court of the Russian Federation not later than 30 days after the election of the President of the Russian Federation. The joint sitting shall be presided by the Chairman of the Constitutional Court of the Russian Federation.

(6) The President of the Russian Federation shall enjoy immunity.

Article 93

(1) The President of the Russian Federation shall perform the following duties:

(a) sign federal laws;

(b) appoint with consent of the Supreme Soviet of the Russian Federation, Deputy Chairman and members of the Government of the Russian Federation, whose jurisdiction covers general guidance of the economy, finance, internal and external affairs, defence, security, and also appoint other members of the Government of the Russian Federation

(c) direct the activity of the Government of the Russian Federation, may chair its sittings; exercise general guidance of other bodies of federal executive power;

(d) head the Security Council of the Russian Federation and form other consultative and auxiliary bodies under the President of the Russian Federation;

(e) submit to the Supreme Soviet of the Russian Federation for appointing judges of the Constitutional Court of the Russian Federation, the Supreme Economic Court of the Russian Federation, the Chairman of the Central Bank of the Russian Federation, and the Procurator-General of the Russian Federation.

(f) accept the resignation of the Vice-President of the Russian Federation

(g) accept the resignation of the Government of the Russian Federation, the Chairman, the Deputy Chairman and members of the Government of the Russian Federation, other officials appointed by him; remove these persons from their posts; make representations to the Supreme Soviet of the Russian Federation on the removal from office of the Chairman of the Central Bank of the Russian Federation and the Procurator-General of the Russian Federation;

(h) submit to the Supreme Soviet of the Russian Federation the draft of the federal budget and the report on the execution of the budget items;

(i) address messages to the people and the Supreme Soviet of the Russian Federation; submit annual reports to the Supreme Soviet of the Russian Federation on the implementation of the internal and external policies of the Russian Federation and on the fulfillment of the federal programs;

(j) guide the security of the Russian Federation;

(k) act as the commander in Chief of the Armed Forces of the Russian Federation; direct the military policy of the Russian Federation; appoint and remove from office the higher

commanders of the Armed Forces of the Russian Federation; confer higher military ranks;

(1) direct the foreign policy of the Russian Federation, conduct negotiations and subject to the federal law sign international treaties and agreements of the Russian Federation; appoint and recall diplomatic representatives of the Russian Federation to foreign States and foreign organizations with regard to the opinion of the relevant commissions and joint committees of the chambers of the Supreme Soviet of the Russian Federation, accept credential letters of recall of the diplomatic representatives accredited to him;

(m) declare a state of emergency in urgent cases; adopt prompt measures and proclaim martial law in the event of a surprise armed attack on the Russian Federation or when it is necessary to meet international treaty obligations relating to collective defence against aggression;

(n) settle questions of citizenship and granting asylum in the Russian Federation;

(o) award state orders and medals of the Russian Federation, confer honorific and special titles in accordance with the federal law;

(p) exercise the right of pardon;

(r) perform other duties provided by the Constitution of the Russian Federation and the federal law.

(2) The President of the Russian Federation shall issue decrees and orders that have the force of by-laws and are binding throughout the territory of the Russian Federation.

Article 94

Transferred to other Articles.

Article 95

(1) The powers of the President of the Russian Federation shall cease in the following cases:

(a) the expiration of their term;

(b) his resignation;

(c) his stable inability of exercise these powers due to a poor state of health;

(d) the removal from his office;

(e) his death.

(2) In connection with the expiration of his term the powers of the President of the Russian Federation shall cease since solemn oath is taken by the newly established President of the Russian Federation.

(3) The President of the Russian Federation shall have the right to resign by sending his statement to the Supreme Soviet of the Russian Federation and the Constitutional Court of the Russian Federation. The powers of the President of the Russian Federation shall cease from the date he has referred to. Before that date the President of the Russian Federation shall set forth the motives of his resignation at the joint sitting of the chambers of the Supreme Soviet of the Russian Federation and the Constitutional Court of the Russian Federation, which is presided by the Chairman of the Constitutional Court of the Russian Federation. If the President of the Russian Federation is unable to speak at such a sitting, he shall set forth the motives of his resignation to the Chairman of the Constitutional Court of the Russian Federation and the Chairman of the chambers.

(4) The stable inability of President of the Russian Federation for reasons of poor health to exercise his powers shall be established by the Constitutional Court of the Russian Federation in its conclusion upon the proposal of the state medical commission appointed by the Supreme Soviet of the Russian Federation

(5) An off-year election of President of the Russian Federation shall be held within three months since the termination of the President's powers on the grounds indicated in points (c) - (e) of Clause 1 of the present Article, for the remaining period of the Presidential powers, if this period exceeds one year.

Article 96

(1) The President of the Russian Federation may be removed from his office, if he makes a deliberate serious breach of the Constitution of the Russian Federation.

(2) Proceedings of the removal of the President of the Russian Federation from office shall be commenced in the State Duma by a majority of the Deputies elected to it upon the proposal of not less than one third of the total number of its Deputies, stipulated by Clause (2) of Article 84 of the Constitution of the Russian Federation. If the Constitutional Court of the Russian Federation establishes the grounds for removal, the Federal Assembly may remove the President of the Russian Federation from office by a majority of not less than two-thirds of its numerical strength, stipulated by Clause (3) of Article 84 of the Constitution of the Russian Federation. The President shall have the right to attend the sittings of the Chambers of the Supreme Soviet of

the Russian Federation and the Constitutional Court of the Russian Federation, at which the case of his removal from office is examined, to give his explanations.

Article 97

(1) The Vice-President of the Russian Federation, whose candidature must meet the requirements of Clause (2) of Article 92 of the Constitution of the Russian Federation and who is nominated to this post by the President of the Russian Federation, shall be elected together with the President of the Russian Federation.

