

LEGISLATIVE ACTS OF THE USSR 1977-1979

- Constitution of the USSR
Constitution of the RSFSR
Constitution of the Bashkir ASSR
Standing Orders of the Supreme Soviet of the USSR
Statute on Standing Commissions
of the Soviet of the Union and
the Soviet of Nationalities
of the Supreme Soviet of the USSR
Law of the USSR
On the Status of People's Deputies in the USSR
Law of the USSR
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Law of the USSR
*On the Procedure Governing the Recall
of a Deputy of the Supreme Soviet
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Law of the USSR
On the Council of Ministers of the USSR
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On Citizenship of the USSR
Law of the USSR
*On the Procedure Governing the Conclusion,
Execution and Abrogation
of the International Treaties of the USSR*

LEGISLATIVE ACTS OF THE USSR 1977-1979

Book One



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INTRODUCTORY NOTE

The present collection contains the most important laws of the USSR passed in 1977-79.

The year 1977 is a significant one in the history of the Soviet state. On October 7, 1977 the Supreme Soviet of the USSR, expressing the will of the Soviet people, adopted the new *Constitution (Fundamental Law) of the Union of Soviet Socialist Republics*.

The Constitution of the USSR generalised the sixty-year path of development of the Soviet state, the enormous transformations in all spheres of the country's life—state, economic, social and cultural.

The Constitution of the USSR consolidated a new historical frontier in the development of Soviet society—the building of mature, developed socialism in the USSR. In this society of mature socialism powerful productive forces have been created, progressive science and culture are developing, thanks to which the welfare of the people is growing steadily, and increasingly favourable conditions are taking shape for the all-round development of the individual.

The Constitution of the USSR defines the principles of the socio-political and economic structure and policies of the USSR, the legal status of the individual, the basic rights, freedoms and duties of citizens, the principles of the organisation of the Soviet state and its bodies, and the principles of the mutual relations of the state with public organisations; it extends the system and content of rights and freedoms, and strengthens the political, economic and juridical guarantees of their exercise.

With the adoption of the Constitution of 1977 a new stage began in the development of legislation in the USSR. On the basis of the new Constitution a number of legislative acts were drafted and passed in 1978-79, which aimed at improving the work of the bodies of state authority and state administration, regulated matters of Soviet citizenship, and determined the legislative principles of the organisation and work of the bodies of people's control, the courts, the organs of the Procurator's Office, state arbitration and the Bar. The passing of these laws is intended to promote the further consolidation of the legal basis of state and public life, which according to the Constitution of the USSR is one of the principal trends in the development of socialist democracy, the development of the political system of Soviet society.

In the Soviet Union the most important laws are passed after prior publication of the drafts in the press and widespread presentation to the public, careful study and generalisation of the numerous proposals made by citizens and the insertion of the necessary additions and amendments in the drafts with due account for these proposals.

Proposals and comments on drafts are considered by commissions of the Supreme Soviet of the USSR, which draw up their conclusions on the draft and submit them for consideration at a session of the Supreme Soviet of the USSR. Thus, for example, the draft Constitution was widely discussed at meetings of working people and in public organisations. More than 140 million took part in the discussion of it, and more than 400,000 comments and proposals were made on the draft.

One of the main results and achievements of the Soviet people, recorded in the Constitution of the USSR, is the creation of a socialist state of the whole people. At the stage of developed socialism the social basis of the Soviet state is the unbreakable alliance of workers, peasants and the intelligentsia; the state acts as the spokesman of the will and interests of the whole Soviet people as a new historical social community, and promotes the acceleration of the social homogeneity of society.

From the point of view of its national composition the Soviet state of the whole people is a multinational state. In accordance with the Constitution of the USSR (Art. 70), "The Union of Soviet Socialist Republics is an integral,

federal, multinational state formed on the principle of socialist federalism as a result of the free self-determination of nations and the voluntary association of equal Soviet Socialist Republics." Today the Union of Soviet Socialist Republics as a federal state unites fifteen Union Republics on the basis of the principles of voluntary association and full equality of rights.

Each Union Republic in the Union of Soviet Socialist Republics is a sovereign Soviet socialist state. It exercises state power independently on its territory, including the right to grant citizenship (and thereby also citizenship of the USSR) to aliens residing on its territory; determines its own administrative and territorial structure independently; and has its own higher bodies of state authority and administration, and its own legislation.

A Union Republic takes part in deciding matters within the jurisdiction of the USSR in the Supreme Soviet of the USSR, the Presidium of the Supreme Soviet of the USSR, the Government of the USSR and other bodies of the USSR. Each Union Republic, regardless of the size of its territory and population and other factors, elects 32 Deputies to the Soviet of Nationalities, one of the chambers of the Supreme Soviet of the USSR. All Union Republics have their own representatives in the Presidium of the Supreme Soviet of the USSR, the Government of the USSR and the Supreme Court of the USSR.

Each Union Republic adopts its own Constitution, and passes other Republican legislative acts within its competence.

In 1978 the Union Republics adopted new Constitutions after publication of the drafts in the press and public discussion. Thus, the draft Constitution of the RSFSR was published in several million copies in the twenty-nine languages of the peoples inhabiting the territory of the Russian Soviet Federative Socialist Republic.

The new *Constitution of the RSFSR*, which is included in the present collection, was adopted on April 12, 1979 by the Supreme Soviet of the RSFSR.

It must be stressed that the Constitutions of the Union Republics have the Constitution of the USSR as their legal basis. This explains the uniformity of their structure and basic principles. At the same time, the Constitutions of the Union Republics also reflect the special features of the

Republics. They give concrete and detailed expression to social relations with due account of the national, economic, social and cultural and other local features of each Union Republic.

Thus, the distinguishing feature of the Constitution of the RSFSR is that it devotes considerable space to the national-state structure, as this Republic is made up of a large number of Autonomous Republics, autonomous regions and autonomous areas.

In the Union of Soviet Socialist Republics there are twenty Autonomous Republics which form part of the respective Union Republic: there are sixteen Autonomous Republics in the RSFSR, two in the Georgian Soviet Socialist Republic, and one each in the Uzbek and Azerbaijan Soviet Socialist Republics.

In accordance with the Constitution of the USSR an Autonomous Soviet Socialist Republic, in spheres not within the jurisdiction of the Union of Soviet Socialist Republics and the Union Republic, deals independently with matters within its jurisdiction. Each Autonomous Republic has its own Constitution, conforming to the Constitution of the USSR and the Constitution of the Union Republic, but taking into account the specific features of the Autonomous Republic. An Autonomous Republic has its own territory, its own higher bodies of state authority and administration, its own Supreme Court and its own legislation.

An Autonomous Republic takes part in decision-making through the highest bodies of state authority of the USSR and the Union Republic in matters within the jurisdiction of the USSR and the Union Republic. Each Autonomous Republic elects eleven deputies to the Soviet of Nationalities of the Supreme Soviet of the USSR. Autonomous Republics, through their highest bodies—the Supreme Soviets of the Autonomous Republics—have the right to initiate legislation in the Supreme Soviet of the Union Republic. Each Autonomous Republic has one representative on the Presidium of the Supreme Soviet of the respective Union Republic who serves as a Vice-Chairman of the Presidium of the Supreme Soviet of the Union Republic.

The present collection includes the *Constitution of the Bashkir Autonomous Soviet Socialist Republic* adopted on May 30, 1978. The Bashkir ASSR was the first national-state formation and became part of the RSFSR in 1919.

The highest body of state authority of the USSR is the Supreme Soviet of the USSR, a representative body empowered to deal with all matters within the jurisdiction of the USSR, as defined by the USSR Constitution. The Supreme Soviet adopts the Constitution of the USSR, approves state plans for economic and social development and the Budget of the USSR, forms bodies of the USSR accountable to it, passes laws and deals with other matters of All-Union jurisdiction.

The work of the Supreme Soviet of the USSR is governed by the *Standing Orders of the Supreme Soviet of the USSR* adopted in 1979, which in accordance with the provisions of the Constitution of the USSR determine the procedure for the work of the Supreme Soviet of the USSR and its bodies. This work is based on collective, free and businesslike discussion and decision of matters, regular reports to the Supreme Soviet of the USSR by the bodies set up by it, the drawing of citizens into the administration of state and public affairs, and constant regard for public opinion.

The work of the Supreme Soviet of the USSR is based on the principle of publicity: representatives of state bodies, public organisations, work collectives, the press, television and radio, and also other persons are invited to sittings. The work of each session of the Supreme Soviet of the USSR is widely reported by the mass media. Newspapers publish information about the course of the session, texts of reports and co-reports, Deputies' speeches, laws passed and other decisions. At the end of each session a verbatim report of the session of the Supreme Soviet of the USSR is published in large editions in the languages of the Union Republics.

The Standing Orders state that the exercise by the Supreme Soviet of the USSR of its powers is based on the participation in its work of each Deputy of the Supreme Soviet of the USSR. A Deputy exercises his deputy's powers without discontinuing his regular employment or duties. This is one of the main principles of the work of People's Deputies. There are no professional parliamentarians in the USSR. Deputies who have regular employment and public duties not only take part in the work of sessions and standing commissions, but also remain constantly in touch with their electors, inform them about the work of the Soviets,

decisions of the Soviets and of electors' mandates, study public opinion and the needs and requirements of the population, and take measures to satisfy them.

The Standing Orders define the procedure for the work of the Presidium of the Supreme Soviet of the USSR, a standing body of the Supreme Soviet of the USSR, accountable to it for all its work and exercising the functions of the highest body of state authority of the USSR between sessions of the Supreme Soviet.

The Standing Orders define the procedure for the forming by the Supreme Soviet of the Council of Ministers of the USSR and the Committee of People's Control of the USSR, the election of the Supreme Court of the USSR and the appointment of the Procurator-General of the USSR.

An important role in ensuring the constant and effective work of the Supreme Soviet of the USSR is played by the Standing Commissions of the Soviet of the Union and the Soviet of Nationalities on Credentials, Legislative Proposals, Foreign Affairs, Budget Planning, and also standing commissions on other matters of state, social and cultural development. For example, the Tenth Supreme Soviet of the USSR set up 32 standing commissions, sixteen in each chamber, with two-thirds of the Deputies of the Supreme Soviet taking part in their work.

The Standing Orders of the Supreme Soviet of the USSR contain only the main rules for the organisation and work of standing commissions; these matters are regulated in more detail in a separate Law, the *Statute on the Standing Commissions of the Soviet of the Union and the Soviet of Nationalities of the Supreme Soviet of the USSR*, passed in 1967 and amended in 1979.

The Statute establishes the basic principles of the organisation and work of standing commissions as bodies formed for preliminary consideration and preparation of matters under the jurisdiction of the Supreme Soviet of the USSR, and also for assisting the Supreme Soviet and its Presidium in their supervisory work; it determines the sphere of jurisdiction and powers of the standing commissions, and the procedure for their work.

In accordance with the Constitution of the USSR all state and public bodies, organisations and officials are obliged to meet the requests of the standing commissions, submit the requisite material and documents to them, consider

their recommendations, and inform the commissions within the prescribed time-limit of the results of such consideration or of the action taken.

All the work of the Supreme Soviet of the USSR is based on the active participation of Deputies. Deputies in the USSR are the plenipotentiary representatives of the people in the bodies of state authority—the Supreme Soviet of the USSR and other Soviets of People's Deputies. They are empowered by the people to take part in the exercise by the Soviets of state authority, to express the will and interests of the people. An important role in increasing the activity and authority of Deputies and ensuring guarantees of Deputies' work is played by the Law of the USSR *On the Status of People's Deputies in the USSR*, passed in 1972 and amended in 1979. The Law determines the powers of Deputies and the respective duties of state and public bodies, and establishes the main material and juridical guarantees of a Deputy's work, including the immunity of Deputies.

In accordance with the Constitution of the USSR the Supreme Soviet of the USSR consists of two chambers with equal rights, the Soviet of the Union and the Soviet of Nationalities. The Soviet of the Union expresses the common interests of the peoples of the USSR, and the Soviet of Nationalities the interests of the nations and nationalities inhabiting the territory of the USSR. The Deputies of the Tenth Soviet of Nationalities comprised the elected representatives of 57 nationalities; altogether the Tenth Supreme Soviet of the USSR consisted of Deputies elected from 61 nationalities.

The democratic procedure for electing Deputies of the Supreme Soviet of the USSR is determined by the Law of the USSR *On Elections to the Supreme Soviet of the USSR*, passed in 1978.

Formerly elections to the Supreme Soviet of the USSR were held on the basis of the Statute on Elections to the Supreme Soviet of the USSR. The Law on elections provides a firmer legislative basis for the holding of elections on a democratic basis and strengthens the guarantees of the rights of candidates for Deputies and of electors.

Elections of Deputies to the Soviet of the Union and the Soviet of Nationalities of the Supreme Soviet of the USSR are held on the basis of universal, equal, and direct suffrage

by secret ballot. The right to vote is granted to citizens of the USSR who have reached the age of 18 and the right to be elected a Deputy to the Supreme Soviet of the USSR to citizens of 21 and over. The Law forbids any direct or indirect limitation of suffrage in respect to origin, social or property status, race or nationality, sex, language, education, attitude to religion, period of residence in a given locality, and type and nature of occupation.

The democratic procedure for elections to the Supreme Soviet of the USSR is ensured by electoral commissions, which are formed of representatives of public organisations, work collectives and meetings of servicemen in their units.

The Law guarantees citizens of the USSR and public organisations free and all-round discussion of the political and personal qualities and competence of candidates, and also the right to campaign for them at meetings, in the press, and on television and radio. The expenses involved in holding elections to the Supreme Soviet of the USSR are met by the state: neither candidates nor voters bear any expenses incurred in the holding of elections.

One of the main principles of socialist democracy, that expresses the sovereignty of the Soviet people and the responsibility of Deputies to them, is the right of electors to recall their Deputy. The procedure for recalling Deputies is laid down by the Law of the USSR *On the Procedure Governing the Recall of a Deputy of the Supreme Soviet of the USSR*, passed in 1959, and amended in 1979.

In accordance with the Law a Deputy of the Supreme Soviet of the USSR may be recalled at any time on a decision of the majority of electors of the respective constituency, if he has not justified the confidence of his constituents or has committed actions unworthy of the high calling of Deputy. The right to raise the question of the recall of a Deputy is granted to public organisations (Party organisations, trade unions, cooperatives and others), work collectives, and meetings of servicemen in their military units. Materials on the raising of the question are submitted for a conclusion to the Credentials Commission of the respective chamber of the Supreme Soviet of the USSR. The date of voting on the recall of a Deputy is appointed by the Presidium of the Supreme Soviet of the USSR. The question of the recall of a Deputy is decided at a meeting of

the electors of the respective constituency with observance of the Deputy's requisite guarantees.

The highest executive and administrative body of state authority of the USSR is the Council of Ministers of the USSR, i.e., the Government of the USSR.

The main lines and principles of the work of the Council of Ministers of the USSR, its powers in the various spheres of economic development and state administration, are determined by the Law of the USSR *On the Council of Ministers of the USSR*, passed in 1978.

The Council of Ministers of the USSR is empowered to deal with all matters of state administration within the jurisdiction of the USSR, with the exception of those which, according to the Constitution, come within the jurisdiction of the Supreme Soviet of the USSR and its Presidium. The Law consistently upholds the principle of the responsibility and accountability of the Council of Ministers to the Supreme Soviet of the USSR and its Presidium.

In accordance with the Law the Council of Ministers deals with matters concerning the management of the economy, the protection of the environment and the rational exploitation of natural resources; it determines the main powers of the Government of the USSR in the further improvement of the welfare of Soviet citizens and the development of education, culture, health, science and other social branches. The Law determines the powers of the Government of the USSR in the sphere of the organisation of state administration, the running of ministries, state committees of the USSR, and other bodies subordinate to it, regulates the principles of the mutual relations of the Council of Ministers of the USSR with the respective state bodies of Union and Autonomous Republics and local bodies, and establishes the powers of the Council of Ministers of the USSR in the sphere of foreign policy and international relations.

Lenin's ideas on socialist people's control, enshrined in articles of the Constitution of the USSR, are consistently being implemented in the Soviet Union.

The Law of the USSR *On People's Control in the USSR* was approved in 1979. In the USSR people's control is regarded as one of the forms of large-scale drawing of the working masses into the administration and supervision of

all aspects of the work of state and economic bodies, enterprises and organisations. More than nine million people's controllers in the USSR are working actively in all the people's control bodies—committees, groups and posts.

The Law determines the principles of the organisation and work of people's control bodies, the main ones being democratic centralism, socialist legality, collective work, mass participation and openness. The work of people's control bodies is based on a combination of state and public control at enterprises, collective farms, institutions and organisations.

In their work, committees of people's control are accountable and subordinate to the Soviets of People's Deputies which formed them and which they are obliged to inform systematically about the performance of their functions and tasks.

In accordance with the Law people's control bodies have extensive rights and opportunities for checking the implementation of Soviet laws, decisions of the Government of the USSR, and economic and social development plans, for the swift detection of improper action by officials, and also for abolishing breaches of the law, and of planning discipline, mismanagement and extravagance.

The organisation and procedure for the work of the Supreme Court of the USSR is laid down by the Law of the USSR *On the Supreme Court of the USSR*, passed in 1979.

The Supreme Court of the USSR, as the highest judicial body in the USSR, supervises the administration of justice by the courts of the USSR and the Union Republics. Judges and people's assessors of the Supreme Court of the USSR, like all judges in the Soviet state, are independent and subject only to the law. The Law regulates in detail the powers and functions of the Supreme Court of the USSR in the administration of justice.

The Supreme Court of the USSR is entrusted with the work of studying and generalising legal practice, analysing legal statistics and providing guiding instructions for judges on matters of applying the law. It is stipulated that the guiding instructions of the Plenum of the Supreme Court of the USSR are binding for the judges and other bodies and officials applying the law on which the instruction is given.

The Law defines the membership of the Supreme Court of the USSR, the procedure of work and the powers of the Plenum of the Supreme Court and the judicial collegia, and the legal status of the Chairman and Vice-Chairmen of the Supreme Court of the USSR, and the Chairmen of judicial collegia.

The Law of the USSR *On the Procurator's Office in the USSR*, passed in 1979, defines the tasks, main lines and principles of the work of the organs of the procurator's office. It stresses that the main content of their work is the all-round consolidation of socialist legality and law and order, protection of the political and economic system of the USSR, its social order, the interests of state and the rights and freedoms of citizens from all infringements, control and prevention of crime and ensurance of imminent responsibility for any crime committed. The Procurator-General of the USSR and the procurators subordinate to him are vested with the supreme power of supervision over the strict and uniform observance of laws by all ministries, state committees and departments, enterprises, institutions and organisations, executive committees of local Soviets of People's Deputies, collective farms, cooperatives and other public organisations, officials and citizens.

Considerable attention is devoted in the Law to procurators' supervision over the observance of laws by bodies of state administration, and also by inquiry and preliminary investigation bodies. A procurator must ensure that no one is arrested without a court decision or the warrant of a procurator, brought to criminal responsibility illegally or without lawful grounds, or has his rights curtailed.

The Law of the USSR *On the Bar in the USSR*, passed in 1979, establishes that in the Soviet state colleges of advocates are available to provide legal assistance to citizens and organisations. This Law is the first All-Union act on the Bar. Formerly the legal position of the Bar was determined by the legislation of the Union Republics.

The Law establishes the procedure for the organisation and work of the Bar and the rights and duties of members of colleges of advocates; it lays down the main types of legal assistance to citizens and organisations, and provides for cases in which advocates give legal assistance free of charge. In particular, free assistance is granted in the settlement of labour disputes, recovery of alimony, the drawing

up of petitions on pension matters, and the holding of consultations for Deputies, members of comrades' courts and people's public order squads.

General guidance to colleges of advocates is provided by the Soviets of People's Deputies and their executive and administrative bodies.

The Law of the USSR *On State Arbitration in the USSR*, passed in 1979, establishes that economic disputes between enterprises, institutions and organisations shall be settled by state arbitration bodies. It formulates the tasks of state arbitration bodies, lays down their organisational structure and powers, and also determines the procedure for the settlement of economic disputes. Of considerable importance is the article stating that state arbitration bodies may institute proceedings at their own discretion, given information concerning breaches of state planning and contractual discipline and other infringement of the law by enterprises, institutions and organisations in their economic activity. In so doing they may raise the question of calling guilty persons to account and of compensation by the latter for the material damage done by them.

State arbitration bodies are encharged with the duty of drawing up measures together with interested bodies for preventing and abolishing detected infringements of the law and shortcomings in economic activity.

One of the most important laws passed in 1978 was the Law of the USSR *On Citizenship of the USSR*, which in accordance with the Constitution of the USSR provides for the establishment of uniform federal citizenship in the USSR. At the same time, proceeding from the federal character of the Soviet state, the Law states that every citizen of a Union Republic is a citizen of the USSR.

A new provision of Soviet legislation, following from the principle of equality of citizens enshrined in the Constitution, is the Law's norm on equal citizenship: in the USSR citizenship is equal for all citizens irrespective of the grounds on which it was acquired. The Law defines in detail the grounds for acquiring or forfeiting Soviet citizenship, possessing citizenship of the USSR and changing the citizenship of children, and the procedure for considering applications on matters of citizenship, and decides other procedural matters. The Law contains a number of provisions aimed at protecting the interests of Soviet citizens abroad,

strengthening guarantees of the rights of citizens of the USSR, and consistent application of the relevant international treaties to which the Soviet Union is a party.

The Soviet Union is a party to many international treaties: agreements, conventions, covenants, declarations, protocols, etc. The Soviet Union proceeds from the fundamental principle that international treaties should serve as instruments for a policy of peace and security of peoples and equal and mutually advantageous cooperation between states. Matters connected with the procedure for concluding, executing and abrogating international treaties of the USSR are dealt with in the Law of the USSR *On the Procedure Governing the Conclusion, Execution and Abrogation of International Treaties of the USSR*, passed in 1979.

This Law establishes the procedure for submitting proposals on the conclusion of international treaties of the USSR, for taking decisions on the holding of talks and signing of international treaties of the USSR, and for the ratification of such treaties. It is stressed, in particular, that international treaties of the USSR shall be strictly observed by the Soviet Union in accordance with the standards of international law. At the same time, it is stated that the Soviet Union considers that the other parties of bilateral and multilateral international treaties to which the USSR is a party should perform strictly the duties which these treaties impose on them.

In accordance with the decisions of the CPSU congresses and the Constitution of the USSR, the Soviet Union is consistently pursuing the course of deepening socialist democracy, improving legislation and strengthening legality and law and order.

Following the adoption of the Constitution of the USSR a great deal of work is being done to revise legislation on its basis. The Presidium of the Supreme Soviet of the USSR has approved a plan for the preparation and passing of a series of new laws, and also for the introduction of amendments and additions to existing acts. Apart from the laws included in this volume, the Supreme Soviet of the USSR has passed a number of other legislative acts aimed at further enhancing the role of the bodies of state authority, strengthening the protection of the environment and

carrying out an extensive programme of social measures. Legislative acts passed in 1980 will be published in the next book which is due to appear in English in 1982.

Familiarisation with these documents will help the reader to understand the system of socialist legislation, the main principles of Soviet law, and its democratic nature and humanism.

CONSTITUTION
OF THE USSR

**CONSTITUTION (FUNDAMENTAL LAW)
OF THE UNION
OF SOVIET SOCIALIST REPUBLICS
(October 7, 1977)***

The Great October Socialist Revolution, made by the workers and peasants of Russia under the leadership of the Communist Party headed by Lenin, overthrew capitalist and landowner rule, broke the fetters of oppression, established the dictatorship of the proletariat, and created the Soviet state, a new type of state, the basic instrument for defending the gains of the revolution and for building socialism and communism. Humanity thereby began the epoch-making turn from capitalism to socialism.

After achieving victory in the Civil War and repulsing imperialist intervention, the Soviet government carried through far-reaching social and economic transformations, and put an end once and for all to exploitation of man by man, antagonisms between classes, and strife between nationalities. The unification of the Soviet Republics in the Union of Soviet Socialist Republics multiplied the forces and opportunities of the peoples of the country in the building of socialism. Social ownership of the means of production and genuine democracy for the working masses were established. For the first time in the history of mankind a socialist society was created.

The strength of socialism was vividly demonstrated by the immortal feat of the Soviet people and their Armed Forces in achieving their historic victory in the Great Patriotic War. This victory consolidated the influence and international standing of the Soviet Union and created new opportunities for growth of the forces of socialism, national liberation, democracy, and peace throughout the world.

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Continuing their creative endeavours, the working people of the Soviet Union have ensured rapid, all-round development of the country and steady improvement of the socialist system. They have consolidated the alliance of the working class, collective-farm peasantry, and people's intelligentsia, and friendship of the nations and nationalities of the USSR. Socio-political and ideological unity of Soviet society, in which the working class is the leading force, has been achieved. The aims of the dictatorship of the proletariat having been fulfilled, the Soviet state has become a state of the whole people. The leading role of the Communist Party, the vanguard of all the people, has grown.

In the USSR a developed socialist society has been built. At this stage, when socialism is developing on its own foundations, the creative forces of the new system and the advantages of the socialist way of life are becoming increasingly evident, and the working people are more and more widely enjoying the fruits of their great revolutionary gains.

It is a society in which powerful productive forces and progressive science and culture have been created, in which the well-being of the people is constantly rising, and more and more favourable conditions are being provided for the all-round development of the individual.

It is a society of mature socialist social relations, in which, on the basis of the drawing together of all classes and social strata and of the juridical and factual equality of all its nations and nationalities and their fraternal co-operation, a new historical community of people has been formed—the Soviet people.

It is a society of high organisational capacity, ideological commitment, and consciousness of the working people, who are patriots and internationalists.

It is a society in which the law of life is concern of all for the good of each and concern of each for the good of all.

It is a society of true democracy, the political system of which ensures effective management of all public affairs, ever more active participation of the working people in running the state, and the combining of citizens' real rights and freedoms with their obligations and responsibility to society.

Developed socialist society is a natural, logical stage on the road to communism.

The supreme goal of the Soviet state is the building of a classless communist society in which there will be public, communist self-government. The main aims of the people's socialist state are: to lay the material and technical foundation of communism, to perfect socialist social relations and transform them into communist relations, to mould the citizen of communist society, to raise the people's living and cultural standards, to safeguard the country's security, and to further the consolidation of peace and development of international co-operation.

The Soviet people,
guided by the ideas of scientific communism and true to their revolutionary traditions,

relying on the great social, economic, and political gains of socialism,

striving for the further development of socialist democracy,

taking into account the international position of the USSR as part of the world system of socialism, and conscious of their internationalist responsibility,

preserving continuity of the ideas and principles of the first Soviet Constitution of 1918, the 1924 Constitution of the USSR and the 1936 Constitution of the USSR,

hereby affirm the principles of the social structure and policy of the USSR, and define the rights, freedoms and obligations of citizens, and the principles of the organisation of the socialist state of the whole people, and its aims, and proclaim these in this Constitution.

I. PRINCIPLES OF THE SOCIAL STRUCTURE AND POLICY OF THE USSR

Chapter 1

The Political System

Article 1. The Union of Soviet Socialist Republics is a socialist state of the whole people, expressing the will and interests of the workers, peasants, and intelligentsia, the working people of all the nations and nationalities of the country.

Article 2. All power in the USSR belongs to the people.

The people exercise state power through Soviets of People's Deputies, which constitute the political foundation of the USSR.

All other state bodies are under the control of, and accountable to, the Soviets of People's Deputies.

Article 3. The Soviet state is organised and functions on the principle of democratic centralism, namely the electiveness of all bodies of state authority from the lowest to the highest, their accountability to the people, and the obligation of lower bodies to observe the decisions of higher ones. Democratic centralism combines central leadership with local initiative and creative activity and with the responsibility of each state body and official for the work entrusted to them.

Article 4. The Soviet state and all its bodies function on the basis of socialist law, ensure the maintenance of law and order, and safeguard the interests of society and the rights and freedoms of citizens.

State organisations, public organisations and officials shall observe the Constitution of the USSR and Soviet laws.

Article 5. Major matters of state shall be submitted to nationwide discussion and put to a popular vote (referendum).

Article 6. The leading and guiding force of Soviet society and the nucleus of its political system, of all state organisations and public organisations, is the Communist Party of the Soviet Union. The CPSU exists for the people and serves the people.

The Communist Party, armed with Marxism-Leninism, determines the general perspectives of the development of society and the course of the home and foreign policy of the USSR, directs the great constructive work of the Soviet people, and imparts a planned, systematic and theoretically substantiated character to their struggle for the victory of communism.

All party organisations shall function within the framework of the Constitution of the USSR.

Article 7. Trade unions, the All-Union Leninist Young Communist League, co-operatives, and other public organisations, participate, in accordance with the aims laid down in their rules, in managing state and public affairs, and in deciding political, economic, and social and cultural matters.

Article 8. Work collectives take part in discussing and deciding state and public affairs, in planning production and social development, in training and placing personnel, and in discussing and deciding matters pertaining to the management of enterprises and institutions, the improvement of working and living conditions, and the use of funds allocated both for developing production and for social and cultural purposes and financial incentives.

Work collectives promote socialist emulation, the spread of progressive methods of work, and the strengthening of production discipline, educate their members in the spirit of communist morality, and strive to enhance their political consciousness and raise their cultural level and skills and qualifications.

Article 9. The principal direction in the development of the political system of Soviet society is the extension of socialist democracy, namely ever broader participation of citizens in managing the affairs of society and the state, continuous improvement of the machinery of state, heightening of the activity of public organisations, strengthening of the system of people's control, consolidation of the legal foundations of the functioning of the state and of public life, greater openness and publicity, and constant responsiveness to public opinion.

Chapter 2 **The Economic System**

Article 10. The foundation of the economic system of the USSR is socialist ownership of the means of production in the form of state property (belonging to all the people), and collective farm-and-co-operative property.

Socialist ownership also embraces the property of trade unions and other public organisations which they require to carry out their purposes under their rules.

The state protects socialist property and provides conditions for its growth.

No one has the right to use socialist property for personal gain or other selfish ends.

Article 11. State property, i.e. the common property of the Soviet people, is the principal form of socialist property.

The land, its minerals, waters, and forests are the exclusive property of the state. The state owns the basic means of production in industry, construction, and agriculture; means of transport and communication; the banks; the property of state-run trade organisations and public utilities, and other state-run undertakings; most urban housing; and other property necessary for state purposes.

Article 12. The property of collective farms and other co-operative organisations, and of their joint undertakings, comprises the means of production and other assets which they require for the purposes laid down in their rules.

The land held by collective farms is secured to them for their free use in perpetuity.

The state promotes development of collective farm-and-co-operative property and its approximation to state property.

Collective farms, like other land users, are obliged to make effective and thrifty use of the land and to increase its fertility.

Article 13. Earned income forms the basis of the personal property of Soviet citizens. The personal property of citizens of the USSR may include articles of everyday use, personal consumption and convenience, the implements and other objects of a small-holding, a house, and earned savings. The personal property of citizens and the right to inherit it are protected by the state.

Citizens may be granted the use of plots of land, in the manner prescribed by law, for a subsidiary small-holding (including the keeping of livestock and poultry), for fruit and vegetable growing or for building an individual dwelling. Citizens are required to make rational use of the land allotted to them. The state, and collective farms provide assistance to citizens in working their small-holdings.

Property owned or used by citizens shall not serve as a means of deriving unearned income or be employed to the detriment of the interests of society.

Article 14. The source of the growth of social wealth and of the well-being of the people, and of each individual, is the labour, free from exploitation, of Soviet people.

The state exercises control over the measure of labour and of consumption in accordance with the principle of socialism: "From each according to his ability, to each according to his work." It fixes the rate of taxation on taxable income.

Socially useful work and its results determine a person's status in society. By combining material and moral incentives and encouraging innovation and a creative attitude to work, the state helps transform labour into the prime vital need of every Soviet citizen.

Article 15. The supreme goal of social production under socialism is the fullest possible satisfaction of the people's growing material, and cultural and intellectual requirements.

Relying on the creative initiative of the working people, socialist emulation, and scientific and technological progress, and by improving the forms and methods of economic management, the state ensures growth of the productivity of labour, raising of the efficiency of production, and of the quality of work, and dynamic, planned, proportionate development of the economy.

Article 16. The economy of the USSR is an integral economic complex comprising all the elements of social production, distribution, and exchange on its territory.

The economy is managed on the basis of state plans for economic and social development, with due account of the sectoral and territorial principles, and by combining centralised direction with the managerial independence and initiative of individual and amalgamated enterprises and other organisations, for which active use is made of management accounting, profit, cost, and other economic levers and incentives.

Article 17. In the USSR, the law permits individual labour in handicrafts, farming, the provision of services for the public, and other forms of activity based exclusively on the personal work of individual citizens and members of their families. The state makes regulations for such work to ensure that it serves the interest of society.

Article 18. In the interests of the present and future generations, the necessary steps are taken in the USSR to protect and make scientific, rational use of the land and its mineral and water resources, and the plant and animal kingdoms, to preserve the purity of air and water, ensure reproduction of natural wealth, and improve the human environment.

Chapter 3 **Social Development and Culture**

Article 19. The social basis of the USSR is the unbreakable alliance of the workers, peasants, and intelligentsia.

The state helps enhance the social homogeneity of society, namely the elimination of class differences and of the essential distinctions between town and country and between mental and physical labour, and the all-round development and drawing together of all the nations and nationalities of the USSR.

Article 20. In accordance with the communist ideal—"The free development of each is the condition of the free development of all"—the state pursues the aim of giving citizens more and more real opportunities to apply their creative energies, abilities, and talents, and to develop their personalities in every way.

Article 21. The state concerns itself with improving working conditions, safety and labour protection and the scientific organisation of work, and with reducing and ultimately eliminating all arduous physical labour through comprehensive mechanisation and automation of production processes in all branches of the economy.

Article 22. A programme is being consistently implemented in the USSR to convert agricultural work into a variety of industrial work, to extend the network of educational, cultural and medical institutions, and of trade, public catering, service and public utility facilities in rural localities, and transform hamlets and villages into well-planned and well-appointed settlements.

Article 23. The state pursues a steady policy of raising people's pay levels and real incomes through increase in productivity.

In order to satisfy the needs of Soviet people more fully social consumption funds are created. The state, with the broad participation of public organisations and work collectives, ensures the growth and just distribution of these funds.

Article 24. In the USSR, state systems of health protection, social security, trade and public catering, communal services and amenities, and public utilities, operate and are being extended.

The state encourages co-operatives and other public organisations to provide all types of services for the population. It encourages the development of mass physical culture and sport.

Article 25. In the USSR there is a uniform system of public education, which is being constantly improved, that provides general education and vocational training for citizens, serves the communist education and intellectual and physical development of the youth, and trains them for work and social activity.

Article 26. In accordance with society's needs the state provides for planned development of science and the training of scientific personnel and organises introduction of the results of research in the economy and other spheres of life.

Article 27. The state concerns itself with protecting, augmenting and making extensive use of society's cultural wealth for the moral and aesthetic education of the Soviet people, for raising their cultural level.

In the USSR development of the professional, amateur and folk arts is encouraged in every way.

Chapter 4

Foreign Policy

Article 28. The USSR steadfastly pursues a Leninist policy of peace and stands for strengthening of the security of nations and broad international co-operation.

The foreign policy of the USSR is aimed at ensuring international conditions favourable for building communism in the USSR, safeguarding the state interests of the Soviet Union, consolidating the positions of world socialism, supporting the struggle of peoples for national liberation and social progress, preventing wars of aggression, achieving universal and complete disarmament, and consistently implementing the principle of the peaceful coexistence of states with different social systems.

In the USSR war propaganda is banned.

Article 29. The USSR's relations with other states are based on observance of the following principles: sovereign equality; mutual renunciation of the use or threat of force; inviolability of frontiers; territorial integrity of states; peaceful settlement of disputes; non-intervention in internal affairs; respect for human rights and fundamental freedoms; the equal rights of peoples and their right to decide their own destiny; co-operation among states; and fulfilment in good faith of obligations arising from the generally recognised principles and rules of international law, and from the international treaties signed by the USSR.

Article 30. The USSR, as part of the world system of socialism and of the socialist community, promotes and strengthens friendship, co-operation, and comradesly mutual assistance with other socialist countries on the basis of the principle of socialist internationalism, and takes an active part in socialist economic integration and the socialist international division of labour.

Chapter 5

Defence of the Socialist Motherland

Article 31. Defence of the Socialist Motherland is one of the most important functions of the state, and is the concern of the whole people.

In order to defend the gains of socialism, the peaceful labour of the Soviet people, and the sovereignty and territorial integrity of the state, the USSR maintains armed forces and has instituted universal military service.

The duty of the Armed Forces of the USSR to the people is to provide reliable defence of the Socialist Motherland and to be in constant combat readiness, guaranteeing that any aggressor is instantly repulsed.

Article 32. The state ensures the security and defence capability of the country, and supplies the Armed Forces of the USSR with everything necessary for that purpose.

The duties of state bodies, public organisations, officials, and citizens in regard to safeguarding the country's security and strengthening its defence capacity are defined by the legislation of the USSR.

II. THE STATE AND THE INDIVIDUAL

Chapter 6

Citizenship of the USSR. Equality of Citizens' Rights

Article 33. Uniform federal citizenship is established for the USSR. Every citizen of a Union Republic is a citizen of the USSR.

The grounds and procedure for acquiring or forfeiting Soviet citizenship are defined by the Law on Citizenship of the USSR.

When abroad, citizens of the USSR enjoy the protection and assistance of the Soviet state.

Article 34. Citizens of the USSR are equal before the law, without distinction of origin, social or property status, race or nationality, sex, education, language, attitude to religion, type and nature of occupation, domicile, or other status.

The equal rights of citizens of the USSR are guaranteed in all fields of economic, political, social, and cultural life.

Article 35. Women and men have equal rights in the USSR.

Exercise of these rights is ensured by according women equal access with men to education and vocational and professional training, equal opportunities in employment, remuneration, and promotion, and in social and political, and cultural activity, and by special labour and health protection measures for women; by providing conditions enabling mothers to work; by legal protection, and material and moral support for mothers and children, including paid leaves and other benefits for expectant mothers and mothers and gradual reduction of working time for mothers with small children.

Article 36. Citizens of the USSR of different races and nationalities have equal rights.

Exercise of these rights is ensured by a policy of all-round development and drawing together of all the nations and nationalities of the USSR, by educating citizens in the spirit of Soviet patriotism and socialist internationalism, and by the possibility to use their native language and the languages of other peoples of the USSR.

Any direct or indirect limitation of the rights of citizens or establishment of direct or indirect privileges on grounds of race or nationality, and any advocacy of racial or national exclusiveness, hostility or contempt, are punishable by law.

Article 37. Citizens of other countries and stateless persons in the USSR are guaranteed the rights and freedoms provided by law, including the right to apply to a court and other state bodies for the protection of their personal, property, family, and other rights.

Citizens of other countries and stateless persons, when in the USSR, are obliged to respect the Constitution of the USSR and observe Soviet laws.

Article 38. The USSR grants the right of asylum to foreigners persecuted for defending the interests of the working people and the cause of peace, or for participation in the revolutionary and national-liberation movement, or for progressive social and political, scientific or other creative activity.

Chapter 7 The Basic Rights, Freedoms, and Duties of Citizens of the USSR

Article 39. Citizens of the USSR enjoy in full the social, economic, political and personal rights and freedoms proclaimed and guaranteed by the Constitution of the USSR and by Soviet laws. The socialist system ensures enlargement of the rights and freedoms of citizens and continuous improvement of their living standards as social, economic, and cultural development programmes are fulfilled.

Enjoyment by citizens of their rights and freedoms must not be to the detriment of the interests of society or the state, or infringe the rights of other citizens.

Article 40. Citizens of the USSR have the right to work (that is, to guaranteed employment and pay in accordance with the quantity and quality of their work, and not below the state-established minimum), including the right to choose their trade or profession, type of job and work in accordance with their inclinations, abilities, training and education, with due account of the needs of society.

This right is ensured by the socialist economic system, steady growth of the productive forces, free vocational and professional training, improvement of skills, training in new trades or professions, and development of the systems of vocational guidance and job placement.

Article 41. Citizens of the USSR have the right to rest and leisure.

This right is ensured by the establishment of a working week not exceeding 41 hours, for workers and other employees, a shorter working day in a number of trades and industries, and shorter hours for night work; by the provision of paid annual holidays, weekly days of rest, extension of the network of cultural, educational and health-building institutions, and the development on a mass scale of sport, physical culture, and camping and tourism; by the provision of neighbourhood recreational facilities, and of other opportunities for rational use of free time.

The length of collective farmers' working and leisure time is established by their collective farms.

Article 42. Citizens of the USSR have the right to health protection.

This right is ensured by free, qualified medical care provided by state health institutions; by extension of the network of therapeutic and health-building institutions; by the development and improvement of safety and hygiene in industry; by carrying out broad prophylactic measures; by measures to improve the environment; by special care for the health of the rising generation, including prohibition of child labour, excluding the work done by children as part of the school curriculum; and by developing research to prevent and reduce the incidence of disease and ensure citizens a long and active life.

Article 43. Citizens of the USSR have the right to maintenance in old age, in sickness, and in the event of complete or partial disability or loss of the breadwinner.

This right is guaranteed by social insurance of workers and other employees and collective farmers; by allowances for temporary disability; by the provision by the state or by collective farms of retirement pensions, disability pensions, and pensions for loss of the breadwinner; by providing employment for the partially disabled; by care for the elderly and the disabled; and by other forms of social security.

Article 44. Citizens of the USSR have the right to housing.

This right is ensured by the development and upkeep of state and socially-owned housing; by assistance for co-operative and individual house building; by fair distribution, under public control, of the housing that becomes available through fulfilment of the programme of building well-appointed dwellings, and by low rents and low charges for utility services. Citizens of the USSR shall take good care of the housing allocated to them.

Article 45. Citizens of the USSR have the right to education.

This right is ensured by free provision of all forms of education, by the institution of universal, compulsory secondary education, and broad development of vocational, specialised secondary, and higher education, in which in-

struction is oriented toward practical activity and production; by the development of extramural, correspondence and evening courses; by the provisions of state scholarships and grants and privileges for students; by the free issue of school textbooks; by the opportunity to attend a school where teaching is in the native language; and by the provision of facilities for self-education.

Article 46. Citizens of the USSR have the right to enjoy cultural benefits.

This right is ensured by broad access to the cultural treasures of their own land and of the world that are preserved in state and other public collections; by the development and fair distribution of cultural and educational institutions throughout the country; by developing television and radio broadcasting and the publishing of books, newspapers and periodicals, and by extending the free library service; and by expanding cultural exchanges with other countries.

Article 47. Citizens of the USSR, in accordance with the aims of building communism, are guaranteed freedom of scientific, technical, and artistic work. This freedom is ensured by broadening scientific research, encouraging invention and innovation, and developing literature and the arts. The state provides the necessary material conditions for this and support for voluntary societies and unions of workers in the arts, organises introduction of inventions and innovations in production and other spheres of activity.

The rights of authors, inventors and innovators are protected by the state.

Article 48. Citizens of the USSR have the right to take part in the management and administration of state and public affairs and in the discussion and adoption of laws and measures of All-Union and local significance.

This right is ensured by the opportunity to vote and to be elected to Soviets of People's Deputies and other elective state bodies, to take part in nationwide discussions and referendums, in people's control, in the work of state bodies, public organisations, and local community groups, and in meetings at places of work or residence.

Article 49. Every citizen of the USSR has the right to submit proposals to state bodies and public organisations for improving their activity, and to criticise shortcomings in their work.

Officials are obliged, within established time-limits, to examine citizens' proposals and requests, to reply to them, and to take appropriate action.

Persecution for criticism is prohibited. Persons guilty of such persecution shall be called to account.

Article 50. In accordance with the interests of the people and in order to strengthen and develop the socialist system, citizens of the USSR are guaranteed freedom of speech, of the press, and of assembly, meetings, street processions and demonstrations.

Exercise of these political freedoms is ensured by putting public buildings, streets and squares at the disposal of the working people and their organisations, by broad dissemination of information, and by the opportunity to use the press, television, and radio.

Article 51. In accordance with the aims of building communism, citizens of the USSR have the right to associate in public organisations that promote their political activity and initiative and satisfaction of their various interests.

Public organisations are guaranteed conditions for successfully performing the functions defined in their rules.

Article 52. Citizens of the USSR are guaranteed freedom of conscience, that is, the right to profess or not to profess any religion, and to conduct religious worship or atheistic propaganda. Incitement of hostility or hatred on religious grounds is prohibited.

In the USSR, the church is separated from the state, and the school from the church.

Article 53. The family enjoys the protection of the state.

Marriage is based on the free consent of the woman and the man; the spouses are completely equal in their family relations.

The state helps the family by providing and developing a broad system of child-care institutions, by organising and improving communal services and public catering, by pay-

ing grants on the birth of a child, by providing children's allowances and benefits for large families, and other forms of family allowances and assistance.

Article 54. Citizens of the USSR are guaranteed inviolability of the person. No one may be arrested except by a court decision or on the warrant of a procurator.

Article 55. Citizens of the USSR are guaranteed inviolability of the home. No one may, without lawful grounds, enter a home against the will of those residing in it.

Article 56. The privacy of citizens, and of their correspondence, telephone conversations, and telegraphic communications is protected by law.

Article 57. Respect for the individual and protection of the rights and freedoms of citizens are the duty of all state bodies, public organisations, and officials.

Citizens of the USSR have the right to protection by the courts against encroachments on their honour and reputation, life and health, and personal freedom and property.

Article 58. Citizens of the USSR have the right to lodge a complaint against the actions of officials, state bodies and public bodies. Complaints shall be examined according to the procedure and within the time-limit established by law.

Actions by officials that contravene the law or exceed their powers, and infringe the rights of citizens, may be appealed against in a court in the manner prescribed by law.

Citizens of the USSR have the right to compensation for damage resulting from unlawful actions by state organisations and public organisations, or by officials in the performance of their duties.

Article 59. Citizens' exercise of their rights and freedoms is inseparable from the performance of their duties and obligations.

Citizens of the USSR are obliged to observe the Constitution of the USSR and Soviet laws, comply with the standards of socialist conduct, and uphold the honour and dignity of Soviet citizenship.

Article 60. It is the duty of, and a matter of honour for, every able-bodied citizen of the USSR to work conscientiously in his chosen, socially useful occupation, and strictly to observe labour discipline. Evasion of socially useful work is incompatible with the principles of socialist society.

Article 61. Citizens of the USSR are obliged to preserve and protect socialist property. It is the duty of a citizen of the USSR to combat misappropriation and squandering of state and socially-owned property and to make thrifty use of the people's wealth.

Persons encroaching in any way on socialist property shall be punished according to the law.

Article 62. Citizens of the USSR are obliged to safeguard the interests of the Soviet state, and to enhance its power and prestige.

Defence of the Socialist Motherland is the sacred duty of every citizen of the USSR.

Betrayal of the Motherland is the gravest of crimes against the people.

Article 63. Military service in the ranks of the Armed Forces of the USSR is an honourable duty of Soviet citizens.

Article 64. It is the duty of every citizen of the USSR to respect the national dignity of other citizens, and to strengthen friendship of the nations and nationalities of the multinational Soviet state.

Article 65. A citizen of the USSR is obliged to respect the rights and lawful interests of other persons, to be uncompromising toward anti-social behaviour, and to help maintain public order.

Article 66. Citizens of the USSR are obliged to concern themselves with the upbringing of children, to train them for socially useful work, and to raise them as worthy members of socialist society. Children are obliged to care for their parents and help them.

Article 67. Citizens of the USSR are obliged to protect nature and conserve its riches.

Article 68. Concern for the preservation of historical monuments and other cultural values is a duty and obligation of citizens of the USSR.

Article 69. It is the internationalist duty of citizens of the USSR to promote friendship and co-operation with peoples of other lands and help maintain and strengthen world peace.

III. THE NATIONAL-STATE STRUCTURE OF THE USSR

Chapter 8 The USSR—a Federal State

Article 70. The Union of Soviet Socialist Republics is an integral, federal, multinational state formed on the principle of socialist federalism as a result of the free self-determination of nations and the voluntary association of equal Soviet Socialist Republics.

The USSR embodies the state unity of the Soviet people and draws all its nations and nationalities together for the purpose of jointly building communism.

Article 71. The Union of Soviet Socialist Republics unites:

the Russian Soviet Federative Socialist Republic,
the Ukrainian Soviet Socialist Republic,
the Byelorussian Soviet Socialist Republic,
the Uzbek Soviet Socialist Republic,
the Kazakh Soviet Socialist Republic,
the Georgian Soviet Socialist Republic,
the Azerbaijan Soviet Socialist Republic,
the Lithuanian Soviet Socialist Republic,
the Moldavian Soviet Socialist Republic,
the Latvian Soviet Socialist Republic,
the Kirghiz Soviet Socialist Republic,
the Tajik Soviet Socialist Republic,
the Armenian Soviet Socialist Republic,

the Turkmen Soviet Socialist Republic,
the Estonian Soviet Socialist Republic.

Article 72. Each Union Republic shall retain the right freely to secede from the USSR.

Article 73. The jurisdiction of the Union of Soviet Socialist Republics, as represented by its highest bodies of state authority and administration, shall cover:

1. the admission of new republics to the USSR; endorsement of the formation of new autonomous republics and autonomous regions within Union Republics;

2. determination of the state boundaries of the USSR and approval of changes in the boundaries between Union Republics;

3. establishment of the general principles for the organisation and functioning of republican and local bodies of state authority and administration;

4. the ensurance of uniformity of legislative norms throughout the USSR and establishment of the fundamentals of the legislation of the Union of Soviet Socialist Republics and Union Republics;

5. pursuance of a uniform social and economic policy; direction of the country's economy; determination of the main lines of scientific and technological progress and the general measures for rational exploitation and conservation of natural resources; the drafting and approval of state plans for the economic and social development of the USSR, and endorsement of reports on their fulfilment;

6. the drafting and approval of the consolidated Budget of the USSR, and endorsement of the report on its execution; management of a single monetary and credit system; determination of the taxes and revenues forming the Budget of the USSR; and the formulation of prices and wages policy;

7. direction of the sectors of the economy, and of enterprises and amalgamations under Union jurisdiction, and general direction of industries under Union-Republican jurisdiction;

8. issues of war and peace, defence of the sovereignty of the USSR and safeguarding of its frontiers and territory, and organisation of defence; direction of the Armed Forces of the USSR;

9. state security;

10. representation of the USSR in international relations; the USSR's relations with other states and with international organisations; establishment of the general procedure for, and co-ordination of, the relations of Union Republics with other states and with international organisations; foreign trade and other forms of external economic activity on the basis of state monopoly;

11. control over observance of the Constitution of the USSR, and ensurance of conformity of the Constitutions of Union Republics to the Constitution of the USSR;

12. and settlement of other matters of All-Union importance.

Article 74. The laws of the USSR shall have the same force in all Union Republics. In the event of a discrepancy between a Union Republic law and an All-Union law, the law of the USSR shall prevail.

Article 75. The territory of the Union of Soviet Socialist Republics is a single entity and comprises the territories of the Union Republics.

The sovereignty of the USSR extends throughout its territory.

Chapter 9 The Union Soviet Socialist Republic

Article 76. A Union Republic is a sovereign Soviet socialist state that has united with other Soviet Republics in the Union of Soviet Socialist Republics.

Outside the spheres listed in Article 73 of the Constitution of the USSR, a Union Republic exercises independent authority on its territory.

A Union Republic shall have its own Constitution conforming to the Constitution of the USSR with the specific features of the Republic being taken into account.

Article 77. Union Republics take part in decision-making in the Supreme Soviet of the USSR, the Presidium of the Supreme Soviet of the USSR, the Government of the USSR, and other bodies of the Union of Soviet Socialist

Republics in matters that come within the jurisdiction of the Union of Soviet Socialist Republics.

A Union Republic shall ensure comprehensive economic and social development on its territory, facilitate exercise of the powers of the USSR on its territory, and implement the decisions of the highest bodies of state authority and administration of the USSR.

In matters that come within its jurisdiction, a Union Republic shall co-ordinate and control the activity of enterprises, institutions, and organisations subordinate to the Union.

Article 78. The territory of a Union Republic may not be altered without its consent. The boundaries between Union Republics may be altered by mutual agreement of the Republics concerned, subject to ratification by the Union of Soviet Socialist Republics.

Article 79. A Union Republic shall determine its division into territories, regions, areas, and districts, and decide other matters relating to its administrative and territorial structure.

Article 80. A Union Republic has the right to enter into relations with other states, conclude treaties with them, exchange diplomatic and consular representatives, and take part in the work of international organisations.

Article 81. The sovereign rights of Union Republics shall be safeguarded by the USSR.

Chapter 10

The Autonomous Soviet Socialist Republic

Article 82. An Autonomous Republic is a constituent part of a Union Republic.

In spheres not within the jurisdiction of the Union of Soviet Socialist Republics and the Union Republic, an Autonomous Republic shall deal independently with matters within its jurisdiction.

An Autonomous Republic shall have its own Constitution conforming to the Constitutions of the USSR and the Union Republic with the specific features of the Autonomous Republic being taken into account.

Article 83. An Autonomous Republic takes part in decision-making through the highest bodies of state authority and administration of the USSR and of the Union Republic respectively, in matters that come within the jurisdiction of the USSR and the Union Republic.

An Autonomous Republic shall ensure comprehensive economic and social development on its territory, facilitate exercise of the powers of the USSR and the Union Republic on its territory, and implement decisions of the highest bodies of state authority and administration of the USSR and the Union Republic.

In matters within its jurisdiction, an Autonomous Republic shall co-ordinate and control the activity of enterprises, institutions, and organisations subordinate to the Union or the Union Republic.

Article 84. The territory of an Autonomous Republic may not be altered without its consent.

Article 85. The Russian Soviet Federative Socialist Republic includes the Bashkir, Buryat, Daghestan, Kabardin-Balkar, Kalmyk, Karelian, Komi, Mari, Mordovian, North Ossetian, Tatar, Tuva, Udmurt, Chechen-Ingush, Chuvash, and Yakut Autonomous Soviet Socialist Republics.

The Uzbek Soviet Socialist Republic includes the Karakalpak Autonomous Soviet Socialist Republic.

