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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**DRAFT CONSTITUTION
OF THE CHECHEN REPUBLIC**

We, the multinational people of the Chechen Republic,
recognizing our historic responsibility for the establishment of the social order and accord in the Chechen Republic,
striving to protect human rights and liberties as the supreme value and strengthen democratic foundations of the society,
guided by the generally-recognized principles of equality and self-determination of peoples,
based on the responsibility for the past, present and future of our society and nation,
affirming our historical unity with Russia and its multinational people,
reaffirming the best traditions of the peoples of the Chechen Republic and the entire Russian Federation,
honouring the memory of our ancestors, who have given us our love and respect for the Fatherland, our belief in good and fairness,
hereby proclaim and adopt this Constitution of the Chechen Republic.

SECTION ONE

CHAPTER 1 FOUNDATIONS OF THE CONSTITUTIONAL ORDER

Article 1

1. The Chechen Republic (Nokhchiin Respublika) is a democratic social legal state with a republican form of government.

The sovereignty of the Chechen Republic shall be expressed in its full (legislative, executive and judicial) authority - outside the limits of jurisdiction of the Russian Federation and its authority on matters under joint jurisdiction of the Russian Federation and the Chechen Republic - and shall be the inalienable qualitative property of the Chechen Republic.

2. The territory of the Chechen Republic shall be united and indivisible and shall be an inalienable part of the territory of the Russian Federation.

Article 2

1. The sole source of power in the Chechen Republic, within the limits of the jurisdiction of the Republic, is its multinational people.

2. The people shall exercise their power directly, as well as through bodies of state authority and through bodies of self-government.

3. The direct supreme expression of the people's power shall be the referendum and free elections.

4. The seizure of power or usurpation of authority is impermissible and shall be prosecuted by law.

Article 3

1. The individual, its rights and liberties are the supreme value. The Chechen Republic confirms special political and legal significance of the rights and liberties of an individual and citizen by the inclusion of the provisions of the Constitution of the Russian Federation, which regulate the rights and liberties of an individual and citizen into the Constitution of the Chechen Republic.

2. Creation of conditions which provide a dignified life and free development for individuals, civil order and accord in the society, preservation and protection of the historic and cultural heritage of the peoples and their national originality are supreme objectives of the Chechen Republic.

Article 4

1. State authority in the Chechen Republic is exercised on the basis of its separation into legislative, executive and judicial branches. Bodies of legislative, executive and judicial authority are independent.

2. The system of bodies of state power of the Chechen Republic is established by this Constitution in accordance with the foundations of the constitutional order of the Russian Federation and the general principles of organization of legislative (representative) and executive bodies of state power established by federal law.

Article 5

1. State authority in the Chechen Republic is exercised by the President of the Chechen Republic, the Parliament of the Chechen Republic (Council of the Republic, People's Assembly), the government of the Chechen Republic, courts of the Chechen Republic and other bodies of state authority of the Chechen Republic established in accordance with this Constitution.

2. When carrying out their activities, the President of the Chechen Republic, the Parliament of the Chechen Republic, the government of the Chechen Republic and other bodies of state authority of the Chechen Republic and courts of the Chechen Republic shall cooperate in the forms established by federal law, this Constitution and laws of the Chechen Republic in order to provide effective management of the economic and social development processes in the Chechen Republic in the interests of its population.

Article 6

1. In respect of matters under the jurisdiction of the Chechen Republic, the Constitution and laws of the Chechen Republic shall have direct legal effect in the entire territory of the Chechen Republic and shall have supreme legal force. In the event of a contradiction between a federal law and a regulatory act of the Chechen republic, the regulatory act of the Chechen Republic shall prevail.

In respect of matters under exclusive jurisdiction of the Russian Federation and joint jurisdiction of the Russian Federation and the Chechen Republic, federal constitutional laws and federal laws shall have direct legal effect in the entire territory of the Chechen Republic. In the event of a contradiction between a federal law and a regulatory act of the Chechen republic, the federal law shall prevail.

2. The laws and other regulatory acts adopted under the jurisdiction of the Chechen Republic must not contradict federal laws and the Constitution of the Chechen Republic.

3. Disputes concerning jurisdiction of bodies of the state authority of the Chechen Republic and bodies of the state authority of the Russian Federation, as well as those between bodies of the state authority of the Chechen Republic shall be resolved in accordance with the agreement procedures envisaged by the Constitution of the Russian Federation, this Constitution, law or through court action.

4. All laws must be officially published. Unpublished laws shall not be applied. Other regulatory acts affecting human rights, liberties and obligations and those of citizens shall not apply if they are not published officially for everyone's information.

5. The bodies of state authority of the Chechen Republic, the bodies of local self-government, enterprises, institutions, organizations, officials, citizens and their associations, as well as foreign citizens and stateless persons, must observe the Constitution of the Russian Federation and federal laws, the Constitution of the Chechen Republic and other laws regulatory acts of the Republic.

Article 7

1. Local self-government is recognized and guaranteed in the Chechen Republic. Local self-government is independent within the limits of its authority. Bodies of local self-government are not part of the system of the bodies of state authority.

Article 8

1. Ideological and political diversity and a multi-party system are recognized in the Chechen Republic.

2. No ideology may be established as a state or compulsory ideology.

3. Parties and public associations are equal before the law.

4. The establishment and activity of public associations whose objectives or actions are directed towards the forced change of the foundations of the constitutional order or the violation of the unity of the Chechen Republic and the Russian Federation, inflaming social, racist, national and religious discord and establishing any armed or military formations in the territory of the Chechen Republic, which are not envisaged by the Constitution of the Russian Federation and federal law, shall be prohibited.

Article 9

1. State, municipal, private and other forms of ownership shall be recognized and protected equally in the Chechen Republic.

2. Land and other natural resources shall be used and protected in the Chechen Republic as the foundation of life and activity of the peoples living in the territory of the Chechen Republic.

3. Legal regulation of matters of ownership, use and disposal of land and other natural resources shall be carried out in accordance with legislation of the Chechen Republic within limits and according to the procedure established by the Constitution of the Russian Federation and federal law.

Article 10

1. The state languages of the Chechen Republic shall be the Chechen and Russian languages.

2. The Russian language shall be the medium of communication between nations and the language of official office work in the Chechen Republic.

3. The status of the state languages of the Chechen Republic shall be established by federal and republic laws.

Article 11

1. The Chechen Republic is a secular State. No religion may be established as a state or compulsory religion.
2. Religious associations are separate from the State and equal before the law.

Article 12

Each citizen of the Russian Federation who resides or is in the territory of the Chechen Republic shall enjoy all rights and liberties and bear equal responsibilities envisaged by the Constitution of the Russian Federation, federal laws, the Constitution of the Chechen Republic and laws of the Republic.

Article 13

1. The provisions of this Chapter of the Constitution of the Chechen Republic constitute the foundations of the constitutional order of the Chechen Republic. No other provisions of the Constitution of the Chechen Republic may contradict the foundations of the constitutional order of the Chechen Republic.
2. Taking into account special political and legal significance of the provisions of the Constitution of the Russian Federation which relate to matters under the jurisdiction of the Russian Federation and subjects of the Russian Federation, such provisions are included into the Constitution of the Chechen Republic.

CHAPTER 2

HUMAN AND CITIZENS' RIGHTS AND LIBERTIES

Article 14

1. Human and citizens' rights and liberties shall be recognized and guaranteed in the Chechen Republic in accordance with the Constitution of the Russian Federation, the Constitution of the Chechen Republic and in accord with generally accepted principles and norms of international law.
Protection of human and citizens' rights and liberties is the obligation of the Chechen Republic, its state bodies and officials.
2. Fundamental human rights and liberties are inalienable and are enjoyed by everyone from birth.
3. The exercise of human and citizens' rights and liberties must not violate the rights and liberties of other persons.

Article 15

1. Human and citizens' rights and liberties are immediately effective. They shall determine the essence, content and application of laws, the activity of legislative and executive authority and local self-government, and shall be secured by the system of justice.