(2) Provisions of Clauses (3) and (4) of Article 92 and Clauses (1) and (4) of Article 95 of the Constitution of the Russian Federation shall extend to the Vice-President of the Russian Federation.

(3) The Vice-President of the Russian Federation shall discharge the following functions:

(a) exercise some of the President's powers at his request;

(b) performs the duties of the President of the Russian Federation in cases of his temporary disability pending the return of the President to the exercise of his powers and in case of the cessation of his powers on the grounds, indicated in items (b) - (e) of Clause 1 of Article 95 of the Constitution of the Russian Federation,, prior to the election of the President of the Russian Federation.

(4) The powers of the Vice-President of the Russian Federation have been terminated on the grounds, indicated in Items (b) - (e) of Clause 1 of Article 95 of the Constitution of the Russian Federation, the President of the Russian Federation shall appoint a new Vice-President of the Russian Federation with consent of the Supreme Soviet of the Russian Federation for the remaining period for the presidential election.

(5) If the President and the Vice-President of the Russian Federation are unable to simultaneously exercise the powers of the high ranking office-holder of the Russian Federation due to their cessation on the grounds, indicated in Items (b) - (e) of Clause 1 of Article 95 of the Constitution of the Russian Federation, these functions shall provisionally pass prior to the presidential election to the Chairman of the Federal Assembly, the Chairman of the State Duma and to the Chairman of the Government of the Russian Federation.

Article 98

(1) The Government of the Russian Federation shall pursue the internal and external policies of the Russian Federation under the guidance of the President of the Russian Federation. The Structures and competence of the Government of the Russian Federation shall be determined on the representation of the President of the Russian Federation by the federal law.

(2) The Chairman of the Government of the Russian Federation shall organize the current work of the Government of the Russian Federation and coordinate the activity of its members.

(3) The Chairman, the Deputy Chairman and the members of the Government of the Russian Federation may not hold any other posts, may not be Deputies, engage in business activities, and join the membership of the organs of enterprises, institutions and non-governmental associations.

(4) On the strength and in execution of the Constitution of the Russian Federation and the federal laws, the decrees and orders of the President of the Russian Federation, the Government of the Russian Federation shall adopt decisions and issue orders. The decisions and orders of the Government of the Russian Federation may be changed or revoked by the President of the Russian Federation.

Article 99

(1) Every year the Government of the Russian Federation shall submit its report to the Supreme Soviet of the Russian Federation.

(2) The Chairman, Deputy Chairman and the members of the Government of the Russian Federation shall reply to the enquiries and questions of Deputies of the Russian Federation in the manner prescribed by the federal law.

(3) The Government of the Russian Federation, the Chairman, the Deputy Chairman and the members of the Government of the Russian Federation shall have the right to resign their offices. Their resignations shall be accepted by the President of the Russian Federation.

(4) The Supreme Soviet of the Russian Federation may demand the resignation of the Chairman, the Deputy Chairman, the member of the Government of the Russian Federation appointed by the President of the Russian Federation, and the head of another federal organ of executive power. If the President does not dismiss the corresponding official and does not accept his resignation, he shall be obliged to give substance to his decision before the Supreme Soviet of the

Russian Federation. The recognition of the substantiation of the President's arguments as invalid by two-thirds of the elected Deputies of the Russian Federation in each of its chambers shall entail the dismissal of said official by the President of the Russian Federation.

(5) The resignation of the Chairman of the Government of the Russian Federation shall not entail the resignation of the Government of the Russian Federation.

Article 100

Omitted.

Article 101

Omitted.

CHAPTER XVII. THE JUDICIARY

Article 102

(1) Judicial power shall belong to the courts set up by the Constitution of the Russian Federation and the federal law. It shall be administered through constitutional, civil, criminal, administrative and business procedures.

Article 103

(1) Emergency courts shall not be set up.

Article 103

(1) The Constitutional Court of the Russian Federation shall be the supreme organ of judicial power for the protection of the constitutional system of the Russian Federation. The Constitutional Court of the Russian Federation shall consist of 15 judges appointed in personal capacity. Its powers and legal procedure shall be determined by the federal law.

(2) The Constitutional Court of the Russian Federation shall settle the following cases of the constitutional validity:

(a) of federal laws and other enactments of the Supreme Soviet of the Russian Federation;

(b) of acts of the President of the Russian Federation and other federal bodies of executive power;

(c) of constituents of the Republics, the charters of territories, regions, the federal laws on the autonomous regions, autonomous areas and other enactments of their legislative and executive bodies;

(d) of treaties and agreements between Republics, territories, regions, autonomous regions, and autonomous areas;

(e) of international treaties and agreements of the Russian Federation;

(f) of parties and other non-governmental associations

(g) of law-enforcement practice.

(3) After exhausting conciliating procedures the Constitutional Court of the Russian Federation shall settle disputes about the division of competence: between state bodies; between federal state organs and organs of state power of Republics, territories, regions, autonomous regions, and autonomous areas; between

(4) The Constitutional Court of the Russian Federation shall draw the following conclusions:

(a) on the corresponding official's stable inability to exercise his official powers for reasons of health upon the proposal of a state medical commission;

(b) on the grounds for the removal from office of an official of the Russian Federation or its Republic, territory, region, autonomous region, and autonomous area;

(c) on the constitutionality of the international treaties and agreements signed by the Russian Federation prior to their ratification or approval;

(d) on the contradiction between the federal law and the generally recognized principle and norm of international law and the rule of the ratified international treaty and agreement of the Russian Federation.