The Georgian Soviet Socialist Republic includes the Abkhassian and Adzhar Autonomous Soviet Socialist Republics.

The Azerbaijan Soviet Socialist Republic includes the Nakhichevan Autonomous Soviet Socialist Republic.

Chapter 11

The Autonomous Region and Autonomous Area

Article 86. An Autonomous Region is a constituent part of a Union Republic or Territory. The Law on an Autonomous Region, upon submission by the Soviet of People's

Deputies of the Autonomous Region concerned, shall be adopted by the Supreme Soviet of the Union Republic.

Article 87. The Russian Soviet Federative Socialist Republic includes the Adygei, Gorno-Altai, Jewish, Karachai-Circassian, and Khakass Autonomous Regions.

The Georgian Soviet Socialist Republic includes the South Ossetian Autonomous Region.

The Azerbaijan Soviet Socialist Republic includes the Nagorno-Karabakh Autonomous Region.

The Tajik Soviet Socialist Republic includes the Gorno-Badakhshan Autonomous Region.

Article 88. An Autonomous Area is a constituent part of a Territory or Region. The Law on an Autonomous Area shall be adopted by the Supreme Soviet of the Union Republic concerned.

IV. SOVIETS OF PEOPLE'S DEPUTIES AND ELECTORAL PROCEDURE

Chapter 12 The System of Soviets of People's Deputies and the Principles of Their Work

Article 89. The Soviets of People's Deputies, i.e. the Supreme Soviet of the USSR, the Supreme Soviets of Union Republics, the Supreme Soviets of Autonomous Republics, the Soviets of People's Deputies of Territories and Regions, the Soviets of People's Deputies of Autonomous Regions and Autonomous Areas, and the Soviets of People's Deputies of districts, cities, city districts, settlements and villages shall constitute a single system of bodies of state authority.

Article 90. The term of the Supreme Soviet of the USSR, the Supreme Soviets of Union Republics, and the Supreme Soviets of Autonomous Republics shall be five years.

The term of local Soviets of People's Deputies shall be two and a half years.

Elections to Soviets of People's Deputies shall be called not later than two months before the expiry of the term of the Soviet concerned.

Article 91. The most important matters within the jurisdiction of the respective Soviets of People's Deputies shall be considered and settled at their sessions.

Soviets of People's Deputies shall elect standing commissions and form executive-administrative, and other bodies accountable to them.

Article 92. Soviets of People's Deputies shall form people's control bodies combining state control with control by the working people at enterprises, collective farms, institutions, and organisations.

People's control bodies shall check on the fulfilment of state plans and assignments, combat breaches of state discipline, localistic tendencies, narrow departmental attitudes, mismanagement, extravagance and waste, red tape and bureaucracy, and help improve the working of the state machinery.

Article 93. Soviets of People's Deputies shall direct all sectors of state, economic, and social and cultural development, either directly or through bodies instituted by them, take decisions and ensure their execution, and verify their implementation.

Article 94. Soviets of People's Deputies shall function publicly on the basis of collective, free, constructive discussion and decision-making, of systematic reporting back to them and the people by their executive-administrative and other bodies, and of involving citizens on a broad scale in their work.

Soviets of People's Deputies and the bodies set up by them shall systematically inform the public about their work and the decisions taken by them.

Chapter 13 The Electoral System

Article 95. Deputies to all Soviets shall be elected on the basis of universal, equal, and direct suffrage by secret ballot.

Article 96. Elections shall be universal: all citizens of the USSR who have reached the age of 18 shall have the right to vote and to be elected, with the exception of persons who have been legally certified insane.

To be eligible for election to the Supreme Soviet of the USSR a citizen of the USSR must have reached the age of 21.

Article 97. Elections shall be equal: each citizen shall have one vote; all voters shall exercise the franchise on an equal footing.

Article 98. Elections shall be direct: deputies to all Soviets of People's Deputies shall be elected by citizens by direct vote.

Article 99. Voting at elections shall be secret; control over voters' exercise of the franchise is inadmissible.

Article 100. The following shall have the right to nominate candidates: branches and organisations of the Communist Party of the Soviet Union, trade unions, and the All-Union Leninist Young Communist League; co-operatives and other public organisations; work collectives, and meetings of servicemen in their military units.

Citizens of the USSR and public organisations are guaranteed the right to free and all-round discussion of the political and personal qualities and competence of candidates, and the right to campaign for them at meetings, in the press, and on television and radio.

The expenses involved in holding elections to Soviets of People's Deputies shall be met by the state.

Article 101. Deputies to Soviets of People's Deputies shall be elected by constituencies.

A citizen of the USSR may not, as a rule, be elected to more than two Soviets of People's Deputies.

Elections to the Soviets shall be conducted by electoral commissions consisting of representatives of public organisations and work collectives, and of meetings of servicemen in military units.

The procedure for holding elections to Soviets of People's Deputies shall be defined by the laws of the USSR, and of Union and Autonomous Republics.

Article 102. Electors give mandates to their Deputies.

The appropriate Soviets of People's Deputies shall examine electors' mandates, take them into account in drafting economic and social development plans and in drawing up the budget, organise implementation of the mandates, and inform citizens about it.

Chapter 14 **People's Deputies**

Article 103. Deputies are the plenipotentiary representatives of the people in the Soviets of People's Deputies.

In the Soviets, Deputies deal with matters relating to state, economic, and social and cultural development, organise implementation of the decisions of the Soviets, and exercise control over the work of state bodies, enterprises, institutions and organisations.

Deputies shall be guided in their activities by the interests of the state, and shall take the needs of their constituents into account and work to implement their electors' mandates.

Article 104. Deputies shall exercise their powers without discontinuing their regular employment or duties.

During sessions of the Soviet, and so as to exercise their deputy's power in other cases stipulated by law, Deputies shall be released from their regular employment or duties, with retention of their average earnings at their permanent place of work.

Article 105. A Deputy has the right to address inquiries to the appropriate state bodies and officials, who are obliged to reply to them at a session of the Soviet.

Deputies have the right to approach any state or public body, enterprise, institution, or organisation on matters arising from their work as Deputies and to take part in considering the questions raised by them. The heads of the state or public bodies, enterprises, institutions or organisations concerned are obliged to receive Deputies without delay and to consider their proposals within the time-limit established by law.

Article 106. Deputies shall be ensured conditions for the unhampered and effective exercise of their rights and duties.

The immunity of Deputies, and other guarantees of their activity as Deputies, are defined in the Law on the Status of Deputies and other legislative acts of the USSR and of Union and Autonomous Republics.

Article 107. Deputies shall report on their work and on that of the Soviet to their constituents, and to the work collectives and public organisations that nominated them.

Deputies who have not justified the confidence of their constituents may be recalled at any time by decision of a majority of the electors in accordance with the procedure established by law.

V. HIGHER BODIES OF STATE AUTHORITY AND ADMINISTRATION OF THE USSR

Chapter 15 The Supreme Soviet of the USSR

Article 108. The highest body of state authority of the USSR shall be the Supreme Soviet of the USSR.

The Supreme Soviet of the USSR is empowered to deal with all matters within the jurisdiction of the Union of Soviet Socialist Republics, as defined by this Constitution.

The adoption and amendment of the Constitution of the USSR; admission of new Republics to the USSR; endorsement of the formation of new Autonomous Republics and Autonomous Regions; approval of the state plans for economic and social development, of the Budget of the USSR,

and of reports on their execution; and the institution of bodies of the USSR accountable to it, are the exclusive prerogative of the Supreme Soviet of the USSR.

Laws of the USSR shall be enacted by the Supreme Soviet of the USSR or by a nationwide vote (referendum) held by decision of the Supreme Soviet of the USSR.

Article 109. The Supreme Soviet of the USSR shall consist of two chambers: the Soviet of the Union and the Soviet of Nationalities.

The two chambers of the Supreme Soviet of the USSR shall have equal rights.

Article 110. The Soviet of the Union and the Soviet of Nationalities shall have equal numbers of deputies.

The Soviet of the Union shall be elected by constituencies with equal populations.

The Soviet of Nationalities shall be elected on the basis of the following representation: 32 deputies from each Union Republic, 11 deputies from each Autonomous Republic, five deputies from each Autonomous Region, and one deputy from each Autonomous Area.

The Soviet of the Union and the Soviet of Nationalities, upon submission by the credentials commissions elected by them, shall decide on the validity of Deputies' credentials, and, in cases in which the election law has been violated, shall declare the election of the Deputies concerned null and void.

Article 111. Each chamber of the Supreme Soviet of the USSR shall elect a Chairman and four Vice-Chairmen.

The Chairmen of the Soviet of the Union and of the Soviet of Nationalities shall preside over the sittings of the respective chambers and conduct their affairs.

Joint sittings of the chambers of the Supreme Soviet of the USSR shall be presided over alternately by the Chairman of the Soviet of the Union and the Chairman of the Soviet of Nationalities.

Article 112. Sessions of the Supreme Soviet of the USSR shall be convened twice a year.

Special sessions shall be convened by the Presidium of the Supreme Soviet of the USSR at its discretion or on the

proposal of a Union Republic, or of not less than one-third of the Deputies of one of the chambers.

A session of the Supreme Soviet of the USSR shall consist of separate and joint sittings of the chambers, and of meetings of the standing commissions of the chambers or commissions of the Supreme Soviet of the USSR held between the sittings of the chambers. A session may be opened and closed at either separate or joint sittings of the chambers.

Article 113. The right to initiate legislation in the Supreme Soviet of the USSR is vested in the Soviet of the Union and the Soviet of Nationalities, the Presidium of the Supreme Soviet of the USSR, the Council of Ministers of the USSR, Union Republics through their highest bodies of state authority, commissions of the Supreme Soviet of the USSR and standing commissions of its chambers, Deputies of the Supreme Soviet of the USSR, the Supreme Court of the USSR, and the Procurator-General of the USSR.

The right to initiate legislation is also vested in public organisations through their All-Union bodies.

Article 114. Bills and other matters submitted to the Supreme Soviet of the USSR shall be debated by its chambers at separate or joint sittings. Where necessary, a bill or other matter may be referred to one or more commissions for preliminary or additional consideration.

A law of the USSR shall be deemed adopted when it has been passed in each chamber of the Supreme Soviet of the USSR by a majority of the total number of its Deputies. Decisions and other acts of the Supreme Soviet of the USSR are adopted by a majority of the total number of Deputies of the Supreme Soviet of the USSR.

Bills and other very important matters of state may be submitted for nationwide discussion by a decision of the Supreme Soviet of the USSR or its Presidium taken on their own initiative or on the proposal of a Union Republic.

Article 115. In the event of disagreement between the Soviet of the Union and the Soviet of Nationalities, the matter at issue shall be referred for settlement to a conciliation commission formed by the chambers on a parity basis, after which it shall be considered for a second time by the

Soviet of the Union and the Soviet of Nationalities at a joint sitting. If agreement is again not reached, the matter shall be postponed for debate at the next session of the Supreme Soviet of the USSR or submitted by the Supreme Soviet to a nationwide vote (referendum).

Article 116. Laws of the USSR and decisions and other acts of the Supreme Soviet of the USSR shall be published in the languages of the Union Republics over the signatures of the Chairman and Secretary of the Presidium of the Supreme Soviet of the USSR.

Article 117. A Deputy of the Supreme Soviet of the USSR has the right to address inquiries to the Council of Ministers of the USSR, and to Ministers and the heads of other bodies formed by the Supreme Soviet of the USSR. The Council of Ministers of the USSR, or the official to whom the inquiry is addressed, is obliged to give a verbal or written reply within three days at the given session of the Supreme Soviet of the USSR.

Article 118. A Deputy of the Supreme Soviet of the USSR may not be prosecuted, or arrested, or incur a court-imposed penalty, without the sanction of the Supreme Soviet of the USSR or, between its sessions, of the Presidium of the Supreme Soviet of the USSR.

Article 119. The Supreme Soviet of the USSR, at a joint sitting of its chambers, shall elect a Presidium of the Supreme Soviet of the USSR, which shall be a standing body of the Supreme Soviet of the USSR, accountable to it for all its work and exercising the functions of the highest body of state authority of the USSR between sessions of the Supreme Soviet, within the limits prescribed by the Constitution.

Article 120. The Presidium of the Supreme Soviet of the USSR shall be elected from among the Deputies and shall consist of a Chairman, First Vice-Chairman, 15 Vice-Chairmen (one from each Union Republic), a Secretary, and 21 members.

Article 121. The Presidium of the Supreme Soviet of the USSR shall:

1. name the date of elections to the Supreme Soviet of the USSR;
2. convene sessions of the Supreme Soviet of the USSR;
3. co-ordinate the work of the standing commissions of the chambers of the Supreme Soviet of the USSR;
4. ensure observance of the Constitution of the USSR and conformity of the Constitutions and laws of Union Republics to the Constitution and laws of the USSR;
5. interpret the laws of the USSR;
6. ratify and denounce international treaties of the USSR;
7. revoke decisions and ordinances of the Council of Ministers of the USSR and of the Councils of Ministers of Union Republics should they fail to conform to the law;
8. institute military and diplomatic ranks and other special titles; and confer the highest military and diplomatic ranks and other special titles;
9. institute orders and medals of the USSR, and honorific titles of the USSR; award orders and medals of the USSR; and confer honorific titles of the USSR;
10. grant citizenship of the USSR, and rule on matters of the renunciation or deprivation of citizenship of the USSR and of granting asylum;
11. issue All-Union acts of amnesty and exercise the right of pardon;
12. appoint and recall diplomatic representatives of the USSR to other countries and to international organisations;
13. receive the letters of credence and recall of the diplomatic representatives of foreign states accredited to it;
14. form the Council of Defence of the USSR and confirm its composition; appoint and dismiss the high command of the Armed Forces of the USSR;
15. proclaim martial law in particular localities or throughout the country in the interests of defence of the USSR;
16. order general or partial mobilisation;
17. between sessions of the Supreme Soviet of the USSR, proclaim a state of war in the event of an armed attack on the USSR, or when it is necessary to meet international treaty obligations relating to mutual defence against aggression;

18. and exercise other powers vested in it by the Constitution and laws of the USSR.

Article 122. The Presidium of the Supreme Soviet of the USSR, between sessions of the Supreme Soviet of the USSR and subject to submission for its confirmation at the next session, shall:

1. amend existing legislative acts of the USSR when necessary;

2. approve changes in the boundaries between Union Republics;

3. form and abolish Ministries and State Committees of the USSR on the recommendation of the Council of Ministers of the USSR;

4. relieve individual members of the Council of Ministers of the USSR of their responsibilities and appoint persons to the Council of Ministers on the recommendation of the Chairman of the Council of Ministers of the USSR.

Article 123. The Presidium of the Supreme Soviet of the USSR promulgates decrees and adopts decisions.

Article 124. On expiry of the term of the Supreme Soviet of the USSR, the Presidium of the Supreme Soviet of the USSR shall retain its powers until the newly elected Supreme Soviet of the USSR has elected a new Presidium.

The newly elected Supreme Soviet of the USSR shall be convened by the outgoing Presidium of the Supreme Soviet of the USSR within two months of the elections.

Article 125. The Soviet of the Union and the Soviet of Nationalities shall elect standing commissions from among the Deputies to make a preliminary review of matters coming within the jurisdiction of the Supreme Soviet of the USSR, to promote execution of the laws of the USSR and other acts of the Supreme Soviet of the USSR and its Presidium, and to check on the work of state bodies and organisations. The chambers of the Supreme Soviet of the USSR may also set up joint commissions on a parity basis.

When it deems it necessary, the Supreme Soviet of the USSR sets up commissions of inquiry and audit, and commissions on any other matter.

All state and public bodies, organisations and officials are obliged to meet the requests of the commissions of the Supreme Soviet of the USSR and of its chambers, and submit the requisite materials and documents to them.

The commissions' recommendations shall be subject to consideration by state and public bodies, institutions and organisations. The commissions shall be informed, within the prescribed time-limit, of the results of such consideration or of the action taken.

Article 126. The Supreme Soviet of the USSR shall supervise the work of all state bodies accountable to it.

The Supreme Soviet of the USSR shall form a Committee of People's Control of the USSR to head the system of people's control.

The organisation and procedure of people's control bodies are defined by the Law on People's Control in the USSR.

Article 127. The procedure of the Supreme Soviet of the USSR and of its bodies shall be defined in the Rules and Regulations of the Supreme Soviet of the USSR and other laws of the USSR enacted on the basis of the Constitution of the USSR.

Chapter 16 **The Council of Ministers** **of the USSR**

Article 128. The Council of Ministers of the USSR, i.e. the Government of the USSR, is the highest executive and administrative body of state authority of the USSR.

Article 129. The Council of Ministers of the USSR shall be formed by the Supreme Soviet of the USSR at a joint sitting of the Soviet of the Union and the Soviet of Nationalities, and shall consist of the Chairman of the Council of Ministers of the USSR, First Vice-Chairmen and Vice-Chairmen, Ministers of the USSR, and Chairmen of State Committees of the USSR.

The Chairmen of the Councils of Ministers of Union Republics shall be *ex officio* members of the Council of Ministers of the USSR.

The Supreme Soviet of the USSR, on the recommendation of the Chairman of the Council of Ministers of the USSR, may include in the Government of the USSR the heads of other bodies and organisations of the USSR.

The Council of Ministers of the USSR shall tender its resignation to a newly elected Supreme Soviet of the USSR at its first session.

Article 130. The Council of Ministers of the USSR shall be responsible and accountable to the Supreme Soviet of the USSR and, between sessions of the Supreme Soviet of the USSR, to the Presidium of the Supreme Soviet of the USSR.

The Council of Ministers of the USSR shall report regularly on its work to the Supreme Soviet of the USSR.

Article 131. The Council of Ministers of the USSR is empowered to deal with all matters of state administration within the jurisdiction of the Union of Soviet Socialist Republics insofar as, under the Constitution, they do not come within the competence of the Supreme Soviet of the USSR or the Presidium of the Supreme Soviet of the USSR.

Within its powers the Council of Ministers of the USSR shall:

1. ensure direction of economic, social, and cultural development; draft and implement measures to promote the well-being and cultural development of the people, to develop science and engineering, to ensure rational exploitation and conservation of natural resources, to consolidate the monetary and credit system, to pursue a uniform prices, wages, and social security policy, and to organise state insurance and a uniform system of accounting and statistics; and organise the management of industrial, constructional, and agricultural enterprises and amalgamations, transport and communications undertakings, banks, and other organisations and institutions of All-Union subordination;

2. draft current and long-term state plans for the economic and social development of the USSR and the Budget of the USSR, and submit them to the Supreme Soviet of the USSR; take measures to execute the state plans and Budget; and report to the Supreme Soviet of the USSR on the implementation of the plans and Budget;

3. implement measures to defend the interests of the state, protect socialist property and maintain public order, and guarantee and protect citizens' rights and freedoms;

4. take measures to ensure state security;

5. exercise general direction of the development of the Armed Forces of the USSR, and determine the annual contingent of citizens to be called up for active military service;

6. provide general direction in regard to relations with other states, foreign trade, and economic, scientific, technical, and cultural co-operation of the USSR with other countries; take measures to ensure fulfilment of the USSR's international treaties; and ratify and denounce intergovernmental international agreements;

7. and when necessary, form committees, central boards and other departments under the Council of Ministers of the USSR to deal with matters of economic, social and cultural development, and defence.

Article 132. A Presidium of the Council of Ministers of the USSR, consisting of the Chairman, the First Vice-Chairmen, Vice-Chairmen of the Council of Ministers of the USSR and, by decision of the Council of Ministers of the USSR, other members of the Government of the USSR, shall function as a standing body of the Council of Ministers of the USSR to deal with questions relating to guidance of the economy, and with other matters of state administration.

Article 133. The Council of Ministers of the USSR, on the basis of, and in pursuance of, the laws of the USSR and other decisions of the Supreme Soviet of the USSR and its Presidium, shall issue decisions and ordinances and verify their execution. The decisions and ordinances of the Council of Ministers of the USSR shall be binding throughout the USSR.

Article 134. The Council of Ministers of the USSR has the right, in matters within the jurisdiction of the Union of Soviet Socialist Republics, to suspend execution of decisions and ordinances of the Councils of Ministers of Union

Republics, and to rescind acts of ministries and state committees of the USSR, and of other bodies subordinate to it.

Article 135. The Council of Ministers of the USSR shall co-ordinate and direct the work of All-Union and Union-Republican ministries, state committees of the USSR, and other bodies subordinate to it.

All-Union ministries and state committees of the USSR shall direct the work of the branches of administration entrusted to them, or exercise inter-branch administration, throughout the territory of the USSR directly or through bodies set up by them.

Union-Republican ministries and state committees of the USSR direct the work of the branches of administration entrusted to them, or exercise inter-branch administration, as a rule, through the corresponding ministries and state committees, and other bodies of Union Republics, and directly administer individual enterprises and amalgamations of Union subordination. The procedure for transferring enterprises and amalgamations from Republic or local subordination to Union subordination shall be defined by the Presidium of the Supreme Soviet of the USSR.

Ministries and state committees of the USSR shall be responsible for the condition and development of the spheres of administration entrusted to them; within their competence, they issue orders and other acts on the basis of, and in execution of, the laws of the USSR and other decisions of the Supreme Soviet of the USSR and its Presidium, and of decisions and ordinances of the Council of Ministers of the USSR, and organise and verify their implementation.

Article 136. The competence of the Council of Ministers of the USSR and its Presidium, the procedure for their work, relationships between the Council of Ministers and other state bodies, and the list of All-Union and Union-Republican ministries and state committees of the USSR are defined, on the basis of the Constitution, in the Law on the Council of Ministers of the USSR.

VI. BASIC PRINCIPLES OF THE STRUCTURE
OF THE BODIES OF STATE AUTHORITY
AND ADMINISTRATION IN UNION REPUBLICS

Chapter 17
Higher Bodies
of State Authority and Administration
of a Union Republic

Article 137. The highest body of state authority of a Union Republic shall be the Supreme Soviet of that Republic.

The Supreme Soviet of a Union Republic is empowered to deal with all matters within the jurisdiction of the Republic under the Constitutions of the USSR and the Republic.

Adoption and amendment of the Constitution of a Union Republic; endorsement of state plans for economic and social development, of the Republic's Budget, and of reports on their fulfilment; and the formation of bodies accountable to the Supreme Soviet of the Union Republic are the exclusive prerogative of that Supreme Soviet.

Laws of a Union Republic shall be enacted by the Supreme Soviet of the Union Republic or by a popular vote (referendum) held by decision of the Republic's Supreme Soviet.

Article 138. The Supreme Soviet of a Union Republic shall elect a Presidium, which is a standing body of that Supreme Soviet and accountable to it for all its work. The composition and powers of the Presidium of the Supreme Soviet of a Union Republic shall be defined in the Constitution of the Union Republic.

Article 139. The Supreme Soviet of a Union Republic shall form a Council of Ministers of the Union Republic, i.e. the Government of that Republic, which shall be the highest executive and administrative body of state authority in the Republic.

The Council of Ministers of a Union Republic shall be responsible and accountable to the Supreme Soviet of that Republic or, between sessions of the Supreme Soviet, to its Presidium.

Article 140. The Council of Ministers of a Union Republic issues decisions and ordinances on the basis of, and in pursuance of, the legislative acts of the USSR and of the Union Republic, and of decisions and ordinances of the Council of Ministers of the USSR, and shall organise and verify their execution.

Article 141. The Council of Ministers of a Union Republic has the right to suspend the execution of decisions and ordinances of the Councils of Ministers of Autonomous Republics, to rescind the decisions and orders of the Executive Committees of Soviets of People's Deputies of Territories, Regions, and cities (i.e. cities under Republic jurisdiction) and of Autonomous Regions, and in Union Republics not divided into regions, of the Executive Committees of district and corresponding city Soviets of People's Deputies.

Article 142. The Council of Ministers of a Union Republic shall co-ordinate and direct the work of the Union-Republican and Republican ministries and of state committees of the Union Republic, and other bodies under its jurisdiction.

The Union-Republican ministries and state committees of a Union Republic shall direct the branches of administration entrusted to them, or exercise inter-branch control, and shall be subordinate to both the Council of Ministers of the Union Republic and the corresponding Union-Republican ministry or state committee of the USSR.

Republican ministries and state committees shall direct the branches of administration entrusted to them, or exercise inter-branch control, and shall be subordinate to the Council of Ministers of the Union Republic.

Chapter 18 **Higher Bodies** **of State Authority and Administration** **of an Autonomous Republic**

Article 143. The highest body of state authority of an Autonomous Republic shall be the Supreme Soviet of that Republic.

Adoption and amendment of the Constitution of an Autonomous Republic; endorsement of state plans for economic and social development, and of the Republic's Budget; and the formation of bodies accountable to the Supreme Soviet of the Autonomous Republic are the exclusive prerogative of that Supreme Soviet.

Laws of an Autonomous Republic shall be enacted by the Supreme Soviet of the Autonomous Republic.

Article 144. The Supreme Soviet of an Autonomous Republic shall elect a Presidium of the Supreme Soviet of the Autonomous Republic and shall form a Council of Ministers of the Autonomous Republic, i.e. the Government of that Republic.

Chapter 19 **Local Bodies** **of State Authority and Administration**

Article 145. The bodies of state authority in Territories, Regions, Autonomous Regions, Autonomous Areas, districts, cities, city districts, settlements, and rural communities shall be the corresponding Soviets of People's Deputies.

Article 146. Local Soviets of People's Deputies shall deal with all matters of local significance in accordance with the interests of the whole state and of the citizens residing in the area under their jurisdiction, implement decisions of higher bodies of state authority, guide the work of lower Soviets of People's Deputies, take part in the discussion of matters of Republican and All-Union significance, and submit their proposals concerning them.

Local Soviets of People's Deputies shall direct state, economic, social and cultural development within their territory; endorse plans for economic and social development and the local budget; exercise general guidance over state bodies, enterprises, institutions and organisations subordinate to them; ensure observance of the laws, maintenance of law and order, and protection of citizens' rights; and help strengthen the country's defence capacity.

Article 147. Within their powers, local Soviets of People's Deputies shall ensure the comprehensive, all-round economic and social development of their area; exercise control over the observance of legislation by enterprises, institutions and organisations subordinate to higher authorities and located in their area; and co-ordinate and supervise their activity as regards land use, nature conservation, building, employment of manpower, production of consumer goods, and social, cultural, communal and other services and amenities for the public.

Article 148. Local Soviets of People's Deputies shall decide matters within the powers accorded them by the legislation of the USSR and of the appropriate Union Republic and Autonomous Republic. Their decisions shall be binding on all enterprises, institutions, and organisations located in their area and on officials and citizens.

Article 149. The executive-administrative bodies of local Soviets shall be the Executive Committees elected by them from among their deputies.

Executive Committees shall report on their work at least once a year to the Soviets that elected them and to meetings of citizens at their places of work or residence.

Article 150. Executive Committees of local Soviets of People's Deputies shall be directly accountable both to the Soviet that elected them and to the higher executive and administrative body.

VII. JUSTICE, ARBITRATION, AND PROCURATOR'S SUPERVISION

Chapter 20 **Courts and Arbitration**

Article 151. In the USSR justice is administered only by the courts.

In the USSR there are the following courts: the Supreme Court of the USSR, the Supreme Courts of Union Republics, the Supreme Courts of Autonomous Republics, Territorial, Regional, and city courts, courts of Autonomous Re-

gions, courts of Autonomous Areas, district (city) people's courts, and military tribunals in the Armed Forces.

Article 152. All courts in the USSR shall be formed on the principle of the electiveness of judges and people's assessors.

People's judges of district (city) people's courts shall be elected for a term of five years by the citizens of the district (city) on the basis of universal, equal and direct suffrage by secret ballot. People's assessors of district (city) people's courts shall be elected for a term of two and a half years at meetings of citizens at their places of work or residence by a show of hands.

Higher courts shall be elected for a term of five years by the corresponding Soviet of People's Deputies.

The judges of military tribunals shall be elected for a term of five years by the Presidium of the Supreme Soviet of the USSR and people's assessors for a term of two and a half years by meetings of servicemen.

Judges and people's assessors are responsible and accountable to their electors or the bodies that elected them, shall report to them, and may be recalled by them in the manner prescribed by law.

Article 153. The Supreme Court of the USSR is the highest judicial body in the USSR and supervises the administration of justice by the courts of the USSR and Union Republics within the limits established by law.

The Supreme Court of the USSR shall be elected by the Supreme Soviet of the USSR and shall consist of a Chairman, Vice-Chairmen, members, and people's assessors. The Chairman of the Supreme Courts of Union Republics are *ex officio* members of the Supreme Court of the USSR.

The organisation and procedure of the Supreme Court of the USSR are defined in the Law on the Supreme Court of the USSR.

Article 154. The hearing of civil and criminal cases in all courts is collegial; in courts of first instance cases are heard with the participation of people's assessors. In the administration of justice people's assessors have all the rights of a judge.

Article 155. Judges and people's assessors are independent and subject only to the law.

Article 156. Justice is administered in the USSR on the principle of the equality of citizens before the law and the court.

Article 157. Proceedings in all courts shall be open to the public. Hearings *in camera* are only allowed in cases provided for by law, with observance of all the rules of judicial procedure.

Article 158. A defendant in a criminal action is guaranteed the right to legal assistance.

Article 159. Judicial proceedings shall be conducted in the language of the Union Republic, Autonomous Republic, Autonomous Region, or Autonomous Area, or in the language spoken by the majority of the people in the locality. Persons participating in court proceedings, who do not know the language in which they are being conducted, shall be ensured the right to become fully acquainted with the materials in the case; the services of an interpreter during the proceedings; and the right to address the court in their own language.

Article 160. No one may be adjudged guilty of a crime and subjected to punishment as a criminal except by the sentence of a court and in conformity with the law.

Article 161. Colleges of advocates are available to give legal assistance to citizens and organisations. In cases provided for by legislation citizens shall be given legal assistance free of charge.

The organisation and procedure of the bar are determined by legislation of the USSR and Union Republics.

Article 162. Representatives of public organisations and of work collectives may take part in civil and criminal proceedings.

Article 163. Economic disputes between enterprises, institutions, and organisations are settled by state arbitration bodies within the limits of their jurisdiction.

The organisation and manner of functioning of state arbitration bodies are defined in the Law on State Arbitration in the USSR.

Chapter 21 **The Procurator's Office**

Article 164. Supreme power of supervision over the strict and uniform observance of laws by all ministries, state committees and departments, enterprises, institutions and organisations, executive-administrative bodies of local Soviets of People's Deputies, collective farms, co-operatives and other public organisations, officials and citizens is vested in the Procurator-General of the USSR and procurators subordinate to him.

Article 165. The Procurator-General of the USSR is appointed by the Supreme Soviet of the USSR and is responsible and accountable to it and, between sessions of the Supreme Soviet, to the Presidium of the Supreme Soviet of the USSR.

Article 166. The procurators of Union Republics, Autonomous Republics, Territories, Regions and Autonomous Regions are appointed by the Procurator-General of the USSR. The procurators of Autonomous Areas and district and city procurators are appointed by the Procurators of Union Republics, subject to confirmation by the Procurator-General of the USSR.

Article 167. The term of office of the Procurator-General of the USSR and all lower-ranking procurators shall be five years.

Article 168. The agencies of the Procurator's Office exercise their powers independently of any local bodies whatsoever, and are subordinate solely to the Procurator-General of the USSR.

The organisation and procedure of the agencies of the Procurator's Office are defined in the Law on the Procurator's Office of the USSR.

VIII. THE EMBLEM, FLAG, ANTHEM AND CAPITAL OF THE USSR

Article 169. The State Emblem of the Union of Soviet Socialist Republics is a hammer and sickle on a globe depicted in the rays of the sun and framed by ears of wheat, with the inscription "Workers of All Countries, Unite!" in the languages of the Union Republics. At the top of the Emblem is a five-pointed star.

Article 170. The State Flag of the Union of Soviet Socialist Republics is a rectangle of red cloth with a hammer and sickle depicted in gold in the upper corner next to the staff and with a five-pointed red star edged in gold above them. The ratio of the width of the flag to its length is 1 : 2.

Article 171. The State Anthem of the Union of Soviet Socialist Republics is confirmed by the Presidium of the Supreme Soviet of the USSR.

Article 172. The Capital of the Union of Soviet Socialist Republics is the city of Moscow.

IX. THE LEGAL FORCE OF THE CONSTITUTION OF THE USSR AND PROCEDURE FOR AMENDING THE CONSTITUTION

Article 173. The Constitution of the USSR shall have supreme legal force. All laws and other acts of state bodies shall be promulgated on the basis of and in conformity with it.

Article 174. The Constitution of the USSR may be amended by a decision of the Supreme Soviet of the USSR adopted by a majority of not less than two-thirds of the total number of Deputies of each of its chambers.

Vedomosti Verkhovnogo Soveta SSSR,
No 41, 1977, Item 617; No. 26, 1981, Item 838.

CONSTITUTION OF THE RSFSR

**CONSTITUTION (FUNDAMENTAL LAW)
OF THE RUSSIAN
SOVIET FEDERATIVE SOCIALIST REPUBLIC**
(of April 2, 1978)

The Great October Socialist Revolution, made by the workers and peasants of Russia under the leadership of the Communist Party headed by Lenin, overthrew capitalist and landowner rule, broke the fetters of oppression, established the dictatorship of the proletariat, and created the Soviet state, a new type of state, the basic instrument for defending the gains of the revolution and for building socialism and communism.

Soviet power guaranteed all the peoples of Russia equal rights and free self-determination, and granted the working people truly democratic rights and freedoms. The formation of the RSFSR provided the Russian people, all the nations and nationalities of the Russian Federation, with favourable conditions for all-round economic, social and cultural development, with due account of their specific national features in the fraternal family of the Soviet peoples.

The unification of the RSFSR and the other Soviet Republics in the Union of Soviet Socialist Republics multiplied the forces and opportunities of the peoples of the country in the carrying out of radical socio-economic transformations.

As a result of the constructive activity of the Soviet people under the leadership of the Communist Party a developed socialist society has been built in the USSR, a society of true freedom for the working people, in which powerful productive forces have been created, the well-being and culture of the people is constantly rising, and the un-

breakable alliance of the working class, collective-farm peasantry and people's intelligentsia is growing stronger.

The Russian Soviet Federative Socialist Republic is a Republic enjoying equal rights within the Union of Soviet Socialist Republics, which embodies the state unity of the Soviet people, and unites all the nations and nationalities for the joint building of communism.

The people of the Russian Soviet Federative Socialist Republic,

guided by the ideas of scientific communism,

aware of being a constituent part of the whole Soviet people, and

preserving continuity of the ideas and principles of the Constitution of the RSFSR of 1918, the Constitution of the RSFSR of 1925, and the Constitution of the RSFSR of 1937, and in accordance with the Constitution (Fundamental Law) of the Union of Soviet Socialist Republics which has affirmed the principles of the social system and policy of the USSR and defined the rights, freedoms and obligations of citizens, and the principles of the organisation of the socialist state of the whole people, and its aims,

hereby adopt and proclaim the present Constitution.

I. PRINCIPLES OF THE SOCIAL STRUCTURE AND POLICY OF THE RSFSR

Chapter 1 **The Political System**

Article 1. The Russian Soviet Federative Socialist Republic is a socialist state of the whole people, expressing the will and interests of the workers, peasants, and intelligentsia, the working people of all the nations and nationalities of the Republic.

Article 2. All power in the RSFSR belongs to the people.

The people exercise state power through Soviets of People's Deputies, which constitute the political foundation of the RSFSR.

All other state bodies are under the control of, and accountable to, the Soviets of People's Deputies.

Article 3. The Soviet state is organised and functions on the principle of democratic centralism, namely the elective-ness of all bodies of state authority from the lowest to the highest, their accountability to the people, and the obligation of lower bodies to observe the decisions of higher ones. Democratic centralism combines central leadership with local initiative and creative activity and with the responsibility of each state body and official for the work entrusted to them.

Article 4. The Soviet state and all its bodies function on the basis of Soviet law, ensure the maintenance of law and order, and safeguard the interests of society and the rights and freedoms of citizens.

State organisations, public organisations and officials shall observe the Constitution of the USSR, the Constitution of the RSFSR, and Soviet laws.

Article 5. Major matters of state shall be submitted to nationwide discussion and put to a popular vote (referendum).

Article 6. The leading and guiding force of Soviet society and the nucleus of its political system, of all state organisations and public organisations, is the Communist Party of the Soviet Union. The CPSU exists for the people and serves the people.

The Communist Party, armed with Marxism-Leninism, determines the general perspectives of the development of society and the course of the home and foreign policy of the USSR, directs the great constructive work of the Soviet people, and imparts a planned, systematic and theoretically substantiated character to their struggle for the victory of communism.

All party organisations shall function within the framework of the Constitution of the USSR.

Article 7. Trade unions, the All-Union Leninist Young Communist League, co-operatives, and other public organisations participate in accordance with the aims laid down in their rules, in managing state and public affairs, and in deciding political, economic, and social and cultural matters.

Article 8. Work collectives take part in discussing and deciding state and public affairs, in planning production and social development, in training and placing personnel, and in discussing and deciding matters pertaining to the management of enterprises and institutions, the improvement of working and living conditions, and the use of funds allocated both for developing production and for social and cultural purposes and financial incentives.

Work collectives promote socialist emulation, the spread of progressive methods of work, and the strengthening of production discipline, educate their members in the spirit of communist morality, and strive to enhance their political consciousness and raise their cultural level and skills and qualifications.

Article 9. The principal direction in the development of the political system of Soviet society is the extension of socialist democracy, namely ever broader participation of citizens in managing the affairs of society and the state, continuous improvement of the machinery of state, heightening of the activity of public organisations, strengthening of the system of people's control, consolidation of the legal foundations of the functioning of the state and of public life, greater openness and publicity, and constant responsiveness to public opinion.

Chapter 2 **The Economic System**

Article 10. The foundation of the economic system of the RSFSR is socialist ownership of the means of production in the form of state property (belonging to all the people), and collective farm-and-co-operative property.

Socialist ownership also embraces the property of trade unions and other public organisations which they require to carry out their purposes under their rules.

The state protects socialist property and provides conditions for its growth.

No one has the right to use socialist property for personal gain or other selfish ends.

Article 11. State property, i.e. the common property of the Soviet people, is the principal form of socialist property.

The land, its minerals, waters, and forests are the exclusive property of the state. The state owns the basic means of production in industry, construction, and agriculture; means of transport and communication; the banks; the property of state-run trade organisations and public utilities, and other state-run undertakings; most urban housing; and other property necessary for state purposes.

Article 12. The property of collective farms and other co-operative organisations, and of their joint undertakings comprises the means of production and other assets which they require for the purposes laid down in their rules.

The land held by collective farms is secured to them for their free use in perpetuity.

The state promotes development of collective farm-and-co-operative property and its approximation to state property.

Collective farms, like other land users, are obliged to make effective and thrifty use of the land, and to increase its fertility.

Article 13. Earned income forms the basis of the personal property of citizens of the RSFSR. The personal property of citizens of the RSFSR may include articles of everyday use, personal consumption and convenience, the implements and other objects of a small-holding, a house, and earned savings. The personal property of citizens and the right to inherit it are protected by the state.

Citizens may be granted the use of plots of land, in the manner prescribed by law, for a subsidiary small-holding (including the keeping of livestock and poultry), for fruit and vegetable growing or for building an individual dwelling. Citizens are required to make rational use of the land allotted to them. The state, and collective farms provide assistance to citizens in working their small-holdings.

Property owned or used by citizens shall not serve as a means of deriving unearned income or be employed to the detriment of the interests of society.

Article 14. The source of the growth of social wealth and of the well-being of the people, and of each individual, is the labour, free from exploitation, of Soviet people.

The state exercises control over the measure of labour and of consumption in accordance with the principle of so-

cialism: "From each according to his ability, to each according to his work." It fixes the rate of taxation on taxable income.

Socially useful work and its results determine a person's status in society. By combining material and moral incentives and encouraging innovation and a creative attitude to work, the state helps transform labour into the prime vital need of every Soviet citizen.

Article 15. The supreme goal of social production under socialism is the fullest possible satisfaction of the people's growing material, and cultural and intellectual requirements.

Relying on the creative initiative of the working people, socialist emulation, and scientific and technological progress, and by improving the forms and methods of economic management, the state ensures growth of the productivity of labour, raising of the efficiency of production and of the quality of work, and dynamic, planned, proportionate development of the economy.

Article 16. The economy of the RSFSR is a constituent part of an integral economic complex comprising all the elements of social production, distribution, and exchange on the territory of the USSR.

The economy is managed on the basis of state plans for economic and social development, with due account of the sectoral and territorial principles, and by combining centralised direction with the managerial independence and initiative of individual and amalgamated enterprises and other organisations, for which active use is made of management accounting, profit, cost, and other economic levers and incentives.

Article 17. In the RSFSR, the law permits individual labour in handicrafts, farming, the provision of services for the public, and other forms of activity based exclusively on the personal work of individual citizens and members of their families. The state makes regulations for such work to ensure that it serves the interests of society.

Article 18. In the interests of the present and future generations, the necessary steps are taken in the RSFSR

to protect and make scientific, rational use of the land and its mineral and water resources, and the plant and animal kingdoms, to preserve the purity of air and water, ensure reproduction of natural wealth, and improve the human environment.

Chapter 3

Social Development and Culture

Article 19. The social basis of the RSFSR is the unbreakable alliance of the workers, peasants, and intelligentsia.

The state helps enhance the social homogeneity of society, namely, the elimination of class differences and of the essential distinctions between town and country and between mental and physical labour, and the all-round development and drawing together of all the nations and nationalities of the USSR.

Article 20. In accordance with the communist ideal—"The free development of each is the condition of the free development of all"—the state pursues the aim of giving citizens more and more real opportunities to apply their creative energies, abilities, and talents, and to develop their personalities in every way.

Article 21. The state concerns itself with improving working conditions, safety and labour protection and the scientific organisation of work, and with reducing and ultimately eliminating all arduous physical labour through comprehensive mechanisation and automation of production processes in all branches of the economy.

Article 22. A programme is being consistently implemented in the RSFSR to convert agricultural work into a variety of industrial work, to extend the network of educational, cultural and medical institutions, and of trade, public catering, service and public utility facilities in rural localities, and transform hamlets and villages into well-planned and well-appointed settlements.

Article 23. The state pursues a steady policy of raising people's pay levels and real incomes through increase in productivity.

In order to satisfy the needs of Soviet people more fully social consumption funds are created. The state, with the broad participation of public organisations and work collectives, ensures the growth and just distribution of these funds.

Article 24. In the RSFSR, state systems of health protection, social security, trade and public catering, communal services and amenities, and public utilities, operate and are being extended.

The state encourages co-operatives and other public organisations to provide all types of services for the population. It encourages the development of mass physical culture and sport.

Article 25. In the RSFSR there is a uniform system of public education, which is being constantly improved, that provides general education and vocational training for citizens, serves the communist education and intellectual and physical development of the youth, and trains them for work and social activity.

Article 26. In accordance with society's needs the state provides for planned development of science and the training of scientific personnel and organises introduction of the results of research in the economy and other spheres of life.

Article 27. The state concerns itself with protecting, augmenting and making extensive use of society's cultural wealth for the moral and aesthetic education of the Soviet people, for raising their cultural level.

In the RSFSR development of the professional, amateur and folk arts is encouraged in every way.

Chapter 4

Foreign Policy Activity and Defence of the Socialist Motherland

Article 28. In its foreign policy activity the RSFSR is guided by the aims, tasks and principles of foreign policy defined by the Constitution of the USSR.

In the RSFSR war propaganda is banned.

Article 29. In accordance with the Constitution of the USSR, defence of the Socialist Motherland is one of the most important functions of the state, and is the concern of the whole people.

In order to defend the gains of socialism, the peaceful labour of the Soviet people, and the sovereignty and territorial integrity of the state, the USSR maintains armed forces and has instituted universal military service.

The duty of the Armed Forces of the USSR to the people is to provide reliable defence of the Socialist Motherland and to be in constant combat readiness, guaranteeing that any aggressor is instantly repulsed.

Article 30. The RSFSR takes part in ensuring the security and defence capability of the country and in supplying the Armed Forces of the USSR with everything necessary for that purpose.

The duties of state bodies, public organisations, officials, and citizens in regard to safeguarding the country's security and strengthening its defence capacity are defined by the legislation of the USSR.

II. THE STATE AND THE INDIVIDUAL

Chapter 5

Citizenship of the RSFSR. Equality of Citizens' Rights

Article 31. In accordance with the uniform federal citizenship established for the USSR every citizen of the RSFSR is a citizen of the USSR.

The grounds and procedure for acquiring or forfeiting Soviet citizenship are defined by the Law on Citizenship of the USSR.

When on the territory of the RSFSR, citizens of other Union Republics enjoy the same rights as citizens of the RSFSR.

When abroad, citizens of the RSFSR enjoy the protection and assistance of the Soviet state.

Article 32. Citizens of the RSFSR are equal before the law, without distinction of origin, social or property status, race or nationality, sex, education, language, attitude to

religion, type and nature of occupation, domicile, or other status.

The equal rights of citizens of the RSFSR are guaranteed in all fields of economic, political, social, and cultural life.

Article 33. Women and men have equal rights in the RSFSR.

Exercise of these rights is ensured by according women equal access with men to education and vocational and professional training, equal opportunities in employment, remuneration and promotion, and in social and political, and cultural activity, and by special labour and health protection measures for women; by providing conditions enabling mothers to work; by legal protection, and material and moral support for mothers and children, including paid leaves and other benefits for expectant mothers and mothers, and gradual reduction of working time for mothers with small children.

Article 34. Citizens of the RSFSR of different races and nationalities have equal rights.

Exercise of these rights is ensured by a policy of all-round development and drawing together of all the nations and nationalities of the USSR, by educating citizens in the spirit of Soviet patriotism and socialist internationalism, and by the possibility to use their native language and the languages of other peoples of the USSR.

Any direct or indirect limitation of the rights of citizens or establishment of direct or indirect privileges on grounds of race or nationality, and any advocacy of racial or national exclusiveness, hostility or contempt, are punishable by law.

Article 35. Citizens of other countries and stateless persons in the RSFSR are guaranteed the rights and freedoms provided by law, including the right to apply to a court and other state bodies for the protection of their personal, property, family, and other rights.

Citizens of other countries and stateless persons, when in the RSFSR, are obliged to respect the Constitution of the USSR and the Constitution of the RSFSR, and observe Soviet laws.

Article 36. The RSFSR grants the right of asylum to foreigners persecuted for defending the interests of the working people and the cause of peace, or for participation in the revolutionary and national-liberation movement, or for progressive social and political, scientific or other creative activity.

Chapter 6

The Basic Rights, Freedoms, and Duties of Citizens of the RSFSR

Article 37. Citizens of the RSFSR enjoy in full the social, economic, political and personal rights and freedoms proclaimed and guaranteed by the Constitution of the USSR and the Constitution of the RSFSR, and by Soviet laws. The socialist system ensures enlargement of the rights and freedoms of citizens and continuous improvement of their living standards as social, economic, and cultural development programmes are fulfilled.

Enjoyment by citizens of their rights and freedoms must not be to the detriment of the interests of society or the state, or infringe the rights of other citizens.

Article 38. Citizens of the RSFSR have the right to work (that is, to guaranteed employment and pay in accordance with the quantity and quality of their work, and not below the state-established minimum), including the right to choose their trade or profession, type of job and work in accordance with their inclinations, abilities, training and education, with due account of the needs of society.

This right is ensured by the socialist economic system, steady growth of the productive forces, free vocational and professional training, improvement of skills, training in new trades or professions, and development of the systems of vocational guidance and job placement.

Article 39. Citizens of the RSFSR have the right to rest and leisure.

This right is ensured by the establishment of a working week not exceeding 41 hours for workers and other employees, a shorter working day in a number of trades and industries, and shorter hours for night work; by the provi-

sion of paid annual holidays, weekly days of rest, extension of the network of cultural, educational and health-building institutions, and the development on a mass scale of sport, physical culture, and camping and tourism; by the provision of neighbourhood recreational facilities, and of other opportunities for rational use of free time.

The length of collective farmers' working and leisure time is established by their collective farms.

Article 40. Citizens of the RSFSR have the right to health protection.

This right is ensured by free, qualified medical care provided by state health institutions; by extension of the network of therapeutic and health-building institutions; by the development and improvement of safety and hygiene in industry; by carrying out broad prophylactic measures; by measures to improve the environment; by special care for the health of the rising generation, including prohibition of child labour, excluding the work done by children as part of the school curriculum; and by developing research to prevent and reduce the incidence of disease and ensure citizens a long and active life.

Article 41. Citizens of the RSFSR have the right to maintenance in old age, in sickness, and in the event of complete or partial disability or loss of the breadwinner.

This right is guaranteed by social insurance of workers and other employees and collective farmers; by allowances for temporary disability; by the provision by the state or by collective farms of retirement pensions, disability pensions, and pensions for loss of the breadwinner; by providing employment for the partially disabled; by care for the elderly and the disabled; and by other forms of social security.

Article 42. Citizens of the RSFSR have the right to housing.

This right is ensured by the development and upkeep of state and socially-owned housing; by assistance for co-operative and individual house building; by fair distribution, under public control, of the housing that becomes available through fulfilment of the programme of building well-appointed dwellings, and by low rents and low charges for

utility services. Citizens of the RSFSR shall take good care of the housing allocated to them.

Article 43. Citizens of the RSFSR have the right to education.

This right is ensured by free provision of all forms of education, by the institution of universal, compulsory secondary education, and broad development of vocational, specialised secondary and higher education, in which instruction is oriented toward practical activity and production; by the development of extramural, correspondence and evening courses; by the provision of state scholarships and grants and privileges for students; by the free issue of school textbooks; by the opportunity to attend a school where teaching is in the native language; and by the provision of facilities for self-education.

Article 44. Citizens of the RSFSR have the right to enjoy cultural benefits.

This right is ensured by broad access to the cultural treasures of their own land and of the world that are preserved in state and public collections; by the development and fair distribution of cultural and educational institutions throughout the country; by developing television and radio broadcasting and the publishing of books, newspapers and periodicals, and by extending the free library service; and by expanding cultural exchanges with other countries.

Article 45. Citizens of the RSFSR, in accordance with the aims of building communism, are guaranteed freedom of scientific, technical, and artistic work. This freedom is ensured by broadening scientific research, encouraging invention and innovation, and developing literature and the arts. The state provides the necessary material conditions for this and support for voluntary societies and unions of workers in the arts, organises introduction of inventions and innovations in production and other spheres of activity.

The rights of authors, inventors and innovators are protected by the state.

Article 46. Citizens of the RSFSR have the right to take part in the management and administration of state and

public affairs and in the discussion and adoption of laws and measures of All-Union and local significance.

This right is ensured by the opportunity to vote and to be elected to Soviets of People's Deputies and other elective state bodies, to take part in nationwide discussions and referendums, in people's control, in the work of state bodies, public organisations, and local community groups, and in meetings at places of work or residence.

Article 47. Every citizen of the RSFSR has the right to submit proposals to state bodies and public organisations for improving their activity, and to criticise shortcomings in their work.

Officials are obliged, within established time-limits, to examine citizens' proposals and requests, to reply to them, and to take appropriate action.

Persecution for criticism is prohibited. Persons guilty of such persecution shall be called to account.

Article 48. In accordance with the interests of the people and in order to strengthen and develop the socialist system, citizens of the RSFSR are guaranteed freedom of speech, of the press, and of assembly, meetings, street processions and demonstrations.

Exercise of these political freedoms is ensured by putting public buildings, streets and squares at the disposal of the working people and their organisations, by broad dissemination of information, and by the opportunity to use the press, television, and radio.

Article 49. In accordance with the aims of building communism, citizens of the RSFSR have the right to associate in public organisations that promote their political activity and initiative and satisfaction of their various interests.

Public organisations are guaranteed conditions for successfully performing the functions defined in their rules.

Article 50. Citizens of the RSFSR are guaranteed freedom of conscience, that is, the right to profess or not to profess any religion, and to conduct religious worship or atheistic propaganda. Incitement of hostility or hatred on religious grounds is prohibited.

In the RSFSR, the church is separated from the state, and the school from the church.

Article 51. The family enjoys the protection of the state. Marriage is based on the free consent of the woman and the man; the spouses are completely equal in their family relations.

The state helps the family by providing and developing a broad system of child-care institutions, by organising and improving communal services and public catering, by paying grants on the birth of a child, by providing children's allowances and benefits for large families, and other forms of family allowances and assistance.

Article 52. Citizens of the RSFSR are guaranteed inviolability of the person. No one may be arrested except by a court decision or on the warrant of a procurator.

Article 53. Citizens of the RSFSR are guaranteed inviolability of the home. No one may, without lawful grounds, enter a home against the will of those residing in it.

Article 54. The privacy of citizens, and of their correspondence, telephone conversations, and telegraphic communications is protected by law.

Article 55. Respect for the individual and protection of the rights and freedoms of citizens are the duty of all state bodies, public organisations, and officials.

Citizens of the RSFSR have the right to protection by the courts against encroachments on their honour and reputation, life and health, and personal freedom and property.

Article 56. Citizens of the RSFSR have the right to lodge a complaint against the actions of officials, state bodies and public bodies. Complaints shall be examined according to the procedure and within the time-limit established by law.

Actions by officials that contravene the law or exceed their powers, and infringe the rights of citizens, may be appealed against in a court in the manner prescribed by law.

Citizens of the RSFSR have the right to compensation for damage resulting from unlawful actions by state organisations and public organisations, or by officials in the performance of their duties.

Article 57. Citizens' exercise of their rights and freedoms is inseparable from the performance of their duties and obligations.

Citizens of the RSFSR are obliged to observe the Constitution of the USSR, the Constitution of the RSFSR and Soviet laws, comply with the standards of socialist conduct, and uphold the honour and dignity of Soviet citizenship.

Article 58. It is the duty of, and a matter of honour for, every able-bodied citizen of the RSFSR to work conscientiously in his chosen, socially useful occupation, and strictly to observe labour discipline. Evasion of socially useful work is incompatible with the principles of socialist society.

Article 59. Citizens of the RSFSR are obliged to preserve and protect socialist property. It is the duty of a citizen of the RSFSR to combat misappropriation and squandering of state and socially-owned property and to make thrifty use of the people's wealth.