Article 16

1. All persons are equal before the law and the courts.
2. The Chechen Republic shall guarantee the equality of human and citizens' rights and liberties irrespective of gender, race, nationality, language, origin, property ownership or office, place of residence, attitude towards religion, convictions, membership in public associations, as well as other circumstances. Limitation of citizens' rights based on social status, race, ethnicity (nationality), language or religious confession shall not be permitted.
3. Men and women shall have equal rights and liberties and equal opportunities for their implementation.

Article 17

Every person has the right to life. No one can be deprived of life arbitrarily.

Article 18

1. The dignity of the person shall be protected by the state. Nothing may serve as a basis for its derogation.
2. No one may be subjected to torture, violence or other treatment or punishment, which is cruel or degrading. No one may be subjected to medical, scientific or other experiments without voluntary consent.

Article 19

1. Every person has the right to freedom and personal inviolability.
2. Arrest, detention and remanding in custody shall be allowed only by a court decision.

Article 20

1. Everyone has the right to the inviolability of private life, private and family secrecy, and the protection of his (her) honour and good name.
2. Everyone has the right to the secrecy of correspondence, telephone calls, postal, telegraph and other correspondence. Limitation of that right shall be permitted only on the basis of a court decision.

Article 21

1. The collection, use and distribution of information on the private life of a private individual without his (her) consent shall not be permitted.
2. The bodies of state authority and bodies of local self-government, and their officials, must provide everyone with the opportunity to review documents and materials that directly concern their rights and liberties, unless otherwise is stipulated by law.

Article 22

The home is inviolable. No one may enter housing against the will of those residing therein, except in the cases established by federal law, or on the basis of a court decision.

Article 23

1. Everyone has the right to determine and specify his or her nationality. No one may be forced to specify his or her nationality.
2. Every person has the right to use his or her native language, to the free choice of language of communication, rearing, education and creative work.

Article 24

Everyone who is lawfully located in the territory of the Chechen Republic has the right to freely move, and select his (her) place of stay and residence.

Article 25

Every person is guaranteed freedom of conscience, freedom of confession, including the right to practice any religion individually or jointly with others or not to practice any religion, to freely chose and have religious and other convictions.

Article 26

1. Everyone is guaranteed freedom of thought and speech.
2. Propaganda and agitation, which incite social, racial, ethnic or religious hatred and animosity, shall be prohibited.
Propaganda of social, racial, ethnic, religious or linguistic supremacy, as well as propaganda of violence and pornography shall be prohibited.
3. No one may be forced to express his (her) opinions or convictions or to denounce them.
4. Everyone has the right to freely seek, obtain, transfer, produce and distribute information by any lawful means.
5. The freedom of the mass media is guaranteed. Censorship is prohibited.

Article 27

1. Every person has the right of association, including the right to create professional unions for the protection of its interests. Freedom of activity of public associations is guaranteed.
2. No one may be forced to enter any association or to be its member.

Article 28

Citizens have the right to meet peacefully, without carrying arms, and hold gatherings, meetings and demonstrations, marches and pickets.

Article 29

1. Citizens of the Russian Federation who live in the Chechen Republic (citizens of the Chechen Republic) have the right to participate in the management of affairs of the Chechen republic both directly and through their representatives.
2. Citizens of the Chechen Republic have the right to elect and be elected to bodies of State authority and bodies of local self-government, as well as to participate in referendums.

3. Citizens of the Chechen Republic who have been declared as lacking legal capacity by a court, as well as those held in institutions of confinement pursuant to a court sentence, shall not have the right to elect and be elected.

4. Citizens of the Chechen Republic have equal access to civil service and municipal service.

5. Citizens of the Chechen Republic have the right to participate in the administration of justice.

Article 30

Citizens of the Chechen Republic shall have the right to petition personally, as well as to send individual and collective petitions to state bodies and bodies of local self-government.

Article 31

1. Everyone has the right to the free use of his (her) abilities and property for the entrepreneurial and other economic activities not prohibited by law.

2. Economic activities aimed at monopolization or unscrupulous competition shall be prohibited.

Article 32

1. The right of private ownership shall be protected by law.

2. Everyone has the right to own property, to possess, use and dispose of it either individually or jointly with other persons.

3. No one may be deprived of his (her) property, except by a decision of a court. Forced alienation of property for the state needs may be carried out only on condition of equal compensation made in advance.

4. The right of inheritance is guaranteed.

Article 33

1. Citizens and their associations have the right to hold land in private ownership.

2. The possession, use and disposal of land and other natural resources may be carried out by their owners freely, unless this damages the natural environment or violates the rights and lawful interests of other persons.

3. The conditions and procedure for the use of land shall be determined on the basis of a federal law.

Article 34

1. Labour is free. Everyone has the right to earn his or her living through work, use his or her abilities to work, chose his or her type of activity and profession.

2. Forced labour is prohibited.

3. Everyone has the right to employment in conditions conforming to safety and hygiene requirements, to compensation for work without any discrimination and not lower than the minimum wage established by federal law, as well as the right to protection from unemployment.

4. The right to individual and collective labour disputes using the means established by federal law for their resolution, including the right to strike, is recognized.

5. Everyone has the right to vacation. Persons working under an employment contract shall be guaranteed the working time duration, days off and holidays and a paid annual vacation established by federal law.

Article 35

1. Motherhood, childhood and the family are under the protection of the state.
2. Care for children and the upbringing of children is equally a right and obligation for parents.
3. Young people over 18 years of age and capable of working must care for their parents.
4. Generally-recognized customs and traditions of the Chechen Republic, such as respect for old people, women, persons of different religious beliefs, hospitality and mercy, are sacred and protected by the Constitution of the Chechen Republic and laws of the Republic.

Article 36

1. Every citizen of the Chechen Republic shall be guaranteed social security on the basis of age, in the event of illness, disability, loss of breadwinner, for raising children, and in other cases envisaged by law.
2. State pensions and social subsidies shall be established in accordance with federal laws and laws of the Chechen Republic.
3. Voluntary social insurance, creation of additional forms of social security and charity activities shall be encouraged.

Article 37

1. Everyone has the right to housing. No one may be arbitrarily deprived of his housing.
2. Bodies of state authority and bodies of local self-government shall encourage housing construction and create conditions for the exercise of the right to housing.
3. The low-income citizens of the Chechen Republic and other citizens specified by legislation of the Chechen Republic, who are in need of housing, shall receive it free of charge or for a reasonable price from state, municipal and other housing funds in accordance with the norms established by law.

Article 38

1. Everyone has the right to protection of health and to medical aid. Medical aid at state and municipal healthcare institutions shall be provided to citizens free of charge at the expense of the funds of the corresponding budget, insurance contributions and other receipts.
2. In the Chechen Republic, the republic programs for the protection and strengthening of the population's health shall be financed, measures for the development of state, municipal and private healthcare systems shall be taken, activity facilitating the development of physical culture and sports and the strengthening of public health as well as environmental, sanitation and epidemiological safety shall be encouraged.
3. The concealment of facts or circumstances, posing a threat to people's lives or health, committed by officials shall give rise to their liability in accordance with federal law.

Article 39

Everyone has the right to favourable natural environment, reliable information about its condition and to compensation for damages caused to health or property by violations of environmental legislation.

Article 40

1. Each citizen has the right to education.
2. General accessibility and free pre-school, primary and secondary education, as well as secondary professional education shall be guaranteed at state and municipal educational institutions.
3. Everyone shall have the right to receive, on a competitive basis, free higher education at a state or municipal educational institution.
4. Primary school education is compulsory. Parents or guardians must ensure that children receive primary school education.
5. The Chechen Republic shall resolve questions of education within the jurisdiction of the Republic.

Article 41

1. Everyone shall be guaranteed freedom of literary, artistic, scientific, technical and other types of creative activities, and teaching. Intellectual property shall be protected by law.
2. Everyone shall have the right to participate in cultural life and use cultural institutions, as well as to gain access to cultural values.
3. Every person must preserve historical and cultural heritage and protect historical and cultural monuments.

Article 42

Every person has the right to defend his (her) rights and liberties with all means that are not prohibited by law.