(5) Appeals to the Constitutional Court of the Russian Federation may be made by the following bodies and persons:

(a) in regard to motions of the verification of the constitutional validity of acts of state bodies and international treaties and agreements of the Russian Federation - by the respective chamber of the Supreme Soviet of the Russian Federation, the Deputy of the Supreme Soviet of the Russian Federation, the Parliamentary Commissioner of the Russian Federation for Human Rights, the President of the Russian Federation, the Government of the Russian Federation, the Supreme Court of the Russian Federation, the Supreme Economic Court of the Russian Federation, the Procurator-General of the Russian Federation, the legislative organ of state power, the highest-ranking official, the higher court of a Republic, territory, region, autonomous region, and autonomous area;

(b) in regard to motions on the verification of the constitutionality of parties and other non-governmental associations - by the respective chamber of the Supreme Soviet

of the Russian Federation, the Parliamentary Commissioner of the Russian Federation for Human Rights, the President of the Russian Federation, the Government of the Russian Federation. The legislative organ of state power, the highest-ranking office-holder of a Republic, territory, region, autonomous region, and autonomous area may petition on the verification of the constitutional validity of non-governmental association organized within the relevant territory.

(c) with complaints and protests of non-constitutional validity of law-enforcement practice - by a natural judicial person upon the exhaustion of other legal means of a protecting law, by the Parliamentary Commissioner of the Russian Federation for Human Rights, by the Supreme Economic Court of the Russian Federation, the Procurator-General of the Russian Federation, the higher court of a Republic, territory, region, autonomous region, and autonomous area;

(d) with motions on disputes about the division of competence between state bodies - by any party to a dispute;

(e) with inquiries on making conclusions - by the respective chamber of the Supreme Soviet of the Russian Federation and the President of the Russian Federation.

The Constitutional Court of the Russian Federation may draw a conclusion on the grounds for the removal of an official from office at its own initiative.

(6) Decisions of the Constitutional Court of the Russian Federation shall come into force immediately after their announcement, shall be final and not subject to appeals and protests. They shall be binding throughout the territory of the Russian Federation.

(7) Enactments of their provisions, recognized as unconstitutional pursuant to Items (a) - (e) of Clause 2 of the present Article, shall be null and void. The recognition of an international treaty or agreement of the Russian Federation as unconstitutional shall entail consequences provided for by international law, the Constitution of the Russian Federation and the federal law. Parties and other non-governmental association recognized as unconstitutional, shall be dissolved; their activity shall cease in accordance with the federal law. The law-enforcement practice, recognized as unconstitutional, shall be subject to termination; the respective decisions of state bodies and officials shall be reviewed in the manner prescribed by law.

(8) The Constitutional Court of the Russian Federation shall address its message to the Supreme Soviet of the Russian

Federation every year. On the concrete matters it may make representations to the state bodies and officials.

Article 104

(1) The Supreme Court of the Russian Federation shall be the highest organ of judicial power in the sphere of civil, criminal and administrative procedure.

(2) The Supreme Court of the Russian Federation shall exercise supervision over the judicial activity of the higher courts of the Republics, territories, regions, autonomous regions, and autonomous areas.

(3) The powers, organization and order of activity of the Supreme Court of the Russian Federation shall be determined by the federal law.

Article 105

(1) The Supreme Economic Court of the Russian Federation shall be the highest organ of judicial power for economic cases and supervise the judicial activity of such cases.

(2) The powers, organization and order of activity of the Supreme Economic Court of the Russian Federation shall be established by the federal law.

Article 106 The budget of courts shall provide for the possibility of the full and independent exercise of their constitutional powers. It may not be determined without the corresponding consent of the Constitutional Court of the Russian Federation, the Supreme Court of the Russian Federation and the Supreme Economic Court of the Russian Federation.

Article 107

(1) Judges, except for magistrates, shall be irremovable. They shall be retired upon the attainment of 70 years of age.

(2) Qualified for appointment as judges shall be citizens of the Russian Federation who have a higher legal education and a record of service in the legal profession for not less than 15 years for judges of higher organs and judicial power of the Russian Federation, 10 years for judges of the higher courts of the Republics, territories, regions, autonomous regions, and autonomous areas, and 5 years for judges of local courts. The federal law may establish additional qualification for judges.

(3) The powers of a judge of the Constitutional Court of the Russian Federation, the Supreme Court of the Russian Federation and the Supreme Economic Court of the Russian Federation shall cease in the following cases:

(a) with his attainment of an age-limit;

- (b) with his personal statement on resignation;
- (c) of his stable inability for reasons of health to exercise powers - upon the submission of a medical finding and with the consent of the respective court;
- (d) of his judgement of conviction that has entered into force;
- (e) of his removal from office on the grounds and in the order envisaged by Article 96 of the Constitution of the Russian Federation.

(4) The powers of judges of other courts shall cease on the grounds and in the order stipulated by the Constitution of the Russian Federation and the federal law.

(5) The judge may not be Deputy, may not hold any other posts, engage in business activity, and be a member of non-governmental associations. The judge may engage in scientific, teaching, literary and any other creative activity.

Article 108

(1) Judges shall be independent and subject only to the Constitution of the Russian Federation and the law.

Judges of the Constitutional Court of the Russian Federation shall be subject to the Constitution of the Russian Federation.

(2) Judges shall enjoy immunity. The immunity shall extend to his correspondence, means of communication, documents, official living premises, and the transport vehicles he uses.

(3) The judge of a higher organ of judicial power may not be detained, arrested, subjected to administrative penalties and held criminally liable by law without the consent of the Constitutional Court of the Russian Federation, the Supreme Court of the Russian Federation and the Supreme Economic Court of the Russian Federation, as the case may be, criminal proceedings in respect of judges of the higher organs of judicial power may only be commenced by the Procurator-General of the Russian Federation with the consent of the respective court.