Persons encroaching in any way on socialist property shall be punished according to the law.

Article 60. Citizens of the RSFSR are obliged to safeguard the interests of the Soviet state, and to enhance its power and prestige.

Defence of the Socialist Motherland is the sacred duty of every citizen of the RSFSR.

Betrayal of the Motherland is the gravest of crimes against the people.

Article 61. Military service in the ranks of the Armed Forces of the USSR is an honourable duty of citizens of the RSFSR.

Article 62. It is the duty of every citizen of the RSFSR to respect the national dignity of other citizens, and to strengthen friendship of the nations and nationalities of the multinational Soviet state.

Article 63. A citizen of the RSFSR is obliged to respect the rights and lawful interests of other persons, to be uncompromising toward anti-social behaviour, and to help maintain public order.

Article 64. Citizens of the RSFSR are obliged to concern themselves with the upbringing of children, to train them for socially useful work, and to raise them as worthy members of socialist society. Children are obliged to care for their parents and help them.

Article 65. Citizens of the RSFSR are obliged to protect nature and conserve its riches.

Article 66. Concern for the preservation of historical monuments and other cultural values is a duty and obligation of citizens of the RSFSR.

Article 67. It is the internationalist duty of citizens of the RSFSR to promote friendship and co-operation with peoples of other lands and help maintain and strengthen world peace.

III. THE NATIONAL-STATE AND ADMINISTRATIVE-TERRITORIAL STRUCTURE OF THE RSFSR

Chapter 7

The RSFSR—a Union Republic Within the USSR

Article 68. The Russian Soviet Federative Socialist Republic is a sovereign Soviet socialist state. With the aims of the successful building of communist society, of strengthening economic and political unity, and of safeguarding the country's security and defence, the Russian Soviet Federative Socialist Republic, as a result of the free self-determination of nations, and on a voluntary and equal basis, has united, together with the Soviet Socialist Republics: the Ukrainian Soviet Socialist Republic, the Byelorussian Soviet Socialist Republic, the Uzbek Soviet Socialist Republic, the Kazakh Soviet Socialist Republic,

lic, the Georgian Soviet Socialist Republic, the Azerbaijan Soviet Socialist Republic, the Lithuanian Soviet Socialist Republic, the Moldavian Soviet Socialist Republic, the Latvian Soviet Socialist Republic, the Kirghiz Soviet Socialist Republic, the Tajik Soviet Socialist Republic, the Armenian Soviet Socialist Republic, the Turkmen Soviet Socialist Republic, and the Estonian Soviet Socialist Republic—in the Union of Soviet Socialist Republics, an integral, federal, multinational state.

Proceeding from this, the RSFSR guarantees to the USSR, as represented by its highest bodies of state authority and administration, the rights defined in Article 73 of the Constitution of the USSR.

Outside the spheres listed in Article 73 of the Constitution of the USSR, the RSFSR exercises independent authority on its territory.

Article 69. The RSFSR retains the right freely to secede from the USSR.

Article 70. The territory of the RSFSR may not be altered without its consent. The boundaries between the RSFSR and other Union Republics may be altered by mutual agreement of the Republics concerned, subject to ratification by the Union of Soviet Socialist Republics.

Article 71. The Russian Soviet Federative Socialist Republic includes the Bashkir, Buryat, Daghestan, Kabardin-Balkar, Kalmyk, Karelian, Komi, Mari, Mordovian, North Ossetian, Tatar, Tuva, Udmurt, Chechen-Ingush, Chuvash, and Yakut Autonomous Soviet Socialist Republics.

The RSFSR includes:

the Altai, Krasnodar, Krasnoyarsk, Primorye, Stavropol, and Khabarovsk Territories;

the Amur, Arkhangelsk, Astrakhan, Belgorod, Bryansk, Vladimir, Volgograd, Vologda, Voronezh, Gorky, Ivanovo, Irkutsk, Kaliningrad, Kalinin, Kaluga, Kamchatka, Kemerovo, Kirov, Kostroma, Kuibyshev, Kurgan, Kursk, Leningrad, Lipetsk, Magadan, Moscow, Murmansk, Novgorod, Novosibirsk, Omsk, Orenburg, Orel, Penza, Perm, Pskov, Rostov, Ryazan, Saratov, Sakhalin, Sverdlovsk, Smolensk, Tambov, Tomsk, Tula, Tyumen, Ulyanovsk, Chelyabinsk, Chita, and Yaroslavl Regions;

the cities Moscow and Leningrad under Republican jurisdiction;

the Adygei, Gorno-Altai, Jewish, Karachai-Circassian, and Khakass Autonomous Regions as constituent parts of Territories;

the Aghin Buryat, Komi-Permyak, Koryak, Nenets, Taimyr (Dolgano-Nenets), Ust-Orda Buryat, Khanty-Mansi, Chukotka, Evenki, and Yamalo-Nenets Autonomous Areas as constituent parts of Territories or Regions.

Article 72. The jurisdiction of the Russian Soviet Federative Socialist Republic, as represented by its highest bodies of state authority and administration, shall cover:

1. the adoption and amendment of the Constitution of the RSFSR;

2. control over observance of the Constitution of the RSFSR and ensurance of conformity of the Constitutions of the Autonomous Republics to the Constitution of the RSFSR;

3. submission for endorsement by the Supreme Soviet of the USSR of the formation of new autonomous republics and autonomous regions within the RSFSR;

4. legislation of the RSFSR;

5. protection of state order, and the rights and freedoms of citizens;

6. establishment of the procedure of organisation and functioning of republican and local bodies of state authority and administration;

7. pursuance of a uniform social and economic policy; direction of the economy of the RSFSR; ensuring of scientific and technological progress and carrying out of measures for rational exploitation and conservation of natural resources;

8. the drafting and approval of state plans for the economic and social development of the RSFSR and the Budget of the RSFSR, and endorsement of reports on their fulfilment; direction of the implementation of the budgets of the Autonomous Republics, and the budgets of the Territories, Regions and cities under Republican jurisdiction;

9. establishment, in accordance with the legislation of the USSR, of the revenues forming the Budget of the RSFSR;

10. direction of the sectors of the economy under Union-Republican and Republican jurisdiction, and of enterprises under Republican jurisdiction;

11. establishment of the procedure for the exploitation of the land, its minerals, waters, and forests; protection of the environment;

12. management of housing and public utilities, trade and public catering, communal services, housing construction and the provision of amenities in towns and other population centres, road building and transport;

13. direction of public education, the cultural and scientific organisations and institutions of the RSFSR, public health, physical culture and sport, and social insurance; the preservation of historical and cultural monuments;

14. amnesty and pardon of citizens sentenced by courts of the RSFSR;

15. representation of the RSFSR in international relations;

16. and settlement of other matters of Republican significance.

Article 73. The RSFSR determines its division into territories, regions, areas, and districts, and decides other matters relating to its administrative and territorial structure.

Article 74. The RSFSR takes part in decision-making in the Supreme Soviet of the USSR, the Presidium of the Supreme Soviet of the USSR, the Government of the USSR and other bodies of the Union of Soviet Socialist Republics, in matters that come within the jurisdiction of the Union of Soviet Socialist Republics.

The RSFSR ensures comprehensive economic and social development on its territory, facilitates exercise of the powers of the USSR on its territory, and implements the decisions of the highest bodies of state authority and administration of the USSR.

In matters that come within its jurisdiction, the RSFSR co-ordinates and controls the activity of enterprises, institutions, and organisations subordinate to the Union.

Article 75. The RSFSR has the right to enter into relations with other states, conclude treaties with them, ex-

change diplomatic and consular representatives, and take part in the work of international organisations.

Article 76. The laws of the USSR are binding on the territory of the RSFSR.

Article 77. The sovereign rights of the RSFSR, in accordance with the Constitution of the USSR, shall be safeguarded by the USSR.

Chapter 8

The Autonomous Soviet Socialist Republic

Article 78. An Autonomous Republic is a Soviet socialist state which is a constituent part of the Russian Soviet Federative Socialist Republic.

In spheres not within the jurisdiction of the Union of Soviet Socialist Republics and the RSFSR, an Autonomous Republic shall deal independently with matters within its jurisdiction.

An Autonomous Republic shall have its own Constitution conforming to the Constitution of the USSR and the Constitution of the RSFSR with the specific features of the Autonomous Republic being taken into account.

Article 79. An Autonomous Republic takes part in decision-making through the highest bodies of state authority and administration of the RSFSR and of the USSR, respectively, in matters that come within the jurisdiction of the RSFSR and the USSR.

An Autonomous Republic shall ensure comprehensive economic and social development on its territory, facilitate exercise of the powers of the USSR and RSFSR on its territory, and implement the decisions of the highest bodies of state authority and administration of the USSR and RSFSR.

In matters within its jurisdiction, an Autonomous Republic shall co-ordinate and control the activity of enterprises, institutions and organisations subordinate to the Union or the Union Republic (RSFSR).

Article 80. The territory of an Autonomous Republic may not be altered without its consent.

Article 81. The laws of the RSFSR shall be binding and have the same force in all Autonomous Republics. In the event of a discrepancy between an Autonomous Republic law and a law of the RSFSR the law of the RSFSR shall prevail.

Chapter 9

The Autonomous Region and Autonomous Area

Article 82. An Autonomous Region is a constituent part of the RSFSR and of a Territory.

The Law on an Autonomous Region, upon submission by the Soviet of People's Deputies of the Autonomous Region concerned, shall be adopted by the Supreme Soviet of the RSFSR.

Article 83. The bodies of state authority and administration of an Autonomous Region shall have the right to deal with the bodies of state authority and administration of the RSFSR both through the Territorial bodies of state authority and administration and directly.

Article 84. An Autonomous Area is a constituent part of a Territory or Region.

The Law on an Autonomous Area shall be adopted by the Supreme Soviet of the RSFSR.

IV. SOVIETS OF PEOPLE'S DEPUTIES OF THE RSFSR AND ELECTORAL PROCEDURE

Chapter 10

The System of Soviets of People's Deputies and the Principles of Their Work

Article 85. The Soviets of People's Deputies, i.e., the Supreme Soviet of the RSFSR, the Supreme Soviets of Autonomous Republics, the Soviets of People's Deputies of Territories and Regions, the Soviets of People's Deputies

of Autonomous Regions and Autonomous Areas, and the Soviets of People's Deputies of districts, cities, city-districts, settlements and villages shall constitute a single system of bodies of state authority.

Article 86. The term of the Supreme Soviet of the RSFSR, and the Supreme Soviets of Autonomous Republics shall be five years.

The term of local Soviets of People's Deputies shall be two and a half years.

Elections to Soviets of People's Deputies shall be called not later than two months before the expiry of the term of the Soviets concerned.

Article 87. The most important matters within the jurisdiction of the respective Soviets of People's Deputies shall be considered and settled at their sessions.

Soviets of People's Deputies shall elect standing commissions and form executive-administrative, and other bodies accountable to them.

Article 88. Soviets of People's Deputies shall form people's control bodies combining state control with control by the working people at enterprises, collective farms, institutions, and organisations.

People's control bodies shall check on the fulfilment of state plans and assignments, combat breaches of state discipline, localistic tendencies, narrow departmental attitudes, mismanagement, extravagance and waste, red tape and bureaucracy, and help improve the working of the state machinery.

Article 89. Soviets of People's Deputies shall direct all sectors of state, economic, and social and cultural development, either directly or through bodies instituted by them, take decisions and ensure their execution, and verify their implementation.

Article 90. Soviets of People's Deputies shall function publicly on the basis of collective, free, constructive discussion and decision-making, of systematic reporting back to them and the people by their executive-administrative and other bodies, and of involving citizens on a broad scale in their work.

Soviets of People's Deputies and the bodies set up by them shall systematically inform the public about their work and the decisions taken by them.

Chapter 11

The Electoral System

Article 91. Deputies to all Soviets shall be elected on the basis of universal, equal and direct suffrage by secret ballot.

Article 92. Elections shall be universal: all citizens of the RSFSR who have reached the age of 18 shall have the right to vote and to be elected, with the exception of persons who have been legally certified insane.

Article 93. Elections shall be equal: each citizen shall have one vote; all voters shall exercise the franchise on an equal footing.

Article 94. Elections shall be direct: deputies to all Soviets of People's Deputies shall be elected by citizens by direct vote.

Article 95. Voting at elections shall be secret: control over voters' exercise of the franchise is inadmissible.

Article 96. The following shall have the right to nominate candidates: branches and organisations of the Communist Party of the Soviet Union, trade unions, and the All-Union Leninist Young Communist League; co-operatives and other public organisations; work collectives, and meetings of servicemen in their military units.

Citizens of the RSFSR and public organisations are guaranteed the right to free and all-round discussion of the political and personal qualities and competence of candidates, and the right to campaign for them at meetings, in the press, and on television and radio.

The expenses involved in holding elections to Soviets of People's Deputies shall be met by the state.

Article 97. Deputies to Soviets of People's Deputies shall be elected by constituencies.

A citizen of the RSFSR may not, as a rule, be elected to more than two Soviets of People's Deputies.

Elections to the Soviets shall be conducted by electoral commissions consisting of representatives of public organisations and work collectives, and of meetings of servicemen in military units.

The procedure for holding elections to Soviets of People's Deputies shall be defined by the laws of the USSR, RSFSR and Autonomous Republics.

Article 98. Electors give mandates to their Deputies.

The appropriate Soviets of People's Deputies shall examine electors' mandates, take them into account in drafting economic and social development plans and in drawing up the budget, organise implementation of the mandates, and inform citizens about it.

Chapter 12

People's Deputies

Article 99. Deputies are the plenipotentiary representatives of the people in the Soviets of People's Deputies.

In the Soviets, Deputies deal with matters relating to state, economic, and social and cultural development, organise implementation of the decisions of the Soviets, and exercise control over the work of state bodies, enterprises, institutions and organisations.

Deputies shall be guided in their activities by the interests of the state, and shall take the needs of their constituents into account and work to implement their electors' mandates.

Article 100. Deputies shall exercise their powers without discontinuing their regular employment or duties.

During sessions of the Soviet, and so as to exercise their deputy's powers in other cases stipulated by law, Deputies shall be released from their regular employment or duties, with retention of their average earnings at their permanent place of work.

Article 101. A Deputy has the right to address inquiries to the appropriate state bodies and officials, who are obliged to reply to them at a session of the Soviet.

Deputies have the right to approach any state or public body, enterprise, institution, or organisation on matters arising from their work as Deputies and to take part in considering the questions raised by them. The heads of the state or public bodies, enterprises, institutions or organisations concerned are obliged to receive Deputies without delay and to consider their proposals within the time-limit established by law.

Article 102. Deputies shall be ensured conditions for the unhampered and effective exercise of their rights and duties.

The immunity of Deputies, and other guarantees of their activity as Deputies, are defined in the Law on the Status of Deputies and other legislative acts of the USSR and of Union and Autonomous Republics.

Article 103. Deputies shall report on their work and on that of the Soviet to their constituents, and to the work collectives and public organisations that nominated them.

Deputies who have not justified the confidence of their constituents may be recalled at any time by decision of a majority of the electors in accordance with the procedure established by law.

V. HIGHER BODIES OF STATE AUTHORITY AND ADMINISTRATION OF THE RSFSR

Chapter 13

The Supreme Soviet of the RSFSR

Article 104. The highest body of state authority of the RSFSR shall be the Supreme Soviet of the RSFSR.

The Supreme Soviet of the RSFSR is empowered to deal with all matters within the jurisdiction of the RSFSR as defined by the Constitution of the USSR and this Constitution.

Adoption and amendment of the Constitution of the RSFSR; submission for endorsement by the Supreme Soviet of the USSR of the formation of new Autonomous Republics and Autonomous Regions within the RSFSR; ap-

proval of state plans for the economic and social development of the RSFSR, and the Budget of the RSFSR, and reports on their execution; and the institution of bodies accountable to it, are the exclusive prerogative of the Supreme Soviet of the RSFSR.

Laws of the RSFSR shall be enacted by the Supreme Soviet of the RSFSR or by a nationwide vote (referendum) held by decision of the Supreme Soviet of the RSFSR.

Article 105. The Supreme Soviet of the RSFSR shall consist of 975 Deputies elected by constituencies with equal populations.

The Supreme Soviet of the RSFSR, upon submission by the credentials commission elected by it, shall decide on the validity of Deputies' credentials, and, in cases in which the election law has been violated, shall declare the election of the Deputies concerned null and void.

Article 106. The Supreme Soviet of the RSFSR shall elect a Chairman of the Supreme Soviet of the RSFSR and eight Vice-Chairmen.

The Chairman of the Supreme Soviet of the RSFSR shall preside over the sittings of the Supreme Soviet of the RSFSR and conduct its affairs.

Article 107. Sessions of the Supreme Soviet of the RSFSR shall be convened twice a year.

Special sessions shall be convened by the Presidium of the Supreme Soviet of the RSFSR at its discretion or on the proposal of not less than one-third of the Deputies of the Supreme Soviet of the RSFSR.

A session of the Supreme Soviet of the RSFSR shall consist of its sittings, and of meetings of the standing commissions and other commissions of the Supreme Soviet of the RSFSR held between its sittings.

Article 108. The right to initiate legislation in the Supreme Soviet of the RSFSR is vested in the Presidium of the Supreme Soviet of the RSFSR, the Council of Ministers of the RSFSR, the Autonomous Republics through their highest bodies of state authority, the standing and other commissions of the Supreme Soviet of the RSFSR, Deputies of the Supreme Soviet of the RSFSR, the Supreme

Court of the RSFSR, and the Procurator-General of the RSFSR.

The right to initiate legislation is also vested in public organisations through their All-Union and Republican bodies.

Article 109. Bills and other matters submitted to the Supreme Soviet of the RSFSR shall be debated at its sittings. Where necessary, a bill or other matter may be referred to one or more commissions for preliminary or additional consideration.

Laws of the RSFSR, decisions and other acts of the Supreme Soviet of the RSFSR are adopted by a majority of the total number of Deputies of the Supreme Soviet of the RSFSR.

Bills of the RSFSR and other important matters of state of the Republic may be submitted for popular discussion by a decision of the Supreme Soviet of the RSFSR or its Presidium.

Article 110. Laws of the RSFSR and decisions and other acts of the Supreme Soviet of the RSFSR shall be published over the signatures of the Chairman and Secretary of the Presidium of the Supreme Soviet of the RSFSR.

Article 111. A Deputy of the Supreme Soviet of the RSFSR has the right to address inquiries to the Council of Ministers of the RSFSR, and to ministers and the heads of other bodies formed by the Supreme Soviet of the RSFSR, and also to the heads of enterprises, institutions and organisations under Union jurisdiction on the territory of the RSFSR, concerning matters within the jurisdiction of the RSFSR. The Council of Ministers of the RSFSR, or the official to whom the inquiry is addressed, is obliged to give a verbal or written reply at the given session of the Supreme Soviet of the RSFSR.

Article 112. A Deputy of the Supreme Soviet of the RSFSR may not be prosecuted, or arrested, or incur a court-imposed sentence, without the sanction of the Supreme Soviet of the RSFSR or, between its sessions, of the Presidium of the Supreme Soviet of the RSFSR.

Article 113. The Supreme Soviet of the RSFSR shall elect a Presidium of the Supreme Soviet of the RSFSR, which shall be a standing body of the Supreme Soviet of the RSFSR, accountable to it for all its work and exercising the functions of the highest body of state authority of the RSFSR between sessions of the Supreme Soviet, within the limits prescribed by the present Constitution.

Article 114. The Presidium of the Supreme Soviet of the RSFSR shall be elected from among the Deputies and shall consist of a Chairman, 17 Vice-Chairmen, to include one from each Autonomous Republic, a Secretary, and 20 members.

Article 115. The Presidium of the Supreme Soviet of the RSFSR shall:

1. name the date of elections to the Supreme Soviet of the RSFSR and the local Soviets of People's Deputies;

2. convene sessions of the Supreme Soviet of the RSFSR;

3. co-ordinate the work of the standing commissions of the Supreme Soviet of the RSFSR;

4. ensure observance of the Constitution of the RSFSR and conformity of the Constitutions and laws of the Autonomous Republics to the Constitution and laws of the RSFSR;

5. name the date of elections to district (city) people's courts;

6. interpret the laws of the RSFSR;

7. guide the work of the local Soviets of People's Deputies;

8. establish the procedure for deciding matters relating to the administrative and territorial structure of the RSFSR; determine and alter the boundaries and districts of its Territories, Regions, Autonomous Regions and Autonomous Areas; form districts, cities and city-districts; establish the jurisdiction of cities; rename districts, cities, city-districts, workers' settlements and other population centres;

9. approve division into districts, the formation of cities and city-districts, changes in the jurisdiction of cities, the naming and renaming of districts, cities, city-districts, and the renaming of other population centres of the Autonomous Republics;

10. revoke decisions and ordinances of the Council of Ministers of the RSFSR and the Councils of Ministers of the Autonomous Republics and decisions of the Territorial, Regional, city (cities under Republican jurisdiction) Soviets of People's Deputies and the Soviets of People's Deputies of the Autonomous Regions should they fail to conform to the law;

11. award the Honorary Diploma of the Presidium of the Supreme Soviet of the RSFSR; institute and confer honorific titles of the RSFSR;

12. grant citizenship of the RSFSR; and rule on the matter of granting asylum;

13. exercise the right of pardon to citizens sentenced by courts of the RSFSR;

14. ratify and denounce international treaties of the RSFSR;

15. appoint and recall diplomatic representatives of the RSFSR to other countries and to international organisations;

16. receive the letters of credence and recall of the diplomatic representatives of foreign states accredited to it;

17. and exercise other powers vested in it by the Constitution and laws of the RSFSR.

Article 116. The Presidium of the Supreme Soviet of the RSFSR, between sessions of the Supreme Soviet of the RSFSR and subject to submission for its confirmation at the next session, shall:

1. amend existing legislative acts of the RSFSR when necessary;

2. approve changes in the boundaries between the Autonomous Republics; form new Territories, Regions and Autonomous Regions;

3. form and abolish Ministries and State Committees of the RSFSR on the recommendation of the Council of Ministers of the RSFSR;

4. relieve individual members of the Council of Ministers of the RSFSR of their responsibilities and appoint persons to the Council of Ministers on the recommendation of the Chairman of the Council of Ministers of the RSFSR.

Article 117. The Presidium of the Supreme Soviet of the RSFSR promulgates decrees and adopts decisions.

Article 118. On expiry of the term of the Supreme Soviet of the RSFSR, the Presidium of the Supreme Soviet of the RSFSR shall retain its powers until the newly elected Supreme Soviet of the RSFSR has elected a new Presidium.

The newly elected Supreme Soviet of the RSFSR shall be convened by the outgoing Presidium of the Supreme Soviet of the RSFSR within two months of the elections.

Article 119. The Supreme Soviet of the RSFSR shall elect standing commissions from among the Deputies to make a preliminary review of matters coming within the jurisdiction of the Supreme Soviet of the RSFSR, to promote execution of the laws of the RSFSR and other acts of the Supreme Soviet of the RSFSR and its Presidium, and to check on the work of state bodies and organisations.

When it deems it necessary, the Supreme Soviet of the RSFSR sets up commissions of inquiry and audit, and commissions on any other matter.

All state and public bodies, organisations and officials are obliged to meet the requests of the commissions of the Supreme Soviet of the RSFSR and submit the requisite materials and documents to them.

The commissions' recommendations shall be subject to consideration by state and public bodies, institutions and organisations. The commissions shall be informed, within the prescribed time-limit, of the results of such consideration or of the action taken.

Article 120. The Supreme Soviet of the RSFSR shall supervise the work of all state bodies accountable to it.

The Supreme Soviet of the RSFSR shall form a Committee of People's Control of the RSFSR to head the system of people's control of the RSFSR.

Article 121. The procedure of the Supreme Soviet of the RSFSR and of its bodies shall be defined in the Standing Orders of the Supreme Soviet of the RSFSR and other laws of the RSFSR enacted on the basis of the Constitution of the RSFSR.

Chapter 14

The Council of Ministers of the RSFSR

Article 122. The Council of Ministers of the RSFSR, i.e. the Government of the RSFSR, is the highest executive and administrative body of state authority of the RSFSR.

Article 123. The Council of Ministers of the RSFSR shall be formed by the Supreme Soviet of the RSFSR and shall consist of the Chairman of the Council of Ministers of the RSFSR, First Vice-Chairmen and Vice-Chairmen, Ministers of the RSFSR, and Chairmen of State Committees of the RSFSR.

The Supreme Soviet of the RSFSR, on the recommendation of the Chairman of the Council of Ministers of the RSFSR, may include in the Government of the RSFSR the heads of other bodies and organisations of the RSFSR.

The Council of Ministers of the RSFSR shall tender its resignation to a newly elected Supreme Soviet of the RSFSR at its first session.

Article 124. The Council of Ministers of the RSFSR shall be responsible and accountable to the Supreme Soviet of the RSFSR and, between sessions of the Supreme Soviet of the RSFSR, to the Presidium of the Supreme Soviet of the RSFSR.

The Council of Ministers of the RSFSR shall report regularly on its work to the Supreme Soviet of the RSFSR.

Article 125. The Council of Ministers of the RSFSR is empowered to deal with all matters of state administration within the jurisdiction of the RSFSR insofar as, under the Constitution, they do not come within the competence of the Supreme Soviet of the RSFSR or the Presidium of the Supreme Soviet of the RSFSR.

Within its powers the Council of Ministers of the RSFSR shall:

1. ensure direction of economic, social, and cultural development; draft and implement measures to promote the well-being and cultural development of the people, to develop science and engineering, to ensure rational exploitation and conservation of natural resources; help to consolidate the

monetary and credit system, and to organise state insurance and a uniform system of accounting and statistics; contribute to a uniform prices-wages, and social security policy; and organise the management of industrial, constructional, and agricultural enterprises and amalgamations, transport and communications undertakings, banks, and other organisations and institutions of Republican and local subordination.

2. draft current and long-term state plans for the economic and social development of the RSFSR and the Budget of the RSFSR, and submit them to the Supreme Soviet of the RSFSR; take measures to execute the state plans and Budget, to ensure the comprehensive economic and social development of the RSFSR, the economic regions, Autonomous Republics, Territories, Regions and cities under Republican jurisdiction; co-ordinate and supervise the work of the enterprises, institutions and organisations of Union subordination on matters within the jurisdiction of the RSFSR; and report to the Supreme Soviet of the RSFSR on the implementation of the plans and Budget;

3. take measures to defend the interests of the state, protect socialist property and maintain public order, and guarantee and protect citizens' rights and freedoms;

4. take measures, within the limits defined by the Constitution of the USSR, to ensure state security and the country's defence capacity;

5. exercise direction in the sphere of the relations of the RSFSR with other states and international organisations in accordance with the procedure established by the Union of Soviet Socialist Republics;

6. when necessary form committees, central boards and other departments under the Council of Ministers of the RSFSR to deal with matters of economic, social and cultural development;

7. and organise and check on the work of the Councils of Ministers of the Autonomous Republics and direct the activity of the executive committees of the local Soviets of People's Deputies.

Article 126. A Presidium of the Council of Ministers of the RSFSR, consisting of the Chairman, the First Vice-Chairmen, and Vice-Chairmen of the Council of Ministers of the RSFSR, and also other members of the Government, in accordance with the Law on the Council of Ministers of

the RSFSR, shall function as a standing body of the Council of Ministers of the RSFSR to deal with questions relating to guidance of the economy, and with other matters of state administration.

Article 127. The Council of Ministers of the RSFSR, on the basis of, and in pursuance of, the laws of the USSR and RSFSR and the decisions and ordinances of the Council of Ministers of the USSR, shall issue decisions and ordinances and organise and verify their execution. The decisions and ordinances of the Council of Ministers of the RSFSR shall be binding throughout the RSFSR.

Article 128. The Council of Ministers of the RSFSR has the right, within the limits of its competence, to suspend execution of decisions and ordinances of the Councils of Ministers of Autonomous Republics, and to rescind decisions and ordinances of executive committees of Territorial, Regional and city (cities under Republican jurisdiction) Soviets of People's Deputies of Autonomous Regions.

The Council of Ministers of the RSFSR has the right to rescind acts of ministries and state committees of the RSFSR, and of other bodies subordinate to it.

Article 129. The Council of Ministers of the RSFSR shall co-ordinate and direct the work of Union-Republican and Republican ministries and state committees of the RSFSR, and other bodies subordinate to it.

Union-Republican ministries and state committees of the RSFSR shall direct the work of the branches of administration entrusted to them, or exercise inter-branch administration, being subordinate both to the Council of Ministers of the RSFSR and to the corresponding Union-Republican ministry or state committee of the USSR.

Republican ministries and state committees of the RSFSR shall direct the work of the branches of administration entrusted to them, or exercise inter-branch administration, being subordinate to the Council of Ministers of the RSFSR.

Ministries and state committees of the RSFSR shall be responsible for the condition and development of the spheres of administration entrusted to them; within their competence, they issue acts on the basis of, and in execution of, the laws of the USSR and RSFSR and other decisions

of the Supreme Soviet of the USSR and its Presidium and the Supreme Soviet of the RSFSR and its Presidium, and the USSR and the Council of Ministers of the RSFSR, and of decisions and ordinances of the Council of Ministers of acts of the corresponding ministries and state committees of the USSR, and organise and verify their implementation.

Article 130. The competence of the Council of Ministers of the RSFSR and its Presidium, the procedure for their work, relationships between the Council of Ministers of the RSFSR and other state bodies, and the list of Union-Republican and Republican ministries and state committees of the RSFSR are defined, on the basis of the Constitution, in the Law on the Council of Ministers of the RSFSR.

**VI. HIGHER BODIES
OF STATE AUTHORITY AND ADMINISTRATION
OF AN AUTONOMOUS REPUBLIC**

Chapter 15

**The Supreme Soviet
of an Autonomous Republic**

Article 131. The highest body of state authority of an Autonomous Republic shall be the Supreme Soviet of that Republic.

The Supreme Soviet of an Autonomous Republic is empowered to decide all matters within the jurisdiction of the Autonomous Republic, as defined by the Constitution of the USSR, the Constitution of the RSFSR, and the Constitution of the Autonomous Republic.

Adoption and amendment of the Constitution of an Autonomous Republic; endorsement of state plans for economic and social development, of the Budget of the Autonomous Republic and reports on their implementation; and the formation of bodies accountable to the Supreme Soviet of the Autonomous Republic are the exclusive prerogative of that Supreme Soviet.

Laws of an Autonomous Republic shall be enacted by the Supreme Soviet of the Autonomous Republic.

Article 132. The Supreme Soviet of an Autonomous Republic shall elect a Presidium of the Supreme Soviet which

shall be a standing body of the Supreme Soviet of the Autonomous Republic, accountable to it for all its work and exercising the functions of the highest body of state authority of the Autonomous Republic between sessions of the Supreme Soviet, within the limits prescribed by the Constitution.

The composition and powers of the Presidium of the Supreme Soviet of an Autonomous Republic are defined by the Constitution of that Republic.

Chapter 16 **The Council of Ministers of an Autonomous Republic**

Article 133. The Council of Ministers of an Autonomous Republic, i.e., the Government of that Republic, the highest executive and administrative body of state authority of the Autonomous Republic, shall be formed by the Supreme Soviet of the Autonomous Republic.

The Council of Ministers of an Autonomous Republic shall be responsible and accountable to the Supreme Soviet of the Autonomous Republic and, between sessions of the Supreme Soviet, to the Presidium of the Supreme Soviet of the Autonomous Republic to which it is accountable.

Article 134. The Council of Ministers of an Autonomous Republic issues decisions and ordinances on the basis of, and in pursuance of, the legislative acts of the USSR, the RSFSR and the Autonomous Republic, and of decisions and ordinances of the Council of Ministers of the USSR and the Council of Ministers of the RSFSR, and shall organise and verify their execution.

Article 135. The Council of Ministers of an Autonomous Republic has the right, within its competence, to rescind the decisions and orders of the executive committees of Soviets of People's Deputies of districts and cities (cities under Republican (ASSR) jurisdiction).

The Council of Ministers of an Autonomous Republic has the right to rescind acts of ministries, and state committees of the Autonomous Republic, and of other bodies subordinate to it.

Article 136. The Council of Ministers of an Autonomous Republic shall co-ordinate and direct the work of the ministries and state committees of the Autonomous Republic, and other bodies subordinate to it.

The ministries and state committees of the Autonomous Republic shall direct the branches of administration entrusted to them, or exercise inter-branch control, being subordinate both to the Council of Ministers of the Autonomous Republic and to the corresponding ministry or state committee of the RSFSR.

**VII. LOCAL BODIES
OF STATE AUTHORITY AND ADMINISTRATION
OF THE RSFSR**

Chapter 17

The Local Soviets of People's Deputies

Article 137. The bodies of state authority in Territories, Regions, Autonomous Regions, Autonomous Areas, districts, cities, city-districts, settlements, and rural communities shall be the corresponding Soviets of People's Deputies.

Article 138. Local Soviets of People's Deputies shall deal with all matters of local significance in accordance with the interests of the whole state and of the citizens residing in the area under their jurisdiction, implement decisions of higher bodies of state authority, guide the work of lower Soviets of People's Deputies, take part in the discussion of matters of Republican and All-Union significance, and submit their proposals concerning them.

Local Soviets of People's Deputies shall direct state, economic, social and cultural development within their territory; endorse plans for economic and social development and the local budget and reports on their implementation; exercise general guidance over state bodies, enterprises, institutions and organisations subordinate to them; ensure observance of the laws, maintenance of law and order, and protection of citizens' rights; and help strengthen the country's defence capacity.

Article 139. Within their powers, local Soviets of People's Deputies shall ensure the comprehensive, all-round economic and social development of their area; exercise control over the observance of legislation by enterprises, institutions and organisations subordinate to higher authorities and located in their area; and co-ordinate and supervise their activity as regards land use, nature conservation, building, employment of manpower, production of consumer goods, and social, cultural, communal and other services and amenities for the public.

Article 140. Local Soviets of People's Deputies shall decide matters within the powers accorded them by the legislation of the USSR and of the RSFSR and appropriate Autonomous Republic.

The decisions of local Soviets shall be binding on all enterprises, institutions, and organisations located in their area and on officials and citizens.

Article 141. Sessions of Territorial and Regional Soviets of People's Deputies, Soviets of People's Deputies of Autonomous Regions and Autonomous Areas, and district, city and city-district Soviets of People's Deputies shall be convened not less than four times a year by their executive committees.

Sessions of settlement and village Soviets of People's Deputies shall be convened not less than six times a year by their executive committees.

Local Soviets of People's Deputies are empowered to deal with all matters within their jurisdiction, as defined by the legislation of the Union of Soviet Socialist Republics, the RSFSR and the Autonomous Republic. The list of matters to be decided at their sessions only is established by the laws on local Soviets of People's Deputies.

Article 142. Local Soviets of People's Deputies shall elect standing commissions from among the Deputies to make a preliminary review of matters coming within the jurisdiction of local Soviets, and to promote execution of the decisions of Soviets, and to check on the work of state bodies, enterprises, institutions and organisations.

The commissions' recommendations shall be subject to consideration by state and public bodies, enterprises, insti-

tutions and organisations concerned. The commissions shall be informed, within the prescribed time-limit, of the results of such consideration or of the action taken.

Article 143. In guiding the work of Soviets accountable to them, local Soviets of People's Deputies have the right to rescind the acts of these Soviets should they fail to conform to the law.

Article 144. Local Soviets of People's Deputies shall work in close contact with public organisations and work collectives, submit the most important matters for public discussion, draw citizens into the work of the standing commissions, executive committees and other bodies accountable to the Soviets, and promote the work of local voluntary societies and develop public initiative.

Chapter 18

Executive Committees of Local Soviets of People's Deputies

Article 145. The executive-administrative bodies of local Soviets of People's Deputies shall be the Executive Committees elected by them from among their Deputies and consisting of a Chairman, Vice-Chairmen, Secretary and members.

Executive Committees shall report on their work at least once a year to the Soviet that elected them and to meetings of citizens at their places of work or residence.

Article 146. Executive Committees of local Soviets of People's Deputies shall be directly accountable both to the Soviet that elected them and to the higher executive and administrative body.

Article 147. Executive Committees of local Soviets of People's Deputies shall direct state, economic, social and cultural development within the territory of the corresponding Soviets on the basis of the decisions of the Soviets that

elected them and of higher bodies of state authority and administration.

Executive Committees of local Soviets of People's Deputies have the right to deal with all matters within the jurisdiction of Soviets, with the exception of those to be decided at sessions of the Soviets only.

Executive Committees shall convene sessions of Soviets, co-ordinate the work of standing commissions of Soviets; assist Deputies in the exercise of their powers; organise the execution of decisions of Soviets and of higher state bodies, and the mandates of electors; and direct the administrative bodies subordinate to them.

Article 148. Executive Committees of local Soviets of People's Deputies shall adopt decisions and issue orders within their competence.

Article 149. Executive Committees of Soviets of People's Deputies have the right to rescind decisions and ordinances of Executive Committees of lower Soviets of People's Deputies.

Article 150. On expiry of the term of local Soviets of People's Deputies their Executive Committees shall retain their powers until the election of new Executive Committees by the new Soviets of People's Deputies.

Article 151. Departments and administrations of Executive Committees shall be formed by Territorial, and Regional Soviets of People's Deputies, and Soviets of People's Deputies of Autonomous Regions and Autonomous Areas, district, city and city-district Soviets of People's Deputies and shall be subordinate in their work both to the Soviets and their Executive Committees and to the corresponding higher bodies of state administration.

A list of the departments and administrations of Executive Committees of local Soviets of People's Deputies and the procedure for forming them are established by the legislation of the USSR, the RSFSR and the Autonomous Republics.

VIII. THE STATE PLAN FOR THE ECONOMIC
AND SOCIAL DEVELOPMENT OF THE RSFSR.
THE BUDGET OF THE RSFSR

Chapter 19

The State Plan
for the Economic and Social Development
of the RSFSR

Article 152. The state plan for the economic and social development of the RSFSR is a constituent part of the state plan for the economic and social development of the USSR.

Current and long-term state plans for the economic and social development of the RSFSR aim to ensure comprehensive, all-round economic and social development on the territory of the Republic in accordance with the main tasks and trends of the economic and social development of the USSR.

Article 153. The state plans for the economic and social development of the RSFSR define tasks in the sphere of the economy and social and cultural development, contain purpose-oriented comprehensive programmes and plans for the development of branches of the economy and economic regions on the territory of the RSFSR, and include plans for the economic and social development of Autonomous Republics, Territories, Regions, Autonomous Areas and cities under Republican jurisdiction.

Article 154. The state plan for the economic and social development of the RSFSR is drafted by the Council of Ministers of the RSFSR, proceeding from the state plan for the economic and social development of the USSR, on the basis of the draft plans of ministries, state committees and other bodies of state administration of the RSFSR, the Councils of Ministers of the Autonomous Republics, and the local Soviets of People's Deputies.

The state plan for the economic and social development of the RSFSR includes the main indices of the plans of enterprises, institutions and organisations of Union subordination located on the territory of the RSFSR.

The drafting of plans for the economic and social development shall take into account proposals from enter-

prises, institutions and organisations, and also from public organisations.

Article 155. The Council of Ministers of the RSFSR shall submit the state plan for the economic and social development of the RSFSR to the Supreme Soviet of the RSFSR for consideration.

The Supreme Soviet of the RSFSR, in accordance with the report of the Council of Ministers of the RSFSR and the conclusions of the Budget Planning and other standing commissions of the Supreme Soviet of the USSR, shall discuss and approve the state plan for the economic and social development of the RSFSR.

Article 156. The Council of Ministers of the RSFSR shall organise the implementation of the state plan for the economic and social development of the RSFSR and take measures to strengthen planning discipline.

Article 157. Reports on the execution of state plans for the economic and social development of the RSFSR shall be approved by the Supreme Soviet of the RSFSR. The general indices of the execution of plans shall be published for information of the public.

Chapter 20

The Budget of the RSFSR

Article 158. The Budget of the RSFSR is a constituent part of the uniform Budget of the USSR.

Article 159. The Budget of the RSFSR shall unite the Republican Budget of the RSFSR, the budgets of the Autonomous Republics and local budgets.

Article 160. The division of revenue and expenditure of the Budget of the RSFSR between the Republican Budget of the RSFSR, the budgets of the Autonomous Republics and the local budgets shall be determined by the Law of the RSFSR on the Budgetary Rights of the RSFSR, the Autonomous Republics and the Local Soviets of People's Deputies.

Article 161. The Budget of the RSFSR shall be drafted by the Council of Ministers of the RSFSR on the basis of the state plans for the economic and social development of the USSR and the RSFSR and the Budget of the USSR and approved by the Supreme Soviet of the RSFSR in accordance with the report of the Council of Ministers of the RSFSR and the conclusions of the Budget Planning and other standing commissions of the Supreme Soviet of the RSFSR.

Article 162. The report on the execution of the Budget of the RSFSR shall be approved by the Supreme Soviet of the RSFSR. The general indices of the execution of the budget shall be published for information of the public.

IX. JUSTICE, ARBITRATION, AND PROCURATOR'S SUPERVISION

Chapter 21

Courts and Arbitration

Article 163. In the RSFSR justice is administered only by the courts.

In the RSFSR there are the following courts: the Supreme Court of the RSFSR, the Supreme Courts of the Autonomous Republics, Territorial, Regional, and city courts, courts of Autonomous Regions, courts of Autonomous Areas, and district (city) people's courts.

The organisation and procedure of the courts of the RSFSR are defined by legislation of the USSR and RSFSR.

Article 164. All courts in the RSFSR shall be formed on the principle of electiveness of judges and people's assessors.

People's judges of district (city) people's courts shall be elected for a term of five years by the citizens of the district (city) on the basis of universal, equal and direct suffrage by secret ballot. People's assessors of district (city) people's courts shall be elected for a term of two and a half years at meetings of citizens at their places of work or residence by a show of hands.

Higher courts shall be elected for a term of five years by the corresponding Soviet of People's Deputies.

Judges and people's assessors are responsible and accountable to their electors or the bodies that elected them, shall report to them, and may be recalled by them in the manner prescribed by law.

Article 165. The Supreme Court of the RSFSR is the highest judicial body in the RSFSR and supervises the administration of justice by the courts of the RSFSR.

The Supreme Court of the RSFSR shall be elected by the Supreme Soviet of the RSFSR and shall consist of a Chairman, Vice-Chairmen, members and people's assessors.

Article 166. The hearing of civil and criminal cases in all courts is collegial; in courts of first instance cases are heard with the participation of people's assessors. In the administration of justice people's assessors have all the rights of a judge.

Article 167. Judges and people's assessors are independent and subject only to the law.

Article 168. Justice is administered in the RSFSR on the principle of the equality of citizens before the law and the court.

Article 169. Proceedings in all courts shall be open to the public. Hearings *in camera* are only allowed in cases provided for by the law, with observance of all the rules of judicial procedure.

Article 170. A defendant in a criminal action is guaranteed the right to legal assistance.

Article 171. Judicial proceedings in the RSFSR shall be conducted in the Russian language or in the language of the Autonomous Republic, Autonomous Region, or Autonomous Area, or in the language spoken by the majority of the people in the locality. Persons participating in court proceedings, who do not know the language in which they are being conducted, shall be ensured the right to become fully acquainted with the materials in the case; the services of an interpreter during the proceedings; and the right to address the court in their own language.

Article 172. No one may be adjudged guilty of a crime and subjected to punishment as a criminal except by the sentence of a court and in conformity with the law.

Article 173. Colleges of advocates are available to give legal assistance to citizens and organisations. In cases provided for by legislation citizens shall be given legal assistance free of charge.

The organisation and procedure of the bar are determined by legislation of the USSR and RSFSR.

Article 174. Representatives of public organisations and of work collectives may take part in civil and criminal proceedings.

Article 175. Economic disputes between enterprises, institutions, and organisations are settled by state arbitration bodies within the limits of their jurisdiction.

Chapter 22

The Procurator's Office

Article 176. Supreme power of supervision over the strict and uniform observance of laws by all ministries, state committees and departments, enterprises, institutions and organisations, executive-administrative bodies of local Soviets of People's Deputies, collective farms, co-operatives and other public organisations, officials and citizens in the RSFSR is vested in the Procurator-General of the USSR, the Procurator of the RSFSR, who is subordinate to him, and lower-ranking procurators.

Article 177. The Procurator of the RSFSR and the procurators of the Autonomous Republics, Territories, Regions and Autonomous Regions are appointed by the Procurator-General of the USSR.

The procurators of the Autonomous Areas and district and city procurators are appointed by the Procurator of the RSFSR, subject to confirmation by the Procurator-General of the USSR.

Article 178. The term of office of the Procurator of the RSFSR and all lower-ranking procurators shall be five years.

Article 179. The agencies of the Procurator's Office exercise their powers independently of any local bodies whatsoever, and are subordinate solely to the Procurator-General of the USSR.

X. THE EMBLEM, FLAG, ANTHEM, AND CAPITAL OF THE RSFSR

Article 180. The State Emblem of the Russian Soviet Federative Socialist Republic is a hammer and sickle depicted on a red background in the rays of the sun and framed by ears of wheat, with the inscription "RSFSR" and "Workers of All Countries, Unite!" At the top of the Emblem is a five-pointed star.

Article 181. The State Flag of the Russian Soviet Federative Socialist Republic is a rectangle of red cloth with light-blue stripe by the staff, which runs the full width of the flag and constitutes one-eighth of its length. In the upper lefthand corner of the red cloth a hammer and sickle are depicted in gold with a five-pointed red star edged in gold above them. The ratio of the flag's width to its length is 1 : 2.

Article 182. The State Anthem of the Russian Soviet Federative Socialist Republic is confirmed by the Presidium of the Supreme Soviet of the RSFSR.

Article 183. The Capital of the Russian Soviet Federative Socialist Republic is the city of Moscow.

XI. THE LEGAL FORCE OF THE CONSTITUTION OF THE RSFSR AND PROCEDURE FOR AMENDING THE CONSTITUTION

Article 184. All laws and other acts of state bodies of the RSFSR shall be promulgated on the basis of and in conformity with the Constitution of the RSFSR.

Article 185. The Constitution of the RSFSR may be amended by a decision of the Supreme Soviet of the RSFSR adopted by a majority of not less than two-thirds of the total number of Deputies of the Supreme Soviet of the RSFSR.

*Vedomosti Verkhovnogo Soveta
RSFSR,
No. 15, 1978, Item 407.*

CONSTITUTION OF THE BASHKIR ASSR

**CONSTITUTION (FUNDAMENTAL LAW)
OF THE BASHKIR AUTONOMOUS
SOVIET SOCIALIST REPUBLIC
(of May 30, 1978)**

The people of the Bashkir Autonomous Soviet Socialist Republic, guided by the ideas of scientific communism, acknowledging themselves to be a constituent part of the whole Soviet people, and in accordance with the Constitution of the USSR and the Constitution of the RSFSR, hereby adopt and proclaim the present Constitution.

**I. PRINCIPLES
OF THE SOCIAL STRUCTURE AND POLICY
OF THE BASHKIR ASSR**

Chapter 1
The Political System

Article 1. The Bashkir Autonomous Soviet Socialist Republic is a socialist state of the whole people, expressing the will and interests of the workers, peasants and intelligentsia, the working people of all the nationalities of the Republic.

Article 2. All power in the Bashkir ASSR belongs to the people.

The people exercise state power through Soviets of People's Deputies, which constitute the political foundation of the Bashkir ASSR.

All other state bodies are under the control of, and accountable to, the Soviets of People's Deputies.

Article 3. The Soviet state is organised and functions on the principle of democratic centralism, namely, the electiveness of all bodies of state authority from the lowest to the highest, their accountability to the people, and the obligation of lower bodies to observe the decisions of higher ones. Democratic centralism combines central leadership with local initiative and creative activity and with the responsibility of each state body and official for the work entrusted to them.

Article 4. The Soviet state and all its bodies function on the basis of socialist law, ensure the maintenance of law and order, and safeguard the interests of society and the rights and freedoms of citizens.

State organisations, public organisations and officials shall observe the Constitution of the USSR, the Constitution of the RSFSR, the Constitution of the Bashkir ASSR and Soviet laws.

Article 5. Major matters of state shall be submitted to nationwide discussion and put to a popular vote (referendum).

Article 6. The leading and guiding force of Soviet society and the nucleus of its political system, of all state organisations and public organisations, is the Communist Party of the Soviet Union. The CPSU exists for the people and serves the people.

The Communist Party, armed with Marxism-Leninism, determines the general perspectives of the development of society and the course of the home and foreign policy of the USSR, directs the great constructive work of the Soviet people, and imparts a planned, systematic and theoretically substantiated character to their struggle for the victory of communism.

All party organisations shall function within the framework of the Constitution of the USSR.

Article 7. Trade unions, the All-Union Leninist Young Communist League, co-operatives, and other public organisations, participate, in accordance with the aims laid down in their rules, in managing state and public affairs, and in deciding political, economic, and social and cultural matters.

Article 8. Work collectives take part in discussing and deciding state and public affairs, in planning production and social development, in training and placing personnel, and in discussing and deciding matters pertaining to the management of enterprises and institutions, the improvement of working and living conditions, and the use of funds allocated both for developing production and for social and cultural purposes and financial incentives.

Work collectives promote socialist emulation, the spread of progressive methods of work, and the strengthening of production discipline, educate their members in the spirit of communist morality, and strive to enhance their political consciousness and raise their cultural level and skills and qualifications.

Article 9. The principal direction in the development of the political system of Soviet society is the extension of socialist democracy, namely, ever broader participation of citizens in managing the affairs of society and the state, continuous improvement of the machinery of state, heightening of the activity of public organisations, strengthening of the system of people's control, consolidation of the legal foundations of the functioning of the state and of public life, greater openness and publicity, and constant responsiveness to public opinion.

Chapter 2 The Economic System

Article 10. The foundation of the economic system of the Bashkir ASSR is socialist ownership of the means of production in the form of state property (belonging to all the people), and collective farm-and-co-operative property.

Socialist ownership also embraces the property of trade unions and other public organisations which they require to carry out their purposes under their rules.

The state protects socialist property and provides conditions for its growth.

No one has the right to use socialist property for personal gain or other selfish ends.

Article 11. State property, i.e. the common property of the Soviet people, is the principal form of socialist property.

The land, its minerals, waters, and forests are the exclusive property of the state. The state owns the basic means of production in industry, construction, and agriculture; means of transport and communication; the banks; the property of state-run trade organisations and public utilities, and other state-run undertakings; most urban housing; and other property necessary for state purposes.

Article 12. The property of collective farms and other co-operative organisations, and of their joint undertakings, comprises the means of production and other assets which they require for the purposes laid down in their rules.

The land held by collective farms is secured to them for their free use in perpetuity.

The state promotes development of collective farm-and-co-operative property and its approximation to state property.

Collective farms, like other land users, are obliged to make effective and thrifty use of the land and to increase its fertility.

Article 13. Earned income forms the basis of the personal property of citizens of the Bashkir ASSR. The personal property of citizens of the Bashkir ASSR may include articles of everyday use, personal consumption and convenience, the implements and other objects of a small-holding, a house, and earned savings. The personal property of citizens and the right to inherit it are protected by the state.

Citizens may be granted the use of plots of land, in the manner prescribed by the law, for a subsidiary small-holding (including the keeping of livestock and poultry), for fruit and vegetable growing or for building an individual dwelling. Citizens are required to make rational use of the land allotted to them. The state, and collective farms provide assistance to citizens in working their small-holdings.

Property owned or used by citizens shall not serve as a means of deriving unearned income or be employed to the detriment of the interests of society.

Article 14. The source of the growth of social wealth and of the well-being of the people, and of each individual, is the labour, free from exploitation, of Soviet people.

The state exercises control over the measure of labour and of consumption in accordance with the principle of socialism: "From each according to his ability, to each according to his work." It fixes the rate of taxation on taxable income.

Socially useful work and its results determine a person's status in society. By combining material and moral incentives and encouraging innovation and a creative attitude to work, the state helps transform labour into the prime vital need of every Soviet citizen.

Article 15. The supreme goal of social production under socialism is the fullest possible satisfaction of the people's growing material, and cultural and intellectual requirements.

Relying on the creative initiative of the working people, socialist emulation, and scientific and technological progress, and by improving the forms and methods of economic management, the state ensures growth of the productivity of labour, raising the efficiency of production and of the quality of work, and dynamic, planned, proportionate development of the economy.

Article 16. The economy of the Bashkir ASSR is a constituent part of the economy of the RSFSR, an integral economic complex comprising all the elements of social production, distribution, and exchange on the territory of the USSR.

The economy is managed on the basis of state plans for economic and social development, with due account of the sectoral and territorial principles, and by combining centralised direction with the managerial independence and initiative of individual and amalgamated enterprises and other organisations, for which active use is made of management accounting, profit, cost, and other economic levers and incentives.

Article 17. In the Bashkir ASSR, the law permits individual labour in handicrafts, farming, the provision of services for the public, and other forms of activity based exclusively on the personal work of individual citizens and members of their families. The state makes regulations for such work to ensure that it serves the interests of society.

Article 18. In the interests of the present and future generations, the necessary steps are taken in the Bashkir ASSR to protect and make scientific, rational use of the land and its mineral and water resources, and the plant and animal kingdoms, to preserve the purity of air and water, ensure reproduction of natural wealth, and improve the human environment.

Chapter 3

Social Development and Culture

Article 19. The social basis of the Bashkir ASSR is the unbreakable alliance of the workers, peasants, and intelligentsia.

The state helps enhance the social homogeneity of society, namely, the elimination of class differences and of the essential distinctions between town and country and between mental and physical labour, and the all-round development and drawing together of all the nations and nationalities of the USSR.

Article 20. In accordance with the communist ideal—"The free development of each is the condition of the free development of all"—the state pursues the aim of giving citizens more and more real opportunities to apply their creative energies, abilities, and talents, and to develop their personalities in every way.

Article 21. The state concerns itself with improving working conditions, safety and labour protection, and the scientific organisation of work, and with reducing and ultimately eliminating all arduous physical labour through comprehensive mechanisation and automation of production processes in all branches of the economy.

Article 22. A programme is being consistently implemented in the Bashkir ASSR to convert agricultural work into a variety of industrial work, to extend the network of educational, cultural and medical institutions, and of trade, public catering, service and public utilities in rural local-

ities, and transform hamlets and villages into well-planned and well-appointed settlements.