Article 43

1. Every person shall be guaranteed judicial defence of his or her rights and liberties.
2. Decisions and actions (or inaction) of bodies of state authority, bodies of local self-government, public associations and officials may be appealed against in court.

Article 44

1. No one may be deprived of the right to the consideration of his or her case in that court and by that judge to whose jurisdiction it is assigned.
2. A person accused of committing a crime has the right to the examination of his or her case by a court with the participation of jurors in the cases envisaged by federal law.

Article 45

1. Everyone shall be guaranteed the right to receive qualified legal assistance. In cases envisaged by law, legal assistance shall be rendered free of charge.

2. Every person detained, held in custody or accused of a crime shall have the right to use the assistance of a lawyer (defence lawyer) from the moment of the detainment, taking in custody or presentation of charges.

Article 46

1. Every person accused of committing a crime shall be considered innocent until his or her guilt is proved in accordance with the procedure established by federal law and confirmed by a sentence of a court which has come into legal force.

2. Accused persons are not obligated to prove their innocence.

3. Unresolved doubts about the guilt of a person shall be interpreted in favour of the accused.

Article 47

1. No one may be convicted repeatedly for one and the same crime.

2. During the administration of justice, the use of evidence obtained in violation of federal law shall not be permitted.

3. Every person found guilty of a crime shall have the right to a review of the verdict by a superior court in accordance with the procedure established by federal law, and also the right to ask for a pardon or a mitigation of the punishment

Article 48

No one may testify against himself or herself, his or her spouse or close relatives as defined by federal law.

Article 49

The rights of victims of crimes and abuses committed by the authorities shall be protected by law. The state shall secure victims an access to justice and compensation for the damage inflicted.

Article 50

Everyone has the right to compensation by the state of damages caused by unlawful actions (or inaction) of bodies of state authority or their officials.

Article 51

1. A law establishing or aggravating liability shall have no retroactive effect.

2. No one shall bear liability for any action which, at the time of its commitment, was not regarded as a violation of law. If after the commitment of a legal violation the liability for it is eliminated or mitigated, the new law shall be applicable.

Article 52

1. The listing in the Constitution of the Chechen Republic of rights and liberties must not be interpreted as a negation or derogation of other generally recognized human and civil rights and liberties.

2. Laws eliminating or derogating human and civil rights and liberties must not be issued in the Chechen Republic.

3. Human and civil rights and liberties may be limited by federal law only to the extent that this is necessary for the purposes of defending the foundations of the constitutional order of the Russian Federation, morality, health, rights and lawful interests of other persons and the ensuring of the defence and security of the Russian Federation.

Article 53

1. During a state of emergency, certain limitations on rights and liberties may be imposed in accordance with federal constitutional law to ensure the security of citizens and the protection of the constitutional order with specification of the limits and term for their effect.

2. A state of emergency in the Chechen Republic and in its separate parts may be introduced in the event of circumstances and in accordance with the procedure established by the federal constitutional law.

Article 54

Everyone shall be obligated to pay lawfully established taxes and duties. Laws introducing new taxes or worsening the position of taxpayers shall not have retroactive force.

Article 55

Everyone is obligated to preserve nature and the environment and have a careful attitude to natural resources.

Article 56

Citizens of the Chechen Republic shall perform military service in accordance with federal law. In cases determined by federal law, they have the right to get the military service replaced by the alternative civilian service.

Article 57

Citizens of the Chechen Republic may from the age of 18 exercise their rights and obligations to the full extent independently, unless otherwise is established by law.

CHAPTER 3

STATE STRUCTURE OF THE CHECHEN REPUBLIC

Article 58

Relations of the Chechen Republic and the Russian Federation shall be determined by the Constitution of the Russian Federation, federal laws, the Constitution of the Chechen Republic and agreements concluded in accordance with the federal laws between the bodies of state authority of the Chechen Republic and bodies of state authority of the Russian Federation on the division of jurisdiction and powers and agreements between the executive

bodies of the Chechen Republic and federal executive bodies on the transfer of part of their powers to each other.

Article 59

1. The status of the Chechen Republic is determined by the Constitution of the Russian Federation and the Constitution of the Chechen Republic.

The status of the Chechen Republic may not be changed without its consent.

2. The borders between the Chechen Republic and other subjects of the Russian Federation may be changed only by mutual consent of the Parties.

3. The border between the Chechen Republic and foreign states are the State Border of the Russian Federation, whose status is determined by federal law.

4. The administrative and territorial structure of the Chechen Republic and the procedure for its change, as well as the status of the capital city of the Chechen Republic shall be determined by laws of the Republic.

5. The Chechen Republic shall include:

cities of Grozny, Argun and Gudermes of the republic significance;

districts: Achkhoy-Martanovsky, Vedensky, Galanchozhsky, Groznensky, Gudermessky, Itum-Kalinsky, Kurchaloevsky, Nadterechny, Naursky, Nozhai-Yurtovsky, Staro-Yurtovsky, Sunzhensky, Urus-Martanovsky, Chebernoevsky, Shalinsky, Sharoisky, Shatoisky and Shelkovskoy.

The capital city of the Chechen Republic is the city of Grozny.

Article 60

The following matters fall within the joint jurisdiction of the Russian Federation and the Chechen Republic:

a) ensuring the conformity of the Constitution of the Chechen Republic and the Republic's laws to the Constitution of the Russian Federation and federal laws;

b) protection of human and citizens' rights and liberties; protection of rights of national minorities; ensuring legal order, public safety; ensuring border zones regimes;

c) matters relating to the possession, use and disposal of land, subsurface, water and other natural resources;

d) delimitation of state property;

e) use of nature; protection of the environment and ensuring environmental safety; specially protected natural territories; protection of historical and cultural monuments;

f) general questions of upbringing, education, science, culture, physical culture and sports;

g) coordination of questions of healthcare, the protection of the family, motherhood, fatherhood and childhood, social protection, including social insurance;

h) implementation of measures against catastrophes, natural disasters and epidemics; alleviation of their consequences;

i) establishment of general principles of taxation and duties in the Russian Federation;

j) administrative, administrative and procedural, labour, family, housing, land, water and forest legislation, legislation on subsurface resources and on the environmental protection;

k) personnel of courts and law-enforcement bodies, legal profession [trial advocacy], notaries;

l) protection of the indigenous habitat and traditional life-style of ethnic minorities;

m) establishment of general principles of organization of the system of bodies of state authority and local self-government;

n) coordination of international and foreign economic relations of the Chechen Republic, implementation of international agreements of the Russian Federation.

Article 61

The following matters fall within the jurisdiction of the Chechen Republic:

- a) adoption of the Constitution of the Chechen Republic, introduction of amendments and additions into it;
- b) protection of rights and lawful interests of the Chechen Republic, supervision over the observation of its Constitution and laws;
- c) legislation of the Chechen Republic;
- d) establishment of the system of bodies of state authority of the Chechen Republic, and procedures for their organization and activities;
- e) determination of organizational specifics and procedures for the activities of local self-government bodies in the Chechen Republic;
- f) administrative and territorial structure of the Chechen Republic;
- g) determination and implementation of a social and economic policy, adoption of and control over the execution of the budget of the Chechen Republic;
- h) establishment of republic taxes and duties, establishment of republic urban, district and settlement development funds and other extra-budgetary funds;
- i) matters relating to republic property and determination of the procedures for its management;
- j) republic energy-supply and other life-support systems, transport, information and communication in the Chechen Republic;
- k) international and foreign economic relations of the Chechen Republic, implemented within powers provided by federal law;
- l) state decorations and titles of honour of the Chechen Republic, state symbols;
- m) matters of unification with other subjects of the Russian Federation into regional, inter-regional associations and unions, conclusion of agreements for the purposes of cooperation and all-round development of the territory;
- n) programs of social and economic development of the Chechen Republic;
- o) settlement of forced migrants returning to the Chechen Republic, their social adaptation;
- p) establishment of the procedures for the organization and activities of the Constitutional Court of the Chechen Republic.

Legal regulation of the above issues shall be carried out by the Chechen Republic on the basis of and in accordance with provisions of federal law.