(4) Judges shall not be entitled to apply to the law that is inconsistent with the Constitution of the Russian Federation. If the court finds out that the law subject to application contradicts the Constitution of the Russian Federation, it shall adjourn the case and petition the Constitutional Court of the Russian Federation for the recognition of this law as unconstitutional. The local court shall send in its solicitation through the higher court of a

Republic, territory, region, autonomous region, and autonomous area.

Article 109

(1) No one may be deprived of the right to have his case examined in the court and by the judge on whose jurisdiction it is placed.

(2) The defendant accused of committing a crime shall have his matter examined by the court with the participation of jurors in cases provided for by the federal law.

Article 110 (1) Proceedings in all courts shall be open. Matters may be heard in camera in cases stipulated by the federal law.

(2) Examination of criminal cases in default of a trial in courts of first instance shall not be allowed.

(3) Legal proceedings shall be conducted on the basis of the principle of pleadable process with the exception of cases established by the federal law.

Article 111

(1) Preliminary investigations into cases of offences committed in the Russian Federation shall be conducted by the Federal Investigatory Committee and its bodies.

(2) The Procurator shall bring in actions and maintain public accusation in court on behalf of the State.

(3) The Procurator's office shall supervise the legality of investigation of crimes.

(4) The organization and procedure of activity of the Federal Investigatory Committee and the Procurator's office shall be determined by the federal law.

CHAPTER XVIII. BASIC PRINCIPLES OF THE ORGANIZATION OF POWER IN REPUBLICS, TERRITORIES AND REGIONS

Article 112

(1) The Legislative Assembly to be elected by constituencies formed on the basis of a single rate of representation shall be the only representative and legislative body of a Republic.

(2) The republican highest-ranking office-holder shall be at the head of the Republic's executive power, which is a part of the system of the executive authority of the Russian Federation. The republican executive power shall act on the strength and in execution of the Constitution of the Russian Federation, the Constitution of the Republic, the federal laws, republican laws, the acts of the President of the Russian Federation and the Government of the Russian

Federation issued on the matters coming within their jurisdiction.

(3) The judicature of a Republic shall consist of higher and local courts and form part of the judicature of the Russian Federation.

(4) The Republic shall determine the name of its Legislative Assembly, the highest-ranking office-holder and its courts independently.

(5) The organs of state power of the Republic shall exercise the republican powers with the exception of those that belong to the local self-governmental bodies.

Article 113

(1) The Legislative Assembly to be elected by constituencies formed on the basis of a single rate of representation shall be the only representative and legislative organ of state power of a territory, region, autonomous region and autonomous area.

(2) The administration of a territory, region or area whose head (governor) is elected by the population shall be the organ of its executive power. The administration shall be part of the system of the Russian Federation's executive power, act on the strength and in execution of the Constitution of the Russian Federation, the statute of a territory or region, the federal laws on the autonomous region and autonomous area, other federal laws, the legal enactments of a territory, region, autonomous region or autonomous area, the acts of the President of the Russian Federation and the Government of the Russian Federation promulgated on the matters coming within their jurisdiction.

(3) The judicature of a territory, region, autonomous region or autonomous area shall consist of their respective courts and also of local courts and shall form the judicature of the Russian Federation.

(4) The organs of state power of territories, regions, autonomous regions or autonomous areas shall exercise their powers without interfering in the statutory powers of the local self-government bodies.

Article 113

The representatives of the federal organs of state power in a Republic, territory, region, autonomous region, and autonomous area shall act within their terms of reference and shall not be entitled to intervene in the activity of the organs of state power of a Republic, territory, region, autonomous region, and autonomous area.

CHAPTER IX. BASIC PRINCIPLES OF LOCAL SELF- GOVERNMENT

Article 114

(1) Local self-government shall be guaranteed. The Republics, territories, regions, autonomous regions, and autonomous areas shall ensure the conditions for local self-government

(2) Local self-government shall be carried out by territorial communities through the local representative bodies formed by them (Soviets, zemtsovos), local administration, other their bodies, local referendums, meetings and gatherings of citizens, etc.

(3) Local self-government shall be carried out within the boundaries of territorial units, into which the Republics, territories, regions, autonomous regions, and autonomous areas are divided.

(4) Local administration officials may not be Deputies of local representative bodies.

(5) Local self-government bodies shall function within their terms of reference, irrespective of federal, republican, territorial, regional and area state bodies operating within the framework of the Constitution of the Russian Federation and the federal laws, the Constitution and laws of the Republic, the charter and normative legal acts of the territory or region, the normative legal acts of the autonomous region or autonomous area, and also the statutes of local self-government.

(6) No interference in the local activities of local self-government shall be allowed.

Article 115

(1) The jurisdiction of self-governing territorial communities shall cover:

- (a) local budget, local taxes and dues;
- (b) local property;
- (c) economic, social, cultural, nature conservation and other questions of local importance referred by the law to their jurisdiction.

(2) The local representative body shall adopt the local budget.

(3) Local administration shall be subordinate in its activity to the local representative body or the local gathering of citizens. The powers of local administration for the possession, use and disposal of local property shall be established by the local representative body in accordance with the law.

(4) On terms of their reference the self-governing territorial communities may conclude agreements among themselves, and also with state organs, local self-government bodies, enterprises, institutions and non-governmental association, officials and private citizens on the matters coming within their jurisdiction.

(5) Enactments taken by local self-governmental bodies shall not run counter to the Constitution of the Russian Federation and the federal laws, the Constitution and laws of the respective Republic, the charters and normative legal acts of the respective territory, region, autonomous region, and autonomous area.

Article 116

(1) Self-governing associations of residents may be formed in populated localities. These associations may possess the rights of a juridical person.

(2) Local self-government bodies may delegate some of their powers to the self-governing associations of residents.

CHAPTER XX. FINANCE AND BUDGET

Article 117

(1) The budget system of the Russian Federation shall comprise the federal budget, the budgets of the Republics, territories, regions, autonomous regions, and autonomous areas, and also local budgets.