Article 23. The state pursues a steady policy of raising people's pay levels and real incomes through increase in productivity.

In order to satisfy the needs of Soviet people more fully social consumption funds are created. The state, with the broad participation of public organisations and work collectives ensures the growth and just distribution of these funds.

Article 24. In the Bashkir ASSR, state systems of health protection, social security, trade and public catering, communal services and amenities, and public utilities operate and are being extended.

The state encourages co-operatives and other public organisations to provide all types of services for the population. It encourages the development of mass physical culture and sport.

Article 25. In the Bashkir ASSR there is a uniform system of public education, which is being constantly improved, that provides general education and vocational training for citizens, serves the communist education and intellectual and physical development of the youth, and trains them for work and social activity.

Article 26. In accordance with society's needs the state provides for planned development of science and the training of scientific personnel and organises introduction of the results of research in the economy and other spheres of life.

Article 27. The state concerns itself with protecting, augmenting and making extensive use of society's cultural wealth for the moral and aesthetic education of the Soviet people, for raising their cultural level.

In the Bashkir ASSR development of the professional, amateur and folk arts is encouraged in every way.

II. THE STATE AND THE INDIVIDUAL

Chapter 4

Citizenship of the Bashkir ASSR.

Equality of Citizens' Rights

Article 28. In accordance with the uniform federal citizenship established for the USSR every citizen of the Bashkir ASSR is a citizen of the RSFSR and USSR.

The grounds and procedure for acquiring or forfeiting Soviet citizenship are defined by the Law on Citizenship of the USSR.

When on the territory of the Bashkir ASSR, citizens of the RSFSR and other Union Republics enjoy the same rights as citizens of the Bashkir ASSR.

When abroad, citizens of the Bashkir ASSR enjoy the protection and assistance of the Soviet state.

Article 29. Citizens of the Bashkir ASSR are equal before the law, without distinction of origin, social or property status, race or nationality, sex, education, language, attitude to religion, type and nature of occupation, domicile, or other status.

The equal rights of citizens of the Bashkir ASSR are guaranteed in all fields of economic, political, social and cultural life.

Article 30. Women and men have equal rights in the Bashkir ASSR.

Exercise of these rights is ensured by according women equal access with men to education and vocational and professional training, equal opportunities in employment, remuneration, and promotion, and in social and political, and cultural activity, and by special labour and health protection measures for women; by providing conditions enabling mothers to work; by legal protection and material and moral support for mothers and children, including paid leaves and other benefits for expectant mothers and mothers, and gradual reduction of working time for mothers with small children.

Article 31. Citizens of the Bashkir ASSR of different races and nationalities have equal rights.

Exercise of these rights is ensured by a policy of all-round development and drawing together of all the nations and nationalities of the USSR, by educating citizens in the spirit of Soviet patriotism and socialist internationalism, and by the possibility to use their native language and the languages of other peoples of the USSR.

Any direct or indirect limitation of the rights of citizens or establishment of direct or indirect privileges on grounds of race or nationality, and any advocacy of racial or national exclusiveness, hostility or contempt, are punishable by law.

Article 32. Citizens of other countries and stateless persons in the Bashkir ASSR are guaranteed the rights and freedoms provided by law, including the right to apply to a court and other state bodies for the protection of their personal, property, family, and other rights.

Citizens of other countries and stateless persons, when in the Bashkir ASSR, are obliged to respect the Constitution of the USSR, the Constitution of the RSFSR, and the Constitution of the Bashkir ASSR, and observe Soviet laws.

Chapter 5

The Basic Rights, Freedoms and Duties of Citizens of the Bashkir ASSR

Article 33. Citizens of the Bashkir ASSR enjoy in full the social, economic, political and personal rights and freedoms proclaimed and guaranteed by the Constitution of the USSR, the Constitution of the RSFSR, the Constitution of the Bashkir ASSR, and by Soviet laws. The socialist system ensures enlargement of the rights and freedoms of citizens and continuous improvement of their living standards as social, economic, and cultural development programmes are fulfilled.

Enjoyment by citizens of their rights and freedoms must not be to the detriment of the interests of society or the state, or infringe the rights of other citizens.

Article 34. Citizens of the Bashkir ASSR have the right to work (that is, to guaranteed employment and pay in accordance with the quantity and quality of their work, and

not below the state-established minimum), including the right to choose their trade or profession, type of job and work in accordance with their inclinations, abilities, training and education, with due account of the needs of society.

This right is ensured by the socialist economic system, steady growth of the productive forces, free vocational and professional training, improvement of skills, training in new trades or professions, and development of the systems of vocational guidance and job placement.

Article 35. Citizens of the Bashkir ASSR have the right to rest and leisure.

This right is ensured by the establishment of a working week not exceeding 41 hours for workers and other employees, a shorter working day in a number of trades and industries, and shorter hours for night work; by the provision of paid annual holidays, weekly days of rest, extension of the network of cultural, educational and health-building institutions, and the development on a mass scale of sport, physical culture, and camping and tourism; by the provision of neighbourhood recreational facilities, and of other opportunities for rational use of free time.

The length of collective farmers' working day and leisure time is established by their collective farms.

Article 36. Citizens of the Bashkir ASSR have the right to health protection.

This right is ensured by free, qualified medical care provided by state health institutions; by extension of the network of therapeutic and health-building institutions; by the development and improvement of safety and hygiene in industry; by carrying out broad prophylactic measures; by measures to improve the environment; by special care for the health of the rising generation, including prohibition of child labour, excluding the work done by children as part of the school curriculum; and by developing research to prevent and reduce the incidence of disease and ensure citizens a long and active life.

Article 37. Citizens of the Bashkir ASSR have the right to maintenance in old age, in sickness, and in the event of complete or partial disability or loss of the breadwinner.

This right is guaranteed by social insurance of workers

and other employees and collective farmers; by allowances for temporary disability; by the provision by the state or by collective farms of retirement pensions, disability pensions, and pensions for loss of the breadwinner; by providing employment for the partially disabled; by care for the elderly and the disabled; and by other forms of social security.

Article 38. Citizens of the Bashkir ASSR have the right to housing.

This right is ensured by the development and upkeep of state and socially-owned housing; by assistance for co-operative and individual house building; by fair distribution, under public control, of the housing that becomes available through fulfilment of the programme of building well-appointed dwellings, and by low rents and low charges for utility services. Citizens of the Bashkir ASSR shall take good care of the housing allocated to them.

Article 39. Citizens of the Bashkir ASSR have the right to education.

This right is ensured by free provision of all forms of education; by the institution of universal, compulsory secondary education, and broad development of vocational, specialised secondary, and higher education, in which instruction is oriented toward practical activity and production; by the development of extramural, correspondence and evening courses; by the provision of state scholarships and grants and privileges for students; by the free issue of school textbooks; by the opportunity to attend a school where teaching is in the native language; and by the provision of facilities for self-education.

Article 40. Citizens of the Bashkir ASSR have the right to enjoy cultural benefits.

This right is ensured by broad access to the cultural treasures of their own land and of the world that are preserved in state and public collections; by the development and fair distribution of cultural and educational institutions throughout the country; by developing television and radio broadcasting and the publishing of books, newspapers and periodicals, and by extending the free library service; and by expanding cultural exchanges with other countries.

Article 41. Citizens of the Bashkir ASSR, in accordance with the aims of building communism, are guaranteed freedom of scientific, technical, and artistic work. This freedom is ensured by broadening scientific research, encouraging invention and innovation, and developing literature and the arts. The state provides the necessary material conditions for this and support for voluntary societies and unions of workers in the arts, organises introduction of inventions and innovations in production and other spheres of activity.

The rights of authors, inventors and innovators are protected by the state.

Article 42. Citizens of the Bashkir ASSR have the right to take part in the management and administration of state and public affairs and in the discussion and adoption of laws and measures of All-Union and local significance.

This right is ensured by the opportunity to vote and to be elected to Soviets of People's Deputies and other elective state bodies, to take part in nationwide discussions and referendums, in people's control, in the work of state bodies, public organisations, and local community groups, and in meetings at places of work or residence.

Article 43. Every citizen of the Bashkir ASSR has the right to submit proposals to state bodies and public organisations for improving their activity, and to criticise shortcomings in their work.

Officials are obliged, within established time-limits, to examine citizens' proposals and requests, to reply to them, and to take appropriate action.

Persecution for criticism is prohibited. Persons guilty of such persecution shall be called to account.

Article 44. In accordance with the interests of the people and in order to strengthen and develop the socialist system, citizens of the Bashkir ASSR are guaranteed freedom of speech, of the press, and of assembly, meetings, street processions and demonstrations.

Exercise of these political freedoms is ensured by putting public buildings, streets and squares at the disposal of the working people and their organisations, by broad dissemination of information, and by the opportunity to use the press, television, and radio.

Article 45. In accordance with the aims of building communism, citizens of the Bashkir ASSR have the right to associate in public organisations that promote their political activity and initiative and satisfaction of their various interests.

Public organisations are guaranteed conditions for successfully performing the functions defined in their rules.

Article 46. Citizens of the Bashkir ASSR are guaranteed freedom of conscience, that is, the right to profess or not to profess any religion, and to conduct religious worship or atheistic propaganda. Incitement of hostility or hatred on religious grounds is prohibited.

In the Bashkir ASSR, the church (mosque) is separated from the state, and the school from the church (mosque).

Article 47. The family enjoys the protection of the state.

Marriage is based on the free consent of the woman and the man; the spouses are completely equal in their family relations.

The state helps the family by providing and developing a broad system of child-care institutions, by organising and improving communal services and public catering, by paying grants on the birth of a child, by providing children's allowances and benefits for large families, and other forms of family allowances and assistance.

Article 48. Citizens of the Bashkir ASSR are guaranteed inviolability of the person. No one may be arrested except by a court decision or on the warrant of a procurator.

Article 49. Citizens of the Bashkir ASSR are guaranteed inviolability of the home. No one may, without lawful grounds, enter a home against the will of those residing in it.

Article 50. The privacy of citizens, and of their correspondence, telephone conversations, and telegraphic communications is protected by law.

Article 51. Respect for the individual and protection of the rights and freedoms of citizens are the duty of all state bodies, public organisations, and officials.

Citizens of the Bashkir ASSR have the right to protection by the courts against encroachments on their honour and reputation, life and health, and personal freedom and property.

Article 52. Citizens of the Bashkir ASSR have the right to lodge a complaint against the actions of officials, state bodies and public bodies. Complaints shall be examined according to the procedure and within the time-limit established by law.

Actions by officials that contravene the law or exceed their powers, and infringe the rights of citizens, may be appealed against in a court in the manner prescribed by law.

Citizens of the Bashkir ASSR have the right to compensation for damage resulting from unlawful actions by state organisation and public organisations, or by officials in the performance of their duties.

Article 53. Citizens' exercise of their rights and freedoms is inseparable from the performance of their duties and obligations.

Citizens of the Bashkir ASSR are obliged to observe the Constitution of the USSR, the Constitution of the RSFSR, the Constitution of the Bashkir ASSR and Soviet laws, comply with the standards of socialist conduct, and uphold the honour and dignity of Soviet citizenship.

Article 54. It is the duty of, and a matter of honour for, every able-bodied citizen of the Bashkir ASSR to work conscientiously in his chosen, socially useful occupation, and strictly to observe labour discipline. Evasion of socially useful work is incompatible with the principles of socialist society.

Article 55. Citizens of the Bashkir ASSR are obliged to preserve and protect socialist property. It is the duty of a citizen of the Bashkir ASSR to combat misappropriation and squandering of state and socially-owned property and to make thrifty use of the people's wealth.

Persons encroaching in any way on socialist property shall be punished according to the law.

Article 56. Citizens of the Bashkir ASSR are obliged to safeguard the interests of the Soviet state, and to enhance its power and prestige.

Defence of the Socialist Motherland is the sacred duty of every citizen of the Bashkir ASSR.

Betrayal of the Motherland is the gravest of crimes against the people.

Article 57. Military service in the ranks of the Armed Forces of the USSR is an honourable duty of citizens of the Bashkir ASSR.

Article 58. It is the duty of every citizen of the Bashkir ASSR to respect the national dignity of other citizens, and to strengthen friendship of the nations and nationalities of the multinational Soviet state.

Article 59. A citizen of the Bashkir ASSR is obliged to respect the rights and lawful interests of other persons, to be uncompromising toward anti-social behaviour, and to help maintain public order.

Article 60. Citizens of the Bashkir ASSR are obliged to concern themselves with the upbringing of children, to train them for socially useful work, and to raise them as worthy members of socialist society. Children are obliged to care for their parents and help them.

Article 61. Citizens of the Bashkir ASSR are obliged to protect nature and conserve its riches.

Article 62. Concern for the preservation of historical monuments and other cultural values is a duty and obligation of citizens of the Bashkir ASSR.

Article 63. It is the internationalist duty of citizens of the Bashkir ASSR to promote friendship and co-operation with peoples of other lands and help maintain and strengthen world peace.

**III. THE NATIONAL-STATE
AND ADMINISTRATIVE-TERRITORIAL STRUCTURE
OF THE BASHKIR ASSR**

Chapter 6

**The Bashkir ASSR—an Autonomous Republic
Within the RSFSR**

Article 64. The Bashkir Autonomous Soviet Socialist Republic is a Soviet socialist state within the Russian Soviet Federative Socialist Republic.

In spheres not within the jurisdiction of the USSR and RSFSR, the Bashkir ASSR shall deal independently with matters within its jurisdiction.

Article 65. The territory of the Bashkir ASSR may not be altered without its consent.

Article 66. The jurisdiction of the Bashkir ASSR, as represented by its highest bodies of state authority and administration, shall cover:

1. adoption and amendment of the Constitution of the Bashkir ASSR;

2. control over observance of the Constitution of the Bashkir ASSR;

3. legislation of the Bashkir ASSR;

4. protection of state order, and the rights and freedoms of citizens;

5. establishment of the procedure of organisation and functioning of Republican and local bodies of state authority and administration, in accordance with the legislation of the USSR and RSFSR;

6. pursuance of a uniform social and economic policy; direction of the economy of the Bashkir ASSR; ensuring of scientific and technological progress and carrying out of measures for rational exploitation and conservation of natural resources;

7. the drafting and approval of state plans for the economic and social development of the Bashkir ASSR and the Budget of the Bashkir ASSR, and endorsement of reports on their fulfilment; direction of the implementation of the budgets of the districts and cities under Republican jurisdiction;

8. establishment, in accordance with the legislation of the USSR and RSFSR, of the revenues forming the Budget of the Bashkir ASSR;

9. direction of the sectors of the economy under Republican jurisdiction and of enterprises and amalgamations under Republican and local jurisdiction;

10. control, in accordance with the legislation of the USSR and RSFSR, of the exploitation of the land, its minerals, waters and forests; protection of the environment;

11. direction of construction and public utilities, trade and public catering, communal services, house building and the provision of amenities in towns and other population centres, road building and transport;

12. direction of education, the cultural and scientific organisations and institutions of the Bashkir ASSR, health, physical culture and sport, and social insurance; the preservation of historical and cultural monuments;

13. and settlement of other matters of Republican significance.

Article 67. The Bashkir ASSR takes part in decision-making through the highest bodies of state authority and administration of the RSFSR and USSR, in matters that come within the jurisdiction of the RSFSR and USSR respectively.

The Bashkir ASSR shall ensure comprehensive economic and social development on its territory, facilitate exercise of the powers of the USSR and RSFSR on its territory, and implement the decisions of the highest bodies of state authority and administration of the USSR and RSFSR.

In matters within its jurisdiction, the Bashkir ASSR shall co-ordinate and control the activity of enterprises, institutions and organisations subordinate to the Union or the Union Republic (RSFSR).

Article 68. In accordance with the Constitution of the USSR and the Constitution of the RSFSR the defence of the Socialist Motherland is one of the most important functions of the state, and is the concern of the whole people.

In order to defend the gains of socialism, the peaceful labour of the Soviet people, and the sovereignty and territorial integrity of the state, the USSR maintains armed forces and has instituted universal military service.

The Bashkir ASSR takes part in ensuring the security and defence capacity of the country, and in supplying the Armed Forces of the USSR with everything necessary for that purpose.

The duties of state bodies, public organisations, officials, and citizens in regard to safeguarding the country's security and strengthening its defence capacity are defined by the legislation of the USSR.

Article 69. In the Bashkir ASSR war propaganda is banned.

Article 70. The laws of the USSR and RSFSR are binding on the territory of the Bashkir ASSR.

Chapter 7

The Administrative-Territorial Structure of the Bashkir ASSR

Article 71. The Bashkir ASSR determines its division into districts and decides other matters relating to the administrative-territorial structure of the republic in accordance with the legislation of the RSFSR.

Article 72. The Bashkir Autonomous Soviet Socialist Republic includes the Abzelilovsky, Alsheyevsky, Arkhangelskoye, Askino, Aurgazinsky, Baimak, Bakaly, Baltachevo, Belebei, Belokatay, Beloretsk, Bizhbulyak, Birsik, Blagovar, Blagoveshchensk, Buzdyak, Burayevo, Burzyansky, Gafuriisky, Davlekanovo, Duvan, Dyurtyuli, Yermeyevo, Zianchurinsky, Zilair, Iglino, Ilishevsky, Ishimbai, Kaltasy, Karaidel, Karmaskaly, Kiginsky, Krasnokamsk, Kugarchi, Kumertau, Kushnarenkovo, Meleuz, Mechetlinsky, Mishkino, Miyakinsky, Nurimanovsky, Salavat, Sterlibashevo, Sterlitamak, Tatyshly, Tuimazy, Ufa, Uchaly, Fedorovka, Khaibulinsky, Chekmagush, Chishmy, Sharan, and Yanaul districts; the cities of Ufa, Belebei, Beloretsk, Birsik, Ishimbai, Kumertau, Meleuz, Neftekamsk, Oktyabrsky, Salavat, Sibai, Sterlitamak, Tuimazy and Uchaly under Republican jurisdiction.

**IV. SOVIETS OF PEOPLE'S DEPUTIES
OF THE BASHKIR ASSR
AND ELECTORAL PROCEDURE**

Chapter 8

**The System of Soviets
of People's Deputies
and the Principles of Their Work**

Article 73. The Soviets of People's Deputies, i.e., the Supreme Soviet of the Bashkir ASSR, and the Soviets of People's Deputies of districts, cities, city-districts, settlements and villages, shall constitute a single system of bodies of state authority.

Article 74. The term of the Supreme Soviet of the Bashkir ASSR shall be five years.

The term of local Soviets of People's Deputies shall be two and a half years.

Elections to Soviets of People's Deputies shall be called not later than two months before the expiry of the term of the Soviet concerned.

Article 75. The most important matters within the jurisdiction of the respective Soviets of People's Deputies shall be considered and settled at their sessions.

Soviets of People's Deputies shall elect standing commissions and form executive-administrative and other bodies accountable to them.

Article 76. Soviets of People's Deputies shall form people's control bodies combining state control with control by the working people at enterprises, collective farms, institutions and organisations.

People's control bodies shall check on the fulfilment of state plans and assignments, combat breaches of state discipline, localistic tendencies, narrow departmental attitudes, mismanagement, extravagance and waste, red tape and bureaucracy, and help improve the working of the state machinery.

Article 77. Soviets of People's Deputies shall direct all sectors of state, economic, and social and cultural develop-

ment, either directly or through bodies instituted by them, take decisions and ensure their execution, and verify their implementation.

Article 78. Soviets of People's Deputies shall function publicly on the basis of collective, free, constructive discussion and decision-making, of systematic reporting back to them and the people by their executive-administrative and other bodies, and of involving citizens on a broad scale in their work.

Soviets of People's Deputies and the bodies set up by them shall systematically inform the public about their work and the decisions taken by them.

Chapter 9

The Electoral System

Article 79. Deputies to all Soviets shall be elected on the basis of universal, equal, and direct suffrage by secret ballot.

Article 80. Elections shall be universal: all citizens of the Bashkir ASSR who have reached the age of 18 shall have the right to vote and to be elected, with the exception of persons who have been legally certified insane.

Article 81. Elections shall be equal: each citizen shall have one vote; all voters shall exercise the franchise on an equal footing.

Article 82. Elections shall be direct: Deputies to all Soviets of People's Deputies shall be elected by citizens by direct vote.

Article 83. Voting at elections shall be secret: control over voters' exercise of the franchise is inadmissible.

Article 84. The following shall have the right to nominate candidates: branches and organisations of the Communist

Party of the Soviet Union, trade unions, and the All-Union Leninist Young Communist League; co-operatives and other public organisations; work collectives, and meetings of servicemen in their military units.

Citizens of the Bashkir ASSR and public organisations are guaranteed the right to free and all-round discussion of the political and personal qualities and competence of candidates, and the right to campaign for them at meetings, in the press, and on television and radio.

The expenses involved in holding elections to Soviets of People's Deputies shall be met by the state.

Article 85. Deputies to Soviets of People's Deputies shall be elected by constituencies.

A citizen of the Bashkir ASSR may not, as a rule, be elected to more than two Soviets of People's Deputies.

Elections to the Soviets shall be conducted by electoral commissions consisting of representatives of public organisations and work collectives, and of meetings of servicemen in military units.

The procedure for holding elections to Soviets of People's Deputies shall be defined by the laws of the USSR, RSFSR and Bashkir ASSR.

Article 86. Electors give mandates to their Deputies.

The appropriate Soviets of People's Deputies shall examine electors' mandates, take them into account in drafting economic and social development plans and in drawing up the budget, organise implementation of the mandates, and inform citizens about it.

Chapter 10

People's Deputies

Article 87. Deputies are the plenipotentiary representatives of the people in the Soviets of People's Deputies.

In the Soviets, Deputies deal with matters relating to state, economic, and social and cultural development, organise implementation of the decisions of the Soviets, and exercise control over the work of state bodies, enterprises, institutions and organisations.

Deputies shall be guided in their activities by the interests of the state, and shall take the needs of their constituents into account and work to implement their electors' mandates.

Article 88. Deputies shall exercise their powers without discontinuing their regular employment or duties.

During sessions of the Soviet, and so as to exercise their deputy's powers in other cases stipulated by law, Deputies shall be released from their regular employment or duties, with retention of their average earnings at their permanent place of work.

Article 89. A Deputy has the right to address inquiries to the appropriate state bodies and officials, who are obliged to reply to them at a session of the Soviet.

Deputies have the right to approach any state or public body, enterprise, institution, or organisation on matters arising from their work as Deputies and to take part in considering the questions raised by them. The heads of the state or public bodies, enterprises, institutions or organisations concerned are obliged to receive Deputies without delay and to consider their proposals within the time-limit established by law.

Article 90. Deputies shall be ensured conditions for the unhampered and effective exercise of their rights and duties.

The immunity of Deputies, and other guarantees of their activity as Deputies, are defined in the Law on the Status of Deputies and other legislative acts of the USSR, RSFSR and Bashkir ASSR.

Article 91. Deputies shall report on their work and on that of the Soviet to their constituents, and to the work collectives and public organisations that nominated them.

Deputies who have not justified the confidence of their constituents may be recalled at any time by decision of a majority of the electors in accordance with the procedure established by law.

**V. HIGHER BODIES
OF STATE AUTHORITY AND ADMINISTRATION
OF THE BASHKIR ASSR**

Chapter 11

The Supreme Soviet of the Bashkir ASSR

Article 92. The highest body of state authority of the Bashkir ASSR shall be the Supreme Soviet of the Bashkir ASSR.

The Supreme Soviet of the Bashkir ASSR is empowered to deal with all matters within the jurisdiction of the Bashkir ASSR, as defined by the Constitution of the USSR, the Constitution of the RSFSR and the present Constitution.

Adoption and amendment of the Constitution of the Bashkir ASSR; endorsement of state plans for the economic and social development of the Bashkir ASSR, of the Budget of the Bashkir ASSR, and of reports on their execution; and the institution of bodies of the Bashkir ASSR accountable to it, are the exclusive prerogative of the Supreme Soviet of the Bashkir ASSR.

Laws of the Bashkir ASSR shall be enacted by the Supreme Soviet of the Bashkir ASSR.

Article 93. The Supreme Soviet of the Bashkir ASSR shall consist of 280 Deputies elected by constituencies with equal populations.

The Supreme Soviet of the Bashkir ASSR, upon submission by the credentials commission elected by it, shall decide on the validity of Deputies' credentials, and, in cases in which the election law has been violated, shall declare the election of the Deputies concerned null and void.

Article 94. The Supreme Soviet of the Bashkir ASSR shall elect a Chairman of the Supreme Soviet of the Bashkir ASSR and two Vice-Chairmen.

The Chairman of the Supreme Soviet of the Bashkir ASSR shall preside over the sittings of the Supreme Soviet of the Bashkir ASSR and conduct its affairs.

Article 95. Sessions of the Supreme Soviet of the Bashkir ASSR shall be convened twice a year.

Special sessions shall be convened by the Presidium of the Supreme Soviet of the Bashkir ASSR at its discretion or on the proposal of not less than one-third of the Deputies of the Supreme Soviet of the Bashkir ASSR.

A session of the Supreme Soviet of the Bashkir ASSR shall consist of its sittings, and of meetings of the standing and other commissions of the Supreme Soviet of the Bashkir ASSR held between them.

Article 96. The right to initiate legislation in the Supreme Soviet of the Bashkir ASSR is vested in the Presidium of the Supreme Soviet of the Bashkir ASSR, the Council of Ministers of the Bashkir ASSR, the standing and other commissions of the Supreme Soviet of the Bashkir ASSR, Deputies of the Supreme Soviet of the Bashkir ASSR, the Supreme Court of the Bashkir ASSR, and the Procurator of the Bashkir ASSR.

The right to initiate legislation is also vested in public organisations through their Republican and other appropriate bodies.

Article 97. Bills and other matters submitted to the Supreme Soviet of the Bashkir ASSR shall be debated at its sittings. Where necessary, a bill or other matter may be referred to one or more commissions for preliminary or additional consideration.

Laws of the Bashkir ASSR, decisions and other acts of the Supreme Soviet of the Bashkir ASSR are adopted by a majority of the total number of Deputies of the Supreme Soviet of the Bashkir ASSR.

Bills and other important matters of state of the Autonomous Republic may be submitted for popular discussion by a decision of the Supreme Soviet of the Bashkir ASSR or its Presidium.

Article 98. Laws of the Bashkir ASSR and decisions and other acts of the Supreme Soviet of the Bashkir ASSR shall be published in the Bashkir and Russian languages over the signatures of the Chairman and Secretary of the Presidium of the Supreme Soviet of the Bashkir ASSR.

Article 99. A Deputy of the Supreme Soviet of the Bashkir ASSR has the right to address inquiries to the Council

of Ministers of the Bashkir ASSR, and to Ministers and the heads of other bodies formed by the Supreme Soviet of the Bashkir ASSR, and to the heads of enterprises, institutions and organisations under Union and Republican (RSFSR) jurisdiction located on the territory of the Bashkir ASSR, with regard to matters within the jurisdiction of the Bashkir ASSR. The Council of Ministers of the Bashkir ASSR, or the official to whom the inquiry is addressed, is obliged to give a verbal or written reply at the given session of the Supreme Soviet of the Bashkir ASSR.

Article 100. A Deputy of the Supreme Soviet of the Bashkir ASSR may not be prosecuted, or arrested, or incur a court-imposed penalty, without the sanction of the Supreme Soviet of the Bashkir ASSR or, between its sessions, of the Presidium of the Supreme Soviet of the Bashkir ASSR.

Article 101. The Supreme Soviet of the Bashkir ASSR shall elect a Presidium of the Supreme Soviet of the Bashkir ASSR, which shall be a standing body of the Supreme Soviet of the Bashkir ASSR, accountable to it for all its work and exercising the functions of the highest body of state authority of the Bashkir ASSR between sessions of the Supreme Soviet, within the limits prescribed by the present Constitution.

Article 102. The Presidium of the Supreme Soviet of the Bashkir ASSR shall be elected from among the Deputies and shall consist of a Chairman, two Vice-Chairmen, a Secretary, and 13 members.

Article 103. The Presidium of the Supreme Soviet of the Bashkir ASSR shall:

1. name the date of elections to the Supreme Soviet of the Bashkir ASSR and the local Soviets of People's Deputies;
2. convene sessions of the Supreme Soviet of the Bashkir ASSR;
3. co-ordinate the work of the standing commissions of the Supreme Soviet of the Bashkir ASSR;
4. ensure observance of the Constitution of the Bashkir ASSR;
5. interpret the laws of the Bashkir ASSR;

6. guide the work of the local Soviets of People's Deputies;

7. form cities of district subordination and city-districts, name and rename them, rename other population centres, and submit decisions on these matters to the Presidium of the Supreme Soviet of the RSFSR for approval;

8. form and abolish village Soviets, designate population centres as workers', resort and summer-cottage settlements, and decide other matters relating to the administrative and territorial structure of the Republic in accordance with the legislation of the RSFSR;

9. rescind decisions and ordinances of the Council of Ministers of the Bashkir ASSR and the decisions of the district and city (cities under Republican jurisdiction) Soviets of People's Deputies should they fail to conform to the law;

10. award the Honorary Diploma of the Presidium of the Supreme Soviet of the Bashkir ASSR; institute and confer honorific titles of the Bashkir ASSR;

11. and exercise other powers vested in it by the Constitution and laws of the Bashkir ASSR.

Article 104. The Presidium of the Supreme Soviet of the Bashkir ASSR, between sessions of the Supreme Soviet of the Bashkir ASSR, and subject to submission for its confirmation at the next session, shall:

1. amend existing legislation of the Bashkir ASSR when necessary;

2. form districts and cities under Republican jurisdiction in accordance with the procedure established by law, and name and rename them;

3. form and abolish, on the recommendation of the Council of Ministers of the Bashkir ASSR, ministries, state committees and other bodies of state administration formed by the Supreme Soviet of the Bashkir ASSR;

4. relieve individual members of the Council of Ministers of the Bashkir ASSR of their responsibilities and appoint persons to the Council of Ministers on the recommendation of the Chairman of the Council of Ministers of the Bashkir ASSR.

Article 105. The Presidium of the Supreme Soviet of the Bashkir ASSR promulgates decrees and adopts decisions.

Article 106. On expiry of the term of the Supreme Soviet of the Bashkir ASSR, the Presidium of the Supreme Soviet of the Bashkir ASSR shall retain its powers until the newly elected Supreme Soviet of the Bashkir ASSR has elected a new Presidium.

The newly elected Supreme Soviet of the Bashkir ASSR shall be convened by the outgoing Presidium of the Supreme Soviet of the Bashkir ASSR within two months of the elections.

Article 107. The Supreme Soviet of the Bashkir ASSR shall elect standing commissions from among the Deputies to make a preliminary review of matters coming within the jurisdiction of the Supreme Soviet of the Bashkir ASSR, to promote execution of the laws of the Bashkir ASSR and other acts of the Supreme Soviet of the Bashkir ASSR and its Presidium, and to check on the work of state bodies and organisations.

When it deems it necessary, the Supreme Soviet of the Bashkir ASSR sets up commissions of inquiry and audit, and commissions on any other matter.

All state and public bodies, organisations and officials are obliged to meet the requests of the commissions of the Supreme Soviet of the Bashkir ASSR and submit the requisite materials and documents to them.

The commissions' recommendations shall be subject to consideration by state and public bodies, institutions and organisations. The commissions shall be informed, within the prescribed time-limit, of the results of such consideration or of the action taken.

Article 108. The Supreme Soviet of the Bashkir ASSR shall supervise the work of all state bodies accountable to it.

The Supreme Soviet of the Bashkir ASSR shall form a Committee of People's Control of the Bashkir ASSR to head the system of people's control.

Article 109. The procedure of the Supreme Soviet of the Bashkir ASSR and of its bodies shall be defined in the Standing Orders of the Supreme Soviet of the Bashkir ASSR and other laws of the Bashkir ASSR enacted on the basis of the Constitution of the Bashkir ASSR.

Chapter 12 The Council of Ministers of the Bashkir ASSR

Article 110. The Council of Ministers of the Bashkir ASSR, i.e. the Government of the Bashkir ASSR, is the highest executive and administrative body of state authority of the Bashkir ASSR.

Article 111. The Council of Ministers of the Bashkir ASSR shall be formed by the Supreme Soviet of the Bashkir ASSR, and shall consist of the Chairman of the Council of Ministers of the Bashkir ASSR, First Vice-Chairman and Vice-Chairmen, Ministers, Chairmen of State Committees and heads of other bodies of state administration formed by the Supreme Soviet of the Republic.

The Supreme Soviet of the Bashkir ASSR, on the recommendation of the Chairman of the Council of Ministers of the Bashkir ASSR, may include in the Government of the Bashkir ASSR the heads of other bodies and organisations of the Bashkir ASSR.

The Council of Ministers of the Bashkir ASSR shall tender its resignation to a newly elected Supreme Soviet of the Bashkir ASSR at its first session.

Article 112. The Council of Ministers of the Bashkir ASSR shall be responsible and accountable to the Supreme Soviet of the Bashkir ASSR and, between sessions of the Supreme Soviet of the Bashkir ASSR, to the Presidium of the Supreme Soviet of the Bashkir ASSR.

The Council of Ministers of the Bashkir ASSR shall report regularly on its work to the Supreme Soviet of the Bashkir ASSR.

Article 113. The Council of Ministers of the Bashkir ASSR is empowered to deal with all matters of state administration within the jurisdiction of the Bashkir ASSR insofar as, under the Constitution, they do not come within the competence of the Supreme Soviet of the Bashkir ASSR or the Presidium of the Supreme Soviet of the Bashkir ASSR.

Within its powers the Council of Ministers of the Bashkir ASSR shall:

1. ensure direction of economic, social and cultural development; draft and implement measures to promote the well-being and cultural development of the people, to develop science and engineering, to ensure rational exploitation and conservation of natural resources, to consolidate the monetary and credit system, to pursue a uniform prices, wages, and social security policy, and to organise state insurance and a uniform system of accounting and statistics; and organise the management of industrial, constructional, and agricultural enterprises and amalgamations, transport and communications undertakings, and other organisations and institutions of Republican and local subordination;

2. draft current and long-term state plans for the economic and social development of the Bashkir ASSR and the Budget of the Bashkir ASSR, and submit them to the Supreme Soviet of the Bashkir ASSR; take measures to execute the state plans and Budget; and report to the Supreme Soviet of the Bashkir ASSR on the implementation of the plans and Budget;

3. ensure the comprehensive all-round economic and social development of the Autonomous Republic, districts and cities, co-ordinate and control the work of the enterprises, institutions and organisations of Union and Republican (RSFSR) subordination on matters within the jurisdiction of the Bashkir ASSR;

4. take measures to defend the interests of the state, protect socialist property and maintain public order, and guarantee and protect citizens' rights and freedoms;

5. take measures, within the limits defined by the Constitution of the USSR, to ensure state security and the country's defence capacity;

6. when necessary, form committees, central boards and other departments under the Council of Ministers of the Bashkir ASSR to deal with matters of economic, social and cultural development;

7. and guide the work of the executive committees of the local Soviets of People's Deputies.

Article 114. A Presidium of the Council of Ministers of the Bashkir ASSR, consisting of a Chairman, a First Vice-Chairman, and Vice-Chairmen of the Council of Ministers of the Bashkir ASSR and of other members of the Government in accordance with the Law on the Council

of Ministers of the Bashkir ASSR, shall function as a standing body of the Council of Ministers of the Bashkir ASSR to deal with questions relating to guidance of the economy, and with other matters of state administration.

Article 115. The Council of Ministers of the Bashkir ASSR, on the basis of, and in pursuance of, the legislative acts of the USSR, RSFSR and Bashkir ASSR and the decisions and ordinances of the Council of Ministers of the USSR and the Council of Ministers of the RSFSR, shall issue decisions and ordinances and verify their execution. The decisions and ordinances of the Council of Ministers of the Bashkir ASSR shall be binding throughout the Bashkir ASSR.

Article 116. The Council of Ministers of the Bashkir ASSR has the right, in matters within its jurisdiction, to rescind decisions and ordinances of the executive committees of district and city (cities under Republican jurisdiction) Soviets of People's Deputies.

The Council of Ministers of the Bashkir ASSR has the right to rescind acts of ministries and state committees of the Bashkir ASSR, and of other bodies subordinate to it.

Article 117. The Council of Ministers of the Bashkir ASSR shall co-ordinate and direct the work of ministries and state committees of the Bashkir ASSR, and other bodies subordinate to it.

The ministries, state committees and other bodies of state administration of the Bashkir ASSR shall direct the work of the branches of administration entrusted to them, or exercise inter-branch administration, being subordinate both to the Council of Ministers of the Bashkir ASSR and to the corresponding ministry or state committee of the RSFSR.

The ministries, state committees and other bodies of state administration of the Bashkir ASSR shall be responsible for the condition and development of the spheres of administration entrusted to them; within their competence, they issue orders and other acts on the basis of, and in execution of, the laws of the USSR, RSFSR and Bashkir ASSR and other decisions of the Supreme Soviet of the USSR and its Presidium, the Supreme Soviet of the

RSFSR and its Presidium, the Supreme Soviet of the Bashkir ASSR and its Presidium, and of decisions and ordinances of the Council of Ministers of the USSR, the Council of Ministers of the RSFSR, and the Council of Ministers of the Bashkir ASSR, and of orders and other acts of the corresponding ministries and state committees of the USSR and RSFSR, and organise and verify their implementation.

Article 118. The competence of the Council of Ministers of the Bashkir ASSR and its Presidium, the procedure for their work, relationships between the Council of Ministers of the Bashkir ASSR and other state bodies, and the list of ministries, state committees and other bodies of state administration of the Bashkir ASSR are defined, on the basis of the Constitution, in the Law on the Council of Ministers of the Bashkir ASSR.

VI. LOCAL BODIES OF STATE AUTHORITY AND ADMINISTRATION IN THE BASHKIR ASSR

Chapter 13 Local Soviets of People's Deputies

Article 119. The bodies of state authority in districts, cities, city-districts, settlements, and rural communities shall be the corresponding Soviets of People's Deputies.

Article 120. Local Soviets of People's Deputies shall deal with all matters of local significance in accordance with the interests of the whole state and of the citizens residing in the area under their jurisdiction, implement decisions of higher bodies of state authority, guide the work of lower Soviets of People's Deputies, take part in the discussion of matters of Republican (ASSR, RSFSR) and All-Union significance, and submit their proposals concerning them.

Local Soviets of People's Deputies shall direct state, economic, social and cultural development within their territory; endorse plans for economic and social development, the local budget and reports on their implementation; exer-

cise guidance over state bodies, enterprises, institutions and organisations subordinate to them; ensure observance of the laws, maintenance of law and order, and protection of citizens' rights; and help strengthen the country's defence capacity.

Article 121. Within their powers, local Soviets of People's Deputies shall ensure the comprehensive, all-round economic and social development of their area; exercise control over the observance of legislation by enterprises, institutions and organisations subordinate to higher authorities and located in their area; and co-ordinate and supervise their activity as regards land use, nature conservation, building, employment of manpower, production of consumer goods, and social, cultural, communal and other services and amenities for the public.

Article 122. Local Soviets of People's Deputies shall decide matters within the powers accorded to them by the legislation of the USSR, RSFSR and Bashkir ASSR.

Their decisions shall be binding on all enterprises, institutions, and organisations located in their area and on officials and citizens.

Article 123. Sessions of district, city and city-district Soviets of People's Deputies shall be convened by their executive committees not less than four times a year.

Sessions of settlement and rural Soviets of People's Deputies shall be convened by their executive committees not less than six times a year.

Local Soviets of People's Deputies are empowered to examine and decide at their sessions all matters placed within their jurisdiction by the legislation of the USSR, RSFSR and Bashkir ASSR. The list of matters to be decided at their sessions only is established by the laws on local Soviets of People's Deputies.

Article 124. Local Soviets of People's Deputies shall elect standing commissions from among the Deputies to make a preliminary review of matters coming within the jurisdiction of local Soviets, to promote execution of the decisions of Soviets, and to check on the work of state bodies, enterprises, institutions and organisations.

The commissions' recommendations shall be subject to consideration by the state and public bodies, enterprises, institutions and organisations concerned. The commissions shall be informed, within the prescribed time-limit, of the results of such consideration or of the action taken.

Article 125. In guiding the work of lower Soviets, local Soviets of People's Deputies have the right to rescind the acts of lower Soviets should they fail to conform to the law.

Article 126. Local Soviets of People's Deputies shall work in close contact with public organisations and work collectives, submit the most important matters for public discussion, draw citizens into the work of the standing commissions, executive committees and other bodies accountable to the Soviets, promote the work of local voluntary societies and develop public initiative.

Chapter 14 **Executive Committees of Local Soviets of People's Deputies**

Article 127. The executive-administrative bodies of local Soviets of People's Deputies shall be the Executive Committees elected by them from among their Deputies and consisting of a Chairman, Vice-Chairmen, Secretary and members.

Executive Committees shall report on their work at least once a year to the Soviets that elected them and to meetings of citizens at their places of work or residence.

Article 128. Executive Committees of local Soviets of People's Deputies shall be directly accountable both to the Soviet that elected them and to the higher executive and administrative body.

Article 129. Executive Committees of local Soviets of People's Deputies shall direct state, economic, social and cultural development within the territory of the corresponding Soviets on the basis of the decisions of the Soviet that

elected them and of higher bodies of state authority and administration.

Executive Committees of local Soviets of People's Deputies have the right to deal with all matters within the jurisdiction of Soviets, with the exception of those to be decided at sessions of the Soviets only.

Executive Committees shall convene sessions of Soviets, co-ordinate the work of standing commissions of Soviets; assist Deputies in the exercise of their powers; organise the execution of decisions of Soviets and of higher state bodies, and the mandates of electors; and direct the administrative bodies subordinate to them.

Article 130. Executive Committees of local Soviets of People's Deputies shall adopt decisions and issue orders within their competence.

Article 131. Executive Committees of Soviets of People's Deputies have the right to rescind decisions and ordinances of Executive Committees of lower Soviets of People's Deputies.

Article 132. On expiry of the term of local Soviets of People's Deputies their Executive Committees shall retain their powers until the election of new Executive Committees by the new Soviets of People's Deputies.

Article 133. Departments and administrations of Executive Committees shall be formed by district, city and city-district Soviets of People's Deputies and shall be subordinate in their work both to the Soviets and their Executive Committees, and to the corresponding higher bodies of state administration.

The list of the departments and administrations of Executive Committees of local Soviets of People's Deputies and the procedure for forming them are established by the legislation of the USSR, RSFSR, and Bashkir ASSR.

**VII. THE STATE PLAN
FOR THE ECONOMIC AND SOCIAL DEVELOPMENT
OF THE BASHKIR ASSR.
THE BUDGET OF THE BASHKIR ASSR**

Article 134. The state plan for the economic and social development of the Bashkir ASSR is a constituent part of the state plan for the economic and social development of the RSFSR.

Current and long-term state plans for the economic and social development of the Bashkir ASSR aim to ensure comprehensive, all-round economic and social development on the territory of the Republic in accordance with the main tasks and trends of the economic and social development of the RSFSR.

Article 135. The state plan for the economic and social development of the Bashkir ASSR is drafted by the Council of Ministers of the Bashkir ASSR, proceeding from the state plan for the economic and social development of the RSFSR, on the basis of the draft plans of ministries, state committees and other bodies of state administration of the Bashkir ASSR, and the local Soviets of People's Deputies.

The state plan for the economic and social development of the Bashkir ASSR shall include the main indices of the plans of enterprises, institutions and organisations of Union and Republican (RSFSR) subordination located on the territory of the Bashkir ASSR.

The drafting of plans for the economic and social development shall take into account proposals from enterprises, institutions and organisations, and also from public organisations.

Article 136. The Council of Ministers of the Bashkir ASSR shall submit the state plan for the economic and social development of the Bashkir ASSR to the Supreme Soviet of the Bashkir ASSR.

The Supreme Soviet of the Bashkir ASSR, in accordance with the report of the Council of Ministers of the Bashkir ASSR and the conclusions of the Budget Planning and other standing commissions of the Supreme Soviet of the Bashkir ASSR, shall discuss and approve the state plan for the economic and social development of the Bashkir ASSR.

Article 137. The Budget of the Bashkir ASSR is a constituent part of the uniform Budget of the RSFSR and unites the Republican Budget of the Bashkir ASSR and the local budgets.

Article 138. The Budget of the Bashkir ASSR shall be drafted by the Council of Ministers of the Bashkir ASSR on the basis of the state plans for the economic and social development of the RSFSR and Bashkir ASSR, the Budget of the RSFSR, and approved by the Supreme Soviet of the Bashkir ASSR in accordance with the report of the Council of Ministers of the Bashkir ASSR and the conclusions of the Budget Planning and other standing commissions of the Supreme Soviet of the Bashkir ASSR.

Article 139. Reports on the execution of state plans for the economic and social development of the Bashkir ASSR and of the Budget of the Bashkir ASSR shall be approved by the Supreme Soviet of the Bashkir ASSR. The general indices of the execution of the Budget shall be published for the information of the public.

VIII. JUSTICE, ARBITRATION, AND PROCURATOR'S SUPERVISION

Chapter 15 Courts and Arbitration

Article 140. In the Bashkir ASSR justice is administered only by the courts.

The courts of the Bashkir ASSR are the Supreme Court of the Bashkir ASSR and the district (city) people's courts.

The organisation and procedure of the courts of the Bashkir ASSR are defined in the laws of the USSR and RSFSR and in the present Constitution.

Article 141. All courts in the Bashkir ASSR shall be formed on the principle of the electiveness of judges and people's assessors.

People's judges of district (city) people's courts shall be elected for a term of five years by the citizens of the district (city) on the basis of universal, equal and direct suf-

frage by secret ballot. People's assessors of district (city) people's courts shall be elected for a term of two and a half years at meetings of citizens at their places of work or residence by a show of hands.

Judges and people's assessors are responsible and accountable to their electors or the bodies that elected them, shall report to them, and may be recalled by them in the manner prescribed by law.

Article 142. The Supreme Court of the Bashkir ASSR is the highest judicial body in the Bashkir ASSR and supervises the administration of justice by the district (city) people's courts of the Republic.

The Supreme Court of the Bashkir ASSR shall be elected by the Supreme Soviet of the Bashkir ASSR for a term of five years and shall consist of a Chairman, Vice-Chairmen, members, and people's assessors.

Article 143. The hearing of civil and criminal cases in all courts is collegial; in courts of first instance cases are heard with the participation of people's assessors. In the administration of justice people's assessors have all the rights of a judge.

Article 144. Judges and people's assessors are independent and subject only to the law.

Article 145. Justice is administered in the Bashkir ASSR on the principle of the equality of citizens before the law and the court.

Article 146. Proceedings in all courts shall be open to the public. Hearings *in camera* are only allowed in cases provided for by law, with observance of all the rules of judicial procedure.

Article 147. A defendant in a criminal action is guaranteed the right to legal assistance.

Article 148. Judicial proceedings in the Bashkir ASSR shall be conducted in the Bashkir or Russian language, or in the language spoken by the majority of the people in the locality. Persons participating in court proceedings, who

do not know the language in which they are being conducted, shall be ensured the right to become fully acquainted with the materials in the case; the services of an interpreter during the proceedings; and the right to address the court in their own language.

Article 149. No one may be adjudged guilty of a crime and subjected to punishment as a criminal except by the sentence of a court and in conformity with the law.

Article 150. Colleges of advocates are available to give legal assistance to citizens and organisations. In cases provided for by legislation citizens shall be given legal assistance free of charge.

The organisation and procedure of the bar are determined by legislation of the USSR and RSFSR.

Article 151. Representatives of public organisations and work collectives may take part in civil and criminal proceedings.

Article 152. Economic disputes between enterprises, institutions, and organisations are settled by state arbitration bodies within the limits of their jurisdiction.

Chapter 16 **The Procurator's Office**

Article 153. Supreme power of supervision over the strict and uniform observance of laws by all ministries, state committees and departments, enterprises, institutions and organisations, executive-administrative bodies of local Soviets of People's Deputies, collective farms, co-operatives and other public organisations, officials and citizens on the territory of the Bashkir ASSR is vested in the Procurator-General of the USSR, the Procurator of the RSFSR and the Procurator of the Bashkir ASSR, who are subordinate to him, and lower-ranking procurators.

Article 154. The Procurator of the Bashkir ASSR is appointed by the Procurator-General of the USSR.

District and city procurators are appointed by the Procurator of the RSFSR, subject to confirmation by the Procurator-General of the USSR.

Article 155. The term of office of the Procurator of the Bashkir ASSR and all lower-ranking procurators shall be five years.

Article 156. The agencies of the Procurator's Office exercise their powers independently of any local bodies whatsoever, and are subordinate solely to the Procurator-General of the USSR.

IX. THE EMBLEM, FLAG, AND CAPITAL OF THE BASHKIR ASSR

Article 157. The State Emblem of the Bashkir Autonomous Soviet Socialist Republic is the State Emblem of the RSFSR, which is a hammer and sickle depicted on a red background in the rays of the sun and framed by ears of wheat, with the inscription "RSFSR" and "Workers of All Countries, Unite!" in Russian and Bashkir languages, with the addition in smaller letters under the inscription "RSFSR" of "Bashkir ASSR" in Russian and Bashkir languages. At the top of the Emblem is a five-pointed star.

Article 158. The State Flag of the Bashkir Autonomous Soviet Socialist Republic is the State Flag of the RSFSR, which is a rectangle of red cloth with light-blue stripe next to the staff, which runs the full width of the flag and constitutes one-eighth of its length. In the upper lefthand corner of the red cloth a hammer and sickle are depicted in gold with a five-pointed red star edged in gold above them, and below them in gold letters the inscription "Bashkir ASSR" in Russian and Bashkir languages. The ratio of the flag's width to its length is 1 : 2.

Article 159. The Capital of the Bashkir Autonomous Soviet Socialist Republic is the city of Ufa.

**X. THE LEGAL FORCE
OF THE CONSTITUTION OF THE BASHKIR ASSR
AND PROCEDURE FOR AMENDING
THE CONSTITUTION**

Article 160. All laws and other acts of state bodies of the Bashkir ASSR shall be promulgated on the basis of and in conformity with the Constitution of the Bashkir ASSR.

Article 161. The Constitution of the Bashkir ASSR may be amended by a decision of the Supreme Soviet of the Bashkir ASSR adopted by a majority of not less than two-thirds of the total number of Deputies of the Supreme Soviet of the Bashkir ASSR.

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STANDING ORDERS OF THE SUPREME SOVIET OF THE UNION OF SOVIET SOCIALIST REPUBLICS

(of April 19, 1979)

Chapter 1

GENERAL PROVISIONS

Article 1. In accordance with the Constitution of the USSR, the Supreme Soviet of the USSR shall be the highest organ of state authority of the USSR, empowered to take decisions on all the matters referred by the Constitution of the USSR to the competence of the USSR. The Supreme Soviet of the USSR shall consist of two chambers with equal rights: the Soviet of the Union and the Soviet of Nationalities.

The procedure governing the activity of the Supreme Soviet of the USSR and its organs shall be determined by the present Standing Orders and other laws of the USSR issued on the basis of the Constitution of the USSR.

Article 2. The activity of the Supreme Soviet of the USSR shall be based on a collective, free and businesslike discussion and decision of matters, publicity, regular accounting to the Supreme Soviet of the USSR by the organs it sets up, broad involvement of citizens in the administration of state and social affairs, and constant consideration of public opinion.

The constant and effective character of the activity of the Supreme Soviet of the USSR shall be ensured by the work of its sessions, of the Presidium of the Supreme Soviet of the USSR, of the commissions of the Supreme Soviet of the USSR and its chambers, and of the Deputies.

Article 3. The exercise by the Supreme Soviet of the USSR of its powers shall be based on active participation

in its work by each Deputy of the Supreme Soviet of the USSR. Deputies shall exercise their powers without discontinuing their production or office activity.

Deputies of the Supreme Soviet of the USSR shall be assured of conditions for the unimpeded and effective exercise of their rights and duties, as established by the Constitution of the USSR, by the Law on the Status of People's Deputies, and by other legislative acts of the USSR.

Chapter 2

SESSIONS OF THE SUPREME SOVIET OF THE USSR

Article 4. Sessions of the Supreme Soviet of the USSR shall be convened by the Presidium of the Supreme Soviet of the USSR twice a year.

Extraordinary sessions shall be convened by the Presidium of the Supreme Soviet of the USSR, on its own initiative, and also on the proposal of a Union Republic, or of at least one-third of the Deputies of either chamber. The proposal for the convocation of an extraordinary session shall be submitted to the Presidium of the Supreme Soviet of the USSR with an indication of the matters being brought in for its consideration.

A newly elected Supreme Soviet of the USSR shall be convened by the Presidium of the Supreme Soviet of the USSR of the earlier composition not later than within two months after the elections.

Article 5. The Presidium of the Supreme Soviet of the USSR shall duly inform the Deputies of the time of the convocation and the venue of the session of the Supreme Soviet of the USSR, and also of the matters being brought in for its consideration.

The Decree of the Presidium of the Supreme Soviet of the USSR on the convocation of a session of the Supreme Soviet of the USSR shall, as a rule, be made public not later than thirty days before its opening.

By a decision of the Presidium of the Supreme Soviet of the USSR, an announcement on matters which are to be brought in for consideration by the Supreme Soviet of the USSR may be made public for general knowledge.

An announcement of the venue and time of the sittings of the Soviet of the Union and the Soviet of Nationalities, and also of the time and place of registration of the Deputies arriving for the session shall be published in the newspaper *Izvestia Sovetov narodnykh deputatov SSSR* and other newspapers, and broadcast on television and radio. In the event a Deputy is unable to arrive for a session, he shall communicate this to the Presidium of the Supreme Soviet of the USSR.

Article 6. Sessions of the Supreme Soviet of the USSR shall consist of separate and joint sittings of the chambers, and also of the sittings of the standing commissions of the chambers or commissions of the Supreme Soviet of the USSR held in the period between sittings. Sessions shall be opened and closed at separate or joint sittings of the chambers.

The first session of the Supreme Soviet of the USSR of the new convocation shall open at separate sittings of the chambers.