Article 62

The state flag, emblem and hymn of the Chechen Republic, their descriptions and the procedure for the official use shall be established by the Republic's law.

CHAPTER 4

PRESIDENT OF THE CHECHEN REPUBLIC

Article 63

The President of the Chechen Republic is the highest official of the Chechen Republic and head of the executive authority of the Chechen Republic.

Article 64

1. When taking office the President of the Chechen Republic shall take the following oath to the multinational people of the Chechen Republic:

"I promise in exercising the authorities of the President of the Chechen Republic to respect and protect human and citizens' rights and liberties, protect rights of the multinational people of the Chechen Republic and serve it faithfully, observe and protect the Constitution of the Chechen Republic and republic laws".

2. The oath shall be taken in a solemn setting at a joint meeting of chambers of the Parliament of the Chechen Republic in the presence of the members of the government of the Chechen Republic, judges of the Constitutional Court of the Chechen Republic, representatives of political parties and public associations and movements.

Article 65

The President of the Chechen Republic shall be elected by citizens of the Chechen Republic who have reached 18 years of age on the day of the election and have the right of choice in accordance with federal law on the basis of a universal equal and direct electoral right by secret vote.

Article 66

The President of the Chechen Republic may be a citizen of the Russian Federation not younger than 30 years of age.

Article 67

1. The President of the Chechen Republic shall be elected for the term of four years and may not be elected to the office for more than two successive terms.

2. The President of the Chechen Republic, elected in accordance with the federal law and this Constitution, shall take office upon expiration of four years from the day of taking office by the President of the Chechen Republic elected at the previous election of the President of the Chechen Republic, or - in the event of early election or if the repeated election of the President of the Chechen Republic is called by the date of expiration of four years from the day of taking office by the President of the Chechen Republic elected at the previous election - on the thirtieth day from the official publication of general results of the election of the President of the Chechen Republic by the Election Commission of the Chechen Republic.

Article 68

In the event that the election of the President of the Chechen Republic is regarded as invalid or if none of the standing candidates is elected, the chairman of the government of the Chechen Republic shall temporarily act as President of the Chechen Republic until the newly-elected President of the Chechen Republic takes office. In this case, the new election shall be held not later than in six months after the official announcement of the results of the previous election.

Article 69

The President of the Chechen Republic may not simultaneously be a deputy of the parliament of the Chechen Republic, a deputy of a representative local self-government body and may not carry out any other paid activities except teaching, scientific or other creative work, unless otherwise is envisaged by legislation of the Russian Federation.

Article 70

1. The President of the Chechen Republic, directly or through bodies of the executive authority of the Chechen Republic, ensures implementation of a single social and economic state policy of the Chechen Republic, as well as its policy in the sphere of finance, science, education, health protection, social security and environmental protection.

2. The President of the Chechen Republic:

a) represents the Chechen Republic in its relations with the federal bodies of state authority, bodies of state authority of subjects of the Russian Federation, local self-government bodies and in its foreign economic and international relations;

b) signs and publishes laws of the Chechen republic or rejects laws passed by the Parliament of the Chechen Republic, signs treaties and agreements on behalf of the Chechen Republic;

c) submits for consideration to the President of the Russian Federation, the government of the Russian Federation and other state bodies of the Russian Federation draft acts whose adoption is within their jurisdiction;

d) appoints, with the consent of the Peoples' Assembly, the Chairman of the Government of the Chechen Republic, his deputies, ministers responsible for finance, economy, industry and agriculture, and dismisses other ministers and heads of other executive bodies of the Chechen Republic from their posts in accordance with the republic's law;

e) upon a submission from the Chairman of the Government of the Chechen Republic, forms the government of the Chechen Republic;

f) presents to the Council of the Republic candidatures for the appointment to the posts of chairman, deputy chairmen and judges of the Constitutional Court of the Chechen Republic, agrees candidatures for the appointment to posts of justices of the peace in the Chechen Republic;

g) makes decisions on the early termination of powers of the Parliament of the Chechen republic (dissolution of the said body) if that body passes a law or any other regulatory act contradicting the Constitution of the Russian Federation, federal laws applying to matters under the jurisdiction of the Russian Federation and matters under joint jurisdiction of the Russian Federation and the Chechen Republic, and the Constitution of the Chechen Republic, provided that such contradiction is confirmed by an appropriate court and the

Parliament of the Chechen Republic has not removed it within six months from the coming into effect of the court decision;

h) schedules off-year elections to the Parliament of the Chechen Republic (chamber of the Parliament) in the event of early termination of Powers of the Parliament of the Chechen Republic (chamber of the Parliament);

i) has the right of legislative initiative;

j) no less frequently than once a year, submits reports and addresses to the people and Parliament of the Chechen Republic to the Parliament of the Chechen Republic (at the joint meeting of its chambers);

k) presents a candidature for the appointment to the post of the Chairman of the National Bank of the Chechen Republic to the Council of the Republic; puts to the Council of the Republic the question of the removal of the Chairman of the National Bank of the Chechen Republic from office;

l) agrees the candidature for the post of the Prosecutor of the Chechen Republic; presents to the Parliament of the Chechen Republic the candidature for the post of the Prosecutor of the Chechen Republic, submitted by the Prosecutor General of the Russian Federation, for the receipt of consent for his appointment from the Prosecutor General of the Russian Federation;

m) appoints half of the members of the Election Commission of the Chechen Republic;

n) has the right to demand an extraordinary meeting of the chambers of the Parliament of the Chechen Republic, as well as to call the newly-elected chambers of the Parliament of the Chechen Republic to a meeting held earlier than the date established for that meeting by the Constitution of the Chechen Republic;

o) has the right to participate in the work of the chambers of the Parliament of the Chechen Republic with the right of deliberative vote;

p) forms his administration and appoints its head;

q) appoints for the term of his office a plenipotentiary representative of the executive body of the state authority of the Chechen Republic in the Council of the Federation of the Federal Assembly of the Russian Federation; appoints and dismisses the plenipotentiary representative of the President of the Chechen Republic in the Parliament of the Chechen Republic;

r) suspends regulatory and other acts of the executive bodies of the state authority of the Chechen Republic and repeals them if they contradict the Constitution of the Chechen Republic;

s) decorates with state decorations of the Chechen Republic, recommends, in accordance with the established procedure, for the decoration with state decorations of the Russian Federation;

t) exercises other powers in accordance with federal law and the Constitution of the Chechen Republic;

2. The President of the Chechen Republic issues edicts and directives.

2. Edicts and directives of the President of the Chechen Republic shall be obligatory for fulfilment in the entire territory of the Chechen Republic.

Article 71

When exercising his powers, the President of the Chechen Republic must observe the Constitution of the Russian Federation, federal laws, the Constitution of the Chechen Republic and laws of the Chechen Republic, as well as fulfil edicts and directives of the President of the Russian Federation and resolutions and instructions of the government of the Russian Federation.

Article 72

The President of the Chechen Republic shall cease to exercise his powers early in the event of:

- a) his death;
- b) his resignation in connection with a vote of non-confidence given by the Parliament of the Chechen Republic;
- c) his voluntary resignation;
- d) his removal from office by the President of the Russian Federation;
- e) declaration that he lacks dispositive capacity or has a limited dispositive capacity by a court;
- f) recognition that he is missing or declaration that he is dead by a court;
- g) coming into effect of a conviction by a court;
- h) his moving out of the Russian Federation for permanent residence or loss of citizenship of the Russian Federation.

Article 73

The Parliament of the Chechen Republic shall have the right to give a vote of non-confidence to the President of the Chechen Republic if:

- a) he issues acts contradicting the Constitution of the Russian Federation, federal laws, the Constitution of the Chechen Republic, provided that such contradictions are confirmed by a court, and President of the Chechen Republic fails to eliminate them within a month from the court decision's coming into effect;
- b) any other gross violation of the Constitution of the Russian Federation, federal laws, edicts of the President of the Russian Federation, resolutions of the government of the Russian Federation, Constitution of the Chechen Republic and laws of the Republic if that has led to mass violations of human and citizens' rights.