(2) The Republics, territories, regions, autonomous regions, and autonomous areas shall enjoy budget autonomy.

Article 118

(1) The Federal budget shall be adopted by the Supreme Soviet of the Russian Federation every year upon the proposal of the President of the Russian Federation.

(2) The Supreme Soviet of the Russian Federation shall discuss the items of the federal budget and adopt it after it has received the respective findings of the budget commissions of the chambers of the Supreme Soviet of the Russian Federation and the State Accounting Chamber of the Russian Federation.

(3) The draft of the federal budget shall be examined and passed in the order stipulated by Clause (3) of Article 85 and Clause (2) - (6) of Article 89 of the Constitution of the Russian Federation.

(4) The financial year in the Russian Federation shall begin on January 1 and end on December 31 of the calendar year. If the law on the federal budget has not come into force

prior to the next financial year, then pending its entry into force the expenditure shall be made in accordance with the federal budget for the previous fiscal year. In this instance the Supreme Soviet of the Russian Federation may introduce a different provisional order of financing budgetary expenses.

(5) The Supreme Soviet of the Russian Federation may set up special-purpose financial funds by the federal law and determine the sources of their formation.

(6) Federal taxes and other tax-related federal payments and dues introduced by the federal law shall be universally binding and collected throughout the territory of the Russian Federation.

Article 119

(1) The President of the Russian Federation shall submit to the Supreme Soviet of the Russian Federation the item-by-item report on the execution of the federal budget not later than two months after the expiration of the budget year of account.

(2) The Supreme Soviet of the Russian Federation shall be obliged to consider the report on the execution of the federal budget within two months after its submission with an eye to the conclusions drawn on this report by the budget commissions of State Accounting Chamber of the Russian Federation

(3) Item-by-item reports on the execution of the budgets of all levels shall be subject to publication.

Article 120

The Central Bank of the Russian Federation shall be independent of the organs of state power. The status of the Central Bank of the Russian Federation shall be determined by the federal law.

Article 121

(1) The State Accounting Chamber of the Russian Federation shall be formed by the Supreme Soviet of the Russian Federation, be accountable to it and independent of the bodies of executive power. The powers, organization and order of activity of the State Accounting Chamber of the Russian Federation shall be established by the federal law.

(2) The State Accounting Chamber of the Russian Federation shall control the preparation, examination, adoption, execution and the accountancy of the execution of the federal budget, the spending of the federal budget assignments and extra-budget funds, and the use of federal state property.

(3) Members of the State Accounting Chamber of the Russian Federation shall enjoy the same guarantees of the independence of their activity as judges do.

CHAPTER XXI. SECURITY AND DEFENCE

Article 122

(1) The security of man, society and State shall be provided by the system of measures of a legal, political, economic and organizational nature which are realized by the organs of state power.

(2) The basic principles of security policy, the military doctrine of the Russian Federation, the structure and organization of the Armed Forces of the Russian Federation, the federal security services, organs of internal affairs and other state security bodies shall be determined by the federal law.

(3) The Armed Forces of the Russian Federation, the security services and the organs of internal affairs shall not be unified among themselves.

Article 123

(1) The Armed Forces of the Russian Federation shall protect its sovereignty and territorial integrity, the state interests and the population of the country. The Russian Federation may form defence alliances with other States and create with them the united armed forces.

(2) Within the limits of granted powers the federal security services shall carry on the work of preventing or interdicting encroachments on the constitutional system, state sovereignty, territorial integrity and defence capacity of the Russian Federation.

(3) The organs of internal affairs shall ensure man's personal security, protect property and public order, and exercise crime control.

Article 124

The use of the Armed Forces of the Russian Federation, the organs of internal affairs, the federal security services for the purpose of a violent change or overthrow of the constitutional system of the Russian Federation, prevention or limitation of the activity of the organs of power, and the use of the unlawful restrictions of the constitutional rights and freedoms of man and citizen shall be the gravest of crimes.

Article 125

Omitted

CHAPTER XXII. STATE OF EMERGENCY AND MARTIAL LAW

Article 126

(1) Emergency as a special legal regime may be introduced as a temporary measure exclusively for the purpose of ensuring the security of citizens, protecting the constitutional system of the Russian Federation, and returning to the normal conditions of society's vital activity.

(2) The grounds for the proclamation of the state of emergency may include:

(a) an attempt at a forcible change or overthrow of the constitutional system of the Russian Federation; mass riots and conflicts between nations and nationalities attended by violence; blockade of particular localities threatening the vitally important interests of the Russian Federation, the security of citizens or the normal activity of state institutions;

(b) natural calamities, epidemics, epizootics, big accidents imperilling the life and health of the population and requiring emergency, salvation and restoration operations on a legal scale.

Article 127

The state of emergency shall be declared by resolution of the Supreme Soviet of the Russian Federation.

(2) In urgent cases the state of emergency shall be declared by the decree of the President of the Russian Federation with the immediate notification of the Supreme Soviet of the Russian Federation, which shall forthwith examine the decree. If the Supreme Soviet of the Russian Federation fails to approve the decree during 72 hours from the time of its issue, the decree on the proclamation of the state of emergency shall become null and void.

(3) The state of emergency may not be introduced for more than 30 days throughout of the territory of the Russian Federation and for more than 60 days in particular localities of the Russian Federation. Upon the expiration of the corresponding period the emergency shall cease to operate unless the Supreme Soviet of the Russian Federation prolongs it for a new period. The Supreme Soviet of the Russian Federation may prolong emergency every time for not more than 30 days.

(4) Acts on the declaration, prolongation and cessation of emergency shall be brought in time to the notice of the population and be subject to obligatory publication.