Article 7. A Council of Elders shall be called in each of the chambers for a preliminary discussion of the agenda of the session, the procedures governing its work and other matters connected with the organisation of the holding of the session of the Supreme Soviet of the USSR.

The Council of Elders of the Soviet of the Union shall consist of representatives of groups of Deputies elected by the constituencies formed on the territory of the Republics, territories and regions: each group consisting of up to 10 Deputies shall delegate one representative to the Council of Elders, each group of over 10 Deputies—two representatives, and of over 20 Deputies—three representatives. Where there is one constituency for elections to the Soviet of the Union on the territory of a Republic, territory or region, the Deputy elected from that constituency shall be delegated to the Council of Elders of the Soviet of the Union.

The Council of Elders of the Soviet of Nationalities shall consist of representatives of groups of delegates: six representatives from the Deputies elected from each Union Republic, two—from the Deputies of each Autonomous Republic, and one—from the Deputies of each autonomous region, and also from the Deputies of autonomous areas.

The first sitting of the Councils of Elders of the chambers of the newly elected Supreme Soviet of the USSR shall be convened and conducted by the Presidium of the Supreme Soviet of the USSR, and subsequent sittings—by the Chairmen of the chambers.

Article 8. Each chamber of the Supreme Soviet of the USSR shall elect a Chairman of the chamber and four Vice-Chairmen. The election of the Chairmen of the chambers and the Vice-Chairmen shall be carried out at the first session of the newly elected Supreme Soviet of the USSR at separate sittings of the chambers.

The Chairmen of the Soviet of the Union and the Soviet of Nationalities shall direct the sittings of the respective chambers and shall have charge of their routine and internal order. Joint sittings of the chambers of the Supreme Soviet of the USSR shall be alternately conducted by the Chairmen of the Soviet of the Union and the Soviet of Nationalities.

At the first session of the newly elected Supreme Soviet of the USSR, the first sitting in each of the chambers shall be opened, on behalf of the Council of Elders, by one of the oldest Deputies, who shall conduct the sitting until the election of the Chairman of the chamber.

The Vice-Chairmen of the chambers shall, at the request of the Chairman of their chamber, preside at the sittings of the chamber, and shall, in the absence of the Chairman, exercise his functions by rota.

Article 9. The Soviet of the Union and the Soviet of Nationalities shall, at the instance of the credentials commissions they elect, take a decision on the recognition of the powers of the Deputies, and in the event of a breach of the legislation on elections, a decision declaring the election of individual Deputies null and void.

Article 10. Separate and joint sittings of the Soviet of the Union and the Soviet of Nationalities shall be held, provided a majority of the total number of Deputies of the corresponding chambers is present. A registration of Deputies who have arrived for the sitting shall be made before each sitting.

Article 11. Deputies of the Supreme Soviet of the USSR shall have the right of casting vote on all matters being considered at separate and joint sittings of the chambers. Deputies of either chamber may participate in the sittings of the other chamber with the right of voice.

Deputies of the Supreme Soviet of the USSR shall have the right to elect and be elected to the organs of the Supreme Soviet of the USSR and its chambers, to take part in debates, to motion proposals, remarks and corrections verbally or in writing, on the substance of the matters being discussed at the session, to make proposals on the personal composition of the organs being set up by the Supreme Soviet of the USSR and its chambers and on the candidatures of the officials elected or appointed by the Supreme Soviet of the USSR or the chamber, to make inquiries, ask questions, and provide information, and shall also enjoy other rights in accordance with the Constitution of the USSR, the present Standing Orders and other laws of the USSR.

Article 12. The Soviet of the Union and the Soviet of Nationalities shall, unless they decide otherwise, conduct one sitting in the course of a day: the morning sitting—from 10.00 to 14.00 hours or an afternoon sitting—from 15.00 to 19.00 hours. The time for the holding of joint sittings of the Soviet of the Union and the Soviet of Nationalities shall be determined by the chambers in accordance with an agreed proposal by their Chairmen.

Article 13. The agenda of the session of the Supreme Soviet of the USSR and the order of proceedings at the session shall be discussed at the first separate or joint sittings of the chambers and shall be approved by the Deputies taking a separate vote in each of the chambers.

Deputies of the Supreme Soviet of the USSR shall have the right to propose questions for consideration at the session, and to bring in proposals on the agenda and on the order of proceedings at the session. The proposals brought in by Deputies in one of the chambers and supported by it shall, unless they fall within the exclusive competence of the given chamber, also be forwarded by the Chairman to the other chamber.

Article 14. The time allowed for reports, co-reports and summing-up speeches shall be established by the Chairmen of the chambers by agreement with the reporters and co-reporters.

Requests to speak in the debate shall be filed with the Chairman of the given chamber. Up to 15 minutes shall be allowed for first speeches in the debate, and up to 5 minutes, for second speeches. Up to 5 minutes shall be allowed for statements on a point of order, in substantiation of a vote, and for information.

The chairman may, whenever necessary and with the consent of the Deputies, allow a speaker more time.

Article 15. Debates shall be closed by a decision of the chamber. Before the closure of a debate, the chairman shall inform the Deputies of the number of listed speakers and of those who have spoken.

After the closure of a debate, the reporters and co-reporters shall have the right to make a summing-up speech.

Article 16. The sittings of the chambers of the Supreme Soviet of the USSR shall be public.

Representatives of state organs, public organisations, work collectives, the press, television, and radio, and also other persons shall be invited to the sittings.

Sittings may be held *in camera* by a decision of the chambers.

Chapter 3

THE PRESIDUM OF THE SUPREME SOVIET OF THE USSR

Article 17. In conformity with the Constitution of the USSR, the Presidium of the Supreme Soviet of the USSR shall be a standing organ of the Supreme Soviet of the USSR, accountable to it in all its activity and exercising, within the limits established by the Constitution, the functions of the supreme organ of state power of the USSR in the period between its sessions.

Article 18. The Presidium of the Supreme Soviet of the USSR shall be elected from among the Deputies at the first session of the newly elected Supreme Soviet of the USSR at a

joint sitting of the Soviet of the Union and the Soviet of Nationalities through a joint vote by the Deputies of both chambers.

In the election of the Presidium of the Supreme Soviet of the USSR, a vote shall first be held on the candidature of the Chairman of the Presidium of the Supreme Soviet of the USSR, and then on the candidature of the First Vice-Chairman of the Supreme Soviet of the USSR; after this, voting shall be held on the candidatures of the Vice-Chairmen, the Secretary of the Presidium, and the members of the Presidium of the Supreme Soviet of the USSR, on each candidature or in another procedure by decision of the Supreme Soviet of the USSR.

Article 19. Sitzings of the Presidium of the Supreme Soviet of the USSR shall be called and conducted by the Chairman of the Presidium of the Supreme Soviet of the USSR.

At the request of the Chairman of the Presidium of the Supreme Soviet of the USSR, sittings of the Presidium may be conducted by the First Vice-Chairman of the Presidium of the Supreme Soviet of the USSR or by a Vice-Chairman of the Presidium of the Supreme Soviet of the USSR.

The Chairman of the Council of Ministers of the USSR, the Chairmen of the Soviet of the Union and the Soviet of Nationalities, the Chairmen of the commissions of the Supreme Soviet of the USSR and its chambers, the Chairman of the Committee of People's Control of the USSR, the Chairman of the Supreme Court of the USSR, the Procurator-General of the USSR and, at the invitation of the Presidium of the Supreme Soviet of the USSR, representatives of other state organs and public organisations may take part in the sittings of the Presidium of the Supreme Soviet of the USSR with the right of voice.

Persons who are members of the Presidium of the Supreme Soviet of the USSR, and also other persons taking part in its sittings, shall be informed in due time of the matters which are to be considered at the sitting, and shall be provided with the necessary material.

Article 20. The consideration by the Presidium of the Supreme Soviet of the USSR of matters connected with the introduction of amendments in the legislative acts of the

USSR in force, with the formation and abolition of ministries of the USSR and state committees of the USSR, with the interpretation of laws of the USSR, with the award of orders and medals of the USSR and the conferment of honorary titles of the USSR, with amnesty and pardon, with citizenship of the USSR, and with the exercise of other powers of the Presidium shall be carried out in the order determined by the Presidium of the Supreme Soviet of the USSR in conformity with the Constitution of the USSR, the present Standing Orders and other laws of the USSR.

Decisions of the Presidium of the Supreme Soviet of the USSR shall be taken by a majority of all the members of the Presidium of the Supreme Soviet of the USSR.

Article 21. For the purpose of drafting proposals on the matters under consideration, the Presidium of the Supreme Soviet of the USSR shall, whenever necessary, form standing and *ad hoc* commissions from among its members, from among the Deputies of the Supreme Soviet of the USSR, and also representatives of state organs, public organisations, work collectives and scientific institutions.

Article 22. The Presidium of the Supreme Soviet of the USSR shall bring in, for approval by the Supreme Soviet of the USSR at its regular session, the decrees which have been adopted in the period between the sessions of the Supreme Soviet of the USSR and, in conformity with the Constitution of the USSR, are subject to presentation for approval by the Supreme Soviet of the USSR.

Article 23. The Presidium of the Supreme Soviet of the USSR shall, in connection with the convocation and holding of sessions of the Supreme Soviet of the USSR:

- 1) ensure the preparation, for consideration by the Supreme Soviet of the USSR, of bills and other matters brought in to the Supreme Soviet of the USSR in the period between sessions, and organise the planning of the work for the drafting of bills;

- 2) make a preliminary examination of the proposals for the agenda and the order of proceedings of the session of the Supreme Soviet of the USSR;

- 3) make available to the Deputies of the Supreme Soviet

of the USSR the bills, draft resolutions and other necessary material on the matters to be considered at the session of the Supreme Soviet of the USSR;

4) ensure the publication of laws and other acts adopted by the Supreme Soviet of the USSR;

5) decide any other matters connected with the convocation and holding of sessions of the Supreme Soviet of the USSR.

Article 24. The Presidium of the Supreme Soviet of the USSR shall, in coordinating the activity of the standing commissions of the chambers of the Supreme Soviet of the USSR:

1) whenever necessary, transmit to the standing commissions of the chambers for preliminary or additional consideration bills and other acts of the Supreme Soviet of the USSR or the Presidium of the Supreme Soviet of the USSR, and also other matters, and hear reports of the standing commissions on the findings and proposals they have prepared;

2) take the necessary measures for organising the joint work of standing commissions in the preparation or consideration of matters falling within the ambit of several standing commissions;

3) give assignments and recommendations to the standing commissions of the chambers on the drafting of bills, on matters relating to the exercise of control over the activity of state organs and organisations, and on the preparation of other matters;

4) consider the proposals brought in by the standing commissions to the Presidium of the Supreme Soviet of the USSR;

5) hear reports from state and public organs, establishments and organisations on the results of the consideration of the recommendations of the standing commissions and the measures adopted on them;

6) give assistance to the standing commissions in the organisation of their work.

Article 25. The Presidium of the Supreme Soviet of the USSR shall, for the purpose of helping the Deputies of the Supreme Soviet of the USSR in the effective exercise of their powers:

1) examine information submitted by Deputies on their reports to their electors, to collectives and public organisations which nominated them as candidates for Deputies, and also proposals, statements and communications by Deputies on matters relating to their activity as Deputies, and take the necessary measures on them;

2) give assignments to Deputies on the verification of the work of state organs, enterprises, establishments and organisations on matters relating to the competence of the Supreme Soviet of the USSR and the Presidium of the Supreme Soviet of the USSR;

3) exercise control over the consideration and realisation by state and public organs, and officials of the proposals and remarks made by Deputies at sessions of the Supreme Soviet of the USSR, and over the fulfilment of the mandates presented by electors to Deputies on matters relating to the competence of the organs of the USSR;

4) provide the Deputies with the official publications of the Supreme Soviet of the USSR, and with the necessary reference and other material, and inform the Deputies on the realisation of the electors' mandates, and on the measures taken in accordance with the remarks and proposals made by Deputies at sessions of the Supreme Soviet of the USSR;

5) give the Deputies the necessary assistance and promote an exchange of experience in their work in the constituencies.

Chapter 4

THE COMMISSIONS OF THE SUPREME SOVIET OF THE USSR AND THE COMMISSIONS OF ITS CHAMBERS

Article 26. In conformity with the Constitution of the USSR, the Soviet of the Union and the Soviet of Nationalities shall elect, from among the Deputies, standing commissions for a preliminary consideration and preparation of matters relating to the competence of the Supreme Soviet of the USSR, and also for promoting the translation into life of the laws of the USSR and other decisions of the Supreme Soviet of the USSR and its Presidium, and for controlling the activity of state organs and organisations,

The chambers of the Supreme Soviet of the USSR may also set up joint commissions on a parity basis.

The Supreme Soviet of the USSR shall, whenever it deems necessary, set up commissions of inquiry and audit, and other commissions on any matter whatsoever.

Article 27. At the first session of a newly elected Supreme Soviet of the USSR, each chamber shall form a Credentials Commission, a Commission of Legislative Proposals, a Commission on Foreign Affairs, a Budget Planning Commission, and also standing commissions on other aspects of state, economic and socio-cultural development. The standing commissions of the chambers shall be elected for the term of the Supreme Soviet of the USSR, and shall consist of a Chairman and members of the commission. The numerical composition of the standing commissions shall be determined by the chambers.

The Chairmen of the chambers, the Vice-Chairmen, and also Deputies who are members of the Presidium of the Supreme Soviet of the USSR, the Council of Ministers of the USSR, the Committee of People's Control of the USSR, the Supreme Court of the USSR, and the Procurator-General of the USSR may not be elected as members of standing commissions.

In the election of the standing commissions of the chambers, the voting shall be held on the commission as a whole, or on each candidature, or in any other procedure by decision of the chamber.

During the term of the Supreme Soviet of the USSR, the chambers may form new standing commissions and make changes in the composition of the commissions.

Article 28. Decisions on the establishment of joint commissions of the chambers on a parity basis and on their personal composition shall be taken in separate votes by the Deputies of the Soviet of the Union and the Soviet of Nationalities.

Article 29. The standing commissions of the Soviet of the Union and the Soviet of Nationalities shall be responsible to the chamber which has elected them and shall be accountable to it.

The activity of the standing commissions of the chambers of the Supreme Soviet of the USSR shall be coordinated by the Presidium of the Supreme Soviet of the USSR.

The Chairman of the Soviet of the Union and the Chairman of the Soviet of Nationalities, being in charge of the routine and internal order of the chamber, shall help in organising the work of the standing commissions of the corresponding chamber.

Article 30. The order of proceedings of the standing commissions of the chambers shall be determined, in conformity with the Constitution of the USSR, by the present Standing Orders, the Statute on the Standing Commissions of the Soviet of the Union and the Soviet of Nationalities of the Supreme Soviet of the USSR, and other laws of the USSR.

The order of proceedings of the commissions of inquiry, audit, and other commissions of the Supreme Soviet of the USSR shall be determined by the Supreme Soviet of the USSR as these are being set up.

Chapter 5

FORMATION

OF THE COUNCIL OF MINISTERS OF THE USSR,

THE GOVERNMENT OF THE USSR

Article 31. The formation of the Council of Ministers of the USSR—the Government of the USSR—shall be considered by the Supreme Soviet of the USSR at joint sittings of the Soviet of the Union and the Soviet of Nationalities.

Article 32. In conformity with the Constitution of the USSR, the Council of Ministers of the USSR shall resign its powers to the newly elected Supreme Soviet of the USSR at its first session.

The Supreme Soviet of the USSR, having considered the statement of the Council of Ministers of the USSR on the resignation of its powers, shall appoint the Chairman of a Council of Ministers of the USSR, and shall authorise him to lay before the Supreme Soviet of the USSR a proposal on the personal composition of the Council of Ministers of the USSR. Simultaneously, the Supreme Soviet of the USSR

shall decide the matter of the Council of Ministers of the USSR continuing to fulfil its duties, pending the formation of a new Council of Ministers of the USSR by the Supreme Soviet of the USSR.

Article 33. The Supreme Soviet of the USSR shall consider the proposal of the Chairman of the Council of Ministers of the USSR on the personal composition of the Council of Ministers of the USSR.

The Deputies of the Soviet of the Union and the Soviet of Nationalities shall vote together on the candidatures for the Council of Ministers of the USSR—for each candidature or for all the candidatures simultaneously, or in any other procedure by decision of the Supreme Soviet of the USSR.

The Supreme Soviet of the USSR shall adopt a decision on the formation of the Council of Ministers of the USSR.

In between sessions of the Supreme Soviet of the USSR, the Presidium of the Supreme Soviet of the USSR shall issue decrees on relieving members of the Council of Ministers of the USSR of their posts, and on the appointment of other persons to such posts.

Chapter 6

FORMATION

OF THE COMMITTEE OF PEOPLE'S CONTROL OF THE USSR, ELECTION OF THE SUPREME COURT OF THE USSR, AND APPOINTMENT OF THE PROCURATOR-GENERAL OF THE USSR

Article 34. Matters relating to the formation of the Committee of People's Control of the USSR, the election of the Supreme Court of the USSR and the appointment of the Procurator-General of the USSR shall be considered at the first session of the newly elected Supreme Soviet of the USSR at joint sittings of the Soviet of the Union and the Soviet of Nationalities.

Article 35. The Committee of People's Control of the USSR shall consist of a Chairman, a First Vice-Chairman, Vice-Chairmen, and members.

The Deputies of the Soviet of the Union and the Soviet of Nationalities shall vote together on the candidatures for the Committee of People's Control of the USSR—on each candidature or on all the candidatures simultaneously, or in any other procedure by decision of the Supreme Soviet of the USSR.

Article 36. The Supreme Court of the USSR shall consist of a Chairman, Vice-Chairmen, members, and people's assessors.

The Deputies of the Soviet of the Union and the Soviet of Nationalities shall vote together on the candidatures for the Supreme Court of the USSR—on each candidature or on all the candidatures simultaneously, or in any other procedure by decision of the Supreme Soviet of the USSR.

The Deputies of the Soviet of the Union and the Soviet of Nationalities shall vote together on the candidature for the Procurator-General of the USSR.

Article 37. The Supreme Soviet of the USSR shall adopt decisions on matters relating to the formation of the Committee of People's Control of the USSR, the election of the Supreme Court of the USSR, and the appointment of the Procurator-General of the USSR.

Chapter 7

CONSIDERATION OF BILLS OF THE USSR AND OTHER MATTERS

Article 38. Bills of the USSR and other matters relating to state, economic and socio-cultural development shall be brought in for consideration by the Supreme Soviet of the USSR by organs, organisations and persons enjoying the right of legislative initiative in conformity with the Constitution of the USSR.

Article 39. Bills, draft resolutions and other draft acts brought in for consideration by the Supreme Soviet of the USSR shall be presented together with the necessary grounds to the Presidium of the Supreme Soviet of the USSR, and may, during sessions, also be presented to the Chairmen of the Soviet of the Union and the Soviet of Nationalities. In the event a draft is presented to one of the

chambers, its Chairman shall forward the text of the draft to the other chamber as well.

Article 40. The Supreme Soviet of the USSR, each of its chambers and, in the period between sessions, the Presidium of the Supreme Soviet of the USSR may refer a bill or any other matter brought before the Supreme Soviet of the USSR to one or more commissions for preliminary or additional consideration.

The commissions shall submit their findings on the bill or other matters to the Supreme Soviet of the USSR, the corresponding chamber, or the Presidium of the Supreme Soviet of the USSR.

The Supreme Soviet of the USSR and, in the period between sessions, the Presidium of the Supreme Soviet of the USSR, may request the opinion of the Council of Ministers of the USSR, and of the relevant state and public organs and organisations of the USSR and the Union Republics on bills or other matters.

Article 41. Bills and other most important matters of state may, by decision of the Supreme Soviet of the USSR or the Presidium of the Supreme Soviet of the USSR, taken on their own initiative or on the proposal of the Union Republic, be submitted for nationwide discussion. Bills and the relevant material on other matters shall, when submitted for nationwide discussion, be published in the newspaper *Izvestia Sovetov narodnykh deputatov SSSR*, in other central newspapers, in the Republican and, whenever necessary, also in the local press.

The Presidium of the Supreme Soviet of the USSR may, on its own initiative or on the proposal of standing commissions of the Soviet of the Union and the Soviet of Nationalities or organs, organisations and persons bringing in the bill, also take a decision on the publication of the bill in specialised periodicals for public discussion.

Proposals received from citizens, work collectives, establishments and organisations in the course of the discussion of bills and other matters shall be considered and summed up in the manner to be determined by the Supreme Soviet of the USSR or its Presidium, and shall be reported to the Supreme Soviet of the USSR when the bill or other matter is considered at the session.

Article 42. Bills and other matters brought in for consideration by the Supreme Soviet of the USSR shall, by decision of the Soviet of the Union and the Soviet of Nationalities, be considered at their separate or joint sittings, with the exception of cases when, in conformity with the Constitution of the USSR and the present Standing Orders, the matter must be considered at joint sittings of the chambers.

Article 43. The organ or organisation which has brought in a bill or other matter for consideration by the Supreme Soviet of the USSR shall appoint a reporter. The standing commissions of the chambers and the committees of the Supreme Soviet of the USSR may appoint co-reporters on matters being considered at the session. The names of the reporters and co-reporters shall be made known to the Presidium of the Supreme Soviet of the USSR, and during sessions, to the Chairmen of the corresponding chambers.

Article 44. The procedure for discussing bills or other matters shall be determined by the chambers. The Soviet of the Union and the Soviet of Nationalities may, depending on the nature of the bill, adopt a decision to hold first a general and then a clause-by-clause discussion of the bill. The clause-by-clause discussion shall be held after the adoption of a decision on the approval of the basic provisions of the bill, unless another proposal is adopted.

Article 45. Amendments to a bill or other act may be brought in by the Deputies either verbally or in writing. Amendments tabled in writing shall be brought to the knowledge of the Deputies by the Chairman. At the request of a Deputy, he shall be called on to speak in substantiation of the amendment he has tabled.

Amendments to bills and other draft acts shall be put to the vote. By decision of the Supreme Soviet of the USSR or of either chamber, amendments may be referred to the relevant commissions for the drafting of proposals on them. The proposals of the commissions shall be put to the vote in the chambers. At the request of a Deputy, the amendments which he has brought in and which have been subjected to preliminary consideration by the relevant commission must also be put to the vote.

Article 46. Proposals and remarks, with the exception of amendments to bills and other draft acts voiced by Deputies at a session of the Supreme Soviet of the USSR and also those contained in the findings of standing commissions, where these have not been resolved at the session, shall be referred by the Presidium of the Supreme Soviet of the USSR to the relevant state and public organs, which shall report on the results of their consideration and the measures taken to the Deputy, the standing commission and also to the Presidium of the Supreme Soviet of the USSR within the established period.

Article 47. The text of a bill or other draft act being discussed at the session, and also the commissions' findings on the draft shall be made available to the Deputies in due time. Where a draft act, which is not of a general normative nature, has not been made available to the Deputies, it shall be read out before the vote.

By decision of the chamber, a bill or other draft act may be voted on as a whole or initially clause by clause, section by section, chapter by chapter, and then as a whole.

Article 48. In conformity with the Constitution of the USSR, a law of the USSR shall be deemed adopted where a majority of the total number of Deputies of the chamber has voted for it in each of the chambers of the Supreme Soviet of the USSR. A law on the introduction of amendments into the Constitution of the USSR shall be deemed adopted where at least two-thirds of the total number of Deputies of the chamber has voted for it in each of the chambers of the Supreme Soviet of the USSR.

Decrees and other acts of the Supreme Soviet of the USSR shall be adopted by a majority of the total number of Deputies of the Supreme Soviet of the USSR.

Article 49. By decision of the Supreme Soviet of the USSR bills of the USSR and other most important matters of state may be put up for a nationwide vote (referendum). The Supreme Soviet of the USSR shall adopt a decision on the holding of the referendum.

Article 50. In conformity with the Constitution of the USSR, in the event of a disagreement between the Soviet

of the Union and the Soviet of Nationalities, the matter shall be referred for settlement to a conciliation commission formed by the chambers on a parity basis, after which the matter shall be considered for a second time at a joint sitting of the Soviet of the Union and the Soviet of Nationalities. If no agreement is reached even then, the matter shall be carried forward for discussion by the next session of the Supreme Soviet of the USSR or shall be put up by it for a nationwide vote (referendum).

Chapter 8

CONSIDERATION OF STATE PLANS FOR THE ECONOMIC AND SOCIAL DEVELOPMENT OF THE USSR, THE STATE BUDGET OF THE USSR AND ACCOUNTS OF THEIR FULFILMENT

Article 51. State plans for the economic and social development of the USSR, the Budget of the USSR and the accounts of their fulfilment, and also the relevant bills and draft resolutions shall be submitted to the Supreme Soviet of the USSR by the Council of Ministers of the USSR not later than a month before their consideration at a session of the Supreme Soviet of the USSR.

State plans for the economic and social development of the USSR, the Budget of the USSR and the accounts of their fulfilment shall be conveyed by the Presidium of the Supreme Soviet of the USSR for preliminary consideration and preparation of findings on them to the Budget Planning and other standing commissions of the chambers.

Article 52. The Supreme Soviet of the USSR shall consider state plans for the economic and social development of the USSR, the Budget of the USSR and the accounts of the fulfilment of the plans and the execution of the Budget according to reports by the Council of Ministers of the USSR, and the findings and co-reports of the Budget Planning and other standing commissions of the chambers. The material on the plan and the Budget and accounts of their fulfilment, and also the relevant findings of the standing commissions shall be made available to the Deputies in due time.

Article 53. State plans for the economic and social development of the USSR and the Budget of the USSR shall be approved by laws of the USSR.

The law on the Budget of the USSR shall be put to vote after the approval by the Supreme Soviet of the USSR of the total amount of the revenues and the total amount of the expenditures of the Budget of the USSR, unless the chambers decide otherwise.

The Supreme Soviet of the USSR shall adopt decisions on the accounts of the fulfilment of state plans for the economic and social development of the USSR and the execution of the Budget of the USSR.

Chapter 9

CONSIDERATION OF FOREIGN-POLICY MATTERS

Article 54. The Supreme Soviet of the USSR and the Presidium of the Supreme Soviet of the USSR shall effect their foreign-policy activity and international ties through:

the consideration of foreign-policy matters at sessions of the Supreme Soviet of the USSR and at sittings of the Presidium of the Supreme Soviet of the USSR according to reports and communications by the Council of Ministers of the USSR, the Commissions on Foreign Affairs of the Soviet of the Union and the Soviet of Nationalities, other state organs and public organisations on their activity in the sphere of international relations, and also by delegations of the Supreme Soviet of the USSR on their visits to foreign countries or participation in international conferences;

the conclusion of international treaties of the USSR;

the conduct of talks by the Chairman of the Presidium of the Supreme Soviet of the USSR with the heads of foreign states;

the exchange of delegations between the Supreme Soviet of the USSR and the parliaments of foreign countries, between the Presidium of the Supreme Soviet of the USSR and the corresponding organs of foreign states;

the exchange of delegations of the commissions of the Supreme Soviet of the USSR and its chambers with similar organs of the parliaments of foreign states, and also in other forms.

Article 55. The procedure governing the activity of the Presidium of the Supreme Soviet of the USSR connected with the conclusion and abrogation of international treaties of the USSR shall be determined by the Law of the USSR on the Procedure Governing the Conclusion, Execution and Abrogation of International Treaties of the USSR.

Article 56. The appointment of diplomatic representatives of the USSR to and their recall from foreign states and international organisations, and acceptance of the letters of credence and recall of diplomatic representatives of foreign states accredited to the Presidium of the Supreme Soviet of the USSR shall be effected by the Presidium of the Supreme Soviet of the USSR in the manner determined by it.

Article 57. The Supreme Soviet of the USSR or its Presidium shall determine the composition of the delegations they dispatch to foreign countries, hear their accounts and communications, and take the relevant decisions.

Article 58. The Supreme Soviet of the USSR and its Presidium shall assist the Parliamentary Group of the USSR in its activity.

Chapter 10

EXERCISE BY THE SUPREME SOVIET OF THE USSR OF ITS POWERS OF CONTROL

Article 59. The Supreme Soviet of the USSR shall, directly and through the organs it sets up, exercise control over the observance and implementation by state and public organisations of the Constitution of the USSR, the laws of the USSR and other decisions of the Supreme Soviet of the USSR, the fulfilment of the state plans for the economic and social development and the Budget of the USSR, and the activity of all the state organs accountable to the Supreme Soviet of the USSR.

Article 60. In conformity with the Constitution of the USSR, the Council of Ministers of the USSR shall regularly

give accounts of its work to the Supreme Soviet of the USSR.

In the period between sessions of the Supreme Soviet of the USSR, the Presidium of the Supreme Soviet of the USSR may hear reports from the Council of Ministers of the USSR on matters of its work.

The Supreme Soviet of the USSR and, in the period between its sessions, the Presidium of the Supreme Soviet of the USSR may also hear accounts by ministers, chairmen of the state committees of the USSR and other members of the Council of Ministers of the USSR.

Article 61. The Committee of People's Control of the USSR shall, at least once within its term, present an account of its activity to the Supreme Soviet of the USSR, and shall regularly report on it to the Presidium of the Supreme Soviet of the USSR and, in the manner established by law, to the Council of Ministers of the USSR.

Article 62. The Supreme Court of the USSR and the Procurator-General of the USSR shall, at least once within their term, present accounts of their activity to the Supreme Soviet of the USSR, and shall regularly report on it to the Presidium of the Supreme Soviet of the USSR.

Article 63. Inquiries to the Council of Ministers of the USSR, to ministers and heads of other organs formed by the Supreme Soviet of the USSR may be brought in by Deputies in writing or verbally.

An inquiry made in one of the chambers shall be brought to the knowledge of the other chamber. An inquiry made in writing shall be read out by the chairman at the sitting.

The chairman of the sitting shall, without delay, bring the inquiry to the knowledge of the Chairman of the Council of Ministers of the USSR, the minister or head of any other organ to whom the inquiry is addressed. The Council of Ministers of the USSR or the official to whom the inquiry has been addressed shall have the duty to give, not later than within three days, a verbal or written reply at the given session of the Supreme Soviet of the USSR.

The reply to an inquiry shall be heard at a joint sitting of the chambers and may be put up for discussion. The Su-

preme Soviet of the USSR shall adopt a decision on the reply to the inquiry.

Inquiries brought in by standing commissions shall be considered in the manner established by the present Article.

Article 64. The Presidium of the Supreme Soviet of the USSR shall consider matters relating to the observance of the Constitution of the USSR by state and public organisations, and officials on its own initiative, on the proposals of the Council of Ministers of the USSR, the higher organs of state power of the Union Republics, the commissions of the Supreme Soviet of the USSR and the commissions of its chambers, the Deputies of the Supreme Soviet of the USSR, the Committee of People's Control of the USSR, the Supreme Court of the USSR, the Procurator-General of the USSR, and public organisations through their All-Union organs.

In the event of a discrepancy being established between the Constitution or a law of a Union Republic and the Constitution or a law of the USSR, the Presidium of the Supreme Soviet of the USSR shall raise before the Presidium of the Supreme Soviet of the Union Republic the question of bringing the Constitution or the law of the Union Republic into conformity with the Constitution or the law of the USSR, issuing, whenever necessary, a decree on the given question.

The Presidium of the Supreme Soviet of the USSR shall issue a decree on the repeal of an ordinance or order of the Council of Ministers of the USSR or the Council of Ministers of a Union Republic where it is at variance with the law.

Article 65. The standing commissions of the chambers shall participate in the exercise of control over the implementation of the laws of the USSR and other decisions of the Supreme Soviet of the USSR and its Presidium, over the activity of state organs and organisations, and shall formulate proposals and adopt recommendations which are subject to obligatory consideration by the state and public organs, establishments and organisations concerned.

Chapter 11
**PROMULGATION OF ACTS,
PUBLICATION OF VERBATIM REPORTS
AND OTHER DOCUMENTS
OF THE SUPREME SOVIET OF THE USSR**

Article 66. Laws of the USSR, decisions and other acts of the Supreme Soviet of the USSR, and decrees and decisions of the Presidium of the Supreme Soviet of the USSR shall, not later than within seven days after their adoption, be published in the languages of the Union Republics over the signatures of the Chairman and the Secretary of the Presidium of the Supreme Soviet of the USSR.

Laws of the USSR, decisions and other acts of the Supreme Soviet of the USSR shall be published in the *Vedomosti Verkhovnogo Soveta SSSR* and in the newspaper *Izvestia Sovetov narodnykh deputatov SSSR*, and the decrees and decisions of the Presidium of the Supreme Soviet of the USSR which are of general importance, in the *Vedomosti Verkhovnogo Soveta SSSR*. Acts of the Supreme Soviet of the USSR requiring broad and immediate promulgation shall also be published in the newspaper *Izvestia Sovetov narodnykh deputatov SSSR*. Acts of the Supreme Soviet of the USSR and the Presidium of the Supreme Soviet of the USSR may also be promulgated by other mass media.

Decisions of the Soviet of the Union and decisions of the Soviet of Nationalities shall be published in the *Vedomosti Verkhovnogo Soveta SSSR* and, whenever necessary, in other publications.

Article 67. The minutes of the separate and joint sittings of the chambers of the Supreme Soviet of the USSR shall be signed, respectively, by the chairmen of the sittings.

The minutes of the Presidium of the Supreme Soviet of the USSR shall be signed by the Chairman of the Presidium of the Supreme Soviet of the USSR and the Secretary of the Presidium or by the First Vice-Chairman or Vice-Chairman of the Presidium who presided at the sitting, and the Secretary of the Presidium of the Supreme Soviet of the USSR.

The authentic text of the law, decree or other act of the Supreme Soviet of the USSR or its Presidium shall be

signed by the Chairman and the Secretary of the Presidium of the Supreme Soviet of the USSR.

Every act adopted by the Supreme Soviet of the USSR or its Presidium shall be duly numbered and entered into the State Register of the Acts of the Supreme Soviet of the USSR and the Presidium of the Supreme Soviet of the USSR.

Article 68. In the course of a session of the Supreme Soviet of the USSR, bulletins with a verbatim record of each separate and joint sitting of the chambers shall be made available to the Deputies.

Information announcements on the sittings of the Supreme Soviet of the USSR and the Presidium of the Supreme Soviet of the USSR shall be published for the knowledge of the general public.

Verbatim reports of the sessions of the Supreme Soviet of the USSR shall be published in the languages of the Union Republics.

Chapter 12

THE APPARATUS AND THE ESTIMATES OF THE SUPREME SOVIET OF THE USSR

Article 69. The servicing of the activity of the Supreme Soviet of the USSR and its Presidium, of the commissions of the Supreme Soviet of the USSR and the commissions of its chambers shall be ensured by the apparatus of the Presidium of the Supreme Soviet of the USSR. The Statute on the apparatus, its structure and staff shall be approved by the Presidium of the Supreme Soviet of the USSR.

Article 70. The estimate of the expenditures connected with the activity of the Supreme Soviet of the USSR and its organs shall be approved by the Presidium of the Supreme Soviet of the USSR.

*Vedomosti Verkhovnogo Soveta
SSSR,*

No. 17, 1979, Item 272.

**STATUTE
ON STANDING COMMISSIONS
OF THE SOVIET OF THE UNION
AND THE SOVIET OF NATIONALITIES
OF THE SUPREME SOVIET OF THE USSR**

*(of October 12, 1967, as amended on April 19,
1979)*

**I. BASIC PRINCIPLES OF THE ORGANISATION
AND ACTIVITY OF STANDING COMMISSIONS
AND PROCEDURE OF THEIR FORMATION**

Article 1. In accordance with the Constitution of the USSR the Soviet of the Union and the Soviet of Nationalities shall elect standing commissions from among the Deputies to make a preliminary consideration of matters within the jurisdiction of the Supreme Soviet of the USSR, to promote execution of the laws of the USSR and other acts of the Supreme Soviet of the USSR and its Presidium, and to check on the work of state bodies and organisations.

Article 2. The basic tasks of standing commissions of the Soviet of the Union and the Soviet of Nationalities shall be:

the drafting of proposals for consideration by the respective chamber or by the Presidium of the Supreme Soviet of the USSR;

the preparation of conclusions on matters submitted for consideration by the Supreme Soviet of the USSR and its Presidium;

the assisting of state bodies and organisations, and also Deputies of the Supreme Soviet of the USSR in their work of implementing the laws of the USSR and other decisions of the Supreme Soviet of the USSR and its Presidium;

checking on the work of ministries, state committees and departments of the USSR and other All-Union organisations, and also Republican and local state bodies and organisations to ensure observance of the Constitution of the USSR, the laws of the USSR and other decisions of the Supreme Soviet of the USSR and its Presidium.

In the performance of their tasks, standing commissions of the Soviet of the Union and the Soviet of Nationalities shall promote by their work during sessions of the Supreme Soviet of the USSR and in the period between sessions the constant and effective operation of the Supreme Soviet of the USSR as the highest body of state authority of the USSR.

Article 3. In their activity standing commissions of the Soviet of the Union and the Soviet of Nationalities shall proceed from the unity of interests of the USSR and the Union Republics, the need for a rational distribution of productive forces, for increasing the efficiency of social production and the quality of work in all sectors of the economy, and for the comprehensive, all-round development and specialisation of the economy of the Union Republics and economic regions, with due account of the specific national and other features of the Union and Autonomous Republics, autonomous regions and autonomous areas.

Article 4. Each chamber of the Supreme Soviet of the USSR shall form a Credentials Commission, a Commission of Legislative Proposals, a Commission on Foreign Affairs, a Budget Planning Commission, and also standing commissions on other matters of state, economic and socio-cultural development.

Article 5. Standing commissions shall be elected by the Soviet of the Union and the Soviet of Nationalities for the term of the Supreme Soviet of the USSR of a given convocation and shall consist of a Chairman and members. The number of members of the commission shall be determined by the chamber. Each standing commission shall elect from its members a Vice-Chairman and Secretary.

During the term of the Supreme Soviet of the USSR the chambers may form new standing commissions and alter the composition of existing ones.

The composition of standing commissions shall not include the Chairmen and Vice-Chairmen of the chambers, Deputies who are members of the Presidium of the Supreme Soviet of the USSR, the Council of Ministers of the USSR, the Committee of People's Control of the USSR and

the Supreme Court of the USSR, and the Procurator-General of the USSR.

Article 6. Standing commissions of the Soviet of the Union and the Soviet of Nationalities shall be responsible and accountable to the chamber that elects them.

The work of standing commissions of the Soviet of the Union and the Soviet of Nationalities shall be coordinated by the Presidium of the Supreme Soviet of the USSR.

In managing the internal procedure of the chamber, the Chairman of the Soviet of the Union and the Chairman of the Soviet of Nationalities shall assist the organisation of the work of the standing commissions of the respective chamber.

Article 7. Standing commissions of the Soviet of the Union and the Soviet of Nationalities shall base their work on the collective, free businesslike discussion and decision of matters, and on the openness and broad initiative of members of standing commissions.

Standing commissions of the chambers shall act in cooperation with public organisations and study and take account of public opinion.

II. THE COMPETENCE OF STANDING COMMISSIONS

Article 8. The competence, rights and duties, procedure of organisation and activity of standing commissions of the Soviet of the Union and the Soviet of Nationalities shall be defined by the Constitution of the USSR, the Standing Orders of the Supreme Soviet of the USSR, the present Statute and other laws of the USSR and, in accordance with them, by the chambers of the Supreme Soviet of the USSR.

Article 9. The Credentials Commissions of the Soviet of the Union and the Soviet of Nationalities shall:

1) check on the basis of Article 110 of the Constitution of the USSR the credentials of Deputies of the respective chamber and submit for the consideration of the chamber proposals concerning recognition of the Deputies' credentials or, in cases in which the election law has been violated, declaration of the election of individual Deputies as null and void.

2) draft and submit to the Presidium of the Supreme Soviet of the USSR proposals concerning the holding of by-elections;

3) on the instructions of the Supreme Soviet of the USSR, the respective chamber, and the Presidium of the Supreme Soviet of the USSR, and also at its own discretion draft bills of the USSR, and other acts of the Supreme Soviet of the USSR and its Presidium and proposals on matters relating to the activity of Deputies, and prepare and submit findings on such matters referred to the commissions for preliminary or additional consideration;

4) prepare findings on matters concerning the immunity of Deputies and other guarantees of Deputies' activity or the recall of a Deputy by the electors.

Article 10. The Commissions of Legislative Proposals of the Soviet of the Union and the Soviet of Nationalities shall:

1) on the instructions of the Supreme Soviet of the USSR, the respective chamber and the Presidium of the Supreme Soviet of the USSR, or at its own discretion, draft bills of the USSR and other acts of the Supreme Soviet of the USSR and its Presidium, and prepare other matters concerning the improvement of legislation, the administration of justice, and the strengthening of socialist legality and law and order;

2) give preliminary or additional consideration to bills of the USSR and other acts of the Supreme Soviet of the USSR and its Presidium referred to commissions and prepare relevant findings;

3) at the request of other standing commissions take part in the drafting of bills of the USSR and other acts of the Supreme Soviet of the USSR and its Presidium prepared by the respective commissions:

4) prepare proposals on matters concerning the codification and systematisation of legislation of the USSR;

5) hear communications and reports of ministries, state committees and departments of the USSR, other All-Union organisations, and Republican and local state bodies and organisations on matters concerning the consolidation of socialist legality, defence of the rights and legally protected interests of citizens, and improvement of legislation.

Article 11. The Commissions on Foreign Affairs of the Soviet of the Union and the Soviet of Nationalities shall:

1) draft and give preliminary consideration to matters treated by the Supreme Soviet of the USSR and its Presidium concerning the development of political, economic, scientific, cultural and other relations of the USSR with foreign states, the United Nations Organisation and other international organisations, and also submit proposals and findings on these matters to the Supreme Soviet of the USSR, the respective chamber, or the Presidium of the Supreme Soviet of the USSR;

2) on the instructions of the Presidium of the Supreme Soviet of the USSR give preliminary consideration to international treaties of the USSR submitted for ratification or abrogation and prepare findings on these matters;

3) on the instructions of the Supreme Soviet of the USSR, the respective chamber, and the Presidium of the Supreme Soviet of the USSR, and also at its own discretion, draft bills of the USSR, declarations, statements, addresses, memoranda and other acts of the Supreme Soviet of the USSR and its Presidium and proposals on foreign-policy matters;

4) hear communications and reports from ministries, state committees and departments of the USSR and other All-Union organisations which have political, economic, scientific, cultural and other relations with foreign states, and from diplomatic representatives of the USSR in foreign states and at international organisations on matters concerning their activities;

Article 12. The Budget Planning Commissions of the Soviet of the Union and the Soviet of Nationalities shall:

1) give preliminary consideration to state plans for the economic and social development of the USSR and reports on their execution submitted by the Council of Ministers of the USSR for approval by the Supreme Soviet of the USSR;

2) give preliminary consideration to the Budget of the USSR and the report on its implementation submitted by the Council of Ministers of the USSR for approval by the Supreme Soviet of the USSR;

3) give consideration to proposals from ministries, state committees and departments of the USSR, Councils of Ministers of Union Republics, the All-Union Central Council of Trade Unions and All-Union bodies of other

public organisations concerning changes in the indices of state plans for the economic and social development of the USSR and the Budget of the USSR submitted for approval by the Supreme Soviet of the USSR;

4) together with other standing commissions of the chambers prepare findings on state plans for the economic and social development of the USSR, the Budget of the USSR and reports on the implementation of the plans and Budget, and submit these findings to the Supreme Soviet of the USSR, the respective chamber, and the Presidium of the Supreme Soviet of the USSR;

5) on the instructions of the Supreme Soviet of the USSR, the respective chamber, and the Presidium of the Supreme Soviet of the USSR, and at its own discretion, draft bills of the USSR, and other acts of the Supreme Soviet of the USSR and its Presidium and proposals on matters of planning economic and social development, and budgetary and financial matters, and prepare and submit findings on such matters referred to the commissions for preliminary or additional consideration;

6) hear communications and reports from ministries, state committees and departments of the USSR and Councils of Ministers of Union Republics on matters relating to the execution of the state plan for the economic and social development of the USSR and the implementation of the Budget of the USSR, reports from the All-Union Central Council of Trade Unions on the revenue and expenditure of the state social insurance budget, and reports from state bodies and organisations on matters concerning planning, financing and crediting, and other aspects of economic and social development.

Article 13. Standing commissions of the Soviet of the Union and the Soviet of Nationalities on other matters of state, economic and socio-cultural development shall:

1) give preliminary consideration and preparation to matters concerning the condition and development of the relevant spheres of state, economic and socio-cultural development within their jurisdiction and draft proposals on these matters;

2) on the instructions of the Supreme Soviet of the USSR, the respective chamber, and the Presidium of the Supreme Soviet of the USSR, or at its own discretion, draft

bills of the USSR and other acts of the Supreme Soviet of the USSR and its Presidium on matters within their jurisdiction, and also prepare findings on matters submitted to the commissions for preliminary or additional consideration;

3) give preliminary consideration to the relevant sections and indices of state plans for the economic and social development of the USSR, the Budget of the USSR, and reports on the implementation of the plans and Budget;

4) consider proposals submitted to them by ministries, state committees and departments of the USSR, Councils of Ministers of Union Republics, and All-Union bodies of public organisations concerning changes in the respective indices of state plans for the economic and social development of the USSR and the Budget of the USSR submitted for approval by the Supreme Soviet of the USSR;

5) together with the Budget Planning Commissions of the chambers prepare conclusions on state plans for the economic and social development of the USSR, the Budget of the USSR, and reports on the implementation of the plans and Budget, and submit these findings to the Supreme Soviet of the USSR, the respective chamber and the Presidium of the Supreme Soviet of the USSR;

6) hear communications and reports from the respective ministries, state committees and departments of the USSR, other All-Union organisations, and Republican and local state bodies and organisations on matters within the commissions' jurisdiction.

Article 14. Whenever necessary, the standing commissions of one chamber of the Supreme Soviet of the USSR shall coordinate their work with the corresponding commissions of the other chamber and unite their efforts in performing the tasks entrusted to them.

Article 15. Matters which come within the jurisdiction of several standing commissions of one or both chambers may, at the discretion of the commissions, and also on the instructions of the chambers of the Presidium of the Supreme Soviet of the USSR, be prepared and considered by the commissions jointly.

A standing commission may request the opinion of other standing commissions on matters under its consideration.

Article 16. If a standing commission takes the view that a matter submitted for its consideration also comes within the jurisdiction of another standing commission, or finds it necessary to express its opinion on a matter under consideration by another commission, it shall have the right to submit a proposal thereon to the chamber or the Presidium of the Supreme Soviet of the USSR.

At the request of other standing commissions, a standing commission may take part in the preparation of matters under consideration by these commissions with respect to matters within its jurisdiction.

III. RIGHTS AND DUTIES OF STANDING COMMISSIONS

Article 17. In the consideration of matters within their jurisdiction standing commissions of the Soviet of the Union and the Soviet of Nationalities shall have equal rights and equal duties.

Article 18. Standing commissions of the Soviet of the Union and the Soviet of Nationalities shall have equal rights in respect of initiating legislation.

Article 19. Standing commissions of the Soviet of the Union and the Soviet of Nationalities may present reports and co-reports on matters within their jurisdiction at sittings of the Soviet of the Union and the Soviet of Nationalities or at joint sittings of the chambers.

Standing commissions shall appoint their own rapporteurs or co-rapporteurs on matters submitted by them to the Supreme Soviet of the USSR or on matters submitted to commissions for preliminary or additional consideration.

On matters prepared by standing commissions jointly, commissions may present joint reports or co-reports or submit their comments and proposals separately.

Article 20. Standing commissions of the Soviet of the Union and the Soviet of Nationalities shall have the right to submit to the respective chamber or the Presidium of the Supreme Soviet of the USSR proposals concerning the submission of bills of the USSR and other very important

matters of state for nationwide discussion, and also concerning the publication of bills or other proposals for public discussion.

Proposals of citizens, work collectives, institutions and organisations on bills and other matters submitted during the discussion shall be considered and generalised under procedure determined by the Supreme Soviet of the USSR or its Presidium and reported to the Supreme Soviet of the USSR during consideration of the respective bill of the USSR or other matter at its session.

Article 21. On matters within their jurisdiction standing commissions of the Soviet of the Union and the Soviet of Nationalities shall have the right to hear representatives of the Council of Ministers of the USSR, Councils of Ministers of Union Republics, heads of ministries, state committees and departments of the USSR, and other All-Union, Republican and local state bodies and organisations.

At the proposal of a standing commission the representatives and heads of the above-mentioned bodies and organisations shall be obliged to attend the sitting of the commission and to submit explanations on the matters under consideration. Standing commissions shall inform the relevant bodies and organisations in good time of forthcoming consideration of the matters concerned.

Article 22. On matters within their jurisdiction standing commissions of the Soviet of the Union and the Soviet of Nationalities shall have the right to demand from state and public bodies and organisations, and officials the submission of documents, written conclusions, report data and other material.

All state and public bodies, organisations and officials shall be obliged to meet the requests of the standing commissions of the chambers and submit the requisite material and documents to them.

Article 23. Recommendations drafted by standing commissions of the Soviet of the Union and the Soviet of Nationalities on matters concerning the activities of ministries, state committees and departments of the USSR, and other All-Union, Republican and local state and public bodies and organisations shall be referred to the respective bodies

and organisations and reported to the Presidium of the Supreme Soviet of the USSR and, whenever necessary, to the Council of Ministers of the USSR or the Council of Ministers of the Union or Autonomous Republic.

The recommendations of standing commissions shall be subject to consideration by state and public bodies, institutions and organisations. The commissions shall be informed within two months or a time-limit prescribed by them of the results of this consideration or of the action taken.

Article 24. Standing commissions of the Soviet of the Union and the Soviet of Nationalities shall have the right to submit proposals to the Council of Ministers of the USSR.

Standing commissions shall have the right to address inquiries to the Council of Ministers of the USSR and the ministers and heads of other bodies formed by the Supreme Soviet of the USSR.

Article 25. Standing commissions of the Soviet of the Union and the Soviet of Nationalities shall have the right to involve in their work Deputies of the Supreme Soviet of the USSR who are not members of commissions, and also representatives of ministries, state committees, departments, other state and public bodies, organisations, and scientific institutions, and specialists and scientists.

Article 26. Members of standing commissions of the Soviet of the Union and the Soviet of Nationalities shall be obliged to take part in the work of the commissions, to promote the implementation of their decisions and to execute the commissions' assignments.

A member of a standing commission shall have the right to vote on all matters considered by the commission, and the right to propose matters for consideration by the standing commission and to take part in their preparation and discussion; to propose that the work of state bodies and organisations be checked and that their reports or information be heard at a sitting of the commission.

A member of a standing commission whose proposals have not received the support of the commission may present them in writing or verbally during discussion of the matter in question in the Supreme Soviet of the USSR, the

respective chamber or the Presidium of the Supreme Soviet of the USSR.

A member of a commission shall be ensured the conditions for active participation in the settlement of all matters considered by the commission and shall be supplied with all the requisite documents and other material for this purpose.

Article 27. Members of standing commissions of the Soviet of the Union and the Soviet of Nationalities shall, on the instructions of the commission and at their own discretion, study on a local level matters within the jurisdiction of the commission, generalise proposals from state and public bodies and organisations and citizens, and inform the commission of their conclusions and proposals.

Article 28. For the period of the sittings of the commission, and also in order to carry out the commission's assignments, members of standing commissions of the Soviet of the Union and the Soviet of Nationalities shall be released from their regular employment or duties, with retention of earnings at their permanent place of work.

IV. PROCEDURE FOR THE WORK OF STANDING COMMISSIONS

Article 29. Sittings of standing commissions of the Soviet of the Union and the Soviet of Nationalities shall be convened whenever necessary and may be held both during sessions of the Supreme Soviet of the USSR and in the period between them.

Article 30. Sittings of the standing commissions of the Soviet of the Union and the Soviet of Nationalities are legally empowered if more than half the members of the commission are present.

In the event of a member being unable to attend a sitting of the commission, he shall inform the Chairman accordingly.

Article 31. All matters in standing commissions of the Soviet of the Union and the Soviet of Nationalities shall be decided by a simple majority vote of the commission members.

In joint sittings of several standing commissions decisions are taken by a simple majority vote of the members of each commission.

Article 32. Deputies of the Supreme Soviet of the USSR who are not members of a given commission may attend sittings of standing commissions of the Soviet of the Union and the Soviet of Nationalities with voice but no vote.

Article 33. Representatives of state and public bodies and organisations, scientific institutions, specialists and scientists may be invited to attend sittings of standing commissions of the Soviet of the Union and the Soviet of Nationalities with voice but no vote.

If necessary a standing commission may decide to hold a sitting *in camera*.

Article 34. In order to prepare the matters under their consideration standing commissions of the Soviet of the Union and the Soviet of Nationalities may set up preparatory commissions and working groups elected from the Deputies of the Supreme Soviet of the USSR, representatives of the respective ministries, state committees and departments, and other state and public bodies and organisations, scientific institutions, specialists and scientists.

Standing commissions of one or both chambers may set up joint preparatory commissions and working groups.

Article 35. The Chairman of a standing commission, in guiding its work, shall:

convene sittings of the commission and organise the preparation of the necessary material for the sittings;

give assignments to commission members and send them material and documents connected with the work of the commission;

summon commission members to work on preparatory commissions and working groups, and to carry out other assignments of the commission;

invite representatives of state and public bodies and organisations, specialists and scientists to attend sittings of the commission;

preside at sittings of the commission;

represent the commission in dealings with other state and public bodies and organisations;

organise the work of implementing the commission's decisions;

inform the Presidium of the Supreme Soviet of the USSR of the matters considered by the commission, and also of the action taken to implement the commission's recommendations;

and inform commission members of the implementation of the commission's decisions and the consideration of its recommendations.

Joint sittings of commissions shall be presided over by the Chairmen of these commissions as agreed between them.

Article 36. The decisions and conclusions of a standing commission shall be signed by the Chairman. The decisions taken by standing commissions jointly and conclusions prepared jointly by them shall be signed by the Chairmen of the commissions concerned.

The minutes of sittings of a standing commission shall be signed by the Secretary. The minutes of joint sittings of standing commissions shall be signed by the Secretaries of the commissions concerned.