Article 74

The vote of non-confidence to the President of the Chechen Republic given by the Parliament of the Chechen Republic must be given by each chamber by a two-thirds majority of votes of the established number of deputies on the initiative of not less than one third of votes of the established number of deputies of the People's Assembly.

Article 75

1. The vote of non-confidence to the President of the Chechen Republic entails immediate resignation of the President of the Chechen Republic and the government of the Chechen Republic.

2. Decision of the President of the Russian Federation on the removal of the President of the Chechen Republic from his post entails resignation of the government of the Chechen Republic.

Article 76

In all cases where the President of the Chechen Republic is not capable of fulfilling his duties, they shall be temporarily fulfilled by the Chairman of the Government of the Chechen Republic.

Article 77

1. In the event of early termination of powers of the President of the Chechen Republic, the Chairman of the Government of the Chechen Republic, who temporarily fulfils the duties of the President of the Chechen Republic, shall call extraordinary election of the President of the Chechen Republic. Such election shall be called and held at the time established by federal law.

2. The Chairman of the Government of the Chechen Republic, who temporarily fulfils the duties of the President of the Chechen Republic, shall have no right to dissolve the Parliament of the Chechen Republic and make proposals to amend and revise the Constitution of the Chechen Republic.

CHAPTER 5

PARLIAMENT OF THE CHECHEN REPUBLIC

Article 78

1. The Parliament of the Chechen Republic is the sole, permanent, highest legislative (representative) body of state authority of the Chechen Republic.

2. The Parliament of the Chechen Republic consists of two chambers - the Council of the Republic and the People's Assembly.

Article 79

1. The Council of the Republic consists of 21 deputies representing administrative and territorial entities of the republic (cities of the republic significance and districts) who are elected in single-member constituencies on the basis of a direct electoral right by secret vote.

2. The People's Assembly shall consist of 40 deputies elected on the basis of a direct electoral right by secret vote.

3. The status of the deputy of the Parliament of the Chechen Republic, the procedure for the preparation for and holding of the elections of the deputies of the Parliament of the Chechen Republic shall be regulated by federal laws, this Constitutions and laws of the Republic.

Article 80

1. Deputies of the Parliament of the Chechen Republic shall be elected for the term of 4 years by citizens of the Chechen Republic who have the right of choice in accordance with federal law on the basis of a universal equal and direct electoral right by secret vote.

2. A citizen of the Russian Federation who has reached 21 years of age may be elected deputy of the Parliament of the Chechen Republic.

3. Deputies of the Parliament of the Chechen Republic may work on a professional, permanent basis, on a professional basis during a particular period of time or without abandoning their main activity in accordance with legislation of the Chechen Republic.

4. During the term of his (her) authorities, the deputy of the Parliament of the Chechen Republic may neither be a deputy of the State Duma of the Federal Assembly of the Russian Federation nor a judge, and may not hold any other state posts in the Russian Federation, government posts in the federal government service, other state posts in the

Chechen Republic or state posts in the government service of the Chechen Republic, as well as elected municipal posts and municipal posts in the municipal service, unless otherwise is envisaged by federal law.

5. In the event that the deputy of the Parliament of the Chechen Republic carries out his activities on a professional, permanent basis, that deputy may not have any paid work except teaching, scientific and other creative activities, unless otherwise is envisaged by federal law.

6. The deputy of the Parliament of the Chechen Republic shall have no right to use his (her) status in the activities that do not relate to the fulfilment of the deputy's authority.

7. The deputy of the Parliament of the Chechen Republic shall have immunity during the entire term of his (her) authorities in accordance with federal law.

Article 81

Deputies of the Parliament of the Chechen Republic shall have the right to refuse to testify in a civil or criminal case about the circumstances that became known to them in connection with the fulfilment of their authorities.

Article 82

1. The Parliament of the Chechen Republic shall be legally competent if no less than two-thirds of the established number of deputies are elected into each of its chambers. If no less than two-thirds of the established number of deputies are elected into one chamber of the Parliament, that chamber is legally competent in the part falling under its exclusive jurisdiction.

Legal competence of meetings of the chambers of the Parliament of the Chechen Republic shall be determined by their rules.

2. The chambers of the Parliament of the Chechen Republic shall sit separately.

Their sessions shall be open, with the exception of cases envisaged by federal laws, the Constitution of the Chechen Republic, laws of the Chechen Republic and rules of the chambers of the Parliament of the Chechen Republic.

3. The Parliament of the Chechen Republic shall be called to its first session by the Election Commission of the Chechen Republic not later than 15 days after its election.

4. The first session of each chamber of the Parliament of the Chechen Republic shall be opened by the oldest deputy and conducted by him (her) until the election of the Chairman of the respective chamber of the Parliament.

5. From the day of the beginning of work of the newly elected Parliament of the Chechen Republic (newly elected chamber of the Parliament), the authorities of the Parliament of the Chechen Republic (respective chamber of the Parliament) of the previous convocation shall be terminated.

6. The chambers of the Parliament of the Chechen Republic shall have the rights of a legal person, an official seal and shall independently resolve organizational, legal, information, material and technical supply and financial questions relating to support of their activities.

7. Expenses on the support of the activities of the chambers of the Parliament of the Chechen Republic shall be approved by the Parliament of the Chechen Republic and included in the budget of the Chechen Republic as a separate item.

Article 83

1. The Parliament of the Chechen Republic:

- a) makes proposals for introduction of amendments into the Constitution of the Chechen Republic to the Constitutional Assembly of the Chechen Republic;
- b) carries out legal regulation of matters under the jurisdiction of the Chechen Republic and joint jurisdiction of the Russian Federation and the Chechen Republic within the authorities of the Chechen Republic;
- c) forms the Accounting Chamber of the Chechen Republic, whose composition and procedures are determined by laws of the Republic, to exercise control over the execution of the budget of the Chechen Republic;
- d) exercises the right of a legislative initiative to introduce draft laws to the State Duma of the Federal Assembly of the Russian Federation;
- e) elects, in accordance with federal law, for the term of its authority, a representative of the legislative (representative) body of the state authority of the Chechen Republic in the Council of the Federation of the Federal Assembly of the Russian Federation;
- f) exercises other powers in accordance with the Constitution of the Russian Federation and the federal law on the general principles of the organization of legislative (representative) and executive bodies of state authority of subjects of the Russian Federation, the Constitution of the Chechen Republic and laws of the Republic.

2. The Council of the Republic:

- a) appoints and dismisses the Chairman of the National Bank of the Chechen Republic from his post;
- b) upon a submission from the President of the Chechen Republic, appoints judges, the chairman and deputy chairmen of the Constitutional Court of the Chechen Republic and justices of the peace of the Chechen Republic;
- c) appoints and dismisses deputy chairman of the Accounting Chamber of the Chechen Republic and half of its member auditors;
- d) appoints and dismisses one-fourth of the members of the Election Commission of the Chechen Republic;
- e) agrees the candidature for the post of the Prosecutor of the Chechen Republic;
- f) schedules referendums of the Chechen Republic in the cases envisaged by law of the Chechen Republic;
- g) fixes the date of election to the Parliament of the Chechen Republic, as well as the date of election of the President of the Chechen Republic.

3. The People's Assembly:

- a) gives its consent to the President of the Chechen Republic for the appointment of the Chairman of the Government of the Chechen Republic, his deputies and ministers responsible for the areas of finance, economy, industry and agriculture;
- b) appoints and dismisses the chairman of the Accounting Chamber of the Chechen Republic and half of its member auditors;
- c) appoints and dismisses one-fourth of the members of the Election Commission of the Chechen Republic;
- d) appoints and dismisses the Human Rights Commissioner of the Chechen Republic.