Article 128

(1) The state of emergency may be introduced throughout the territory of the Russian Federation or in particular localities only in conditions when the circumstances serving as a ground for its introduction present a real, extraordinary and inevitable threat to the security of citizens and the constitutional system, which can not be removed without the application of emergency measures.

(2) The state of emergency in a Republic, territory, region, autonomous region, and autonomous area may be introduced by the federal state bodies by agreement with the latter units.

(3) If the circumstances serving as a ground for the introduction of the state of emergency affect the territory of the Republic alone, the emergency in it may be proclaimed by the organs of power of that Republic with immediate notification of the Supreme Soviet of the Russian Federation and shall be implemented in accordance with the federal law.

Article 129

(1) Temporary restrictions of rights and freedoms may be introduced during the state of emergency in accordance with the federal law. Such restrictions shall be directly designated in the act of emergency.

(2) No changes shall be allowed in the period of the state of emergency in the Constitution of the Russian Federation, the federal election laws and the laws on legal procedure and no referendums and elections shall be held; the powers and functioning of the Supreme Soviet of the Russian Federation and courts may not be restricted or ceased. The term of powers of the Supreme Soviet of the Russian Federation that expires during the operation of emergency throughout the territory of the Russian Federation shall be prolonged for the period of the operation of emergency pending the election of the Supreme Soviet of the Russian Federation of a new convocation but for not more than six months. The enforcement of rights and freedoms shall not be subject to restriction as provided for by Article 20, Clauses (4) and (5) of Article 21, Clause 2 of Article 22, Article 26, 27, 33, 37, Clause (1) of Article 40, and by Articles 44-46 of the Constitution of the Russian Federation.

(3) Cases of offences entailing the death sentence as a measure of punishment may not be tried on the territory where the state of emergency has been declared. The exclusive penalty imposed for offences committed during emergency shall

nor be executed throughout the time of emergency and for 30 days after its cessation.

(4) Measures to be taken during emergency:

(a) shall be implemented within the limits resumed by the critical situation;

(b) shall not entail any restrictions or changes of the rights and powers of state bodies, the legal status of non-governmental associations, and also the human rights and freedoms in the localities where no emergency has been declared;

(c) shall not entail any discrimination of particular persons or groups of the population exclusively on the grounds of race and nationality, color of skin, sex, language, social and property status, social origin, place of residence, and attitude to religion.

Article 129

Martial law as a special legal regime shall be proclaimed throughout the territory of the Russian Federation or in particular areas with the declaration of a state of war when it is necessary to meet international treaty obligations relating to collective defence against aggression or in the event of an imminent threat of an armed attack on the Russian Federation. The decision on proclaiming martial law shall be adopted by the Supreme Soviet of the Russian Federation, while in the event of a surprise armed attack or an urgent need to meet international treaty obligations relating to collective defence against aggression the decision shall be taken by President of the Russian Federation. The regime of martial law shall be determined by the federal law.

SECTION 6. CONCLUDING PROVISIONS

CHAPTER XXIII. STATE SYMBOLS AND CAPITAL OF THE RUSSIAN FEDERATION

Article 130

(1) The National Flag of the Russian Federation is a rectangle of cloth consisting of three equivalent stripes, the upper stripe being white in color, the middle one being azure and the lower one being scarlet. The ratio of the width of the flag to its length is 2:3.

(2) The National Emblem of the Russian Federation is the black double-headed eagle against the background of a golden shield with two crowns with a larger crown at their head; the

state eagle keeps the golden scepter and orb; the eagle's chest bears the historical Moscow coat of arms.

(3) The National Anthem of the Russian Federation is the Patriotic Song composed by Mikhail Glinka. The text of the National Anthem of the Russian Federation shall be endorsed by the federal law.

Article 131

The Capital of the Russian Federation is the city of Moscow. The rights and duties of the city of Moscow as the federal capital shall be determined by the federal law.

CHAPTER XXIV. ENTRY INTO FORCE AND AMENDMENT OF THE CONSTITUTION OF THE RUSSIAN FEDERATION

Article 132

(1) The Constitution of the Russian Federation shall come into force throughout the territory of the Russian Federation on the next day after its publication.

(2) The Constitution (Fundamental Law) of the Russian Federation - Russia of April 12, 1978 with subsequent amendments and additions shall be null and void on the day when the present Constitution of the Russian Federation comes into force.

Article 133

(1) Amendments of the provisions of the second- sixth sections of the Constitution of the Russian Federation, with the exception of Chapter XIII and the present Article, shall be made by the Supreme Soviet of the Russian Federation.

(2) Proposal to amend the Constitution of the Russian Federation may be tabled in the Supreme Soviet of the Russian Federation by the following persons and bodies:

(a) by not less than one-third of the total number of the Deputies of the Russian Federation;

(b) by the President of the Russian Federation;

(c) by the Constitutional Court of the Russian Federation

(d) by the representative organ of the respective Republic, territory, region, autonomous region, and autonomous area.

(3) The bill of the amendment of the Constitution of the Russian Federation shall be passed by two-thirds of the total number of the elected Deputies in each chamber of the Supreme Soviet of the Russian Federation after the receipt of the conclusion arrived at by the joint Constitutional Committee of the Supreme Soviet of the Russian Federation; to amend the provisions of Chapter XIII of the Constitution of the Russian Federation and the present Article two-thirds of the votes of

the elected Deputies shall be required in the State Duma and three-fourths of the elected Deputies shall be required in the Federal Assembly.

(4) If the Supreme Soviet of the Russian Federation has not passed the respective law during one year after the proposal was tabled to amend the Constitution, the proposal shall be deemed to have been rejected and may not be resumed during the year after its rejection.