Article 37. Standing commissions of the Soviet of the Union and the Soviet of Nationalities shall inform the public about their work. Representatives of the press, television, radio and other mass media may be invited to sittings of standing commissions and of their preparatory commissions and working groups.

Reports on the work of commissions shall be published in the *Vedomosti Verkhovnogo Soveta SSSR* and in the newspaper *Izvestia Sovetov narodnykh deputatov SSSR*.

Article 38. The day-to-day work of standing commissions of the Soviet of the Union and the Soviet of Nationalities shall be ensured by the executive machinery of the Presidium of the Supreme Soviet of the USSR.

*Vedomosti Verkhovnogo Soveta
SSSR,*

No. 42, 1967, Item 536;
No. 17, 1979, Item 273.

LAW
OF THE UNION OF SOVIET SOCIALIST REPUBLICS
ON THE STATUS OF PEOPLE'S DEPUTIES
IN THE USSR

(of September 20, 1972, as amended on April 19, 1979)

In accordance with the Constitution of the USSR the Soviet people exercise state power through the Soviets of People's Deputies which constitute the political foundation of the USSR.

Deputies are empowered by the people to take part in the exercise by the Soviets of state power and to express the people's will and interests.

It is a high honour and great responsibility to be a People's Deputy. The people give Deputies important state and social duties and obligations. It is the duty of Deputies to devote all their strength and knowledge to the cause of building communism, to do their utmost to promote the further strengthening of the alliance of workers, peasants and the intelligentsia, the friendship of all the nations and nationalities of the USSR, the socio-political and ideological unity of Soviet society, the raising of the material and cultural level of the life of the working people, and the enhancing of the might of the socialist Motherland. Deputies are called upon to implement the electoral platform of the unbreakable bloc of Communists and non-Party people, a platform which embodies the policy of the Communist Party and the interests of the people.

In all his activity a Deputy must justify the confidence of the electors and constantly meet the demands made of him by the people.

I. GENERAL PROVISIONS

Article 1. Deputies Are the Plenipotentiary Representatives of the People in the Soviets

Deputies shall be the plenipotentiary representatives of the people in the bodies of state power—the Soviets of People's Deputies.

In accordance with the Constitution of the USSR a Deputy of the Supreme Soviet of the USSR, the Supreme Soviet of a Union Republic, the Supreme Soviet of an Autonomous Republic, the territorial or regional Soviets of People's Deputies, the Soviets of People's Deputies of autonomous regions and autonomous areas, and the Soviets of People's Deputies of districts, cities, city-districts, settlements and villages shall receive his powers as a result of his election to the Soviet on the basis of universal, equal and direct suffrage by secret ballot.

Article 2. Participation of Deputies in the Exercise by the Soviets of State Power

The exercise by the Soviet of state power shall be based on the active participation of each Deputy in the work of the Soviet.

In the Soviets, Deputies shall deal with matters relating to state, economic, and social and cultural development, organise implementation of the decisions of the Soviets, and exercise control over the work of state bodies, enterprises, institutions and organisations.

Deputies shall be guided in their activities by the interests of the state, and shall take the needs of their constituents into account and also the economic, cultural, national and other features of the Union or Autonomous Republic, the autonomous region, the autonomous area from which the Deputy was elected or on the territory of which his constituency is located.

A Deputy shall base his work on the legislation of the USSR, the Union and Autonomous Republic, and the decisions of the corresponding Soviets of People's Deputies.

Article 3. Legislation on the Powers of Deputies

The powers of Deputies of Soviets of People's Deputies in the USSR shall be defined on the basis of the Constitution of the USSR, by the present Law, and also by:

the legislation of the USSR for Deputies of the Soviet of the Union and the Soviet of Nationalities of the Supreme Soviet of the USSR;

the legislation of the USSR and Union Republics for Deputies of Supreme Soviets of Union Republics;

the legislation of the USSR and Union and Autonomous Republics for Deputies of Supreme Soviets of Autonomous Republics;

the legislation of the USSR and Union Republics, and in Autonomous Republics also by the legislation of the Autonomous Republic, for Deputies of Soviets of People's Deputies of territories, regions, autonomous regions, autonomous areas, districts, cities, city-districts, settlements and villages.

Article 4. The Term of a Deputy's Powers

A Deputy's powers shall begin on the day of his election to the Soviet of People's Deputies. A Credentials Commission, elected by the Soviet, shall check Deputies' credentials. Upon submission by the Credentials Commission, the Soviet shall decide on the validity of Deputies' credentials, and, in cases in which the election law has been violated, shall declare the election of the Deputies concerned null and void.

A Deputy's powers shall cease on the day of the election of a new Soviet.

Article 5. Combining a Deputy's Functions With Regular Employment or Duties

Deputies shall exercise their powers without discontinuing their regular employment or duties. Deputies' powers shall be exercised without payment.

A Deputy shall take an active part in production and socio-political life and be exemplary in his observance of Soviet laws, of labour discipline and of the rules of socialist community-living.

Article 6. A Deputy's Relations With Electors, His Accountability and Responsibility to Them

A Deputy shall maintain a connection with his electors, with the collectives and public organisations that nominated him and also with the enterprises, institutions and or-

ganisations, and state and public bodies located on the territory of his constituency.

A Deputy shall be responsible and accountable to his constituents.

A Deputy who has not justified the confidence of his constituents or who has performed actions unworthy of the noble calling of Deputy may be recalled at any time by decision of a majority of the electors in accordance with the procedure established by law.

Article 7. Electors' Mandates

Electors shall give mandates to their Deputies.

The appropriate Soviets of People's Deputies shall examine electors' mandates approved by meetings of electors, endorse a plan of measures for their implementation, take them into account in drafting economic and social development plans and in drawing up the budget, organise implementation of the mandates and inform citizens accordingly.

A Deputy shall take part in organising the population to implement electors' mandates and in ensuring that they are carried out by enterprises, institutions and organisations, and work to implement them.

The procedure for submitting, considering, taking into account and implementing electors' mandates shall be defined by the legislation of the USSR, and the Union and Autonomous Republics.

Article 8. A Deputy's Relationships With the Soviet and Its Bodies

As a member of a collegial representative body of state power a Deputy shall take an active part in the work of the Soviet, the standing commissions and other bodies of the Soviet to which he is elected and carry out the assignments of the Soviet and its bodies.

The Soviet may hear communications from Deputies on the fulfilment of their duties as Deputies and of the decisions and assignments of the Soviet and its bodies.

Presidium of Supreme Soviets and executive committees of Soviets shall render the Deputies of the respective Soviets the necessary assistance in their work, inform Deputies of the activity of the Soviet and its bodies, the implementation of plans for economic and social development, the implementation of electors' mandates and measures taken

in response to Deputies' criticism and proposals, and promote the study by Deputies of Soviet legislation and the work of the Soviets.

Article 9. Ensurance by the State of Conditions for the Exercise of Deputies' Powers

The Soviet state shall guarantee Deputies conditions for the unhampered and effective exercise of their rights and duties.

Persons preventing Deputies from exercising their powers or encroaching on the honour and dignity of Deputies as representatives of state power, shall be responsible in accordance with the law.

Article 10. Cessation of a Deputy's Powers Before the Expiry of Their Term

A Deputy's powers shall cease if he is recalled by the electors.

A Deputy's powers may be stopped on a decision of the Soviet taken in connection with a Deputy's personal renunciation of his powers due to circumstances preventing him from exercising them, or in connection with the coming into force of a court sentence with respect to a person who is a Deputy.

II. A DEPUTY'S WORK IN THE SOVIET

Article 11. A Deputy's Participation in Sessions of the Soviet

At sessions of the Soviet Deputies shall, on the basis of collective, free and businesslike discussion, examine and decide the most important matters within the jurisdiction of the Soviet.

A Deputy shall attend each session of the Soviet and take an active part in its work.

The Presidium of the Supreme Soviet of the USSR, the Presidium of the Supreme Soviet of the Union Republic, the Presidium of the Supreme Soviet of the Autonomous Republic, the executive committee of the Soviet shall inform the Deputy beforehand of the time and place of the session of the Soviet and of matters submitted for consideration by

the Soviet and shall provide him with the requisite material on these matters.

If he is unable to attend the session the Deputy shall inform the Presidium of the Supreme Soviet or the executive committee of the Soviet to this effect.

Article 12. A Deputy's Rights at Sessions of the Soviet

A Deputy shall have vote on all matters considered by the Soviet at its sessions and the right to elect and be elected to the Soviet's bodies.

A Deputy shall have the right to propose matters for consideration by the Soviet, to submit proposals concerning the agenda for the session, the order of consideration and the essence of the matters discussed, the membership of bodies set up by the Soviet and the nominations of officials elected, appointed or endorsed by the Soviet, to address inquiries, take part in debates, ask questions, submit draft decisions and amendments to them, present a reasoned case for his proposals and voting; and provide information.

A Deputy shall have the right to submit proposals concerning the hearing at a session of the Soviet of a report or information of any body or official accountable or subordinate to the Soviet.

A Deputy may give the chairman in writing his proposals and comments on matters discussed at a session.

Article 13. The Right of Deputies of Supreme Soviets to Initiate Legislation

A Deputy of the Supreme Soviet of the USSR, a Deputy of the Supreme Soviet of a Union Republic, and a Deputy of the Supreme Soviet of an Autonomous Republic shall have the right to initiate legislation in the Supreme Soviet to which he has been elected.

Article 14. Deputies' Inquiries

A Deputy shall have the right to address inquiries to the appropriate state bodies and officials.

A Deputy of the Supreme Soviet of the USSR, a Deputy of the Supreme Soviet of a Union Republic, and a Deputy of the Supreme Soviet of an Autonomous Republic shall have the right to address inquiries to the Council of Ministers of the USSR, the Council of Ministers of the Union

Republic and the Council of Ministers of the Autonomous Republic respectively and to the ministers and heads of other bodies formed by the Supreme Soviet of the USSR, and the Union and Autonomous Republic.

A Deputy of the Supreme Soviet of a Union Republic and a Deputy of the Supreme Soviet of an Autonomous Republic shall also have the right to address inquiries to heads of enterprises, institutions and organisations of Union jurisdiction located on the territory of the respective Republic on matters within the jurisdiction of the Republic, and a Deputy of the Supreme Soviet of an Autonomous Republic also to heads of enterprises, institutions and organisations under Republican (Union Republic) jurisdiction located on the territory of the Autonomous Republic on matters within the jurisdiction of the Autonomous Republic.

A Deputy of the Soviet of a territory, region, autonomous region, autonomous area, district, city, city-district, settlement and village shall have the right to address inquiries to the executive committee, the heads of its departments and boards, and also to the heads of enterprises, institutions and organisations located on the territory of the respective Soviet on matters within its jurisdiction.

An inquiry may be submitted by a Deputy or group of Deputies in writing or verbally. An inquiry submitted in writing shall be read out at the session of the Soviet.

The discussion by Soviets of Deputies' inquiries shall be an effective means of supervising the work of state bodies and officials.

The state body or officials to whom the inquiry is addressed shall give a written or verbal reply to it at a session of the Soviet within the time-limit and according to the procedure established by the laws of the USSR, the Union and Autonomous Republic.

Article 15. Procedure for Considering Deputies' Proposals and Comments Submitted at Sessions of the Soviet

Proposals and comments made verbally by Deputies at sessions of the Soviet or submitted in writing to the chairman of the session shall be examined by the Soviet or referred by it for consideration to the relevant state and public bodies and officials.

State and public bodies, and also officials, to whom Deputies' proposals and comments submitted at sessions of the Soviet are referred, shall within the prescribed timelimit consider these proposals and comments and inform the Deputy directly, and also the Presidium of the Supreme Soviet, the Council of Ministers and the executive committee of the Soviet respectively about the results.

Control over the consideration and implementation of Deputies' proposals and comments shall be exercised by the Presidium of the Supreme Soviet, the Council of Ministers and the executive committee of the Soviet respectively.

Article 16. Participation of Deputies in the Work of the Soviet's Bodies

A Deputy who has been elected to the Presidium of a Supreme Soviet, an executive committee, and the standing commissions and other bodies of the Soviet shall have the right to submit matters for consideration by the above-mentioned bodies and to take part in the preparation of matters for consideration, in their discussion and in the taking of decisions on them, and also in the organisation of implementing the decisions of the Soviet and its bodies and checking that they have been carried out.

Article 17. The Checking by a Deputy of the Work of State Bodies, Enterprises, Institutions and Organisations

On the instructions of the Soviet or its bodies a Deputy may check the work of state bodies, enterprises, institutions and organisations concerning matters within the jurisdiction of the Soviet and peruse the necessary documents. The Deputy shall inform the relevant state bodies, enterprises, institutions and organisations of the results of the check and, when necessary, submit proposals for improving their work, for removing the shortcomings revealed, and for calling to account officials guilty of violating state discipline and law.

A Deputy shall have the right to raise in the Soviet and its bodies the question of the need to check the work of state bodies, enterprises, institutions and organisations.

III. A DEPUTY'S ACTIVITY IN HIS CONSTITUENCY

Article 18. A Deputy's Work Among His Constituents

The work of Deputies in their constituencies shall be an essential condition of the effective functioning of the Soviet and of strengthening its link with the population.

In maintaining a constant link with his constituents, a Deputy shall inform them of the work of the Soviet, of the execution of economic and social development plans and of the Soviet's decisions and electors' mandates, take part in the organisation of the implementation of the laws and decisions of the Soviet and its bodies, study public opinion, inform the Soviet and its bodies of the needs and requirements of the population, take measures to satisfy them, and submit for consideration by the appropriate bodies and officials proposals on matters arising in connection with his activity as a Deputy.

In his work in his constituency a Deputy shall enjoy the assistance and support of the Soviet's voluntary helpers, public organisations, public initiative bodies, and work collectives.

Article 19. A Deputy's Consideration of His Constituents' Proposals, Statements and Complaints

A Deputy shall consider proposals, statements and complaints submitted to him, take measures to settle them correctly and in good time, receive citizens, study the causes giving rise to complaints, and submit his proposals to the Soviet, and other state and public bodies, enterprises, institutions and organisations.

A Deputy shall have the right to exercise control over the consideration of proposals, statements and complaints referred by him to state bodies, enterprises, institutions and organisations located on the territory of the Soviet and to take part personally in the consideration of the above-mentioned proposals, statements and complaints.

Article 20. A Deputy's Reports to His Constituents

A Deputy of the Supreme Soviet of the USSR, the Supreme Soviet of a Union Republic, and the Supreme Soviet

of an Autonomous Republic shall periodically, at least once a year, and a Deputy of the Soviet of a territory, region, autonomous region, autonomous area, district, city, city-district, settlement and village at least twice a year, report on his work and the work of the Soviet to his constituents and to the collectives and public organisations that nominated him.

A Deputy's report may be delivered at any time at the request of the collectives and public organisations that nominated him or at the request of meetings of constituents at their place of residence.

A Deputy shall inform the Soviet of the report delivered and of proposals received from constituents.

Article 21. Aid to a Deputy in the Delivering of Reports and Holding of Meetings With Constituents

A Deputy in his constituency shall be guaranteed the necessary conditions for the delivering of reports and holding of meetings with constituents. To this end the executive committee of the respective Soviet and also the management and public organisations of enterprises, institutions and organisations shall allot premises, inform constituents of the time and place of the Deputy's reports, his meetings with constituents and his reception of constituents, and also take other measures to assist the Deputy's work in his constituency.

At a Deputy's request he shall be provided with the necessary data and information for his reports and speeches by the Presidium of the Supreme Soviet or the executive committee of the Soviet of which he is a Deputy, and also by the executive committees of Soviets located on the territory of his constituency.

Article 22. A Deputy's Participation in the Work of Sessions of Lower Soviets and Meetings of Working People

On the territory of the Soviet to which he has been elected a Deputy shall have the right to attend sessions of lower Soviets with voice but no vote.

In his constituency a Deputy may attend meetings of managerial personnel, work collectives, and citizens at their place of residence.

Article 23. The Duties of State and Public Bodies and Officials With Respect to Consideration of Deputies' Inquiries

A Deputy shall have the right to address inquiries to all state and public bodies, enterprises, institutions, organisations and officials on matters concerning a Deputy's activity and to take part in consideration of the matters raised. The above-mentioned bodies and officials shall be obliged to consider his proposals and reply to them within the prescribed time-limit.

Deputies' proposals on the most important matters shall be considered by the executive committees of Soviets, collegia of ministries, state committees and departments, Councils of Ministers, and Presidium of the Supreme Soviets respectively. The Deputy shall be informed in good time of the date of consideration.

Article 24. A Deputy's Right to Be Received by Officials Without Delay

Deputies shall have the right to be received without delay by heads and other officials of state and public bodies, enterprises, institutions and organisations concerned on matters arising from their work as Deputies.

Article 25. A Deputy's Right to Demand that an Infringement of the Law Should Be Abolished

A Deputy shall be obliged to ensure observance of Soviet laws, to take an active part in the struggle against infringements of the law, in educating the working people in a spirit of high consciousness, the performance of their civic duty, and unswerving observance of socialist legality.

In the event of his discovering an infringement of the rights and law-protected interests of citizens or any other infringement of the law a Deputy as a representative of state power shall have the right to demand the cessation of these infringements, and, whenever necessary, to request the appropriate bodies and officials to put an end to such infringements.

Officials of state and public bodies, the administration of enterprises, institutions and organisations, and also militia workers to whom a Deputy addresses such a request shall be obliged to take immediate measures to put an end to the infringement and, whenever necessary, to call those responsible to account.

IV. THE BASIC GUARANTEES OF A DEPUTY'S ACTIVITY

Article 26. Assistance to a Deputy in the Exercise of His Powers

State and public bodies, enterprises, institutions and organisations and their officials shall be obliged to assist a Deputy in the exercise of his powers. In the event of officials failing to perform their duties with respect to assisting Deputies in the exercise of their powers the Soviet or its bodies may, according to the prescribed procedure, take disciplinary action against these officials or request the appropriate bodies to take disciplinary action against the persons in question up to and including dismissal from their posts.

Article 27. Release of a Deputy from His Regular Employment or Duties to Exercise His Deputy's Powers

During sessions of the Soviet, and so as to exercise their Deputy's powers in other cases stipulated by law, Deputies shall be released from their regular employment or duties, with retention of their average earnings at their permanent place of work.

Article 28. The Provision of a Deputy with the Soviet's Publications. The Provision of Legal Aid to a Deputy

The Presidium of the Supreme Soviet of the USSR, the Presidium of the Supreme Soviet of a Union Republic, the Presidium of the Supreme Soviet of an Autonomous Republic and the executive committee of a Soviet shall provide a Deputy of the respective Soviet with the official publications and information material of the Soviet.

The executive committees of Soviets, the administration of enterprises and organisations, and also legal institutions shall provide a Deputy with aid on legal matters that arise in his work as a Deputy.

Article 29. The Duty of Heads of Enterprises, Institutions and Organisations to Supply Deputies With Necessary Information

Heads of enterprises, institutions and organisations located in the constituency shall, at a Deputy's request, sup-

ply him with the reference material and other information which he requires in order to perform his work as a Deputy.

Article 30. Reimbursement to a Deputy of Expenditure Incurred During the Exercise of His Deputy's Powers

In the cases and according to the procedure established by the law a Deputy shall be reimbursed for expenditure incurred during his exercise of his Deputy's powers.

Article 31. A Deputy's Right to Free Travel

A Deputy of the Supreme Soviet of the USSR on the territory of the USSR, and a Deputy of the Supreme Soviet of a Union Republic and a Deputy of the Supreme Soviet of an Autonomous Republic on the territory of the respective Republic, shall have the right of free travel on all railways, roads, waterways and domestic airlines and on all forms of urban passenger transport (except taxis).

A Deputy of a Soviet of a territory, region, autonomous region, autonomous area, district, city, city-district, settlement and village shall enjoy on the territory of the respective territory, region, area, district, city, settlement and rural area the right of free travel on road and water transport under Republican jurisdiction and on all forms of urban passenger transport (except taxis), and a Deputy of a Soviet of a territory, region, autonomous region, autonomous area and district on rail transport also.

The procedure and rules for free travel of Deputies of Supreme Soviets of Union and Autonomous Republics and local Soviets and also the procedure for settling related accounts with transport organisations shall be established by the Council of Ministers of the USSR and the Councils of Ministers of the Union Republics.

Article 32. Protection of a Deputy's Labour Rights

A Deputy shall not be at the discretion of the management dismissed from work at an enterprise, institution or organisation, or collective farm or demoted as a disciplinary measure to a lower-paid job without the prior consent of the Soviet, and in the period between sessions without the prior consent of the respective executive committee of the Soviet or Presidium of the Supreme Soviet.

A Deputy who has been released from work as a result of being elected to an elective post in the body of the Soviet shall on the expiry of his term in the elective post be granted his former work (post) or, in the event of it being unavailable, another equal-ranking job (post) at the same or, with his consent, another enterprise, institution or organisation.

The period of a Deputy's work in an elective post in the body of the Soviet shall be included in the work record of the profession in which the Deputy worked before his election to the elective post in the body of the Soviet.

Article 33. The Immunity of Deputies of Supreme Soviets

A Deputy of the Supreme Soviet of the USSR and a Deputy of the Supreme Soviet of a Union Republic may not be prosecuted, or arrested, or incur a court-imposed penalty, without the sanction of the Supreme Soviet of the USSR or Supreme Soviet of the Union Republic respectively or, between their sessions, of the Presidium of the Supreme Soviet.

A Deputy of the Supreme Soviet of an Autonomous Republic on the territory of the Autonomous Republic, and also on the whole territory of the Union Republic of which the Autonomous Republic forms part, may not be prosecuted, or arrested, or incur a court-imposed penalty, without the sanction of the Supreme Soviet of the Autonomous Republic or, between its sessions, of the Presidium of the Supreme Soviet of the Autonomous Republic.

Article 34. The Immunity of Deputies of Local Soviets

A Deputy of the Soviet of People's Deputies of a territory, region, autonomous region, autonomous area, district, city, city-district, settlement and village may not on the territory of the respective Soviet be prosecuted, or arrested, or incur a court-imposed penalty, without the sanction of the respective Soviet, or, between its sessions, of its executive committee.

A decision of a Soviet or of its executive committee on the matter referred to in Part One of the present Article may be rescinded by the respective higher Soviet or by its executive committee and the matter referred to the Soviet for its further consideration. If the Soviet reaffirms its original decision, the matter may be decided in substance by

the Soviet of People's Deputies of the territory or region, the Presidium of the Supreme Soviet of the Autonomous or Union Republic on the representation of the procurator of the respective region, territory or Republic.

Article 35. A Deputy's Identity Card and Badge

A Deputy shall have a Deputy's identity card and badge, which shall be issued to him after recognition of his credentials by the Soviet. A Deputy shall enjoy the use of the Deputy's identity card and badge for the period of his term of office.

Specimens of Deputy's identity cards and badges, and also the Statute on Deputies' Badges shall be approved:

for Deputies of the Supreme Soviet of the USSR by the Presidium of the Supreme Soviet of the USSR;

and for Deputies of the Supreme Soviets of Union and Autonomous Republics and Deputies of local Soviets by the Presidiums of the Supreme Soviets of the respective Union and Autonomous Republics.

*Vedomosti Verkhovnogo Soveta
SSSR,*
No. 39, 1972, Item 347; No. 17,
1979, Item 277.

LAW
OF THE UNION OF SOVIET SOCIALIST REPUBLICS
ON ELECTIONS TO THE SUPREME SOVIET
OF THE USSR
(of July 6, 1978)

Section 1

GENERAL PROVISIONS

Article 1. Basic Principles of the Soviet Electoral System

In accordance with the Constitution of the USSR, Deputies to the Soviet of the Union and the Soviet of Nationalities of the Supreme Soviet of the USSR shall be elected on the basis of universal, equal and direct suffrage by secret ballot.

Article 2. Universal Suffrage

Elections of Deputies to the Supreme Soviet of the USSR shall be universal: all citizens of the USSR who have reached the age of 18 shall have the right to vote, with the exception of persons who have been legally certified insane.

To be eligible for election to the Supreme Soviet of the USSR a citizen of the USSR must have reached the age of 21.

Any direct or indirect limitations of suffrage of citizens of the USSR with respect to origin, social or property status, race or nationality, sex, education, language, attitude to religion, length of domicile in a given locality or type and nature of occupation shall be prohibited.

Article 3. Equal Suffrage

Elections of Deputies to the Supreme Soviet of the USSR shall be equal: each voter shall have one vote; all voters shall exercise the franchise on an equal basis.

Women and men shall have equal suffrage.

Members of the Armed Forces shall enjoy equal suffrage with all citizens.

Article 4. Direct Suffrage

Elections of Deputies to the Supreme Soviet of the USSR shall be direct: Deputies of the Supreme Soviet of the USSR shall be elected by citizens by direct vote.

Article 5. Secret Ballot

Voting at elections of Deputies to the Supreme Soviet of the USSR shall be secret: control over voters' exercise of the franchise is inadmissible.

Article 6. The Holding of Elections by Constituencies

Deputies to the Soviet of the Union and the Soviet of Nationalities shall be elected by constituencies. One Deputy shall be elected for each constituency.

Article 7. The Holding of Elections by Electoral Commissions

Elections to the Supreme Soviet of the USSR shall be conducted by electoral commissions consisting of representatives of public organisations and work collectives, and of meetings of servicemen in military units.

Article 8. Participation of Public Organisations, Work Collectives and Citizens in the Preparation and Holding of Elections

Organisations of the Communist Party of the Soviet Union, trade unions, the All-Union Leninist Young Communist League, cooperatives and other public organisations, and work collectives shall take part in the preparation and holding of elections to the Supreme Soviet of the USSR both through their representatives on electoral commissions and directly.

Citizens of the USSR shall take part in the preparation and holding of elections through public organisations, work collectives, meetings of servicemen in military units and electoral meetings of constituents.

Article 9. The Right to Nominate Candidates for Election to the Supreme Soviet of the USSR

The following shall have the right to nominate candidates for election to the Supreme Soviet of the USSR: organisations of the Communist Party of the Soviet Union, trade unions, and the All-Union Leninist Young Communist

League; cooperatives and other public organisations; work collectives and meetings of servicemen in military units.

Citizens of the USSR and public organisations shall be guaranteed the right to free and all-round discussion of the political and personal qualities and competence of candidates, and the right to campaign for them at meetings, in the press, and on television and radio.

Electors shall give mandates to their Deputies. The mandates shall be submitted at pre-election meetings of voters. The procedure for submitting, considering, taking into account and implementing mandates shall be established by law.

Article 10. Expenses Involved in Holding Elections to the Supreme Soviet of the USSR

The expenses involved in holding elections to the Supreme Soviet of the USSR shall be met by the state.

Candidates for election to the Supreme Soviet of the USSR and electors shall not pay expenses involved in holding elections.

Article 11. Responsibility for Infringement of Electoral Legislation

Members of electoral commissions and officials of state and public bodies who forge electoral documents, deliberately miscount votes, violate the secret ballot or are responsible for any other infringement of the present Law, and also persons who obstruct a citizen of the USSR in the free exercise of his right to elect and be elected to the Supreme Soviet of the USSR shall be responsible under the law.

Section 2

**PROCEDURE FOR THE CALLING OF ELECTIONS
AND THE FORMATION OF CONSTITUENCIES**

Article 12. The Procedure for Calling Elections to the Supreme Soviet of the USSR

Elections to the Supreme Soviet of the USSR shall be called by the Presidium of the Supreme Soviet of the USSR.

The Decree of the Presidium of the Supreme Soviet of the USSR on the calling of elections shall be published in the

press not less than two months before the expiry of the term of the Supreme Soviet of the USSR.

Article 13. Formation of Constituencies

Constituencies for elections to the Soviet of the Union and for elections to the Soviet of Nationalities of the Supreme Soviet of the USSR shall be formed by the Presidium of the Supreme Soviet of the USSR. There shall be an equal number of constituencies for the election of Deputies to the Soviet of the Union and the Soviet of Nationalities. In determining the boundaries of constituencies the administrative-territorial division of Union Republics shall be taken into account.

Lists of constituencies shall be published at the same time as the Decree of the Presidium of the Supreme Soviet of the USSR on the calling of elections to the Supreme Soviet of the USSR.

Article 14. Constituencies for Elections to the Soviet of the Union

Constituencies for elections to the Soviet of the Union of the Supreme Soviet of the USSR shall be formed with equal populations over the whole territory of the USSR. The population per constituency for each election shall be determined by the Presidium of the Supreme Soviet of the USSR.

Article 15. Constituencies for Elections to the Soviet of Nationalities

Constituencies for elections to the Soviet of Nationalities of the Supreme Soviet of the USSR shall be formed as follows: 32 constituencies in each Union Republic, 11 constituencies in each Autonomous Republic, five constituencies in each autonomous region, and one constituency in each autonomous area.

Constituencies for elections to the Soviet of Nationalities shall be formed with equal populations over the whole territory of the Union Republic, Autonomous Republic and autonomous region. The territory of an autonomous area shall constitute the constituency for elections to the Soviet of Nationalities.

Section 3

WARDS

Article 16. The Formation of Wards

For the holding of voting and counting of votes the territory of districts, cities and city-districts that form part of constituencies shall be divided into wards which shall be the same for both elections to the Soviet of the Union and to the Soviet of Nationalities of the Supreme Soviet of the USSR. Wards shall also be formed in military units and shall form part of the constituencies for the area in which the unit is stationed.

In sanatoria and rest homes, hospitals and other in-patient medical institutions, at large railway stations, airports, sea and river ports and polar stations, and also on vessels which are at sea on election day wards may be formed which shall form part of the constituency in the area in which they are located or in the area of the vessel's port of registration.

In certain cases the question of which constituency for elections to the Soviet of the Union and the Soviet of Nationalities wards formed in military units, at polar stations and on vessels at sea on election day belong to shall be decided by the Presidium of the Supreme Soviet of the USSR.

Article 17. The Procedure for Forming Wards

Wards shall be formed by the executive committees of district, city (except cities under district jurisdiction) and city-district Soviets of People's Deputies. On vessels at sea on election day wards shall be formed by the executive committees of the Soviets of People's Deputies of the area of the vessel's port of registration.

In military units wards shall be formed by the commanders of the units or military formations by agreement with the executive committees of the respective Soviets of People's Deputies.

Wards shall be formed not later than on the fifteenth day after the calling of elections. In military units and also at large railway stations, airports, sea and river ports and on vessels at sea on election day wards shall be formed within the same period, and, in exceptional cases, not later than five days before the elections.

The executive committee of the respective Soviet of People's Deputies shall inform the public of the boundaries of each ward, the location of the electoral commission and the polling station.

Article 18. Numbers of Electors per Ward

In a population centre or group of population centres wards shall be formed with not less than 100 and not more than 3,000 electors.

In remote northern and eastern areas of the USSR, where there is a preponderance of small population centres, and also in mountainous areas, on islands in the Far North, at polar stations, and on vessels at sea on election day wards may be formed with not less than 20 electors.

In military units wards shall be formed with not less than 20 and not more than 3,000 electors.

In sanatoria, rest homes, and also in hospitals and other in-patient medical institutions wards may be formed with not less than 50 electors.

Section 4

ELECTORS' ROLLS

Article 19. The Procedure for Including Citizens in Electors' Rolls

Joint electors' rolls for elections to the Soviet of the Union and the Soviet of Nationalities of the Supreme Soviet of the USSR shall include all citizens of the USSR who have reached the age of 18 on or before election day and are residing (permanently or temporarily) on the territory of the given Soviet of People's Deputies at the time when the rolls are compiled. In the absence of precise information as to the day and month of birth a citizen shall be considered as having been born on January 1 of the year in question. An elector shall not be included in more than one electors' roll.

The executive committees of city, city-district, settlement and village Soviets of People's Deputies shall ensure the registration of electors necessary for compiling electors' rolls.

Electors' rolls shall not include citizens who have been certified insane by a decision of a court or by a medical commission set up by a public health body of a Republic, territory, or region. An appeal against the decision may be made to the district (city) people's court.

Electors' rolls shall not include foreign citizens and stateless persons residing on the territory of the USSR.

Article 20. Compilation of Electors' Rolls

Electors' rolls shall be compiled for each ward by the executive committees of city, city-district, settlement and village Soviets of People's Deputies and shall be signed by the chairman and secretary of the executive committee of the respective Soviet.

Electors' rolls of servicemen in military units shall be compiled and signed by the commanders of the military units. By agreement with the executive committees of Soviets of People's Deputies these rolls may include members of servicemen's families and other electors if they are residing in the area in which the military unit is stationed. Servicemen not residing in military units shall be included in electors' rolls according to their place of residence on a general basis.

Rolls of electors on vessels at sea on election day shall be compiled and signed by the captain of the vessel.

Electors' rolls for persons who are resting or receiving treatment in sanatoria, rest homes, and also in hospitals and other in-patient medical institutions shall be compiled by the executive committees of the Soviets of People's Deputies on the territory of which these institutions are located.

Electors' surnames shall be arranged in alphabetical order in electors' rolls.

Article 21. Presentation of Electors' Rolls to the Public

Electors' rolls shall be presented for public inspection twenty days before the elections.

The executive committee of the Soviet of People's Deputies that has compiled the electors' rolls shall inform electors, directly or through the local electoral commissions, of the place and time of presentation of electors' rolls.

Citizens shall have the opportunity of inspecting the electors' rolls and checking their accuracy in the premises of the executive committee of the respective Soviet or of the ward electoral commission.

Article 22. The Right of Citizens to Lodge a Complaint Concerning Errors in Electors' Rolls

Every citizen shall have the right to lodge a complaint concerning his non-inclusion or incorrect inclusion in a roll or his (her) exclusion from an electors' roll, and also concerning errors on the roll in the surname, first name, patronymic and other information about the elector.

Complaints about errors on an electors' roll shall be made to the executive committee of a Soviet of People's Deputies, the commander of a military unit, or the captain of a vessel that compiled the roll, who shall be obliged to consider the complaint within two days and make the necessary amendments to the electors' roll or present the declarant with a copy of the motivated decision to reject his complaint.

A complaint against the decision of the executive committee of a Soviet of People's Deputies may be made to the district (city) people's court which is obliged to consider the complaint within three days. The decision of the district (city) people's court shall be final. The executive committee of the Soviet of People's Deputies shall amend the electors' roll immediately in accordance with the decision of the court.

Article 23. Certificate of the Right to Vote

In the event of an elector changing his place of residence between the presentation of electors' rolls for general inspection and election day the ward electoral commission shall at his request issue him a certificate of the right to vote. The certificate shall be issued on the basis of the electors' roll in which a note shall be made to this effect.

On the basis of a certificate of the right to vote an elector shall be included in a supplementary electors' roll in any ward in accordance with his place of residence on the day of the elections. The supplementary electors' roll shall be compiled by the ward electoral commission and signed by its chairman and secretary.

Section 5
FORMATION OF ELECTORAL COMMISSIONS

*Article 24. Electoral Commissions for Elections to the
Supreme Soviet of the USSR*

The following electoral commissions shall be formed for the holding of elections to the Supreme Soviet of the USSR: a Central Electoral Commission for elections to the Supreme Soviet of the USSR;

electoral commissions for elections to the Soviet of Nationalities from Union Republics, Autonomous Republics, autonomous regions and autonomous areas;

constituency electoral commissions for elections to the Soviet of the Union;

constituency electoral commissions for elections to the Soviet of Nationalities;

ward electoral commissions.

*Article 25. Nominations of Representatives to Serve on
Electoral Commissions*

Electoral commissions for elections to the Supreme Soviet of the USSR shall be formed of representatives of organisations of the Communist Party of the Soviet Union, trade unions, and the All-Union Leninist Young Communist League, cooperatives and other public organisations, work collectives, and meetings of servicemen in their military units.

Representatives to serve on the Central Electoral Commission for elections to the Supreme Soviet of the USSR and representatives on electoral commissions for elections to the Soviet of Nationalities from Union Republics, Autonomous Republics, autonomous regions and autonomous areas, and also on constituency electoral commissions shall be nominated by All-Union and Republican bodies of public organisations and by bodies of public organisations of territories, regions, autonomous areas, districts, cities and city-districts, and also by work collectives and meetings of servicemen in their military units.

Representatives on ward electoral commissions shall be nominated by district, city and city-district bodies of public organisations, their primary organisations, and also by work collectives and meetings of servicemen in their military units.

The membership of electoral commissions shall be published for general information.

Article 26. Formation of the Central Electoral Commission for Elections to the Supreme Soviet of the USSR

The Central Electoral Commission for elections to the Supreme Soviet of the USSR shall be formed to consist of a Chairman, Vice-Chairman, Secretary and 26 members. The commission's membership shall be approved by the Presidium of the Supreme Soviet of the USSR not later than on the fifth day after the naming of the date of the elections.

Article 27. Formation of Electoral Commissions for Elections to the Soviet of Nationalities for Union Republics, Autonomous Republics, Autonomous Regions and Autonomous Areas

Electoral commissions for elections to the Soviet of Nationalities for Union Republics, Autonomous Republics, autonomous regions and autonomous areas shall be formed to consist of a Chairman, Vice-Chairman, Secretary and 12-16 members. The commissions' membership shall be approved respectively by the Presidium of the Supreme Soviet of a Union Republic or Autonomous Republic, or the executive committee of the Soviet of People's Deputies of an autonomous region and autonomous area not later than on the seventh day after the naming of the date of the elections.

Article 28. Formation of Constituency Electoral Commissions for Elections to the Soviet of the Union and for Elections to the Soviet of Nationalities

A constituency electoral commission shall be formed in each constituency for elections to the Soviet of the Union and for elections to the Soviet of Nationalities to consist of a Chairman, Vice-Chairman, Secretary and 12 members. The commission's membership shall be approved not later than on the tenth day after the naming of the date of the elections.

The membership of a constituency electoral commission for elections to the Soviet of the Union shall be approved: in Union Republics divided into territories and regions,

in constituencies formed in a territory, region and the cities of Moscow, Leningrad and Kiev by the executive committee of the respective territorial, regional or city Soviet of People's Deputies; and in constituencies formed in two or more territories or regions, by the Presidium of the Supreme Soviet of the Union Republic;

in Union Republics not divided into territories and regions and in Autonomous Republics, by the Presidium of the Supreme Soviet of the respective Union Republic or Autonomous Republic.

The membership of a constituency electoral commission for elections to the Soviet of Nationalities for a Union Republic, Autonomous Republic, autonomous region and autonomous area shall be approved respectively by the Presidium of the Supreme Soviet of the Union Republic and Autonomous Republic or by the executive committee of the Soviet of People's Deputies of an autonomous region and autonomous area.

Article 29. Formation of Ward Electoral Commissions

A joint ward electoral commission for elections to the Soviet of the Union and for elections to the Soviet of Nationalities shall be formed to consist of a Chairman, Vice-Chairman, Secretary and 4-16 members, and in constituencies with less than 100 electors to consist of a Chairman, Secretary and 1-3 members. The membership of a ward electoral commission shall be approved by the respective executive committee of a district, city (except cities under district jurisdiction) and city-district Soviet of People's Deputies not later than on the thirtieth day after the naming of the date of the elections.

Where necessary, executive committees of Soviets of People's Deputies may increase the number of members of ward electoral commissions of constituencies formed at large railway stations, airports, sea and river ports, and on vessels at sea on election day, and also when there are small population centres, geological parties and scientific expeditions on the territory of the ward.

The Chairman, or Vice-Chairman, or Secretary of the ward electoral commissions shall be released from their regular employment or duties in the period of the preparation and holding of elections for 30 calendar days with retention of their average earnings at their permanent place of work.

Article 30. Procedure for Changes of Membership of an Electoral Commission

A Chairman, Vice-Chairman, Secretary or member of an electoral commission may be relieved of his duties on a commission by the body that approved its membership at his own request or on the representation of the public organisations, work collective, and meeting of servicemen in his military unit that nominated him. The nomination of a new representative on the electoral commission and his approval as a member of the commission shall follow the procedure laid down in the present Law.

Section 6

**TERMS OF REFERENCE AND WORK PROCEDURE
OF ELECTORAL COMMISSIONS**

Article 31. Terms of Reference of the Central Electoral Commission for Elections to the Supreme Soviet of the USSR

The Central Electoral Commission for elections to the Supreme Soviet of the USSR shall:

a) exercise control over the observance of the present Law throughout the USSR and see that it is applied uniformly in the preparation and holding of elections to the Supreme Soviet of the USSR;

b) whenever necessary request the Presidium of the Supreme Soviet of the USSR to interpret the present Law;

c) direct the activity of electoral commissions;

d) hear reports of electoral commissions, ministries and state committees of the USSR and other state and public bodies on matters connected with the preparation and holding of elections to the Supreme Soviet of the USSR;

e) allocate funds to electoral commissions; ensure that electoral commissions are provided with premises, transport and communications and consider other matters concerning material and technical provisions for elections;

f) prescribe forms of voting-papers, models of ballot-boxes and electoral commission seals;

g) consider statements and complaints concerning incorrect action by electoral commissions and pass final decisions on them;

h) register Deputies elected to the Supreme Soviet of the USSR;

i) supply the Credentials Commission of the Soviet of the Union and the Credentials Commission of the Soviet of Nationalities of the Supreme Soviet of the USSR with the necessary documents to check the credentials of Deputies to the Supreme Soviet of the USSR for each constituency;

j) and exercise other powers in accordance with the present Law.

Article 32. Terms of Reference of an Electoral Commission for Elections to the Soviet of Nationalities for a Union Republic, Autonomous Republic, Autonomous Region and Autonomous Area

An electoral commission for elections to the Soviet of Nationalities for a Union Republic, Autonomous Republic, autonomous region and autonomous area shall:

a) on the territory of the respective Union Republic, Autonomous Republic, autonomous region and autonomous area exercise control over the observance of the present Law in the preparation and holding of elections to the Soviet of Nationalities;

b) hear reports of electoral commissions, Republican and local state and public bodies on matters relating to the preparation and holding of elections to the Soviet of Nationalities for the respective Union Republic, Autonomous Republic, autonomous region and autonomous area;

c) consider statements and complaints concerning incorrect action by constituency and ward electoral commissions on matters relating to elections to the Soviet of Nationalities.

Article 33. Terms of Reference of a Constituency Electoral Commission

A constituency electoral commission for elections to the Soviet of the Union and a constituency electoral commission for elections to the Soviet of Nationalities on the territory of its constituency shall:

a) exercise control over the observance of the present Law;

b) direct the activity of ward electoral commissions;

c) hear reports of ward electoral commissions, executive committees of the respective Soviets of People's Deputies and other institutions and organisations on matters relating to the preparation and holding of elections;

d) ensure the correct formation of wards and establish the uniform numbering of wards in the constituency;

e) supervise the compiling and presenting of electors' rolls for public inspection;

f) consider statements and complaints concerning incorrect action by ward electoral commissions;

g) register persons nominated as Deputies and issue them appropriate certificates;

h) approve the text of the voting-paper for the given constituency, organise the preparation of the voting-paper and its distribution to ward electoral commissions;

i) establish the results of elections in the constituency;

j) and exercise other powers in accordance with the present Law.

Article 34. Terms of Reference of a Ward Electoral Commission

A ward electoral commission shall:

a) familiarise electors with the electors' roll, receive statements concerning errors on the electors' roll and submit them for consideration to the executive committee of the Soviet of People's Deputies, the commander of the military unit or the captain of the vessel that compiled them;

b) on the basis of the electors' roll issue electors certificates of the right to vote in cases provided for by Article 23 of the present Law;

c) compile a supplementary electors' roll for persons who have come to the ward with certificates of the right to vote;

d) inform the public of the address of the ward electoral commission and the time when it is open, and also of the date of the election and the place where voting is to take place;

e) ensure the preparation of the premises for voting and the manufacture of ballot-boxes;

f) organise voting on the day of the election within the area of the ward;

g) consider statements and complaints on matters concerning the preparation of elections and the organisation of voting in the polling station and take decisions according-

ly;

- h) count the votes cast in the polling station;
- i) and exercise other powers in accordance with the present Law.

Article 35. Procedure for the Exercise of Powers by Electoral Commissions

Meetings of an electoral commission shall be called by its chairman and constitute a quorum if half the membership of the commission is present. The decisions of the commission shall be taken by a show of hands by a simple majority vote of the total membership of the commission. Commission members who do not support a decision shall have the right to express a dissenting opinion which shall be appended to the minutes in writing.

Decisions of electoral commissions taken within the limits of their terms of reference shall be binding on all state and public bodies, enterprises, institutions and organisations.

An appeal may be made against a decision of an electoral commission to a higher electoral commission.

Article 36. Publicity of the Work of Electoral Commissions

Electoral commissions shall inform the public of their meetings and decisions and measures taken. Representatives of public organisations and work collectives, and also representatives of the press, television and radio may attend commission meetings.

Article 37. Assistance to Electoral Commissions in the Exercise of Their Powers

State and public bodies, enterprises, institutions, organisations and officials shall be obliged to assist electoral commissions in the exercise of their powers and to provide them with the information and material required for their work.

An electoral commission shall have the right to address inquiries on matters relating to the preparation and holding of elections to state and public bodies, enterprises, institutions, organisations and officials, who shall be obliged to consider the matter and reply to the electoral commission within three days.

Section 7

NOMINATION OF CANDIDATES FOR DEPUTIES

Article 38. Procedure for Nominating Candidates for Deputies

Candidates for Deputies to the Supreme Soviet of the USSR shall be nominated in constituencies. The nomination of candidates shall begin on the tenth day after the date of the elections has been named and shall end thirty days before the elections.

The following shall have the right to nominate candidates for Deputies: organisations of the Communist Party of the Soviet Union, trade unions, and the All-Union Leninist Young Communist League; cooperatives and other public organisations through their All-Union, Republican, territorial, regional, area, district, city, city-district bodies, work collectives, and meetings of servicemen in their military units.

The nomination of candidates for Deputies by work collectives shall take place at general meetings of collectives called by factory or local committees of trade unions. In large work collectives meetings may be held in workshops, sections, shifts, teams and departments. Work collectives with a small number of workers may hold joint meetings with other work collectives.

Meetings of servicemen to nominate candidates for Deputies shall be called by the commander of the military unit. Should it be impossible to hold a general meeting of servicemen in the unit, meetings shall be held in sub-units.

All those present at a meeting to nominate a candidate for a Deputy shall have the right to take part in the discussion of candidatures and support proposed nominations or propose that they be withdrawn.

A decision on the nomination of a candidate for a Deputy shall be taken by a majority vote of those present at the meeting or by a majority vote of the total membership of the respective body of the public organisation, and shall immediately be brought to the notice of the person nominated as candidate.

Minutes shall be written on the nomination of a candidate to include: the name of the organisation that nominated the candidate, the place and time of the holding of the

meeting or sitting, the number of persons who attended the sitting or meeting, the number of votes in favour of the nomination of the candidate, the candidate's surname, first name and patronymic, his age, occupation and place of residence.

Public organisations, work collectives, and meetings of servicemen in their military units that have nominated candidates for Deputies shall elect a proxy for the candidate and also inform the public of the candidates nominated for Deputies through the press, television and radio.

Article 39. The Right to Support Candidates Nominated for Deputies

Public organisations, work collectives and meetings of servicemen in their military units may support nominations proposed by other public organisations, work collectives or meetings of servicemen in their military units, and also elect proxies for candidates.

Article 40. Constituency Pre-election Conference

In order to discuss proposed nominations for the constituency a constituency pre-election conference may be held of representatives of public organisations, work collectives, and meetings of servicemen in their military units. In constituencies that include the territory of several Autonomous Republics, territories, or regions a pre-election conference may be held in each Autonomous Republic, territory or region that forms part of the constituency.

Constituency pre-election conferences shall be convened by Republican, territorial, regional, area and city bodies of public organisations.

Constituency pre-election conferences shall take decisions on supporting candidates for Deputies, and issue addresses and appeals to electors, public organisations, and work collectives and may elect proxies for candidates for Deputies.

Article 41. Revoking a Decision to Nominate a Candidate for a Deputy. A Candidate's Withdrawal of His Own Candidature

A public organisation, work collective or meeting of servicemen in their military units that has nominated a candidate for a Deputy shall have the right at any time before the elections to revoke its decision on the nomination of the

candidate for a Deputy. A decision on this matter shall be taken according to the procedure prescribed for the nomination of a candidate for a Deputy and presented to the constituency electoral commission.

A candidate may at any time before the election withdraw his candidature. A candidate's statement of intention to withdraw his candidature shall be submitted to the constituency electoral commission.

The constituency electoral commission shall inform the public of the constituency of the revocation of a decision to nominate a candidate for a Deputy or of a candidate's withdrawal of his candidature.

Article 42. Procedure for the Registration of Candidates for Deputies

Candidates for Deputies nominated in accordance with the requirements of the present Law shall be registered by the constituency electoral commission of the respective constituency on the presentation by the public organisation, work collective or meeting of servicemen in their military unit.

The registration of candidates for Deputies shall begin 35 days and end 25 days before the elections.

The registration of candidates for Deputies shall take place at a meeting of the constituency electoral commission provided that the following documents are present: the minutes of the meeting of the respective body of a public organisation, meeting of a work collective or meeting of servicemen in their military unit on the nomination of the candidate for the Deputy for the given constituency; a statement of consent by the candidate to stand for this constituency. The electoral commission shall draw up minutes on the registration of each candidate, which together with the candidate's statement of consent to stand for the constituency, shall be forwarded to the Central Electoral Commission.

The constituency electoral commission shall be obliged to register all candidates for Deputies nominated in the constituency in accordance with the requirements of the present Law. A complaint may be lodged against a refusal to register a candidate for a Deputy within two days to the Central Electoral Commission whose decision shall be final.

A candidate for a Deputy may stand for only one constituency for elections to the Soviet of the Union or for elections to the Soviet of Nationalities of the Supreme Soviet of the USSR. A candidate cannot be a member of the constituency or ward electoral commission of the constituency for which he is nominated as a candidate. Any person who is nominated as a candidate for a Deputy and is a member of one of the afore-mentioned commissions shall be relieved of his duties on the commission from the moment of his registration as a candidate.

A constituency electoral commission shall publish in the press not later than on the third day after the registration of candidates a notice of the registration containing information about the registered candidates.

A constituency electoral commission shall issue a certificate to each registered candidate.

Article 43. Procedure for Nominating a Candidate for a Deputy in Place of One Who Departs

In the event of the departure of a candidate after the end of the period of registration of candidates, if there are no other candidates in the constituency, the constituency electoral commission shall with the consent of the Central Electoral Commission request public organisations, work collectives and meetings of servicemen in their military units to nominate a new candidate for a Deputy.

Should it prove impossible to nominate, register and discuss a new candidate in the period remaining before the elections, the elections in the constituency shall be held within a month after the holding of elections to the Supreme Soviet of the USSR.

Article 44. Voting-Paper

The text of the voting-paper for a constituency shall be approved by the constituency electoral commission. The voting-paper shall include in alphabetical order all candidates nominated as Deputies for the constituency with the surname, first name and patronymic of each candidate, and the name of the public organisations, work collectives and meetings of servicemen in their military units that nominated the candidates.

Voting-papers shall be printed in the languages used by the population of the constituency. Voting-paper shall be

supplied to all ward electoral commissions in the constituency not later than five days before the elections.

Article 45. Meetings of Voters to Meet Candidates for Deputies

Meetings shall be called by public organisations for candidates for Deputies to meet their constituents. These meetings shall be organised according to the place of residence or employment of the constituents. The constituents shall be notified in good time of the time and place of the meeting.

Article 46. Pre-election Campaigning

Public organisations and work collectives that have nominated candidates for Deputies or announced support for them shall have the right to campaign for them freely.

Public organisations and work collectives shall be provided with premises free of charge for meetings and rallies, and also with mass media for pre-election campaigning.

Every citizen shall be guaranteed the right to take part in pre-election campaigning.

Campaigning on the day of the elections in the polling station shall not be allowed.

Section 8

**BASIC GUARANTEES OF THE ACTIVITY
OF A CANDIDATE FOR A DEPUTY**

Article 47. Right of a Candidate for a Deputy to Address Gatherings and Meetings and Make Use of the Mass Media

All candidates for Deputies to the Supreme Soviet of the USSR shall have an equal right from the moment of their registration by constituency electoral commissions to attend and address pre-election meetings and conferences and to make use of the press, television and radio.

State and public bodies and heads of enterprises, institutions and organisations located on the territory of the constituency shall be obliged to assist a candidate for a Deputy in organising meetings with electors, holding pre-election meetings, and obtaining the necessary references and information.

Article 48. Release of a Candidate for a Deputy from Regular Employment or Duties to Take Part in Pre-election Activities

For the period of holding meetings with electors, addressing pre-election meetings, and appearing on television and radio a candidate for a Deputy shall be released from regular employment or duties with retention of his average earnings at his permanent place of work.

Article 49. Right of a Candidate for a Deputy to Free Travel

A candidate for a Deputy shall have the right to free travel on all forms of passenger transport (except taxis) within the constituency. A candidate for a Deputy who resides outside the constituency shall enjoy the same right for travel to his constituency and return to his place of residence.

Article 50. Immunity of a Candidate for a Deputy

A candidate for a Deputy of the Supreme Soviet of the USSR may not be prosecuted, or arrested, or incur a court-imposed penalty, without the sanction of the Presidium of the Supreme Soviet of the USSR. In the event of this sanction being given the Presidium of the Supreme Soviet of the USSR shall notify the Central Electoral Commission and the respective constituency electoral commission accordingly.

Section 9

**PROCEDURE FOR VOTING
AND ESTABLISHING THE ELECTIONS' RESULTS**

Article 51. Time and Place of Voting

Voting shall take place on election day from 6.00 a.m. to 10.00 p.m. local time. The ward electoral commission shall inform all electors not later than 10 days before the elections of the time and place of voting.

In wards formed on vessels at sea on election day and in military units, and also, with the consent of the respective constituency electoral commissions, in wards located in remote districts and districts difficult of access, where electors with a certificate of the right to vote may be pre-

vented by transport conditions from arriving on election day, voting may finish before 10.00 p.m. if all electors on the roll have cast their vote.

Article 52. Conduct of Voting

In each ward voting shall take place in specially allocated premises with booths or rooms equipped for secret ballot, a place for handing out voting-papers, and ballot boxes. Responsibility for the organisation of voting and ensurance of order in the premises shall be borne by the ward electoral commission.