Article 84

The law of the Chechen Republic:

- a) approves the budget of the Chechen Republic and the report on its execution submitted by the President of the Chechen Republic;
- b) establishes, in accordance with the Constitution of the Chechen Republic, the bases of the organization and activities of the chambers of the Parliament of the Chechen Republic;

- c) establishes the procedure for the elections to the bodies of local self-government in the territory of the Chechen Republic, establishes the procedure for their activities;
- d) approves social and economic development programs of the Chechen Republic submitted by the President of the Chechen Republic;
- e) establishes taxes and duties whose establishment falls under the jurisdiction of the Chechen Republic in accordance with federal law, as well as the procedure for their collection;
- f) approves the budget of the state territorial extra-budgetary fund of the Chechen Republic and the report on its execution;
- g) establishes the procedure for management and disposal of the property of the Chechen Republic, including shares (stocks) of the Chechen Republic in the charter capital of companies, partnerships and enterprises of other legal forms of business organization;
- h) approves the conclusion and denouncement of the agreements of the Chechen Republic;
- i) establishes the procedure for scheduling and holding referendums of the Chechen Republic;
- j) establishes the procedure for the elections to the chambers of the Parliament of the Chechen Republic, as well as the procedures for the election of the President of the Chechen Republic;
- k) establishes the administrative and territorial structure of the Chechen Republic and the procedure for changing it;
- l) establishes the system of bodies of the executive authority of the Chechen Republic and the procedure for the formation of the structure of such bodies;
- m) approves agreements on changes of the border of the Chechen Republic;
- n) establishes the status, powers, procedures for the appointment and dismissal and the procedures for the activities of the Human Rights Commissioner of the Chechen Republic;
- o) regulates other matters that fall under the jurisdiction of the Chechen Republic in accordance with the Constitution of the Russian Federation, federal laws, the Constitution of the Chechen Republic and the laws of the Republic.

Article 85

The President of the Chechen Republic shall have the right to issue edicts to make up for deficiency of law regulating issues that require legislative solution, provided that such edicts do not contradict the Constitution of the Russian Federation and federal and republic law, while their application continues only until the adoption of appropriate legislative acts.

Article 86

The chambers of the Parliament of the Chechen Republic shall pass resolutions on matters that fall under their jurisdiction in accordance with the Constitution of the Russian Federation, federal law, the Constitution of the Chechen Republic and laws of the Republic.

Article 87

To the extent and in the forms established by the Constitution of the Chechen Republic, the chambers of the Parliament of the Chechen Republic:

- a) ensure, together with other authorized bodies, control over the observation and execution of laws of the Chechen Republic, execution of the budget of the Chechen Republic and observation of the established procedure for the disposal of property of the Chechen Republic;
- b) exercises other powers in accordance with federal laws and laws of the Chechen Republic.

Article 88

1. The right of a legislative initiative in the People's Assembly is vested in the President of the Chechen Republic, the Government of the Chechen Republic, the Council of the Republic, deputies of the Council of the Republic and the People's Assembly and representative local self-government bodies.

The right of a legislative initiative is also vested in the Constitutional Court of the Chechen Republic, the Supreme Court of the Chechen Republic, the Arbitration Court of the Chechen Republic, the Prosecutor of the Chechen Republic and the Election Commission of the Chechen Republic in respect of matters under their jurisdiction.

2. Draft laws are submitted to the People's Assembly.

Draft laws submitted to the People's Assembly by the President of the Chechen Republic shall be considered on his motion in the first order of priority.

3. Draft laws on the introduction or abolition of taxes, exemption from taxation, changes in the financial obligations of the Chechen Republic and other draft laws on expenses covered from the budget of the Chechen Republic shall be considered by the People's Assembly on a motion of the President of the Chechen Republic or if there is an opinion of the said person. Such opinion shall be submitted to the People's Assembly within a month.

Article 89

1. Proposals to introduce amendments into the Constitution of the Chechen Republic shall be passed by a majority of no less than two thirds of votes of the established number of deputies of each of the chambers of the Parliament of the Chechen Republic.

2. The laws of the Chechen Republic shall be passed by a majority of votes of the established number of deputies of each of the chambers of the Parliament of the Chechen Republic, unless otherwise is provided for by this Constitution.

3. Resolutions of the chambers of the Parliament of the Chechen Republic shall be passed by a majority of votes of the elected deputies of each of the chambers of the Parliament, unless otherwise is provided for by this Constitution.

4. A draft law of the Chechen Republic shall be considered by the People's Assembly in no less than two readings (with the exception of draft laws on the approval (of the conclusion or denouncement) of agreements of the Chechen Republic). Decisions on the adoption or rejection of laws shall be formalized by a resolution of the People's Assembly.

Article 90

1. The laws of the Chechen Republic passed by the People's Assembly shall be submitted within five days for consideration to the Council of the Republic, which must consider them within fourteen days. The laws of the Chechen Republic, which has not been considered within such period of time, shall be regarded as approved by the Council of the Republic.

2. The laws of the Chechen Republic on matters specified in items "a", "e", "f", "g", "h", "i" and "m" of Article 84 of this Constitution, which are passed by the People's Assembly, shall be subject to obligatory consideration in the Council of the Republic.

3. The rejected law shall be considered once again by the People's Assembly. In the event of the People's Assembly's disagreement with the decision of the Council of the Republic, the law shall be regarded as adopted if no less than two thirds of the established number of deputies of the People's Assembly voted in favour of it during the second voting.

4. The adopted law shall be submitted to the President of the Chechen Republic within five days for signing and publication.

The President of the Chechen Republic must publish the said law within fourteen calendar days from its submission, confirming the publication of the law by its signing, or reject it within the same period of time.

In the event of the rejection of the law of the Chechen Republic by the President of the Chechen Republic, the law in its adopted version may be approved by a majority of no less than two thirds of the established number of deputies of each of the chambers of the Parliament of the Chechen Republic.

5. The law of the Chechen Republic approved in its previously adopted version must not be rejected again by the President of the Chechen Republic and must be signed and published within fourteen calendar days from the submission of that law.

6. The Constitution of the Chechen Republic and laws of the Chechen Republic, as well as resolutions of the chambers of the Parliament of the Chechen Republic which are of a regulatory nature, shall come into effect from the date of their official publication. Laws and other regulatory and legal acts of the Chechen Republic which relate to human and citizens' rights and liberties shall come into effect no sooner than in ten days from their official publication.

The procedure for the official publication of the laws and other regulatory acts of the Chechen Republic shall be established by a law of the Chechen Republic.

7. The Constitution of the Russian Federation, federal laws, the Constitution and laws of the Chechen Republic must be protected by the state in the territory of the Chechen Republic.

Article 91

1. The authorities of the Parliament of the Chechen Republic may be terminated early in the following cases:

a) adoption by that body of a decision on self-dissolution, in such case the self-dissolution decision shall be made by no less than two thirds of votes of the established number of deputies of each of the chambers of the parliament of the Chechen Republic;

b) dissolution of the said body by the President of the Chechen Republic on the grounds envisaged by this Constitution;

c) coming into force of a decision of the Supreme Court of the Chechen Republic on legal incompetence of the given composition of deputies of the Parliament of the Chechen Republic, including in connection with their resignation;

d) coming into force of a federal law on the dissolution of the said body.

2. The authorities of a chamber of the Parliament of the Chechen Republic may be terminated early in the event of the coming into force of a decision of the Supreme Court of the Chechen Republic on legal incompetence of the given composition of the chamber of the Parliament of the Chechen Republic, including in connection with their resignation.

3. In the event of an early termination of the authorities of the Parliament of the Chechen Republic (chamber of the Parliament), the President of the Chechen Republic shall

call extraordinary elections to the Parliament of the Chechen Republic (chamber of the Parliament). Such elections shall be scheduled and held at the time established by federal law.

CHAPTER 6

BODIES OF THE EXECUTIVE AUTHORITY OF THE CHECHEN REPUBLIC

Article 92

1. The Government of the Chechen Republic is a permanent executive body of state authority of the Chechen Republic.

2. The Government of the Chechen Republic consists of the Chairman of the Government of the Chechen Republic, his deputies and ministers.

3. The Government of the Chechen Republic ensures the execution of the Constitution of the Russian Federation, federal laws and other regulatory acts of the Russian Federation, the Constitution of the Chechen Republic and laws and other regulatory acts of the Republic in its territory.