TRANSITIONAL PROVISIONS

I. ON THE LEGISLATION OF THE RUSSIAN FEDERATION

Paragraph 1

(1) Federal laws, references to which are to be found in the Constitution of the Russian Federation shall be adopted during one year after it comes into force. If such laws have operated on the day of the Constitution of the Russian Federation comes into force, they shall be applicable before they are brought into the conformity with the Constitution of the Russian Federation in the part that is not inconsistent with the Constitution of the Russian Federation.

(2) All other normative acts shall be brought into conformity with the Constitution of the Russian Federation during two years since it comes into force. Prior to this time they shall continue to operate in the part that is not inconsistent with the Constitution of the Russian Federation and the federal laws corresponding to it.

(3) The laws and other normative acts of the USSR shall apply on the territory of the Russian Federation in the part that is not inconsistent with the Constitution of the Russian Federation and the federal laws.

Paragraph 2

(1) The Republics shall bring their Constitutions into conformity with the Constitution of the Russian Federation during one year since the day it comes into force.

(2) The territories, regions, and the cities of Moscow and St. Petersburg shall adopt their charters during one year after it comes onto force.

(3) During one year the Constitution of the Russian Federation comes into force, the Supreme Soviet of the Russian Federation shall pass federal laws on the respective autonomous regions and autonomous areas upon their proposals.

II. ON THE RIGHTS, FREEDOMS AND DUTIES OF MAN AND CITIZEN

Paragraph 3

Pending the adoption of the federal law stipulating cases when the defendant has the right to have his matter examined by jury and of the federal law providing for the organization and order of functioning of such court, but not later than two years after the entry of the Constitution of the Russian Federation into force, the former cognizance of criminal cases and the former procedure for their examination shall be preserved.

Paragraph 4

(1) Documents required for employment and in other instances shall not include questions relating to the application to non-governmental associations, stay abroad and other circumstances of no independent legal importance. Exceptions to this rule shall be established by the federal law.

(2) Passports, registry record certificates, identity cards and other documents shall not contain information about national allegiances as having no bearing on the person's legal status.

Paragraph 5

Persons who are on the list to receive housing in state organs, institutions and state enterprises, and also in local self-governing bodies on the day the Constitution comes into force shall retain their right to get it from the state, local and other housing stock on the grounds and conditions effective on the day the Constitution of the Russian Federation comes into force.

Paragraph 6

The land transferred free of charge from state and municipal property to the ownership of non-governmental juridical persons, excluding collective forms, and of natural persons may not be sold for two years after its acquisition. This limitation shall operate within five years since the day the Constitution of the Russian Federation comes into force

III. ON THE FEDERAL STRUCTURE

Paragraph 7

The Republics that are a part of the Russian Federation in accordance with the Constitution (Fundamental Law) of the Russian Federation of 1978, the territories and regions, the cities of Moscow and St.

Petersburg, the autonomous regions and the autonomous areas that form a part of the Russian Federation in accordance with the said Constitution shall acquire the constitutional-legal status of a Republic, territory, region, autonomous region, and autonomous area in accordance with the present Constitution since the day it comes into force

Paragraph 8

Omitted

IV. ON THE SYSTEM OF STATE POWER AND LOCAL SELF-GOVERNMENT

Paragraph 9

(1) Since the day of the entry of the Constitution of the Russian Federation into force People's Deputies of the Russian Federation shall become Deputies of the Russian Federation. They shall retain their mandates, rights and powers pending the election of the Supreme Soviet of a new convocation.

(2) Deputies of the Russian Federation who are not members of the Supreme Soviet of the Russian Federation shall have the right to attend its sessions, take part in the work of the commissions and joint committees of the chambers of the Supreme Soviet of the Russian Federation as their members in accordance with the chamber rules of procedure, and to exercise their powers as Deputies in their constituencies. They may exercise their powers as Deputies without leaving their basic place of work.

Paragraph 10

(1) The Congress of People's Deputies of the Russian Federation - Russia shall be transformed into the Congress of Deputies of the Russian Federation since the day the Constitution comes into force and shall function pending the election of the Supreme Soviet of the Russian Federation of a new convocation.

(2) Regular Congresses of Deputies of the Russian Federation shall be held once a year. Extraordinary Congresses shall be convened on the initiative of the Supreme Soviet of the Russian Federation, of one-third of Deputies of the Russian Federation, and of the President of the Russian Federation.

(3) The jurisdiction of the Congress of Deputies of the Russian Federation shall cover:

(a) approval by two-thirds of the total number of Deputies of the Russian Federation of the amendments made to the Constitution of the Russian Federation by the Supreme

Soviet of the Russian Federation in accordance with Article 133 of the Russian Federation;

(b) formation of the chambers of the Supreme Soviet of the Russian Federation and partial rotation of their numbers according to the rate fixed by it;

(c) hearing of messages of the President of the Russian Federation on the situation in the Russian Federation and of his annual reports on implementation of internal and external policies of the Russian Federation and federal programs;

(d) election of the Chairman of the Supreme Soviet of the Russian Federation.

(4) The Congress of Deputies of the Russian Federation shall take resolutions obligatory for the Supreme Soviet of the Russian Federation on matters of its jurisdiction.

Paragraph 11

(1) Since the day the present Constitution comes into force, the Supreme Soviet of the Russian Federation, envisaged by the 1978 Constitution of the Russian Federation, shall be transformed into the Supreme Soviet of the Russian Federation under the present Constitution. The Soviet of the Republic of the Supreme Soviet of the Russian Federation shall be transformed into the State Duma, while the Soviet of Nationalities of the Supreme Soviet of the Russian Federation shall be transformed into the Federal Assembly

(2) The Congress of Deputies of the Russian Federation shall complement the State Duma to the limit of 450 members from among the Deputies from territorial constituencies to be elected by the Supreme Soviet of the Russian Federation to the standing commissions of its chambers and committees.