Before voting begins the ballot-boxes shall be checked and sealed by the Chairman of the ward electoral commission in the presence of all commission members. Representatives of public organisations, work collectives, the press, television and radio may be present during this.

Each voter shall vote in person. Voting-papers shall be issued to voters by the ward electoral commission on the basis of the electors' roll on presentation of a passport or other identity card. The issue of voting-papers shall be recorded in the electors' roll.

In exceptional cases the ward electoral commission may request one or more commission members to organise voting at the place of residence or sojourn of persons who, for reasons of health or transport conditions, are prevented from attending the polling station in person. Electoral commissions at large railway stations shall ensure that voters both in the stations and in long distance passenger trains cast their vote.

Article 53. Procedure for Filling in Voting-Papers

Voting-papers shall be filled in by the voter in a booth or room for secret ballot. A voting-paper shall not be filled in with anyone but the voter present. A voter who is unable to fill in a voting-paper on his own shall have the right to invite another person of his choice, except a member of the electoral commission, into the booth or room.

In filling in the voting-paper the voter shall leave the surname of the candidate for whom he is voting and delete the surnames of the other candidates. The voter shall vote by dropping the voting-paper into a ballot-box.

Article 54. Counting of Votes at a Polling Station

The counting of votes at a polling station shall be done by the ward electoral commission separately in each constituency for elections to the Soviet of the Union and for elections to the Soviet of Nationalities.

Ballot-boxes shall be opened by the ward electoral commission after the Chairman of the commission has declared the voting ended. It shall be forbidden to open ballot boxes before the end of the voting. Before the opening of the ballot-boxes all voting-papers not issued to voters shall be cancelled by the ward electoral commission.

The ward electoral commission shall establish from the main and supplementary electors' rolls the total number of electors in the ward, and also the number of electors who have received voting-papers. On the basis of the voting-papers in the ballot-boxes, the ward electoral commission shall establish in each constituency (within the given ward) the total number of electors who have taken part in the voting, the number of votes "for" and the number of votes "against" each candidate for a Deputy, and also the number of voting-papers declared invalid.

Voting-papers that are not in the standard form and also voting-papers on which more than one candidate has been left during voting shall be declared invalid. In the event of doubt as to the validity of a voting-paper the matter shall be decided by the ward electoral commission by a vote.

Representatives of public organisations and work collectives, and also representatives of the press, television and radio shall have the right to be present during the counting of votes.

Article 55. Minutes of a Ward Electoral Commission

The results of the counting of votes shall be considered at a meeting of the ward electoral commission and recorded in minutes compiled separately in each constituency. The minutes shall be signed by the Chairman, Vice-Chairman, Secretary and members of the commission and sent to the respective constituency electoral commission within twenty-four hours. To the minutes shall be appended any dissenting opinions of commission members; any statements and complaints submitted to the commission concerning

offences committed during voting or the counting of votes; and any indictment concerning damage to the sealing of a ballot-box.

Article 56. Establishing the Results of Voting in a Constituency

The results of election in a constituency shall be established by the constituency electoral commission.

On the basis of the minutes of ward electoral commissions the constituency electoral commission shall determine: the total number of electors in the constituency; the number of electors who received voting-papers; the number of electors who took part in the voting; the number of votes cast "for" and the number of votes cast "against" each candidate; and the number of voting-papers declared invalid.

A candidate who has received more than half the votes of all the electors in the constituency at the election shall be considered elected.

A constituency electoral commission may declare an election invalid due to an infringement of the present Law in the course of the elections or during the counting of votes.

An election shall be declared invalid if less than half the electors on the electors' roll took part in it, and also in connection with the death of a candidate for a Deputy, if only one candidate is registered in the constituency.

During the counting of votes and establishing of the election results representatives of public organisations, work collectives and also representatives of the press, television and radio shall have the right to be present.

Article 57. Minutes of a Constituency Electoral Commission

The results of elections in a constituency shall be established at a meeting of the constituency electoral commission and recorded in minutes. The minutes shall be signed by the Chairman, Vice-Chairman, Secretary and members of the commission and sent to the Central Electoral Commission within twenty-four hours. To the minutes shall be appended any dissenting opinions of commission members, any statements and complaints submitted to the commission concerning infringements during voting, the counting of votes, or the establishing of the election results.

A constituency electoral commission for elections to the Soviet of Nationalities shall send a copy of the minutes respectively to the electoral commission for elections to the Soviet of Nationalities of the Union Republic, Autonomous Republic, autonomous region and autonomous area.

Article 58. Registration of Deputies. Publishing of Election Results

The Central Electoral Commission on the basis of the minutes of constituency electoral commissions shall summarise the elections as a whole throughout the country, register the Deputies elected for each constituency for elections to the Soviet of the Union and for each constituency for elections to the Soviet of Nationalities.

The Central Electoral Commission may refuse to register a Deputy and declare an election invalid if infringements of the present Law took place during the election, the counting of votes, or the establishing of the election results.

The Central Electoral Commission shall publish a report on the election results throughout the country and a list of Deputies elected to the Supreme Soviet of the USSR in the press within seven days after the elections.

Section 10

REPEATED ELECTIONS AND BY-ELECTIONS

Article 59. Repeated Elections

If none of the candidates voted for in a constituency was elected or if the elections in a constituency were declared as not having taken place or invalid, the Central Electoral Commission shall instruct the constituency electoral commission to hold repeated elections in the constituency. The Central Electoral Commission may, when necessary, itself decide the matter of holding repeated elections. In so doing it shall invite the respective state bodies to approve the new membership of the constituency and ward electoral commissions of the constituency.

Repeated elections shall be held within a month in accordance with the requirements of the present Law. The voting shall take place at the same polling stations and according to the electors' rolls compiled for the holding of elections to the Supreme Soviet of the USSR.

Approval of electoral commissions, registration of candi-

dates and other measures shall be effected within the time-limits laid down by Article 60 of the present Law.

Article 60. Holding of By-elections

In the event of a chamber of the Supreme Soviet of the USSR declaring the election of individual Deputies invalid, and also in the event of a Deputy's departure during the term of the Supreme Soviet of the USSR, new elections shall be held in the respective constituencies within three months. The date of the elections shall be named by the Presidium of the Supreme Soviet of the USSR not later than a month before they are held and the elections shall be organised in accordance with the present Law. The constituency electoral commission shall be formed on the third day after the naming of the date of the elections, and the ward electoral commission on the fifth. Registration of candidates for Deputies shall close fifteen days before the elections.

The Chairman, or Vice-Chairman, or Secretary of the ward electoral commission shall be released from his regular employment or duties during the period of the preparation and holding of the elections for twenty calendar days, with retention of his average earnings at his permanent place of work.

In the event of a Deputy departing less than a year before the expiry of the term of the Supreme Soviet of the USSR by-elections shall not be held.

Section 11

**CERTIFICATE OF ELECTION AS A DEPUTY.
FORMS OF ELECTORAL DOCUMENTS
AND PROCEDURE FOR THEIR KEEPING**

Article 61. Certificate of Election as a Deputy

A constituency electoral commission after publication in the press of the list of Deputies of the Supreme Soviet of the USSR registered by the Central Electoral Commission, and in the case of repeated elections and by-elections after the publication of the report on the results of the elections in the constituency, shall issue the person elected as Deputy for the constituency a certificate of his election.

After endorsement by the respective chamber of the Su-

preme Soviet of the USSR of the Deputy's credentials the certificate of election as a Deputy issued to him shall be replaced by a Deputy's certificate.

Article 62. Forms of Electoral Documents

Forms of electors' rolls, certificates of the right to vote, and minutes of electoral commissions, and also forms of certificates issued by constituency electoral commissions to candidates for Deputies and Deputies shall be established by the Presidium of the Supreme Soviet of the USSR.

The forms and colour of voting-papers for elections to the Soviet of the Union and for elections to the Soviet of Nationalities shall be established by the Central Electoral Commission for elections to the Supreme Soviet of the USSR.

Article 63. Procedure for the Keeping of Electoral Documents

The papers of electoral commissions for elections to the Supreme Soviet of the USSR shall be handed over by the electoral commissions at the end of their work to the bodies that approved the membership of the respective commissions.

The procedure for the keeping of electoral documents shall be established by the Presidium of the Supreme Soviet of the USSR.

Vedomosti Verkhovnogo Soveta SSSR,
No. 28, 1978, Item 441.

LAW
OF THE UNION OF SOVIET SOCIALIST REPUBLICS
ON THE PROCEDURE
GOVERNING THE RECALL OF A DEPUTY
OF THE SUPREME SOVIET OF THE USSR

*(of October 30, 1959, as amended on April 19,
1979)*

The right to recall a Deputy, being one of the basic principles of socialist democracy, established as a result of the Great October Socialist Revolution and the formation of the Soviet state, is an expression of the sovereignty of the Soviet people and a guarantee of the actual responsibility of Deputies to the electorate.

Proceeding from this, the Supreme Soviet of the Union of Soviet Socialist Republics, in accordance with the Constitution of the USSR, *decrees*:

Article 1. By decision of the majority of the electorate of his constituency, a Deputy of the Supreme Soviet of the USSR may be recalled at any time, if he has failed to justify the confidence of the electors or committed acts unworthy of his high title.

Article 2. The right to recall a Deputy of the Supreme Soviet of the USSR shall belong to organisations of the Communist Party of the Soviet Union, trade unions, and the All-Union Leninist Young Communist League; cooperatives and other public organisations as represented by their All-Union, Republican, territorial, regional, area, district, city and city-district bodies, and also to work collectives and meetings of servicemen in their military units.

Article 3. Public organisations, work collectives, and meetings of servicemen in their military units that raise

the question of the recall of a Deputy shall inform the Deputy accordingly, setting forth the reasons for bringing up the question of his recall.

A Deputy shall have the right to present to the public organisations and collectives that raised the question of his recall a verbal or written explanation of the circumstances serving as grounds for raising the question of his recall.

Article 4. The decisions of public organisations and collectives that have raised the question of a Deputy's recall shall be submitted to the Presidium of the Supreme Soviet of the USSR.

The Presidium of the Supreme Soviet of the USSR shall examine the materials presented to it and pass them on to the Credentials Commission of the Soviet of the Union or the Soviet of Nationalities respectively for the drafting of conclusions.

If the question of recall has been raised in accordance with the requirements of the present Law, the Presidium of the Supreme Soviet of the USSR shall appoint a date for the taking of a vote on the Deputy's recall.

Article 5. The question of the recall of a Deputy of the Supreme Soviet of the USSR shall be discussed and decided at meetings of electors of the constituency concerned, convened by the public organisations referred to in Article 2 of the present Law at enterprises, institutions, collective farms and military units, and also at the place of residence of the electors.

The decision on the recall of a Deputy of the Supreme Soviet of the USSR shall be taken by a show of hands.

Article 6. In accordance with the Constitution of the USSR, public organisations, work collectives, and every citizen of the USSR shall have the right, after the Presidium of the Supreme Soviet of the USSR has appointed a date for the taking of a vote on a Deputy's recall, to unhindered canvassing for or against the recall of the Deputy.

Article 7. A constituency commission, consisting of representatives of the organisations of the Communist Party of the Soviet Union, trade unions, and the All-Union Le-

ninist Young Communist League, cooperatives and other public organisations, work collectives and meetings of servicemen in their military units and composed of a Chairman, Vice-Chairman, Secretary and from eight to 12 members, shall be set up to supervise the observance of the present Law during the vote on the recall of a Deputy and determine the returns in the constituency concerned.

The constituency commission set up for the vote on the recall of a Deputy of the Soviet of the Union shall be approved by the executive committee of the corresponding territorial, regional or city Soviet of People's Deputies in Union Republics with territorial or regional division and in constituencies formed on the territory of a territory, region and the cities of Moscow, Leningrad and Kiev; by the Presidium of the Supreme Soviet of the Union Republic in constituencies formed on the territory of two or more territories and regions; and by the Presidium of the Supreme Soviet of the Union or Autonomous Republic in Union Republics without territorial or regional division, and in Autonomous Republics.

The composition of the constituency commission set up for the vote on the recall of a Deputy of the Soviet of Nationalities shall be approved by the Presidium of the Supreme Soviet of the Union or Autonomous Republic, or the executive committee of the Soviet of People's Deputies of the autonomous region or the autonomous area, as the case may be.

Article 8. The minutes of the meetings of electors shall indicate the time and place of the meeting, the number of electors attending the meeting, and the number of votes cast for and against the recall of the Deputy.

The minutes of the meeting of electors shall be signed by all the members of the presidium of the meeting and submitted within three days to the constituency commission set up for the vote on the recall of the Deputy.

Article 9. On the strength of the minutes of the meetings of electors, the constituency commission shall count the number of votes cast for and against the recall of the Deputy and establish the results of the vote on recall.

The constituency commission shall submit the minutes

on the results of the vote on the recall of a Deputy to the Presidium of the Supreme Soviet of the USSR.

Article 10. A Deputy of the Supreme Soviet of the USSR shall be deemed recalled if the majority of the electorate of a given constituency have voted for his recall.

Article 11. The results of the vote on the recall of a Deputy shall be published by the constituency commission not later than five days after they have been determined.

Article 12. Complaints of infringement of the present Law during voting on the recall of a Deputy of the Supreme Soviet of the USSR shall be examined by the constituency commission for the vote on the recall of a Deputy.

Complaints of improper action on the part of the constituency commission for holding vote on the recall of a Deputy shall be examined by the Presidium of the Supreme Soviet of the USSR.

Vedomosti Verkhovnogo Soveta SSSR,
No. 44, 1959, Item 222;
No. 17, 1979, Item 278.

LAW
OF THE UNION OF SOVIET SOCIALIST REPUBLICS
ON THE COUNCIL OF MINISTERS OF THE USSR

(of July 5, 1978)

I. GENERAL PROVISIONS

Article 1. The Council of Ministers of the USSR Is the Highest Executive and Administrative Body of State Authority of the USSR

The Council of Ministers of the USSR, i.e. the Government of the USSR, shall be the highest executive and administrative body of state authority of the USSR.

On the basis of Leninist ideas and principles, the Constitution of the USSR determines the role and tasks of the Council of Ministers of the USSR in performing the functions of the socialist state of the whole people.

The Council of Ministers shall be empowered to deal with all matters of state administration within the jurisdiction of the Union of Soviet Socialist Republics insofar as, under the Constitution of the USSR, they do not come within the competence of the Supreme Soviet of the USSR or the Presidium of the Supreme Soviet of the USSR.

In its work the Council of Ministers of the USSR shall be guided by the Constitution of the USSR and the laws of the USSR.

The Council of Ministers of the USSR, on the basis of, and in pursuance of, the laws of the USSR and other decisions of the Supreme Soviet of the USSR and its Presidium, shall issue decisions and ordinances and verify their execution. The decisions and ordinances of the Council of Ministers of the USSR shall be binding throughout the USSR on all bodies, organisations, officials and citizens.

Article 2. Main Lines of Work of the Council of Ministers of the USSR

In accordance with the decisions of the Communist Party and the major tasks of the socialist state of the whole people, the Council of Ministers of the USSR shall within its powers act along the following main lines:

to pursue a uniform socio-economic policy based on full use of the economic laws and advantages of socialism;

to ensure the dynamic, planned and balanced development of the economy, the acceleration of scientific and technological progress, and the raising of the efficiency of production and quality of work in order to satisfy more fully the growing material and intellectual requirements of Soviet people;

to raise the welfare and cultural standards of the people, protect the rights and freedoms of citizens, and create favourable conditions for the all-round development of the individual;

to strengthen further the unity of all nations and nationalities of the Soviet Union in order to build communism jointly and ensure the unity of interests of the Union of Soviet Socialist Republics and the Union Republics;

to ensure the rational exploitation and conservation of natural resources in the interests of the present and future generations;

to improve state administration;

to defend the interests of the state, protect and increase socialist property, and strengthen further socialist legality and state discipline;

to ensure the security and defence capacity of the country with the aim of defending socialist gains and the peaceful labour of the Soviet people;

and to pursue the Leninist policy of peace and steadfastly apply the principles of foreign policy laid down in the Constitution of the USSR.

Article 3. Basic Principles of the Work of the Council of Ministers of the USSR

The Council of Ministers of the USSR, guided in its work by the principles of democratic centralism, socialist federalism, socialist legality, openness and taking into account of public opinion shall:

ensure that centralised settlement of matters of state administration is combined with development of the initiative of Republican and local bodies, the collegiate consideration and settlement of matters by the Council of Ministers of the USSR with the personal responsibility of members of the Council of Ministers of the USSR for the implementation of decisions and the state of affairs in the areas of work entrusted to them;

receive proposals from state bodies and public organisations, work collectives and citizens, ensure that they are applied in the solving of appropriate matters, and inform the public of its work and major decisions;

ensure the strict observance of the Constitution of the USSR, the laws of the USSR and other decisions of the Supreme Soviet of the USSR and its Presidium.

All-Union bodies of public organisations shall, in accordance with their statutory tasks, take part in the consideration of matters dealt with by the Council of Ministers of the USSR in cases specified by the legislation of the USSR.

The Council of Ministers of the USSR shall make use of scientific achievements in deciding matters of state administration.

Article 4. Procedure for Forming the Council of Ministers of the USSR. Composition of the Council of Ministers of the USSR

The Council of Ministers of the USSR shall be formed by the Supreme Soviet of the USSR at a joint sitting of the Soviet of the Union and the Soviet of Nationalities, and shall consist of the Chairman of the Council of Ministers of the USSR, the First Vice-Chairmen and Vice Chairmen, ministers of the USSR and chairmen of state committees of the USSR.

The Chairmen of the Councils of Ministers of Union Republics shall be *ex officio* members of the Council of Ministers of the USSR.

The Supreme Soviet of the USSR, on the recommendation of the Chairman of the Council of Ministers of the USSR, may include in the Government of the USSR the heads of other bodies and organisations of the USSR.

Changes in the membership of the Council of Ministers of the USSR shall be made by the Supreme Soviet of the

USSR. Between sessions of the Supreme Soviet of the USSR the Presidium of the Supreme Soviet of the USSR shall relieve individual members of the Council of Ministers of the USSR of their responsibilities and appoint persons to the Council of Ministers of the USSR on the representation of the Chairman of the Council of Ministers of the USSR subject to submission for confirmation by the Supreme Soviet of the USSR at its next session.

The Council of Ministers of the USSR shall tender its resignation to a newly elected Supreme Soviet of the USSR at its first session.

Article 5. The Responsibility and Accountability of the Council of Ministers of the USSR

The Council of Ministers of the USSR shall be responsible and accountable to the Supreme Soviet of the USSR and, between sessions of the Supreme Soviet of the USSR, to the Presidium of the Supreme Soviet of the USSR.

A newly elected Council of Ministers of the USSR shall submit a statement of its forthcoming activity for the consideration of the Supreme Soviet of the USSR.

The Council of Ministers of the USSR shall report regularly on its work to the Supreme Soviet of the USSR.

The Council of Ministers of the USSR or a member of the Council of Ministers of the USSR to whom an inquiry has been addressed by a Deputy of the Supreme Soviet of the USSR shall give a verbal or written reply within three days at the session of the Supreme Soviet of the USSR.

The Council of Ministers of the USSR shall consider recommendations of the commissions of the Supreme Soviet of the USSR and the commissions of its chambers and proposals from Deputies of the Supreme Soviet of the USSR and inform them within the prescribed time-limit of the results of this consideration or of measures taken.

II. COMPETENCE OF THE COUNCIL OF MINISTERS OF THE USSR

Article 6. General Matters of the Competence of the Council of Ministers of the USSR

Within the powers prescribed by the Constitution of the USSR, the present Law and other laws of the USSR the Council of Ministers of the USSR shall:

ensure direction of economic, social and cultural development and other spheres of state administration; exercise direction of branches under Union jurisdiction and general direction of branches under Union-Republican jurisdiction;

organise the management of industrial, constructional, and agricultural enterprises and amalgamations, transport and communications undertakings, banks, scientific institutions, and other organisations and institutions of All-Union subordination; determine the procedure for setting up, reorganising and abolishing state enterprises, amalgamations, and other organisations and institutions;

define the tasks and functions and the procedure for the organisation and work of bodies of state administration; take steps to improve the system of state administration bodies and the style and methods of their work.

When necessary the Council of Ministers of the USSR may delegate the deciding of individual matters of state administration within its competence to the Councils of Ministers of Union Republics, ministries and state committees of the USSR, and other bodies subordinate to it.

Article 7. The Main Powers of the Council of Ministers of the USSR in the Sphere of Economic Development

The Council of Ministers of the USSR shall:

1) ensure the development of the economy as a single economic complex on the basis of state plans for economic and social development with due account of the sectoral and territorial principles and by combining centralised direction with the managerial independence and initiative of individual enterprises and amalgamations and other organisations;

2) take measures to ensure optimal rates for the development of social production, the growth of the national income and its rational distribution; organise the creation of the requisite state reserves;

3) draft proposals on the main lines of development of the economy, organise the management of groups of its related sectors, coordinate the development of sectors of the economy; take measures to ensure the acceleration of scientific and technological progress, increased efficiency of production and the high quality of the manufactured goods;

4) ensure the deciding of the most important overall state, inter-sectoral and territorial matters of economic development;

5) ensure the active use of management accounting, profit, cost, and other economic levers and incentives; take measures to make the best possible use of the internal reserves of socialist production and to promote thrift;

6) decide matters relating to the protection and scientifically based, rational utilisation of the land and its mineral and water resources, and the plant and animal kingdoms, preservation of the purity of the air and water, reproduction of natural wealth, and improvement of the human environment.

Article 8. The Main Powers of the Council of Ministers of the USSR in the Sphere of Social Development and Culture

The Council of Ministers of the USSR shall:

1) elaborate and implement measures to raise pay levels and real incomes through an increase in labour productivity and to augment social consumption funds;

2) determine the lines of development and improvement of the state system of health protection and its material and technical basis, implement measures to protect and strengthen the health of citizens, and promote the development of physical culture and sport;

3) elaborate and implement measures to pursue a uniform policy of social security and, together with the All-Union Central Council of Trade Unions, establish the basic conditions for the granting of and the size of allowances from state social insurance;

4) take measures to develop and preserve state and socially-owned housing and to assist cooperative and individual house building;

5) determine the lines of development and improvement of a uniform system of public education; ensure the protection, augmenting and extensive use of society's cultural wealth for the moral and aesthetic education of the Soviet people and for raising their cultural level; and encourage the development of professional and folk arts;

6) direct the activity of state systems of trade and public catering, communal services and amenities, and public utilities; and encourage the activities of cooperative and

other public organisations in all spheres to provide all types of services for the population.

Article 9. The Main Powers of the Council of Ministers of the USSR in the Sphere of Planning Economic and Social Development

The Council of Ministers of the USSR shall:

1) draft current and long-term state plans for the economic and social development of the USSR and submit them to the Supreme Soviet of the USSR, take measures to execute the state plans, and present the Supreme Soviet of the USSR with reports on the implementation of the plans;

2) organise the preparatory work by the State Planning Committee of the USSR, the central body of state administration in the sphere of planning, the ministries and state committees of the USSR, and other bodies subordinate to the Council of Ministers of the USSR, and by the Councils of Ministers of Union Republics on drafting state plans for the economic and social development of the USSR; and ensure the balanced and stable nature of plans, the rational distribution of productive forces throughout the Union Republics and economic regions of the country, and improved planning methods.

3) organise the drafting of comprehensive programmes for economic, social, scientific and technological development and ensure the implementation of these programmes;

4) direct the organisation of a uniform system of accounting and statistics.

Article 10. The Main Powers of the Council of Ministers of the USSR in the Sphere of Finance, Credits and Prices

The Council of Ministers of the USSR shall:

1) lay down the guidelines for carrying out the financial policy of the Soviet state;

2) draft the Budget of the USSR and submit it to the Supreme Soviet of the USSR, take measures to execute the Budget, and present the Supreme Soviet of the USSR with a report on the implementation of the Budget;

3) take measures to consolidate the monetary and credit system and to ensure state insurance;

4) exercise direction in the sphere of the foreign exchange

and credit relations of the USSR with foreign states on the basis of a state monopoly;

5) ensure the pursuance of a uniform prices policy, and determine the main lines for improving the prices system.

Article 11. The Main Powers of the Council of Ministers of the USSR in the Sphere of Labour and Wages

The Council of Ministers of the USSR shall:

1) draft and implement measures to ensure the right of citizens to work, and to pursue a uniform policy in the sphere of wages and the rational use of manpower resources;

2) draft measures to ensure the steady growth of labour productivity in the economy, the large-scale introduction of modern methods of mechanisation and automation of production processes, the improvement of working conditions, safety and labour protection and the scientific organisation of work, and the consolidation of socialist labour discipline;

3) exercise state regulation of wages, draft measures to enhance the role of wages as an incentive in raising efficiency of production and quality of work; and ensure the necessary correlation of labour productivity growth rates and wage increases, the combination of material and moral incentives;

4) together with the All-Union Central Council of Trade Unions, take measures to develop and increase the effectiveness of socialist emulation;

5) with the participation of the All-Union Central Council of Trade Unions, decide individual matters concerning the regulation of working hours and the leisure for industrial and office workers;

6) and ensure in accordance with society's needs the organisation of the training and use of personnel and the raising of their qualifications.

Article 12. The Main Powers of the Council of Ministers of the USSR in the Sphere of Science and Technology

The Council of Ministers of the USSR shall:

1) draft and implement measures to pursue a uniform

policy in the sphere of science and technology, and organise the compilation of scientific and technological forecasts;

2) consider the main lines of scientific and technological development and determine programmes for major scientific and technological problems;

3) draft measures to increase the efficiency of scientific research and to apply the results of scientific research, inventions and rationalisation proposals;

4) and direct the activity of the Academy of Sciences of the USSR.

Article 13. The Main Powers of the Council of Ministers of the USSR in the Sphere of Ensuring Socialist Legality

The Council of Ministers of the USSR shall:

1) take measures to maintain public order and guarantee and protect citizens' rights and freedoms;

2) direct the activity of state, cooperative and other organisations to protect socialist property;

3) ensure the observance of legislation by ministries and state committees of the USSR and other bodies subordinate to it; determine the main lines of legal work in bodies of state administration, enterprises, amalgamations and other organisations and institutions;

5) and take measures to improve existing legislation.

Article 14. The Main Powers of the Council of Ministers of the USSR in the Sphere of Ensuring the Security and Defence Capacity of the Country

The Council of Ministers of the USSR shall:

1) take measures to ensure state security and to protect the state frontiers and territory of the USSR;

2) exercise general direction of the development of the Armed Forces of the USSR and determine the annual contingent of citizens to be called up for active military service;

3) take measures to ensure the country's defence capacity and to keep the Armed Forces of the USSR in constant combat readiness, guaranteeing that any aggressor is instantly repulsed;

4) ensure the supplying of the Armed Forces of the USSR with everything necessary for them to perform their

duty to the people of providing a reliable defence of the socialist Motherland;

5) and exercise general direction of the civil defence of the USSR.

Article 15. The Main Powers of the Council of Ministers of the USSR in the Sphere of Foreign Policy and International Relations

The Council of Ministers of the USSR shall:

1) provide general direction in regard to relations of the USSR with other states and international organisations, foreign trade and other types of external economic activity on the basis of a state monopoly, and the scientific, technological and cultural cooperation of the USSR with other countries; and ensure the taking of measures to extend the international cooperation of the USSR and improve the effectiveness of foreign economic, scientific and technological relations;

2) organise and direct the activity connected with the participation of the USSR in socialist economic integration and international socialist division of labour; take steps to promote the coordination of the state plans of the USSR with the state plans of member countries of the Council for Mutual Economic Assistance, specialisation and cooperation in production and the drafting and implementation of long-term purpose-oriented programmes of co-operation with the member countries of the Council for Mutual Economic Assistance;

3) organise, within its powers, the representation of the USSR in other states, and also in international organisations;

4) take measures to ensure fulfilment of the international treaties of the USSR; decide matters concerning the acceptance of recommendations of the Council for Mutual Economic Assistance and ensure the implementation of recommendations accepted;

5) and ratify and denounce inter-governmental international treaties of the USSR.

Article 16. Matters to Be Decided at Sitzings of the Council of Ministers of the USSR

The Council of Ministers of the USSR shall at its sittings decide the most important matters of developing the economy, ensuring the growth of the welfare and culture

of the people, scientific and technological progress, the rational use and protection of natural resources, and the development of relations of the USSR with other states, consider draft current and long-term state plans for the economic and social development of the USSR and the Budget of the USSR, the results of the implementation of the state plans and Budget, and bills of the USSR, and also consider and decide other major matters of the home and foreign policy of the USSR.

Article 17. The Presidium of the Council of Ministers of the USSR. Matters to Be Decided at Sitzings of the Presidium of the Council of Ministers of the USSR

A Presidium of the Council of Ministers of the USSR, consisting of the Chairman, the First Vice-Chairmen, Vice-Chairmen of the Council of Ministers of the USSR and, by decision of the Council of Ministers of the USSR, other members of the Government of the USSR, shall function as a standing body of the Council of Ministers of the USSR to deal with questions relating to guidance of the economy, and with other matters of state administration.

III. RELATIONS OF THE COUNCIL OF MINISTERS OF THE USSR WITH OTHER STATE BODIES

Article 18. Relations of the Council of Ministers of the USSR with the Councils of Ministers of Union Republics

The Council of Ministers of the USSR shall, within its powers, guide and coordinate the activity of the Councils of Ministers of Union Republics in implementing the decisions of the higher bodies of state power and administration of the USSR.

The Councils of Ministers of Union Republics shall take part in the deciding by the Council of Ministers of the USSR of matters within its jurisdiction. The Councils of Ministers of Union Republics shall submit for the consideration of the Council of Ministers of the USSR proposals on matters of All-Union significance.

The Council of Ministers of the USSR shall ensure the necessary coordination between Councils of Ministers of Union Republics, ministries and state committees of the

USSR, and other bodies subordinate to it in the exercise of their powers and the implementation of plans for economic and social development and the most important comprehensive state, inter-sectoral and regional programmes, and decide matters arising from them.

The Council of Ministers of the USSR shall have the right to suspend the execution of decisions and ordinances of the Councils of Ministers of Union Republics in matters within the jurisdiction of the Union of Soviet Socialist Republics.

For the purpose of maintaining day-to-day contacts of the Council of Ministers of the USSR with the Councils of Ministers of Union Republics, permanent representations of the Councils of Ministers of Union Republics shall be set up under the Council of Ministers of the USSR.

Article 19. Management of Ministries and State Committees of the USSR and Other Bodies Subordinate to the Council of Ministers of the USSR

The Council of Ministers of the USSR shall coordinate and guide the work of All-Union and Union-Republican ministries and state committees of the USSR and other bodies subordinate to it.

The Council of Ministers of the USSR shall submit to the Supreme Soviet of the USSR, and in the period between sessions of the Supreme Soviet of the USSR to its Presidium, proposals concerning the formation and abolition of ministries and state committees of the USSR.

The Council of Ministers of the USSR shall, when necessary, form committees, central boards and other departments under the Council of Ministers of the USSR to deal with matters of economic, social and cultural development and defence, and also reorganise and abolish these bodies.

The Council of Ministers of the USSR shall approve the statutes on ministries and state committees of the USSR and the statutes (charters) on other bodies subordinate to it, and shall also approve the structure of their central machinery and establish the procedure for altering it.

The Council of Ministers of the USSR shall appoint the heads of committees, central boards and other departments under the Council of Ministers of the USSR, deputy ministers of the USSR, vice-chairmen of state committees of the USSR and deputy heads of other bodies subordinate

to it, and shall approve the members of the collegia of ministries and state committees of the USSR and other bodies subordinate to it, and also the members of state committees of the USSR.

Article 20. Supervision by the Council of Ministers of the USSR of the Work of Bodies Subordinate to It

The Council of Ministers of the USSR shall exercise systematic control over the work of ministries and state committees of the USSR and other bodies subordinate to it.

The Council of Ministers of the USSR shall take measures to ensure that ministries and state committees of the USSR and other bodies subordinate to it make full use of the rights granted to them for carrying out the tasks entrusted to them and performing their functions and for deciding independently matters within their jurisdiction.

The Council of Ministers of the USSR shall have the right to rescind acts of ministries and state committees of the USSR and of other bodies subordinate to it.

The Council of Ministers of the USSR may take disciplinary action against ministers of the USSR, chairmen of state committees of the USSR, heads of other bodies subordinate to it, and their deputies.

In its supervising activity the Council of Ministers of the USSR shall rely on the Committee of People's Control of the USSR formed by the Supreme Soviet of the USSR, direct the work of the Committee of People's Control of the USSR in exercising supervision in the sphere of economic, social and cultural development and in other spheres of state administration, and consider matters and proposals submitted to it on the basis of the results of checking.

The Chairman of the Committee of People's Control of the USSR shall be a member of the Government of the USSR.

Article 21. Ministries of the USSR

Ministries of the USSR shall be the central bodies of state administration. Ministries of the USSR shall exercise direction of the branches of administration entrusted to them and be responsible for the condition and development of these branches and for the implementation of

state plans and the solving of other tasks belonging to the respective branches.

All-Union ministries of the USSR shall direct the branches of administration entrusted to them throughout the territory of the USSR directly or through bodies set up by them.

Union-Republican ministries of the USSR shall direct the branches of administration entrusted to them, as a rule, through the corresponding ministries and other bodies of Union Republics, and directly administer individual enterprises and amalgamations and other organisations and institutions of Union subordination.

The Council of Ministers of the USSR may charge ministries of the USSR with the exercise of individual functions of inter-branch administration.

Ministries of the USSR shall within their jurisdiction issue acts on the basis of and in pursuance of the laws of the USSR and other decisions of the Supreme Soviet of the USSR and its Presidium, and decisions and ordinances of the Council of Ministers of the USSR, and organise and verify their execution.

Ministries of the USSR shall be headed by ministers who shall be personally responsible for the carrying out of the tasks entrusted to their respective ministries and for the latter's performance of their functions.

Article 22. State Committees of the USSR

State committees of the USSR shall be central bodies of state administration. State committees of the USSR shall exercise inter-branch administration and be responsible for the condition and development of the spheres of administration entrusted to them.

All-Union committees of the USSR shall exercise inter-branch administration throughout the territory of the USSR directly or through bodies set up by them.

Union-Republican state committees of the USSR shall exercise inter-branch administration, and in certain cases branch administration, as a rule, through the corresponding state committees and other bodies of Union Republics, and directly administer individual enterprises and amalgamations and other organisations and institutions of Union subordination.

The Council of Ministers of the USSR may charge state

committees of the USSR with the exercise of individual functions of guiding branch administrations.

State committees of the USSR shall within their jurisdiction issue acts on the basis of and in pursuance of the laws of the USSR and other decisions of the Supreme Soviet of the USSR and its Presidium, and decisions and ordinances of the Council of Ministers of the USSR, and organise and verify their execution.

State committees of the USSR shall be headed by chairmen of state committees who shall be personally responsible for the carrying out of the tasks entrusted to their respective state committees and the latter's performance of their functions.

**IV. LIST OF MINISTRIES
AND STATE COMMITTEES OF THE USSR.
OTHER BODIES SUBORDINATE
TO THE COUNCIL OF MINISTERS OF THE USSR**

Article 23. All-Union Ministries of the USSR

The All-Union ministries of the USSR shall include:

- Ministry of the Aircraft Industry
- Ministry of the Automobile Industry
- Ministry of Foreign Trade
- Ministry of the Gas Industry
- Ministry of Civil Aviation
- Ministry of Engineering
- Ministry of Machine-Building for Livestock Farming
and Fodder Production
- Ministry of Machine-Building for the Light and Food
Industries and Household Appliances
- Ministry of the Medical Equipment Industry
- Ministry of the Merchant Marine
- Ministry of the Oil Industry
- Ministry of the Defence Industry
- Ministry of Defence
- Ministry of General Engineering
- Ministry of Instrument-Making, Means of Automation
and Control Systems
- Ministry of the Communication Industry
- Ministry of Railways
- Ministry of the Radio Industry

Ministry of Medium Machine-Building
Ministry of Machine-Tool and Instrument Making
Ministry of Building, Road and Communal Machinery
Ministry of Construction in the Far East and the
Transbaikal Area
Ministry of Construction of Enterprises for the Oil and
Gas Industry
Ministry of Shipbuilding
Ministry of Tractor and Agricultural Machinery Building
Ministry of Transport Building
Ministry of Heavy and Transport Engineering
Ministry of Chemical and Oil Machine-Building
Ministry of the Chemical Industry
Ministry of the Pulp and Paper Industry
Ministry of the Electronic Industry
Ministry of Electrical Engineering
Ministry of Power Engineering

Article 24. Union-Republican Ministries of the USSR

The Union-Republican ministries of the USSR shall include:

Ministry of Internal Affairs
Ministry of Higher and Specialised Secondary Education
Ministry of Geology
Ministry of State Purchases
Ministry of Public Health
Ministry of Foreign Affairs
Ministry of Culture
Ministry of the Light Industry
Ministry of the Timber and Wood-Working Industry
Ministry of Land Reclamation and Water Conservancy
Ministry of Assembly and Specialised Building Work
Ministry of the Meat and Dairy Industry
Ministry of the Oil-Refining and Petrochemical Industry
Ministry of the Food Industry
Ministry of Industrial Construction
Ministry of the Building Materials Industry
Ministry of Public Education
Ministry of Fisheries

Ministry of Communications
Ministry of Rural Construction
Ministry of Agriculture
Ministry of Construction
Ministry of Heavy Industry Construction
Ministry of Trade
Ministry of the Coal Industry
Ministry of Finance
Ministry of Non-Ferrous Metallurgy
Ministry of Ferrous Metallurgy
Ministry of Electric Power Development and Electrification
Ministry of Justice

Article 25. All-Union State Committees of the USSR

The All-Union state committees of the USSR shall include:

State Committee for Science and Technology
State Committee for Inventions and Discoveries
State Committee for Standards
State Committee for Foreign Economic Relations
State Committee for Hydrometeorology and Control of Natural Environment
State Committee for Material Reserves

Article 26. Union-Republican State Committees of the USSR

The Union-Republican state committees of the USSR shall include:

State Planning Committee
State Building Committee
State Committee for Material and Technical Supply
State Committee for Labour and Social Affairs
State Committee for Prices
State Committee for Vocational Training
State Committee for Television and Radio
State Committee for Cinematography
State Committee for Publishing, Printing and the Book Trade
State Committee for Forestry
State Security Committee
State Committee for the Production and Technical Provision of Agriculture

Article 27. Other Bodies Subordinate to the Council of Ministers of the USSR

The State Bank of the USSR and the Central Statistical Board of the USSR, the heads of which shall be members of the Government of the USSR according to the established procedure, shall be subordinate to the Council of Ministers of the USSR.

The Committee for Supervision of Labour Safety in Industry, the Committee for Physical Culture and Sports and other committees, central boards and departments under the Council of Ministers of the USSR for matters of economic, social and cultural development, and defence, and other bodies in accordance with laws of the USSR shall also be subordinate to the Council of Ministers of the USSR.

Economic disputes between enterprises, institutions and organisations under the Council of Ministers of the USSR shall be settled by the State Arbitration of the USSR.

**V. ORGANISATION OF THE WORK
OF THE COUNCIL OF MINISTERS
OF THE USSR**

Article 28. Sitzings of the Council of Ministers of the USSR and Its Presidium and the Procedure for Taking Decisions at Sitzings

Sittings of the Council of Ministers of the USSR shall be held at least once every three months. Sitzings of the Presidium of the Council of Ministers of the USSR shall be held regularly (when necessary).

At sittings of the Council of Ministers of the USSR and its Presidium decisions shall be taken by a majority of the members of the Council of Ministers of the USSR and the members of the Presidium of the Council of Ministers of the USSR respectively.

Article 29. Chairman of the Council of Ministers of the USSR. Vice-Chairmen of the Council of Ministers of the USSR

The Chairman of the Council of Ministers of the USSR shall head the Government of the USSR and direct its activity.

The Chairman of the Council of Ministers of the USSR shall:

at the request of the Supreme Soviet of the USSR draft the membership of the Council of Ministers of the USSR and submit a corresponding proposal to the Supreme Soviet of the USSR;

present to the Supreme Soviet of the USSR, and in the period between sessions of the Supreme Soviet of the USSR to its Presidium, proposals on relieving individual members of the Council of Ministers of the USSR of their duties and the appointment of new members;

organise the work of the Council of Ministers of the USSR and its Presidium and guide its sittings;

coordinate the activity of the First Vice-Chairmen and Vice-Chairmen of the Council of Ministers of the USSR;

ensure the collegial work of the Council of Ministers of the USSR;

represent the USSR in international relations in accordance with the Constitution of the USSR and the laws of the USSR;

in cases of emergency take decisions on individual matters of state administration.

The First Vice-Chairmen and Vice-Chairmen of the Council of Ministers of the USSR shall coordinate, in accordance with the allocation of duties, the work of ministries and state committees of the USSR and other bodies subordinate to the Council of Ministers of the USSR, supervise the work of these bodies and give them operational instructions on ensuring the implementation of plans for economic and social development, decisions and ordinances of the Council of Ministers of the USSR and on other matters; and give preliminary consideration to proposals, draft decisions and ordinances submitted to the Council of Ministers of the USSR.

In the event of the absence of the Chairman of the Council of Ministers of the USSR his duties shall be performed on his instructions by one of the First Vice-Chairmen.

Article 30. Standing Commissions of the Presidium of the Council of Ministers of the USSR and Other Working Bodies of the Council of Ministers of the USSR

The Presidium of the Council of Ministers of the USSR shall have standing commissions. The tasks, functions and

procedure for the work of these commissions shall be defined by the Council of Ministers of the USSR.

For the drafting of proposals connected with the development of sectors of the economy or spheres of administration, the preparation of draft decisions of the Government of the USSR and the consideration of differences of opinion on draft decisions, and also for the carrying out of individual assignments from the Council of Ministers of the USSR and its Presidium, *ad hoc* commissions and other working bodies of the Council of Ministers of the USSR may be set up.

The procedure for submitting proposals to the Council of Ministers of the USSR and for their consideration shall be determined by the Council of Ministers of the USSR.

Article 31. Decisions and Ordinances of the Council of Ministers of the USSR

Decisions of the Council of Ministers of the USSR which are of a normative nature or of important economic and general significance shall be published in the form of decrees. Decisions of the Council of Ministers of the USSR shall be published in the Collected Decisions of the Government of the USSR, and, when their extensive and immediate publication is necessary, they shall be conveyed to the public by the mass media.

Decisions on operational and other current matters shall be issued in the form of ordinances of the Council of Ministers of the USSR.

Decisions of the Council of Ministers of the USSR shall be signed by the Chairman of the Council of Ministers of the USSR and the Chief Administrative Officer of the Council of Ministers of the USSR. Ordinances of the Council of Ministers of the USSR shall be signed by the Chairman of the Council of Ministers of the USSR or the First Vice-Chairmen of the Council of Ministers of the USSR.

Article 32. Machinery of the Council of Ministers of the USSR

The Administrative Office of the Council of Ministers of the USSR, consisting of departments and other structural subdivisions, shall be the machinery of the Government of the USSR that prepares matters for consideration in the Council of Ministers of the USSR and ensures systematic

verification of the implementation of Party and Government decisions.

The machinery of the Government of the USSR shall be headed by the Chief Administrative Officer who shall be a member of the Council of Ministers of the USSR according to the prescribed procedure.

The Statute on the Administrative Office of the Council of Ministers of the USSR and its structure shall be approved by the Council of Ministers of the USSR.

Vedomosti Verkhovnogo Soveta SSSR,
No. 28, 1978, Item 436.
No. 26, 1981, Item 839.

LAW
OF THE UNION OF SOVIET SOCIALIST REPUBLICS
ON PEOPLE'S CONTROL IN THE USSR

(of November 30, 1979)

In the Soviet state, which expresses the will and interests of the whole people, the right of control belongs to the people itself, as the sole master of its country. People's control, extending to economic life and socio-cultural construction, to the sphere of production and distribution, and to the activity of the state apparatus, has an important role to play in realising the tasks and functions of the Soviet socialist state of the whole people.

The organs of people's control rely in their activity on the initiative and socialist consciousness of the Soviet people. Their main force consists of industrial workers, collective farmers and office workers who take part in the work of people's control groups, posts and committees and who secure implementation of the decisions of the Communist Party and the Soviet state.

The further development of the political system of the Soviet society implies a strengthening of people's control, which is a form of socialist democracy and an effective means of involving masses of people in the administration of state and social affairs.

I. GENERAL PROVISIONS

Article 1. People's Control in the USSR, a Blend of State and Public Control

People's control in the USSR shall combine state control with public control by the working people at the enterprises, collective farms, establishments and organisations.

People's control shall be effected by the organs of peo-

ple's control formed by the Soviets of People's Deputies or elected by work collectives.

People's control committees shall consist of representatives of state organs and public organisations, industrial workers, collective farmers, office workers, workers in science and culture, workers in the mass media, and executive workers and activists of people's control organs.

The activity of people's control organs shall proceed on the basis of the Leninist principles of socialist control, in conformity with the decisions of the Communist Party of the Soviet Union, the Constitution of the USSR, the Constitutions of the Union Republics, the present Law and other legislative acts of the USSR and the Union Republics.

Article 2. Legislation of the USSR and the Union Republics on People's Control

The legislation of the USSR on people's control shall consist of the present Law, which, in conformity with the Constitution of the USSR, determines the organisation and procedures of people's control organs, and of other legislative acts of the USSR.

Union Republican legislation shall settle matters connected with the organisation and activity of people's control organs and referred to its competence by the Constitution of the USSR, the Constitution of the Union Republic, and legislative acts of the USSR.

Article 3. Basic Tasks and Lines of Activity of People's Control Organs

People's control organs shall have the task regularly to verify fulfilment of Party directives, Soviet laws and decisions of the Government, resolutely to oppose anything that harms the interests of the state, and to help develop in citizens a sense of responsibility for the affairs of society as a whole.

People's control organs shall, within the limits of their competence, carry on activity along the following main lines:

1) control fulfilment of state plans for economic and social development and plan assignments;

2) bring out reserves in the economy, secure their use, enhancement of the efficiency of social production and the

quality of workmanship, application in production of scientific and technical achievements and advanced experience, economical use of labour and material resources and financial funds, and rational use of natural resources and improvement of their protection;

3) struggle against breaches of state discipline, expression of regionalism, and a narrow departmental approach to business, against mismanagement and waste, red tape and bureaucratic practices, and any attempts to defraud the state, and against encroachments on socialist property;

4) help improve the work of the state apparatus, introduce the scientific organisation of labour and management, and improve check-ups on the fulfilment of adopted decisions in the organs of state administration; check up on the state of departmental control, and work to make it more effective;

5) exercise control over the observance of Soviet laws by persons in office during the examination of citizens' proposals, applications and complaints, carry out check-ups on the state of this work in ministries, state committees, and departments, at enterprises, in offices and organisations, and also on collective farms, in cooperatives and other public organisations.

Through the whole of their activity, people's control organs must help to improve the work of enterprises, collective farms, establishments, organisations, ministries, state committees and departments, to educate their workers in a spirit of scrupulous observance of state discipline and socialist legality, and must forewarn persons in office against mistakes and omissions in their work, and secure the elimination of shortcomings.

People's control organs shall exert an influence on persons who are to blame for shortcomings or breaches both by means of comradely criticism and discussion of their wrongful actions, and by calling them to account in accordance with the present Law.

Article 4. Observance of Socialist Legality in the Activity of People's Control Organs

The activity of people's control organs shall be based on scrupulous observance of socialist legality and shall promote the protection of law and order, the interests of the society, and the rights and freedoms of citizens.

Article 5. Democratic Centralism, the Principle Underlying the Organisation and Activity of People's Control Organs

The organisation and activity of people's control organs shall be effected in accordance with the principle of democratic centralism. All people's control organs shall be formed by the corresponding Soviets of People's Deputies or elected by work collectives; people's control organs shall regularly report to the Soviets and work collectives, and also to higher people's control organs; the decisions of higher people's control organs shall be binding on the lower ones; the direction of higher people's control organs shall be combined with initiatives and creative activity of people's control organs in the localities, and with the responsibility of each for the fulfilment of the assigned tasks.

Article 6. Collectiveness in the Work of People's Control Organs

People's control organs shall work on the basis of collectiveness expressed in the broad involvement of working people in control, collegial discussion of the results of check-ups, determination of measures for the prevention and elimination of shortcomings, and settlement of questions concerning the responsibility of persons guilty of shortcomings or breaches.

Article 7. Publicity of People's Control

The publicity of people's control is a necessary condition of its effectiveness. People's control organs shall bring to the knowledge of work collectives the results of check-ups and measures adopted on them, and regularly inform the population about their work at meetings, in the press, and on radio and television.

Article 8. Cooperation of People's Control Organs with the Commissions of the Soviets of People's Deputies and with State Organs

People's control organs shall carry on their work in cooperation with the standing and other commissions of the Soviets of People's Deputies.

People's control organs shall, in the fulfilment of their tasks, maintain ties with the appropriate state organs.

Article 9. Relations Between the Organs of People's Control and the Organs of the Procurator's Office, Internal Affairs, Justice, State Arbitration and the Courts

The organs of people's control shall combat breaches of state discipline and socialist legality in contact with the organs of the procurator's office, internal affairs, justice, state arbitration and the courts.

The activity of the organs of people's control shall not extend to the work of the courts, the organs of the procurator's office, and to the organs of internal affairs, justice and state arbitration, which is connected with the administration of justice, exercise of procurator's supervision, conduct of inquiry and preliminary investigation, and examination of economic disputes.

Article 10. Participation by Public Organisations in the Activity of the Organs of People's Control

Organisations of trade unions, the All-Union Leninist Young Communist League, and other public organisations shall take part in the activity of people's control organs through their representatives in these organs and also through joint actions with them in the exercise of control.

**II. SYSTEM OF THE ORGANS
OF PEOPLE'S CONTROL,
PROCEDURE GOVERNING THEIR FORMATION,
AND THEIR FUNCTIONS**

Article 11. The System of the Organs of People's Control in the USSR

The organs of people's control—the Committee of People's Control of the USSR, the committees of people's control of the Union Republics, the committees of people's control of the Autonomous Republics, territorial and regional committees of people's control, the committees of people's control of autonomous regions and autonomous areas, district, city and city-district committees of people's control, people's control groups under settlement and village Soviets of People's Deputies, people's control committees, groups and posts at enterprises, on collective farms, in establish-

ments, organisations and military units—shall constitute a single system of people's control organs in the USSR.

Article 12. The Committee of People's Control of the USSR

The Committee of People's Control of the USSR shall be formed by the Supreme Soviet of the USSR for a term of five years and shall consist of a Chairman, a First Vice-Chairman, Vice-Chairmen and members of the Committee. The Chairman of the Committee of People's Control of the USSR shall be a member of the Government of the USSR. In the period between sessions of the Supreme Soviet of the USSR, changes in the composition of the Committee of People's Control of the USSR shall, whenever necessary, be made by the Presidium of the Supreme Soviet of the USSR with subsequent submission for approval by the Supreme Soviet of the USSR.

The Committee of People's Control of the USSR shall carry on its activity under the direction of the Supreme Soviet of the USSR, its Presidium and the Council of Ministers of the USSR.

The Committee of People's Control of the USSR shall, at least once within its term of office, submit an account of its activity to the Supreme Soviet of the USSR and shall regularly report on it to the Presidium of the Supreme Soviet of the USSR. The work of the Committee of People's Control of the USSR in the exercise of control in the sphere of economic, social and cultural development and in other spheres of state administration, shall be guided by the Council of Ministers of the USSR. The Committee of People's Control of the USSR shall systematically report on its activity to the Council of Ministers of the USSR.

The Committee of People's Control of the USSR shall be a Union-Republican organ of the USSR and shall head the nationwide system of people's control organs, concerting and guiding their work, and ensuring the correct application of effective legislation by all the people's control organs.

The Committee of People's Control of the USSR shall, in conformity with the tasks assigned to the people's control organs, exercise control in the ministries, state committees and departments of the USSR, and also in the ministries, state committees and departments of the Union and

Autonomous Republics, in the departments and administrations of the executive committees of local Soviets of People's Deputies, at enterprises, on collective farms, in establishments and organisations.

The Committee of People's Control of the USSR shall, on the strength of the results of its check-ups and in the light of the nature of the questions, make proposals and bring in representations, respectively, to the Council of Ministers of the USSR or the Presidium of the Supreme Soviet of the USSR.

Article 13. Committees of People's Control of the Union Republics

The Committee of People's Control of a Union Republic shall be formed by the Supreme Soviet of the Union Republic for a term of five years and shall consist of a Chairman, a First Vice-Chairman, Vice-Chairmen and members of the Committee. The Chairman of the Committee of People's Control of the Union Republic shall be a member of the Government of the Union Republic. In the period between sessions of the Supreme Soviet of the Union Republic, changes in the composition of the Committee of People's Control of the Union Republic shall, whenever necessary, be made by the Presidium of the Supreme Soviet of the Union Republic, with subsequent submission for approval by the Supreme Soviet of the Union Republic.

The Committee of People's Control of the Union Republic shall carry on its activity under the direction of the Supreme Soviet of the Union Republic, its Presidium and the Council of Ministers of the Union Republic, and also of the Committee of People's Control of the USSR.

The Committee of People's Control of the Union Republic shall, at least once within its term of office, give an account of its activity to the Supreme Soviet of the Union Republic and shall regularly report on it to the Presidium of the Supreme Soviet of the Union Republic. The work of the Committee of People's Control of the Union Republic in the exercise of control in the sphere of economic, social and cultural development and in other spheres of state administration, shall be guided by the Council of Ministers of the Union Republic. The Committee of People's Control of the Union Republic shall regularly report on its activity to the Council of Ministers of the Union Republic.

The Committee of People's Control of the Union Republic shall be a Union-Republican organ of the Union Republic, shall direct the work of the lower people's control organs and shall, in accordance with the tasks assigned to the people's control organs, exercise control in the ministries, state committees and departments of the Union Republic, and also in the ministries, state committees and departments of the Autonomous Republics, in the departments and administrations of the executive committees of local Soviets of People's Deputies, and at the enterprises, on the collective farms, in the establishments and organisations located on the territory of the Union Republic, regardless of their departmental subordination.