4. The Government of the Chechen Republic has the rights of a legal person and has an official seal.

5. The Government of the Chechen Republic and the executive bodies of the Chechen Republic under it are financed from the budgetary funds of the Chechen Republic specified in separate items.

Article 93

1. The Government of the Chechen Republic works out and implements measures aimed at ensuring comprehensive social and economic development of the Chechen Republic, participates in the implementation of the uniform state policy in the areas of finance, science, education, health care, social insurance and environmental protection.

2. The Government of the Chechen Republic:

a) ensures, within the limits of its jurisdiction, measures aimed at the implementation, ensuring and protection of human and citizens' rights, protection of property and public order, and prevention of crime;

b) Develops the draft budget of the Chechen Republic for the presentation to the People's Assembly by the President of the Chechen Republic, as well as draft programs of social and economic development of the Chechen Republic;

c) ensures the execution of the budget of the Chechen Republic and prepares the report on the execution of the said budget and reports on the implementation of the programs of social and economic development of the Chechen Republic for the presentation the People's Assembly of the Chechen Republic by the President of the Chechen Republic;

d) forms other bodies of executive authority of the Chechen Republic;

e) manages and disposes of the property of the Chechen Republic in accordance with laws of the Chechen Republic, as well as the federal property placed under management of the Chechen Republic in accordance with federal laws and other regulatory legal acts of the Russian Federation;

f) has the right to ask a local self-government body, an elected or any other official in the local self-government to bring regulatory acts issued by them in accordance with legislation of the Russian Federation in cases when such acts contradict the Constitution of the Russian Federation, federal laws and other regulatory legal acts of the Russian

Federation, the Constitution of the Chechen Republic, laws and other regulatory legal acts of the Republic, and also has the right to go to law;

g) concludes, in accordance with federal law, with federal bodies of executive authority agreements on the division of matters under their jurisdiction and their powers, as well as agreements on the mutual transfer of some of their powers to each other;

h) exercises other powers established by federal laws, the Constitution of the Chechen Republic and agreements with the federal bodies of executive authority provided for by Article 78 of the Constitution of the Russian Federation.

Article 94

1. Acts of the Government of the Chechen Republic (resolutions and directives) issued within the limits of its jurisdiction are binding in the Chechen Republic.

2. Acts of the Government of the Chechen Republic must not contradict the Constitution of the Russian Federation and federal laws applying to the matters under the jurisdiction of the Russian Federation and joint jurisdiction of the Russian Federation and the Chechen Republic, resolutions of the Government of the Russian Federation, the Constitution of the Chechen Republic, laws of the Republic and acts of the President of the Chechen Republic.

Article 95

The Government of the Chechen Republic shall submit a resignation to the newly-elected president of the Chechen Republic, resigns in the event of a vote of non-confidence given to the President of the Chechen Republic by the Parliament of the Chechen Republic or removal of the President of the Chechen Republic from his post by a decision of the President of the Russian Federation.

In the event of resignation (submission of resignation) of the Government of the Chechen Republic envisaged by this Constitution, it shall continue to work until the formation of the new Government of the Chechen Republic.

CHAPTER 7

JUDICIAL AUTHORITY, PROSECUTOR'S OFFICE, LEGAL ADVOCACY AND NOTARIES

Article 96

1. Justice in the Chechen Republic may only be administered by a court. Establishment of extraordinary courts and courts that are not envisaged by the federal constitutional law shall be prohibited.

2. Judicial authority is exercised by way of constitutional, civil, administrative and criminal court proceedings

3. In the territory of the Chechen Republic there shall act the Constitutional Court of the Chechen Republic, justices of the peace and federal courts: the Supreme Court of the Chechen Republic, the Arbitration Court of the Chechen Republic and district and specialized courts.

4. No other body, official or any other person shall have the right to assume functions of the judicial authority.

Article 97

1. Judges shall be persons who, in accordance with the Constitution of the Russian Federation and law, are vested with authority to administer justice and who fulfil their duties on a professional basis.

2. All the courts shall have the same status established by the federal constitutional law and federal law. Peculiarities of the legal status of particular categories of judges shall be determined by federal laws and, in cases envisaged in them, by laws of the Chechen Republic.

3. The Republic laws may establish additional requirements to judges of the Constitutional Court of the Chechen Republic and justices of the Chechen Republic.

Article 98

1. Judges are independent and answer only to the Constitution of the Russian Federation and federal law; they are also guided by the Constitution of the Chechen Republic and laws of the Republic.

2. Judges may not be dismissed, they shall be appointed in accordance with the procedure established by federal law, while justices of the peace shall be appointed (elected) in accordance with the procedure established by a law of the Chechen Republic. The authorities of a judge may only be terminated or suspended in accordance with the procedure and on the grounds set forth in federal law.

3. Judges have immunity, judge may not be prosecuted for crimes in a procedure other than that defined in federal law.

Article 99

1. Consideration of cases in courts shall be open. Hearings of cases in closed sessions may be permitted only in the cases envisaged by federal law. Court proceedings shall be adversary and conducted on the basis of the equality of the parties.

2. Court proceedings in the Chechen Republic shall be conducted in the Russian language. Participants in the trial who do not speak the language of court proceedings shall have the right to study case papers and participate in the court proceedings together with an interpreter, and the right to speak in court in their native languages.

Article 100

1. The Constitutional Court of the Chechen Republic shall be established to consider the conformity of the laws of the Chechen Republic, legal acts of the Parliament of the Chechen Republic, the President of the Chechen Republic, the Government of the Chechen Republic, other bodies of the executive authority of the Chechen Republic and local self-government bodies of the Chechen Republic to the Constitution of the Chechen Republic.

2. The Constitutional Court of the Chechen Republic:

a) shall resolve disputes concerning competence between bodies of state authority of the Chechen Republic and between bodies of state authority of the Chechen Republic and local self-government bodies of the Chechen Republic;

b) shall give a conclusion on compliance of an issue submitted to a referendum in the Chechen Republic to the Constitution of the Chechen Republic;

c) shall give interpretations of the Constitution of the Chechen Republic upon requests from the President of the Chechen Republic and the chambers of the Parliament of the Chechen Republic.

3. The Constitutional Court of the Chechen Republic shall be financed from the budget of the Republic.

4. The Constitutional Court of the Chechen Republic shall consider the matters that fall within its jurisdiction in accordance with the procedure established by a law of the Chechen Republic.

5. The decision of the Constitutional Court of the Chechen Republic made within the limits of its competence may not be revised by any other court.

6. The procedure for vesting the chairman, deputy chairmen and judges of the Constitutional Court of the Chechen Republic with authority shall be determined by federal laws and law of the Chechen Republic.

Article 101

1. Justices of the peace are judges of general jurisdiction of the Chechen Republic and are included in the uniform system of justice of the Russian Federation. The authorities, the procedures for the activities of the justices of the peace and the procedures for the establishment of justice of the peace posts shall be established by federal laws, while the procedure for their activities shall also be established by laws of the Chechen Republic.

2. Justices of the peace shall consider civil, administrative and criminal cases within their jurisdiction as courts of primary jurisdiction.

3. Judges' districts and posts shall be created and eliminated by laws of the Chechen Republic.

Article 102

The authorities of and procedures for the establishment and activities of federal courts in the territory of the Chechen Republic shall be established by the Constitution of the Russian Federation, the federal constitutional law and other federal laws.

Article 103

1. Prosecutor's office of the Chechen Republic shall be part of the unified centralized system of the Russian Federation with inferior prosecutors' offices subordinate to superior prosecutors' offices and the Prosecutor General of the Russian Federation.

2. The authorities, organization and procedure for the activities of the prosecutors' offices shall be defined by federal law.

Article 104

1. The Prosecutor of the Chechen Republic shall be appointed by the Prosecutor General of the Russian Federation by agreement with the President of the Chechen Republic and the Council of the Republic and shall be dismissed by the Prosecutor General of the Russian Federation.

Other prosecutors of the Chechen Republic shall be appointed and dismissed by the Prosecutor General of the Russian Federation.