(3) The Congress of Deputies of the Russian Federation shall complement the Federal Assembly up to the necessary strength, seeking as far as possible to secure the equal representation of the Republic, territory, region, autonomous region, and autonomous area. The Federal Assembly shall be reinforced by Deputies of the Russian Federation elected in national-territorial constituencies. As required by the representation of a Republic, territory, region, autonomous region, and autonomous area the Federal Assembly may be reinforced with the consent of the respective group of Deputies by the Deputies of the Supreme Soviet elected from the relevant or other territorial constituencies.

(4) The offices of the Chairman of Supreme Soviet of the Russian Federation - Russia, the First Vice-chairman of the Supreme Soviet of the Russian Federation - Russia shall become

the offices of the Chairman of Supreme Soviet of the Russian Federation, the First Vice-Chairman and the Vice-Chairman of the Supreme Soviet of the Russian Federation.

(5) The Chairman of the Supreme Soviet of the Russian Federation shall discharge the following functions:

(a) exercise general guidance of the preparation of questions subject to consideration by the Congress of Deputies of the Russian Federation and the Supreme Soviet of the Russian Federation;

(b) submit to the Supreme Soviet of the Russian Federation candidatures for the election to the offices of the First Vice-Chairman and the Vice-Chairman of the Supreme Soviet of the Russian Federation in case any of the Vice-Chairmen vacate his office;

(c) preside at the Congress of Deputies of the Russian Federation and the joint meetings of the chambers of the Supreme Soviet of the Russian Federation.

(6) The First Vice-Chairman and the Vice-Chairman of the Supreme Soviet of the Russian Federation shall discharge certain functions of the Chairman of the Supreme Soviet of the Russian Federation on the instruction of the Chairman of the Supreme Soviet of the Russian Federation and replace him when the latter is absent or can not perform his duties.

(7) The Presidium of the Supreme Soviet of the Russian Federation - Russia shall become the Presidium of the Supreme Soviet of the Russian Federation and act until the term of office of the Supreme Soviet of the Russian Federation of this convocation is over.

(8) The Presidium of the Supreme Soviet of the Russian Federation shall:

(a) name the date of elections to the Supreme Soviet of the Russian Federation;

(b) convene sessions of the Supreme Soviet of the Russian Federation;

(c) coordinate the work of the chambers, their commissions and joint committees of the chambers of the Supreme Soviet of the Russian Federation.

(9) Officeholders elected or appointed by the Congress of People's Deputies or by the Supreme Soviet of the Russian Federation - Russia shall retain their powers unless they are released from their posts by the Supreme Soviet of the Russian Federation.

Paragraph 12

(1) Since the day of the Constitution of the Russian Federation comes into force, the President of the Russian Federation - Russia shall become the President of the Russian Federation and retain his office until the term for which he was elected as the President of the Russian Federation of the RSFSR is over, unless his powers are ceased in accordance with Article 95 of the Constitution of the Russian Federation.

(2) Before the period for which the President of the Russian Federation was elected as the President of the RSFSR is over, he shall have the right to make new appointments and recall all officials in the system of executive power, barring the Chairman, Deputy Chairman and members of the Government of the Russian Federation, who are appointed in accordance with the Constitution of the Russian Federation. He shall also have the right to reorganize the structures of executive power with the subsequent approval of the Supreme Soviet of the Russian Federation.

(3) In the period of the radical reform the Supreme Soviet of the Russian Federation shall have the right by adopting a federal law to vest the President of the Russian Federation with the temporary power of issuing decrees on strictly defined matters coming within the sphere of federal legislation but not affecting the constitutional rights and freedoms of man and citizen and the federal structure of the Russian Federation. The President of the Russian Federation shall be obliged to submit forthwith such decrees to the Supreme Soviet of the Russian Federation, which may terminate the operation of any such decree within three weeks.

Paragraph 13

Since the day of the Constitution of the Russian Federation comes into force the Constitutional Court of the Russian Federation - Russia shall become the Constitutional Court of the Russian Federation. Henceforth judges of the Constitutional Court of the Russian Federation shall be appointed in the manner stipulated by the Constitution of the Russian Federation.

Paragraph 14

(1) Pending the adoption of the federal laws regulating in accordance with the Constitution of the Russian Federation the organization and activity of the courts, the laws on courts and the procedural rights of the individual that will operate on the day when the Constitution of the Russian Federation comes into force shall retain their effect in the

part which is not inconsistent with the Constitution of the Russian Federation.

(2) Judges of all the courts in the Russian Federation who held their offices on the day the Constitution of the Russian Federation has come into force shall retain their power prior to the expiration of the period for which they were elected.

Paragraph 15

(1) Before the appropriate federal laws are passed, the Procurator's office shall retain its functions of supervision over the execution of laws and the adoption of measures aimed at the removal of their violations and the calling of the guilty persons to account. In that period, procurators shall also have the right to give sanctions on arrests and searches, which may be appealed against in court in the manner prescribed by the federal law.

(2) Since the day the Constitution of the Russian Federation comes into force, the Procurator-General of the Russian Federation - Russia shall become the Procurator-General of the Russian Federation. The Procurator-General of the Russian Federation shall be appointed or released from office by the Supreme Soviet of the Russian Federation. Republican procurators shall be appointed by the Procurator-General of the Russian Federation by agreement with the respective Republics; they shall be subordinate and accountable to him. Other procurators shall be appointed by the Procurator-General of the Russian Federation; they shall be subordinate and accountable to him. The term of office of the Procurator-General of the Russian Federation and of the procurators subordinate to him shall be five years.

Paragraph 16

Prior to the adoption of the federal laws regulating in accordance with the Constitution of the Russian Federation the organization and activity of self-government bodies, the laws of these bodies effective on the day the Constitution has come into force shall continue to operate in the part that is not inconsistent with the Constitution of the Russian Federation.