2. The Prosecutor of the Chechen Republic, district and city prosecutors shall exercise their powers independently of any bodies of state authority of the Chechen Republic and local self-government bodies and their officials.

Article 105

The Bar in the Chechen Republic shall be an independent professional organization of people engaged in legal advocacy. The organization and the procedure for the activities of the legal profession shall be regulated by federal law and law of the Chechen Republic.

Article 106

Notaries in the Chechen Republic must in accordance with the Constitution of the Russian Federation and the Constitution of the Chechen Republic the protection of rights and lawful interests of citizens and legal persons by way of notarial acts ensure carried out on behalf of the Russian Federation. Organization of and the procedures for the activities of notaries shall be determined by federal law and law of the Chechen Republic.

CHAPTER 8

LOCAL SELF-GOVERNMENT

Article 107

1. Local self-government in the Chechen Republic shall ensure the independent decision by the population of questions of local significance, the possession, use and disposal of municipal property.

2. Local self-government shall be carried out by citizens by way of referendum, elections, other direct forms of expression of will, and through elected and other bodies of local self-government.

Article 108

1. Local self-government shall be carried out in urban and rural settlements and in other territories, with account taken of historical and other local traditions. The structure of the local self-government bodies shall be determined independently by the population in accordance with law.

2. Changes in the borders of the territories in which local self-government is carried out shall be permitted with account taken of the opinion of the population of the territories concerned.

Article 109

1. The procedure for the formation of local self-government bodies of the Chechen Republic and organization of their activities shall be determined by the federal law on the general principles of organization of local self-government, laws of the Chechen Republic on local self-government and charters of the municipal formations.

2. Peculiarities of the organization and implementation of local self-government in the city of Grozny may be determined by laws of the Republic.

Article 110

1. Bodies of local self-government shall independently manage municipal property, draft, approve and execute the local budget, establish local taxes and duties, maintain public order and address other questions of local significance.

2. Bodies of local self-government may be vested by law of the Chechen Republic with certain state powers, with the transfer of material and financial resources necessary for their implementation. Implementation of the powers transferred shall be supervised by bodies of state authority.

Article 111

Local self-government is guaranteed by the right to judicial defence and to compensation of additional expenses arising as a result of decisions adopted by bodies of state authority, and by a prohibition on the limitation of rights of local self-government established by the Constitution of the Russian Federation and federal laws, the Constitution of the Chechen Republic and laws of the Republic.

CHAPTER 9**CONSTITUTIONAL AMENDMENTS AND REVIEW OF THE
CONSTITUTION****Article 112**

1. The Constitution of the Chechen Republic shall be adopted at a referendum of the Chechen Republic.

2. Proposals to amend and review the provisions of the Constitution of the Chechen Republic may be submitted to the Constitutional Assembly by the President of the Chechen Republic and the Parliament of the Chechen Republic.

The procedure for the submission of proposals to amend and (or) review provisions of the Constitution of the Chechen Republic to the Constitutional Assembly of the Chechen Republic, as well as the status, the procedure for the formation and activities of the Constitutional Assembly of the Chechen Republic shall be established by law of the Chechen Republic.

3. The proposals to amend and review provisions of the Constitution of the Chechen Republic which contradict the Constitution of the Russian Federation, violate human and citizens' rights and infringe on the republican form of government and bases of the constitutional order of the Chechen Republic must not be accepted by the Constitutional Assembly of the Chechen Republic for consideration and submitted to a referendum.

4. The Constitutional Assembly of the Chechen Republic shall have the right to adopt in accordance with the procedure established by law of the Republic amendments to Chapters 4-7 of the Constitution of the Chechen Republic. Such amendments shall be adopted by the Constitutional Assembly of the Chechen Republic by a majority of not less than two thirds of votes of the total number of its members.

5. Amendments and (or) proposals to review provisions of the Constitution of the Chechen Republic shall be submitted to a republic referendum if no less than two thirds of the established number of members of the Constitutional Assembly of the Chechen Republic has voted for their submission to a referendum.

6. In the event of a change of the name of an administrative and territorial entity of the Chechen Republic, its new name must be included in the Constitution of the Chechen Republic by an edict of the President of the Chechen Republic.

SECTION TWO

CONCLUDING AND TRANSITIONAL PROVISIONS

1. The Constitution of the Chechen Republic shall come into force from the date of its official publication depending on the results of voting at the referendum of the Chechen Republic.

No amendments may be introduced in the Constitution of the Chechen Republic during a year after its coming into force.

2. From the day of the coming into force of the Constitution of the Chechen Republic until the assumption of office of the president-elect, the head of the Administration of the Chechen Republic shall perform the duties of the President of the Chechen Republic, which are envisaged by the Constitution of the Chechen Republic.

Until the election of the People's Assembly and then, after the election, the President of the Chechen Republic shall appoint and dismiss the Chairman of the Government of the Chechen Republic.

3. In the period until the adoption of appropriate laws of the Chechen Republic by the Parliament of the Chechen Republic, the bodies of state authority of the Chechen Republic shall be guided by federal legislation and acts issued on their basis within the Republic's competence by the acting President of the Chechen Republic and, after the election, by acts of the President of the Chechen Republic.

In the period until the election of the Parliament of the Chechen Republic and, then, after the election of the President of the Chechen Republic, the acts of the acting President of the Chechen Republic on matters requiring legislative regulation, including those on the Republic's budget and its administrative and territorial structure, shall be subject to obligatory consideration by the State Council of the Chechen Republic. Such acts shall come into force after their approval by the State Council of the Chechen Republic. The State Council shall also draft and (or) consider draft laws of the Chechen Republic for their subsequent submission to the People's Assembly of the Chechen Republic in accordance with the established procedure.

The State Council shall include as its members heads of the administrations of the cities of Grozny, Argun and Gudermes and districts of the Republic, and also one representative from each of these administrative and territorial entities elected by the citizens living in their territories at their meetings.

The State Council shall elect, for the term until the termination of its authority, a representative in the Council of the Federation of the Federal Assembly of the Russian Federation.

The authorities of the State Council shall be terminated with the beginning of work of the chambers of the Parliament of the Chechen Republic.

4. In the period until the adoption of laws on local self-government in the Chechen Republic and formation of local self-government bodies on their basis, the authorities of such bodies shall be exercised by the administrations of districts and settlements of the Chechen Republic, formed by the acting President of the Chechen Republic and then, after the election, by the President of the Chechen Republic.

Such administrations, on the basis of the decisions of the meetings of citizens living in residential settlements in respective districts, shall prepare lists of assessors in district courts located in the territory of the Chechen Republic. The acting President of the Chechen Republic and, after the election, the President of the Chechen Republic shall approve the general list of assessors in district people's courts on a submission from the State Council and, after the election of the deputies of the Council of the Republic, on a submission from the Council of the Republic.

5. The Election Commission of the Chechen Republic, as composed as of the date of the referendum of the Chechen Republic on the Constitution of the Chechen Republic, shall exercise its authorities until the expiration of the term for which it was elected.

6. This Constitution of the Chechen Republic shall be adopted on the basis of federal laws and acts of the President of the Russian Federation issued on their basis.

7. The election of the President of the Chechen Republic shall be held no sooner than in six months after the adoption of this Constitution.

8. The elections of the first composition of the chambers of the Parliament of the Chechen Republic shall be held no sooner than in three months after the election of the President of the Chechen Republic.

9. The elections of the President of the Chechen Republic and the first composition of the chambers of the Parliament of the Chechen Republic shall be held on the basis of federal laws and acts of the President of the Russian Federation, as well as laws of the Chechen Republic adopted by the referendum of the Chechen Republic simultaneously with voting on the Constitution of the Chechen Republic.

Amendments in laws adopted by the referendum of the Chechen Republic simultaneously with voting on the Constitution of the Chechen Republic shall be introduced in accordance with the procedure envisaged for the introduction of amendments into the laws of the Chechen Republic.

10. President of the Chechen Republic, elected for the first time in accordance with federal laws and this Constitution, shall take office on the tenth day from the official publication of general results of the election of the President of the Chechen Republic by the Election Commission of the Chechen Republic.