The Committee of People's Control of the Union Republic shall, on the strength of the results of its check-ups and in the light of the nature of the questions, make proposals and bring in representations, respectively, to the Council of Ministers of the Union Republic or to the Presidium of the Supreme Soviet of the Union Republic, and shall, whenever necessary, put before ministries, state committees and departments of the USSR matters requiring their decision.

Article 14. The Committees of People's Control of the Autonomous Republics

The Committee of People's Control of an Autonomous Republic shall be formed by the Supreme Soviet of the Autonomous Republic for a term of five years and shall consist of a Chairman, Vice-Chairmen and members of the Committee. The Chairman of the Committee of People's Control of the Autonomous Republic shall be a member of the Government of the Autonomous Republic. In the period between sessions of the Supreme Soviet of the Autonomous Republic, changes in the composition of the Committee of People's Control of the Autonomous Republic shall, whenever necessary, be made by the Presidium of the Supreme Soviet of the Autonomous Republic, with subsequent submission for approval by the Supreme Soviet of the Autonomous Republic.

The Committee of People's Control of the Autonomous Republic shall carry on its activity under the direction of the Supreme Soviet of the Autonomous Republic, its Presidium and the Council of Ministers of the Autonomous Re-

public and also of the Committees of People's Control of the USSR and of the Union Republic.

The Committee of People's Control of the Autonomous Republic shall, at least once within its term of office, give an account of its activity to the Supreme Soviet of the Autonomous Republic and shall regularly report on it to the Presidium of the Supreme Soviet of the Autonomous Republic. The work of the Committee of People's Control of the Autonomous Republic in the exercise of control in the sphere of economic, social and cultural development and in other spheres of state administration, shall be guided by the Council of Ministers of the Autonomous Republic. The Committee of People's Control of the Autonomous Republic shall regularly report on its activity to the Council of Ministers of the Autonomous Republic.

The Committee of People's Control of the Autonomous Republic shall direct the work of the lower people's control organs and shall, in conformity with the tasks assigned to the people's control organs, exercise control in the ministries, state committees and departments of the Autonomous Republic, and also in the departments and administrations of the executive committees of the local Soviets of People's Deputies, and at the enterprises, on the collective farms and in the establishments and organisations located on the territory of the Autonomous Republic, regardless of their departmental subordination.

The Committee of People's Control of the Autonomous Republic shall, on the strength of the results of its check-ups, make proposals and bring in representations, respectively, to the Council of Ministers of the Autonomous Republic, or the Presidium of the Supreme Soviet of the Autonomous Republic, and shall, whenever necessary, put before ministries, state committees and departments of the Union Republic or the USSR matters requiring their decision.

Article 15. The Territorial and Regional People's Control Committees, the People's Control Committees of Autonomous Regions and Autonomous Areas, and the District, City and City-District People's Control Committees

The territorial and regional people's control committees, the people's control committees of autonomous regions and

autonomous areas, and district, city and city-district people's control committees shall be formed by the corresponding Soviets of People's Deputies for a term of two and a half years and shall consist of a Chairman, Vice-Chairmen and members of the committee.

The people's control committees enumerated in the first part of the present Article shall be accountable to the Soviets of People's Deputies which have formed them, and shall work under the direction of these Soviets in conformity with the legislation which defines their competence, and also of the higher people's control committees.

The territorial and regional people's control committees, the people's control committees of autonomous regions and autonomous areas, and district, city and city-district people's control committees shall direct the work of the lower people's control committees, groups and posts, and shall, in conformity with the tasks assigned to the people's control organs, exercise control at the enterprises, on the collective farms and in the establishments and organisations located in the territory, region, area, city and district, regardless of their departmental subordination, and also in the departments and administrations of the executive committees of the Soviets which have formed them, and of the lower Soviets of People's Deputies.

The people's control committees formed by local Soviets of People's Deputies shall, on the strength of the results of their check-ups, make proposals and bring in representations to the corresponding Soviets of People's Deputies and their executive committees, and shall, whenever necessary, put before ministries, state committees and departments of the Autonomous Republic, the Union Republic and the USSR matters requiring their decision.

Article 16. People's Control Groups Under Settlement and Village Soviets of People's Deputies

The people's control group under a settlement or village Soviet of People's Deputies shall be formed for a term of two and a half years by the settlement or village Soviet of People's Deputies from among the citizens resident on the territory of the Soviet.

The people's control group under a settlement or village Soviet of People's Deputies shall be accountable to the Soviet which has formed it, and shall be guided by the de-

cisions of the Soviet and its executive committee, and also by the instructions of higher people's control committees.

The people's control group under a settlement or village Soviet of People's Deputies shall exercise control on matters relating to the competence of the Soviet in the light of the tasks assigned to the people's control organs, and shall, whenever necessary, bring in for consideration by the Soviet or its executive committee matters requiring their decision. It shall coordinate its work with the activity of people's control groups at the enterprises, on the collective farms, and in the establishments and organisations located on the territory of the Soviet.

Article 17. People's Control Committees, Groups and Posts at Enterprises, on Collective Farms, in Establishments and Organisations

The people's control group of an enterprise, collective farm, establishment or organisation shall be elected at a meeting of the work collective or, wherever no general meeting can be called because of the conditions of production, at a conference of representatives of the collective, or a meeting of authorised representatives on the collective farm. People's control groups or posts shall be elected by work collectives in a similar manner in shops, sections, work teams, departments and other subdivisions of the enterprise, collective farm, establishment or organisation. The groups and posts shall be elected by a show of hands for a term of two or three years.

Production and research-and-production associations, large enterprises, establishments and organisations may, with the permission of the Committee of People's Control of the USSR in each individual case, elect people's control committees instead of groups, the committee consisting of a Chairman, Vice-Chairmen and members, with subsequent approval of its composition by the corresponding district, city and city-district Soviet of People's Deputies. The people's control committee of an association, enterprise, establishment or organisation shall, in the fulfilment of its tasks, have the rights of district (city) people's control committee within the limits of the association, enterprise, establishment or organisation.

People's control committees and groups at enterprises, on collective farms, and in establishments and organisations

shall be accountable to the collectives which have elected them, shall carry out their assignments, shall be guided by the instructions of higher people's control committees, and shall direct the activity of the groups and posts formed in the structural subdivisions.

Article 18. People's Controllers

The most active and authoritative industrial workers, collective farmers, office workers, and students of higher and specialised secondary schools, and also pensioners and housewives shall be elected to the people's control committees, groups and posts at enterprises, on collective farms, and in establishments and organisations, and nominated to the people's control groups under the settlement and village Soviets of People's Deputies.

It is a great honour and honorary duty to be a people's controller. Every people's controller must, by his activity, justify the trust placed in him, must be demanding and principled when it comes to safeguarding state and social interests, constantly display concern for the preservation and increase of the people's property, set an example of industry, a high sense of consciousness, efficient organisation and discipline.

III. ORGANISATION OF THE ACTIVITY OF THE PEOPLE'S CONTROL ORGANS AND THEIR POWERS

Article 19. The Organisation of Work in People's Control Committees

The people's control committees shall, with the involvement of industrial workers, collective farmers and specialists in the economy, and with the participation of representatives of the organs of state administration, trade union and Komsomol organisations, workers in the mass media and members of the auditing commissions of cooperative and other public organisations, carry out check-ups, inspections and spot-checks at individual enterprises, on collective farms, and in establishments and organisations, and also within the limits of districts, cities, autonomous areas, autonomous regions, regions, territories, Autonomous Republics, Union Republics and sectors of the economy.

On the strength of the results of their check-ups, the people's control committees shall adopt decisions in which they shall, within the limits of their powers, determine the measures to eliminate the shortcomings discovered in the work of enterprises, collective farms, establishments, organizations, ministries, state committees, and departments.

The people's control committees shall, within the period established by the legislation of the USSR, consider the proposals, statements and complaints received by the committees from citizens, shall take measures to decide on the matters brought up in these, and shall arrange for the reception of citizens by the Chairmen, Vice-Chairmen and members of the committees, by functionaries of the bureaus of working people's complaints and proposals, and other staff and non-staff workers of the apparatus of the committees.

The people's control committees shall enjoy the rights of juridical persons and shall have a seal bearing the emblem of the established pattern.

Article 20. The Structure, Staffs and Financing of the People's Control Committees

The structure and the number of workers of the apparatus of the Committee of People's Control of the USSR, and also the general staff number of the people's control committees shall be approved by the Council of Ministers of the USSR.

The Committee of People's Control of the USSR shall have the right to make partial changes in the structure and approve the list of staff members of the central apparatus of the Committee within the limits of the number of workers and the pay-roll fund established for this apparatus, with the observance of the job-salary scales.

The structure and staffs of the people's control committees of the Union and Autonomous Republics, of territorial and regional people's control committees, the people's control committees of the autonomous regions and autonomous areas, and of the district, city and city-district people's control committees shall be approved by the Councils of Ministers of the Union Republics by agreement with the Committee of People's Control of the USSR within the limits of the total number of workers of the people's control organs.

In the people's control committees, non-pay-roll departments and commissions shall be set up, alongside the staff apparatus, by sectors of the economy, spheres of social and cultural development and lines of work, and bureaus of working people's complaints and proposals formed. The non-staff workers of the departments, commissions and complaints-and-proposals bureaus shall be approved by the people's control committees on the recommendation of the Party, trade union, Komsomol and other public organisations of enterprises, collective farms, establishments and organisations.

The people's control committees shall be financed from the Union budget.

Article 21. The Organisation of Work in People's Control Groups and Posts

A general meeting of the members of a people's control group shall, by a show of hands, elect the Chairman, Vice-Chairmen and, whenever necessary, a bureau of the group, and shall form sectors and commissions on individual aspects of activity. The head of a people's control post shall be elected at a meeting of the members of the post and shall organise their work. Members of groups and posts shall carry on their activity voluntarily and without pay.

People's control groups and posts shall carry out check-ups, spot-checks and reviews at enterprises, on collective farms, and in establishments and organisations, with the participation of industrial workers, collective farmers, specialists, and representatives of trade-union and Komsomol organisations, discuss their results, bring in for consideration by the management, public organisations and work collectives the matters that arise, and control fulfilment by the management of their proposals and recommendations.

People's control groups and posts shall, at least once a year, give an account of their activity to the collectives which have elected them or to the Soviets of People's Deputies which have formed them, and shall regularly inform them on their work in the exercise of control and fulfilment of their assignments. Members of groups and posts who have failed to live up to the trust placed in them may be recalled from the group or post before the expiry of their term of office by the collective which elected them or re-

moved from the group by the Soviet of People's Deputies concerned.

The executive committees of settlement and village Soviets of People's Deputies, the management of enterprises, establishments and organisations, the boards of collective farms and other cooperative organisations shall create the necessary conditions for the activity of people's control groups and also of people's control committees of associations, enterprises, establishments and organisations, provide them with premises, means of transport and communications, ensure technical services and carry out work in the dispatch of business.

Article 22. The Rights of People's Control Committees

People's control committees shall, in conformity with the tasks assigned to them and within the limits of their competence, have the right:

to study documents and material and obtain any other necessary information at the enterprises, on the collective farms, and in the establishments, organisations, ministries, state committees and departments being inspected;

to require, in connection with their check-ups, of the heads and other officers of enterprises, collective farms, establishments, organisations, ministries, state committees and departments, the necessary documents and material, to demand written explanations concerning the breaches revealed, and to hear their reports on the results of check-ups;

to give, whenever necessary, to the relevant organs or officers, binding assignments on the auditing of the financial and economic activity of enterprises, collective farms, establishments and organisations, and also on making expert production and technical examinations.

Once breaches of state discipline or the requirements of Soviet legislation have been discovered, the people's control committees shall have the right:

1) to point out the shortcomings allowed by persons in office, to issue warnings to them, to put on them the duty to eliminate the discovered breaches, and to forward the material on the breaches for discussion by work collectives and public organisations, and for examination by the organs of state administration:

2) to raise with the heads of enterprises, establishments and organisations, the boards of collective farms or higher

organs matters concerning the cancellation of orders issued by persons in office which violate the legitimate interests of enterprises, collective farms, establishments and organisations or infringe the rights of citizens; to suspend manifestly unlawful orders or acts by persons in office where these may cause substantial harm to state or social interests or the rights of citizens, and to make this known to the heads of the enterprises, collective farms, establishments and organisations concerned or to higher organs for the adoption of the necessary measures;

3) to impose penalties on the persons in office at fault (reproof, reprimand, severe reprimand);

4) to recover monies from persons in office who have caused material damage to the state, collective farms, co-operatives and other public organisations. The grounds, amount and the procedure governing the recovery of monies shall be determined by the Presidium of the Supreme Soviet of the USSR;

5) to suspend from their posts persons in office who are to blame for the frustration of fulfilment of Party and Government decisions, gross violations of state discipline and socialist legality, and also bureaucratic practices and red tape which have caused substantial harm to the interests of the state, organisations and citizens. The dismissal or demotion of persons suspended by a people's control committee from their posts shall be effected by the appropriate organ or leading functionary in accordance with the legislation in force.

Dossiers on cases of embezzlement, abuse and other acts by persons in office brought out by check-ups and entailing criminal responsibility shall be forwarded by the people's control committees to the organs of the procurator's office.

Article 23. Procedure Governing the Application by People's Control Committees of Measures of Responsibility

The people's control committees shall have the right to apply the measures of responsibility provided for in part two of Article 22 of the present Law to the officials of enterprises, establishments and organisations whose labour disputes are subject, in accordance with labour legislation, to settlement by higher organs in order of subordination,

and also to the corresponding officials of collective farms.

When considering the question of responsibility of persons in office, people's control committees shall hear these persons' explanations.

In every individual case, the people's control committees of autonomous areas, district, city and city-district people's control committees, and the people's control committees of associations, enterprises, establishments and organisations shall take decisions on the recovery of monies and suspension of officials from their posts with the consent of the corresponding committee of the autonomous region, regional and territorial committee, the people's control committee of the Autonomous Republic, and in the Union Republics without any regional divisions, of the People's Control Committee of the Union Republic.

The decisions of the people's control committees on the calling of persons in office to account shall be brought to the notice of the work collectives concerned or shall be published in the press.

Article 24. Appeals Against the Calling-to-Account Decisions of the People's Control Committees and the Procedure Governing the Remission of the Penalties Imposed by Them

The decision of a people's control committee on the imposition of a penalty, the recovery of monies, and the suspension of a person in office from his post may be appealed against by that person in office within ten days of its pronouncement with the higher people's control committee or with another organ directing the people's control committee which has issued the decision.

Appeals against the calling of a person in office to account shall be considered in the manner and within the period laid down by the legislation in force.

Where a person in office has not been subjected by the people's control committee to another penalty within a year from the day of the imposition of the penalty, he or she shall be deemed not to have been subjected to that penalty.

On the application of the person subjected to a penalty, or at the request of the ministry, state committee, department, enterprise, collective farm, establishment or organisation concerned, and also on the initiative of the people's control organ, the penalty may be withdrawn before the

expiry of a year, where the person in office has eliminated the breach for which he or she was subjected to the penalty.

Article 25. The Rights of the People's Control Groups

The people's control groups of enterprises, collective farms, establishments and organisations, and the groups under the settlement and village Soviets of People's Deputies shall, in accordance with the tasks assigned to them, have the right:

to study in the course of check-ups the documents and material characterising the state of affairs at the inspected units, and the state of production, financial and economic activity, stock-taking and accounting;

to hear, on the strength of the results of check-ups, explanations by persons who are to blame for non-fulfilment of the established plans and assignments, for other breaches of state and production discipline, bureaucratic practices and red tape, mismanagement and waste, abuses and other breaches;

to bring in for consideration by the people's control committees proposals on the conduct of check-ups or audits of the activity of enterprises, collective farms, establishments and organisations, and on other matters;

to take part in the check-ups and audits of the production, financial and economic activity of enterprises, collective farms, establishments and organisations being conducted by the people's control committees and other organs;

to address, whenever necessary, questions arising from the results of check-ups to the appropriate organs of state administration.

With the uncovering of breaches of state discipline or the requirements of Soviet legislation, the people's control groups at enterprises, on collective farms, in establishments and organisations, and under the settlement and village Soviets of People's Deputies, shall have the right:

1) to administer public reprimands to the persons at fault, to bind them to appear before the work collective to inform it of the measures being taken to eliminate the shortcomings, and to forward the cases of breaches by functionaries for consideration by comrades' courts;

2) to raise with the management and public organisations of enterprises, collective farms, establishments and organ-

isations questions on calling to account the functionaries who are at fault;

3) to bring in for consideration by the people's control committees proposals on the recovery of monies from persons in office and application to them of other measures of responsibility, as provided for in part two of Article 22 of the present Law.

The people's control groups and posts formed in shops, sections, work teams, and departments shall enjoy the rights envisaged in the present Article within the limits of the corresponding subdivisions of the enterprises, collective farms, establishments and organisations.

Article 26. Activity of People's Control Organs in the Defence Industry and in the Armed Forces of the USSR

The activity of the people's control organs in the defence industry and in the Armed Forces of the USSR shall be conducted on the basis of the present Law in the manner established by the Council of Ministers of the USSR.

Article 27. The Duty of Persons in Office to Eliminate the Shortcomings Discovered by People's Control Organs

The leading functionaries of enterprises, collective farms, establishments, organisations, ministries, state committees and departments shall have the duty to consider, without delay, the proposals and recommendations of the people's control organs, to eliminate the discovered shortcomings and breaches, and inform the people's control organs of the results within the established period.

Article 28. Release of Non-Staff Workers of People's Control Committees from Their Production or Official Duties for Fulfilling Committee Assignments

The non-staff workers of the departments, commissions, and bureaus of working people's complaints and proposals of people's control committees shall, by agreement with the managers of enterprises, collective farms, establishments and organisations, be released, whenever necessary, from the fulfilment of their production or official duties for a pe-

riod of up to two weeks a year with average pay and compensation, at the place of work, of business-trip expenses incidental to the fulfilment of assignments from the people's control committees.

Article 29. Protection of the Rights of People's Controllers

The harassment of people's controllers in the fulfilment of their duties and their victimisation in connection with their activity in the exercise of control shall entail the calling to account of persons perpetrating such acts.

The Chairman of the people's control group of an enterprise, collective farm, establishment or organisation may not be dismissed from his job or transferred to a lower-paid job by way of disciplinary penalty on the initiative of the management in obviation of the general procedure, and without the preliminary consent of the district, city and city-district people's control committee.

Article 30. Incentives for People's Controllers

The managers of enterprises, collective farms and establishments, public organisations, organs of state administration, and people's control committees shall give encouragement to people's controllers who have distinguished themselves, by making use of the available moral and material incentives.

The management of enterprises, establishments and organisations, and the boards of collective farms shall have the right, at the request of the people's control committees and groups concerned, to grant an additional paid leave of up to three days a year to people's controllers who have most distinguished themselves in work and social activity.

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LAW
OF THE UNION OF SOVIET SOCIALIST REPUBLICS
ON THE SUPREME COURT OF THE USSR
(of November 30, 1979)

Chapter 1
GENERAL PROVISIONS

*Article 1. The Supreme Court of the USSR, the Highest
Judicial Organ of the USSR*

In conformity with the Constitution of the USSR, the Supreme Court of the USSR shall be the highest judicial organ of the Union of Soviet Socialist Republics and shall exercise supervision over the judicial activity of the courts of the USSR, and also of the courts of the Union Republics within the limits established by the present Law.

The Supreme Court of the USSR shall function on the basis of socialist legality, and promote the consolidation of law and order, the protection of the interests of society, and the rights and freedoms of citizens.

The Supreme Court of the USSR shall design the whole of its activity to ensure the correct and uniform application of the laws in the administration of justice, to educate citizens in the spirit of loyalty to their Homeland and the cause of communism, in the spirit of scrupulous and undeviating observance of the Constitution of the USSR and Soviet laws, care for socialist property, observance of labour discipline, an honest attitude to state and social duty, and respect for the rights, honour and dignity of citizens and the rules of socialist community-living.

*Article 2. Administration of Justice by the Supreme Court
of the USSR*

The Supreme Court of the USSR shall, within the limits of its powers, consider cases as a court of first instance, in

cassation procedures, by way of supervision, and by reason of newly discovered circumstances.

In the administration of justice, the Supreme Court of the USSR shall be guided by the Constitution of the USSR, the present Law, by other legislation of the USSR, and also by the legislation of the Union and Autonomous Republics.

Article 3. Guiding Instructions of the Plenum of the Supreme Court of the USSR

The Supreme Court of the USSR shall study and sum up judicial practices, analyse forensic statistics and provide the courts with guiding instructions on various aspects of the application of legislation arising in the consideration of legal cases. The guiding instructions of the Plenum of the Supreme Court of the USSR shall be binding on the courts, and on other organs and persons in office applying the law on which the instruction has been given.

The Supreme Court of the USSR shall exercise control over the fulfilment by the courts of the guiding instructions of the Plenum of the Supreme Court of the USSR.

Article 4. Legislative Initiative of the Supreme Court of the USSR

In conformity with the Constitution of the USSR, the Supreme Court of the USSR shall have the right of legislative initiative in the Supreme Soviet of the USSR.

Article 5. Settlement by the Supreme Court of the USSR of Matters Arising from the International Treaties of the USSR

The Supreme Court of the USSR shall, within the limits of its power, settle matters arising from the international treaties of the USSR.

Article 6. Procedure Governing the Election of the Supreme Court of the USSR

The Supreme Court of the USSR shall be elected by the Supreme Soviet of the USSR for a term of five years and shall consist of a Chairman, Vice-Chairmen, members and people's assessors. The Chairmen of the Supreme Courts of the Union Republics shall be *ex officio* members of the Supreme Court of the USSR.

The numerical composition of the Supreme Court of the USSR shall be established by the Supreme Soviet of the USSR.

The election of individual judges of the Supreme Court of the USSR in place of outgoing judges shall be carried out at the instance of the Chairman of the Supreme Court of the USSR, by the Supreme Soviet of the USSR, and in the period between its sessions, by the Presidium of the Supreme Soviet of the USSR with subsequent submission of the decree issued in this connection for approval by the Supreme Soviet of the USSR at its regular session.

Article 7. Procedure Governing the Confirmation of the First Vice-Chairman and the Chairmen of the Judicial Collegia of the Supreme Court of the USSR

The Presidium of the Supreme Soviet of the USSR shall, at the instance of the Chairman of the Supreme Court of the USSR, confirm:

from among the Vice-Chairmen of the Supreme Court of the USSR—the First Vice-Chairman of the Supreme Court of the USSR;

from among the members of the Supreme Court of the USSR—the Chairmen of the Judicial Collegia of the Supreme Court of the USSR.

Article 8. Independence of the Judges and People's Assessors of the Supreme Court of the USSR

The judges and people's assessors of the Supreme Court of the USSR shall be independent and subject to the law alone.

Article 9. Participation by People's Assessors and Collegiality in the Examination of Cases

The Supreme Court of the USSR shall hear cases as a court of first instance consisting of a Chairman—one of the judges of the Supreme Court of the USSR—and two people's assessors.

In the administration of justice, the people's assessors shall enjoy all the rights of the judge.

Cases of cassation and private complaints and protests, and also of protests by way of supervision and on the find-

ings of the Procurator-General of the USSR concerning newly discovered circumstances, shall be heard by the judicial collegia of the Supreme Court of the USSR sitting as a bench of three judges.

Article 10. Accountability of the Supreme Court of the USSR

The judges and people's assessors of the Supreme Court of the USSR shall be responsible and accountable to the Supreme Soviet of the USSR.

The Supreme Court of the USSR shall submit, at least once within its term of office, an account of its activity to the Supreme Soviet of the USSR and shall regularly report on it to the Presidium of the Supreme Soviet of the USSR.

Article 11. Immunity of the Judges and People's Assessors of the Supreme Court of the USSR

The judges of the Supreme Court of the USSR and also the people's assessors of the Supreme Court of the USSR may not, in the administration of justice, be subjected to criminal proceedings, arrested or subjected to administrative penalties, which are imposed in a judicial proceeding, without the consent of the Supreme Soviet of the USSR, and in the period between its sessions, without the consent of the Presidium of the Supreme Soviet of the USSR.

Article 12. Recall or Release of Judges and People's Assessors of the Supreme Court of the USSR Before the Expiry of Their Term of Office

The Chairman, his deputies, members and people's assessors of the Supreme Court of the USSR may be recalled or released before the expiry of their term of office only by the Supreme Soviet of the USSR, and in the period between its sessions, by the Presidium of the Supreme Soviet of the USSR, with subsequent submission of the decree issued in that connection for approval by the Supreme Soviet of the USSR at its regular session.

Article 13. Composition of the Supreme Court of the USSR

The Supreme Court of the USSR shall operate in the following composition:

- 1) a Plenum of the Supreme Court of the USSR;

2) a Judicial Collegium on Civil Cases of the Supreme Court of the USSR;

3) a Judicial Collegium on Criminal Cases of the Supreme Court of the USSR;

4) a Military Collegium of the Supreme Court of the USSR.

Article 14. Bulletin of the Supreme Court of the USSR

The Supreme Court of the USSR shall publish a *Bulletin of the Supreme Court of the USSR*.

Chapter 2

THE PLENUM OF THE SUPREME COURT OF THE USSR

Article 15. The Composition of the Plenum of the Supreme Court of the USSR

The Plenum of the Supreme Court of the USSR shall operate as the body consisting of the Chairman of the Supreme Court of the USSR, Vice-Chairmen, and members of the Supreme Court of the USSR, including the Chairmen of the Supreme Courts of the Union Republics.

In the absence of the Chairman of the Supreme Court of a Union Republic, a Vice-Chairman who is Acting Chairman of the Supreme Court of the Union Republic shall participate in the sitting of the Plenum in his stead.

The Procurator-General of the USSR and the Minister of Justice of the USSR shall take part in the sittings of the Plenum. The participation of the Procurator-General of the USSR in the work of the Plenum shall be mandatory.

At the invitation of the Chairman of the Supreme Court of the USSR judges, members of the Scientific Advisory Council under the Supreme Court of the USSR, representatives of ministries, state committees, departments, scientific establishments and other state and public organisations may take part in sittings of the Plenum not involving the consideration of judicial cases.

Article 16. Procedure Governing the Convocation of the Plenum of the Supreme Court of the USSR

The Plenum of the Supreme Court of the USSR shall be called at least once in four months. The members of the Plenum, the Procurator-General of the USSR and the Min-

ister of Justice of the USSR shall be informed of the time of the meeting of the Plenum and of the questions brought in for its consideration not later than thirty days before the sitting.

The draft rulings of the Plenum and copies of protests or findings on judicial cases shall be forwarded to the members of the Plenum, the Procurator-General of the USSR and the Minister of Justice of the USSR not later than ten days before the sitting.

Article 17. Procedure Governing the Adoption of Rulings by the Plenum of the Supreme Court of the USSR

A sitting of the Plenum of the Supreme Court of the USSR shall be legally competent in the presence of at least two-thirds of its members. The rulings of the Plenum of the Supreme Court of the USSR shall be taken in a show of hands by a majority of the members of the Plenum taking part in the vote.

The rulings of the Plenum shall be signed by the Chairman of the Supreme Court of the USSR and the Secretary of the Plenum.

Article 18. Powers of the Plenum of the Supreme Court of the USSR

The Plenum of the Supreme Court of the USSR shall:

1) hear, by way of supervision, cases on protests by the Chairman of the Supreme Court of the USSR and the Procurator-General of the USSR against judgements, sentences and rulings by the judicial collegia of the Supreme Court of the USSR, and also against decrees issued by the Presidia and the Plenums of the Supreme Courts of the Union Republics in the event they are in contradiction with the legislation of the USSR or are in breach of the interests of other Union Republics;

2) hear, on findings by the Procurator-General of the USSR concerning newly discovered circumstances, cases in which judgements, sentences or rulings have been issued by the judicial collegia of the Supreme Court of the USSR or on which rulings have been handed down by the Plenum of the Supreme Court of the USSR itself;

3) examine material summing up judicial practices and forensic statistics, and also representations by the Procu-

rator-General of the USSR and the Minister of Justice of the USSR, and issue guiding instructions to the courts on the application of legislation;

4) approve, on representations by the Chairman of the Supreme Court of the USSR, the composition of the judicial collegia and the Secretary of the Plenum of the Supreme Court of the USSR from among the members of the Supreme Court of the USSR;

5) approve, on a representation by the Chairman of the Supreme Court of the USSR, a Scientific Advisory Council under the Supreme Court of the USSR;

6) examine and decide matters relating to the bringing in of representations to the Supreme Soviet of the USSR or the Presidium of the Supreme Soviet of the USSR by way of exercise of legislative initiative, and on the interpretation of the laws of the USSR, to the Presidium of the Supreme Soviet of the USSR;

7) hear accounts by the Chairmen of the judicial collegia of the Supreme Court of the USSR on the activity of the collegia;

8) hear reports by the Chairmen of the Supreme Courts of the Union Republics, the Chairmen of the Military Tribunals of the services of the Armed Forces of the USSR, districts, groups of troops and fleets on the practice of the application of the legislation of the USSR and also on the fulfilment of the guiding instructions of the Plenum of the Supreme Court of the USSR;

9) consider representations by the Chairman of the Supreme Court of the USSR on any discrepancies between guiding instructions issued by the Plenums of the Supreme Courts of the Union Republics and the legislation of the USSR or the rulings of the Plenum of the Supreme Court of the USSR;

10) consider representations by the Procurator-General of the USSR on any discrepancies between guiding instructions issued by the Plenums of the Supreme Courts of the Union Republics and the legislation of the USSR.

Article 19. Procedure Governing the Examination of Judicial Cases by the Plenum of the Supreme Court of the USSR

When examining cases by way of supervision, the Plenum of the Supreme Court of the USSR shall hear a report by

a judge of the Supreme Court of the USSR on the circumstances of the case and the arguments of the protest. The Procurator-General of the USSR shall then maintain the protest he has brought in or give his findings on the case being considered on the protest of the Chairman of the Supreme Court of the USSR.

Cases on the findings of the Procurator-General of the USSR concerning newly discovered circumstances shall be examined in the same procedure.

Whenever necessary, the plaintiff, the defendant and their representatives, the convicted person, the acquitted person and their defence counsel, the legitimate representatives of minors, the victim and his representative may be invited to attend the sitting to the Plenum for the purpose of giving explanations. Notifications on the sitting of the Plenum and copies of the protest or finding shall be forwarded to these persons not later than ten days before the sitting.

Only members of the Plenum of the Supreme Court of the USSR shall take part in discussing the protest or the finding concerning newly discovered circumstances.

Article 20. Withdrawal of Protest Brought in to the Plenum of the Supreme Court of the USSR

The Chairman of the Supreme Court of the USSR and the Procurator-General of the USSR shall have the right to withdraw their protest before the consideration of the case begins.

Article 21. Procedure Governing the Adoption of Rulings on Judicial Cases by the Plenum of the Supreme Court of the USSR

After discussion, protests or findings and also proposals by the members of the Plenum on the adoption of another decision than that stated in the protest or finding shall be put to the vote. The members of the Plenum shall not have the right to abstain from voting. The judge who took part in the consideration of the case in the court of first instance, in a cassation procedure or by way of supervision in the Supreme Court of a Union Republic or in the judicial collegia of the Supreme Court of the USSR, may not take part in the consideration of the case at the Plenum of the Supreme Court of the USSR.

Where none of the proposals, including that formulated in the protest or finding, has won a majority of votes, the protest or finding shall be left without satisfaction.

A member of the Plenum who disagrees with the adopted ruling shall have the right to set forth his opinion in writing; this shall be annexed to the minutes of the sitting of the Plenum.

Article 22. Riders of the Plenum of the Supreme Court of the USSR

The Plenum of the Supreme Court of the USSR shall, whenever necessary, issue a rider to draw the attention of the heads of ministries, state committees, departments and also enterprises, establishments and organisations and other persons in office to the breaches of the law, the causes and the conditions which were conducive to the commission of the offence, as established in the case.

These persons must, within the period of one month, inform the Supreme Court of the USSR of the measures taken by them on the rider.

Article 23. Execution of the Rulings of the Plenum of the Supreme Court of the USSR

The rulings of the Plenum of the Supreme Court of the USSR in judicial cases shall enter into legal force immediately upon their adoption and shall be executed in the manner provided for by the civil-procedure and the criminal-procedure legislation of the USSR and the Union Republics.

Article 24. Examination by the Plenum of the Supreme Court of the USSR of Matters not Connected with the Decision of Judicial Cases

Matters not connected with the decision of judicial cases and brought in for consideration at the Plenum by the Chairman of the Supreme Court of the USSR, the Procurator-General of the USSR or the Minister of Justice of the USSR, in conformity with the present Law, shall be heard, respectively, on their reports or the reports of persons duly authorised by them. The Procurator-General of the USSR shall give his findings on matters brought in by the Chairman of the Supreme Court of the USSR or the Min-

ister of Justice of the USSR for examination by the Plenum. Persons invited to attend the sitting of the Plenum of the Supreme Court of the USSR may also take part in the discussion of these matters.

For the purpose of preparing draft rulings containing guiding instructions, the Plenum shall, whenever necessary, form a drafting committee from among the members of the Plenum.

Chapter 3

THE JUDICIAL COLLEGIA

OF THE SUPREME COURT OF THE USSR

Article 25. Procedure Governing the Formation of the Judicial Collegia

The judicial collegia shall be approved by the Plenum of the Supreme Court of the USSR from among the members of the Supreme Court of the USSR. The Chairman of the Supreme Court of the USSR shall have the right, whenever necessary, to issue an order enlisting the judges of one collegium for consideration of cases in another collegium.

Article 26. Powers of the Judicial Collegium for Civil Cases

The Judicial Collegium for Civil Cases of the Supreme Court of the USSR shall:

1) hear civil cases of exceptional importance as a court of first instance;

2) hear, by way of supervision, cases on protests by the Chairman of the Supreme Court of the USSR, the Procurator-General of the USSR and their deputies against the judgements and rulings handed down by the Supreme Court of a Union Republic as a court of first instance, in the event these are in contradiction with the legislation of the USSR or are in breach of the interests of other Union Republics;

3) settle disputes between courts of the Union Republics on the venue of a case;

4) decide on the possibility of the courts' applying the procedural legislation of another state in the performance,

in accordance with the international treaties of the USSR, of assignments from foreign courts on the performance of individual procedural acts;

5) hear cases on protest by the Chairman of the Supreme Court of the USSR, the Procurator-General of the USSR and their deputies against decisions by the Marine Arbitration Commission under the Chamber of Commerce and Industry of the USSR.

Article 27. Powers of the Judicial Collegium for Criminal Cases

The Judicial Collegium for Criminal Cases of the Supreme Court of the USSR shall:

1) hear as a court of first instance criminal cases of exceptional importance;

2) hear, by way of supervision, cases on protests by the Chairman of the Supreme Court of the USSR, the Procurator-General of the USSR and their deputies against sentences and rulings handed down by the Supreme Court of a Union Republic as a court of first instance, in the event these are in contradiction with the legislation of the USSR or are in breach of the interests of other Union Republics;

3) settle disputes between courts of the Union Republics on the venue of a case;

4) decide on the possibility of the courts' applying the procedural legislation of another state in the fulfilment, in accordance with the international treaties of the USSR, of assignments from foreign courts on the performance of individual procedural acts.

Article 28. Powers of the Military Collegium

The Military Collegium of the Supreme Court of the USSR shall:

1) hear as a court of first instance cases of exceptional importance cognisable to military tribunals, and also cases of crimes committed by military personnel having the military rank of general (admiral) or holding posts from formation commander and higher, and equal posts;

2) hear cassations, individual complaints and protests against the decisions, sentences and rulings of military tribunals of the services of the Armed Forces of the USSR,

military districts, groups of troops and fleets, and rulings by the judges of these tribunals;

3) hear, by way of supervision, protests by the Chairman of the Supreme Court of the USSR, the Procurator-General of the USSR, their deputies, the Chairman of the Military Collegium of the Supreme Court of the USSR, and the Chief Military Procurator against judgements, sentences and rulings by the military tribunals of the services of the Armed Forces of the USSR, military districts, groups of troops and fleets, and rulings by the judges of these tribunals;

4) hear, on findings by the Procurator-General of the USSR or the Chief Military Procurator concerning newly discovered circumstances, cases on which judgements, sentences or rulings have been handed down by the military tribunals of the services of the Armed Forces of the USSR, districts, groups of troops and fleets.

*Article 29. Invitation of Parties to a Trial to Attend
Sittings of Judicial Collegia*

Whenever necessary, the plaintiff, the defendant and their representatives, the convicted person, the acquitted person and their defence counsel, the legitimate representatives of minors, the victim and his representative may be invited to attend sittings of the judicial collegia of the Supreme Court of the USSR considering cases by way of supervision, and sittings of the Military Collegium also by reason of newly discovered circumstances. Notification of the sitting of the collegium and copies of the protest or ruling in said cases shall be forwarded to these persons not later than ten days before the sitting.

*Article 30. Procedure Governing the Hearing of Cases by
the Judicial Collegia*

Civil and criminal cases shall be heard at sittings of the judicial collegia of the Supreme Court of the USSR in the manner provided for by the civil-procedure and the criminal-procedure legislation of the USSR, with observance of the rules established by the procedural codes of the Union Republics concerned.

Article 31. Judgements, Sentences and Rulings by the Judicial Collegia

In cases heard as a first instance, the judicial collegia of the Supreme Court of the USSR shall hand down judgements and sentences in the name of the Union of Soviet Socialist Republics.

In cases heard by way of cassation, by way of supervision, and also by reason of newly discovered circumstances, the judicial collegia of the Supreme Court of the USSR shall hand down rulings.

Article 32. Dissenting Opinion of Judges or People's Assessors

Judges or people's assessors of the Supreme Court of the USSR who take a dissenting opinion in the hearing of a case in a judicial collegium shall set it forth in writing. Dissenting opinions shall not be read out at the judicial sitting but shall be filed with the dossier of the case and reported to the Chairman of the Supreme Court of the USSR.

Article 33. Riders by the Judicial Collegia

Simultaneously with the handing down of a judgement, sentence or ruling in a case, the judicial collegia of the Supreme Court of the USSR shall, whenever necessary, issue a rider in order to draw the attention of the heads of ministries, state committees, departments, and also enterprises, establishments and organisations and other persons in office to the breaches of the law, the causes and the conditions which were conducive to the commission of the offence, as established in the case.

The said persons must, within one month, inform the Supreme Court of the USSR of the measures taken by them on the rider.

Article 34. Execution of the Judgements, Sentences and Rulings of the Judicial Collegia of the Supreme Court of the USSR

The judgements, sentences and rulings of the judicial collegia of the Supreme Court of the USSR shall enter into legal force immediately upon their adoption and shall be executed in the manner provided for by the civil-procedure and criminal-procedure legislation of the USSR and the Union Republics.

Chapter 4
**THE CHAIRMAN
OF THE SUPREME COURT OF THE USSR,
THE VICE-CHAIRMEN,
THE CHAIRMEN OF THE JUDICIAL COLLEGIA,
AND SECRETARY OF THE PLENUM
OF THE SUPREME COURT OF THE USSR**

Article 35. The Chairman of the Supreme Court of the USSR

The Chairman of the Supreme Court of the USSR shall:

1) bring in to the Supreme Court of the USSR protests against judgements, sentences and rulings by the judicial collegia of the Supreme Court of the USSR; against judgements, sentences and rulings handed down by the Supreme Court of a Union Republic as a court of first instance; against decisions by the Presidia and Plenums of the Supreme Courts of the Union Republics taken on judicial cases; against decisions, sentences and rulings by the military tribunals of the services of the Armed Forces of the USSR, military districts, groups of troops and fleets; against decisions by the judges of these military tribunals; against decisions by the Marine Arbitration Commission under the Chamber of Commerce and Industry of the USSR;

bring in to the Presidia and Plenums of the Supreme Courts of the Union Republics, in conformity with the competence of the Presidia and the Plenums as defined by the legislation of the Union Republics, protests against judgements, sentences, rulings and decisions by the Supreme Courts of the Union Republics in the event these are in contradiction with the legislation of the USSR or are in breach of the interests of other Union Republics;

bring in to the military tribunals of the services of the Armed Forces of the USSR, military districts, groups of troops and fleets protests against judgements, sentences and rulings by the military tribunals of the armies, flotillas, formations and garrisons that have entered into legal force, and against rulings by the judges of these tribunals;

2) have the right to stay, in the manner provided for by law, the execution of judgements, sentences, rulings and decisions by the courts of the USSR and the Union Republics.

lics against which he is entitled to bring in a protest in conformity with the present Law;

3) organise work for the study and summing-up of judicial practices, analysis of forensic statistics, and also in the exercise of control over the fulfilment of the guiding instructions of the Plenum of the Supreme Court of the USSR, and bring in material for consideration by the Plenum;

4) convene the Plenum of the Supreme Court of the USSR and preside at its sittings; he may also preside at the judicial sittings of the collegia of the Supreme Court of the USSR in the hearing of any case;

5) submit accounts to the Supreme Soviet of the USSR on the activity of the Supreme Court of the USSR and report on it to the Presidium of the Supreme Soviet of the USSR;

6) bring in to the Supreme Soviet of the USSR and, in the period between its sessions, to the Presidium of the Supreme Soviet of the USSR, representations on the recall or removal before the expiry of their term of office of Vice-Chairmen, members and people's assessors of the Supreme Court of the USSR;

7) bring in representations to the Presidium of the Supreme Soviet of the USSR on matters requiring the interpretation of laws of the USSR;

8) bring in to the Plenum of the Supreme Court of the USSR representations on any discrepancies between the guiding instructions of the Plenum of the Supreme Court of the USSR and effective legislation of the USSR and, in the event the representation is over-ruled by the Plenum of the Supreme Court of the USSR, bring in the representation to the Presidium of the Supreme Soviet of the USSR;

9) bring in to the Plenum of the Supreme Court of a Union Republic representations on any discrepancies between the guiding instructions of the Plenum of the Supreme Court of the Union Republic and the legislation of the USSR or the Union Republic and, in the event the representation is over-ruled by the Plenum of the Supreme Court of the Union Republic, bring in the representation, respectively, to the Plenum of the Supreme Court of the USSR, or to the Presidium of the Supreme Soviet of the Union Republic;

10) allocate duties among the Vice-Chairmen of the Supreme Court of the USSR;

11) exercise organisational direction of the work of the judicial collegia and direct the work of the apparatus of the Supreme Court of the USSR;

12) exercise other powers vested in him by the present Law.

Article 36. Vice-Chairmen of the Supreme Court of the USSR

The Vice-Chairmen of the Supreme Court of the USSR;

1) shall bring in to the judicial collegia of the Supreme Court of the USSR protests against judgements, sentences, and rulings handed down by the Supreme Courts of the Union Republics as courts of first instance; and against the decisions of the Marine Arbitration Commission under the Chamber of Commerce and Industry of the USSR;

shall bring in to the Presidia and Plenums of the Supreme Courts of the Union Republics, in accordance with the competence of the Presidia and the Plenums, as determined by the legislation of the Union Republics, protests against judgements, sentences, rulings and decisions by the Supreme Courts of the Union Republics in the event these are in contradiction with the legislation of the USSR or are in breach of the interests of other Union Republics;

shall bring in to the Military Collegium of the Supreme Court of the USSR protests against judgements, sentences, and rulings by the military tribunals of the services of the Armed Forces of the USSR, military districts, groups of troops and fleets which have entered into legal force, and against decisions by the judges of these tribunals;

shall bring in to the military tribunals of the services of the Armed Forces of the USSR, districts, groups of troops and fleets protests against judgements, sentences and rulings by the military tribunals of armies, flotillas, formations, and garrisons which have entered into legal force, and against decisions by the judges of these tribunals;

may preside at the judicial sittings of the collegia of the Supreme Court of the USSR in the consideration of any case;

2) shall have the right to stay, in the manner provided for by law, the execution of judgements, sentences, rulings and decisions by the courts of the USSR and the Union Re-

publics against which they have the right to bring in a protest in accordance with the present Law;

3) shall, in accordance with the allocation of duties, exercise direction of the work of the structural subdivisions of the apparatus of the Supreme Court of the USSR.

In the absence of the Chairman of the Supreme Court of the USSR, his rights and duties shall be exercised by the Vice-Chairman of the Supreme Court of the USSR, and in the absence of the First Vice-Chairman, by a Vice-Chairman of the Supreme Court of the USSR.

Article 37. Chairmen of the Judicial Collegia of the Supreme Court of the USSR

The Chairmen of the judicial collegia of the Supreme Court of the USSR shall:

1) exercise direction of the work of the respective collegia;

2) constitute the benches of the court for the consideration of cases in the judicial sittings of the collegia;

3) preside at the judicial sittings of the collegia they direct;

4) present to the Plenum of the Supreme Court of the USSR accounts of the activity of the collegia;

5) be entitled to require, within the limits of the powers of the Supreme Court of the USSR, judicial cases for verification by way of supervision, and also for the study and summing up of judicial practices;

6) decide, whenever necessary, on the transfer of a case from the court of one Union Republic to the court of another Union Republic, from a military tribunal of one service of the Armed Forces of the USSR, military district, group of troops and fleet to the military tribunal of another service of the Armed Forces of the USSR, military district, group of troops and fleet.

The Chairman of the Military Collegium of the Supreme Court of the USSR shall, in addition:

1) bring in to the Military Collegium of the Supreme Court of the USSR protests against judgements, sentences and rulings by the military tribunals of the services of the Armed Forces of the USSR, military districts, groups of troops and fleets which have entered into legal force, and against decisions by the judges of these tribunals;

bring in to the military tribunals of the services of the Armed Forces of the USSR, military districts, groups of

troops and fleets protests against judgements, sentences and rulings by military tribunals of armies, flotillas, formations and garrisons which have entered into legal force, and against decisions by the judges of these tribunals;

2) have the right, in the manner provided for by the law, to stay the execution of judgements, sentences, rulings and decisions by military tribunals against which he has the right to bring in a protest in accordance with the present Law;

3) organise the work of studying and summing up judicial practices, analysing forensic statistics, and also of exercising control over the fulfillment by the military tribunals of the guiding instructions by the Plenum of the Supreme Court of the USSR;

4) inform the Minister of Defence of the USSR and the head of the Chief Political Administration of the Soviet Army and the Navy, the commanders-in-chief of the services of the Armed Forces of the USSR, the commands and the political organs of the frontier and interior troops on matters arising from the judicial activity of the Military Collegium;

5) participate in the sittings of the Collegium of the Ministry of Defence of the USSR, and the Military Councils of the services of the Armed Forces of the USSR in the discussion of matters relating to the strengthening of legality and military discipline.

Article 38. Secretary of the Plenum of the Supreme Court of the USSR

The Secretary of the Plenum of the Supreme Court of the USSR shall, together with the fulfilment of his duties as a member of the Supreme Court of the USSR, effect organisational work in preparing the sittings of the Plenum, ensure the taking of the minutes and perform the acts necessary for the execution of the decisions taken by the Plenum.

Chapter 5

**THE APPARATUS OF THE SUPREME COURT
OF THE USSR**

Article 39. Structure and Staff of the Apparatus of the Supreme Court of the USSR

Departments and other structural subdivisions shall be formed within the apparatus of the Supreme Court of the

USSR for the purpose of carrying on work in the study and summing up of judicial practices and analysis of forensic statistics, systematisation and propaganda of Soviet legislation and performance of other functions connected with the activity of the Supreme Court of the USSR. The heads of departments and other structural subdivisions and their deputies shall be senior assistants or assistants of the Chairman of the Supreme Court of the USSR. The Chairman of the Supreme Court of the USSR shall also have assistants for sectors of work. The judicial collegia and departments of the Supreme Court of the USSR shall have chief and senior consultants, chief and senior inspectors, consultants, inspectors, and other office workers and junior service personnel.

The structure and numerical size of the staff of the apparatus of the Supreme Court of the USSR shall be approved by the Presidium of the Supreme Court of the USSR on a representation by the Chairman of the Supreme Court of the USSR, and those of the Military Collegium of the Supreme Court of the USSR, on a joint representation by the Chairman of the Supreme Court of the USSR and the Minister of Defence of the USSR.

Officers and generals of the Military Collegium of the Supreme Court of the USSR shall be on active military service, and the personnel shall be a part of the establishment of the Armed Forces of the USSR.

The list of staff members of the Supreme Court of the USSR, and the regulations concerning the departments and other structural subdivisions shall be approved by the Chairman of the Supreme Court of the USSR.

The Supreme Court of the USSR shall have a seal bearing the State Emblem of the Union of Soviet Socialist Republics and its name.

*Vedomosti Verkhovnogo Soveta
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No. 49, 1979, Item 842.

LAW
OF THE UNION OF SOVIET SOCIALIST REPUBLICS
ON THE PROCURATOR'S OFFICE OF THE USSR
(of November 30, 1979)

I. GENERAL PROVISIONS

Article 1. Supreme Supervision over the Observance of Laws

In conformity with the Constitution of the USSR, supreme supervision over the strict and uniform observance of laws by all the ministries, state committees and departments, enterprises, establishments and organisations, executive and administrative organs of the local Soviets of People's Deputies, collective farms, cooperatives and other public organisations, persons in office and also by citizens shall be vested in the Procurator-General of the USSR and the procurators subordinate to him.

Article 2. The Tasks of the Procurator's Office

The activity of the Procurator's Office of the USSR shall be directed at the utmost strengthening of socialist legality and law and order, and shall have the task of safeguarding against any encroachments:

the social system of the USSR, as established by the Constitution of the USSR, and its political and economic systems;

the socio-economic, political and personal rights and freedoms of citizens, as proclaimed and guaranteed by the Constitution of the USSR and Soviet laws;

the rights and lawful interests of state enterprises, establishments and organisations, collective farms, cooperatives and other public organisations.

By its whole activity, the procurator's office shall promote the education of persons in office and citizens in a spirit

of conscientious performance of their constitutional duties, and observance of the laws and rules of socialist community-living.

Article 3. Main Lines of Activity of the Procurator's Office

The Procurator's Office of the USSR shall, in conformity with the tasks placed on it, act along the following main lines:

supervision over the observance of the laws by the organs of state administration, enterprises, establishments, organisations, persons in office and citizens (general supervision);

supervision over the observance of the laws by the organs of inquiry and preliminary investigation;

supervision over the observance of the laws in the consideration of cases in the courts;

supervision over the observance of the laws in places where detainees are held in custody, in places of preliminary detention, in the execution of penalties, and other measures of a coercive nature imposed by the court;

struggle against violation of the laws on the protection of socialist property;

struggle against crime and other infringements of the law, investigation of crimes, institution of criminal proceedings against persons who have committed a crime, and efforts to ensure the inevitability of responsibility for a crime;

elaboration, together with other state organs, of measures for the prevention of crime and other infringements of the law;

coordination of the activity of law-protection organs in combating crime and other infringements of the law;

participation in the improvement of legislation and the propaganda of Soviet laws.

Article 4. Principles Governing the Organisation and Activity of the Procurator's Office

The organs of the procurator's office shall:

constitute a single and centralised system—the Procurator's Office of the USSR—headed by the Procurator-General of the USSR, with lower-ranking procurators subordinate to higher-ranking procurators;

operate on the basis of socialist legality, in conformity with the Constitution of the USSR, the Constitutions of the Union Republics and the Constitutions of the Autonomous Republics and Soviet laws;

exercise supervision over the correct and uniform application of the laws, regardless of any local distinctions and in spite of any local or departmental influences whatsoever;

take measures to bring out and eliminate in due time any infringements of the law, whatever the source of these infringements, to re-establish infringed rights and to make the guilty persons answerable in the manner established by the law;

cooperate with the Soviets of People's Deputies, other state organs, public organisations and work collectives, and rely on active support from citizens in the matter of strengthening law and order.

In conformity with the Constitution of the USSR, the organs of the procurator's office shall exercise their powers independently of any local organs whatsoever, being subordinate to the Procurator-General of the USSR alone.

Article 5. Legislation on the Procurator's Office

The organisation and procedure governing the activity of the organs of the procurator's office and the powers of the procurators shall be determined by the Constitution of the USSR, by the present Law and by other legislative acts of the USSR. The procedure governing the exercise by the procurators and investigators of the procurator's office of their powers in legal proceedings shall be determined by the legislative acts of the USSR and the Union Republics.

Article 6. Appointment, Responsibility and Accountability of the Procurator-General of the USSR

In conformity with the Constitution of the USSR, the Procurator-General of the USSR shall be appointed by the Supreme Soviet of the USSR, and shall be responsible and accountable to it and, in the period between sessions of the Supreme Soviet, shall be responsible to the Presidium of the Supreme Soviet of the USSR, to which he is accountable.

The Procurator-General of the USSR shall, at least once within his term of office, present an account of his activity

to the Supreme Soviet of the USSR and shall regularly report on it to the Presidium of the Supreme Soviet of the USSR.

Article 7. Appointment of Lower-Ranking Procurators

The procurators of the Union Republics, Autonomous Republics, territories, regions and autonomous regions shall be appointed by the Procurator-General of the USSR. The procurators of the autonomous areas, and district and city procurators shall be appointed by the procurators of the Union Republics and shall be confirmed by the Procurator-General of the USSR.

Article 8. The Procurators' Term of Office

The term of office of the Procurator-General of the USSR and of all the lower-ranking procurators shall be five years.

Article 9. The Right of Legislative Initiative of the Procurator-General of the USSR and of the Procurators of the Union and Autonomous Republics

In conformity with the Constitution of the USSR, the Procurator-General of the USSR shall have the right of legislative initiative in the Supreme Soviet of the USSR.

In conformity with the Constitutions of the Union Republics and the Constitutions of the Autonomous Republics, the procurators of the Union and Autonomous Republics shall have the right of legislative initiative, respectively, in the Supreme Soviets of the Union and the Supreme Soviets of the Autonomous Republics.

The Procurator-General of the USSR and the procurators of the Union and Autonomous Republics shall have the right to bring in representations, respectively, to the Presidium of the Supreme Soviet of the USSR, and to the Presidia of the Supreme Soviets of the Union and Autonomous Republics on matters requiring an interpretation of the laws.

Article 10. Consideration of Proposals, Statements and Complaints in the Organs of the Procurator's Office

The procurators shall have the duty to examine, in the manner established by law, proposals, statements and complaints from citizens, and state and public organisations,

and to take measures to restore the infringed rights and protect the lawful interests of citizens and organisations.

The procurators shall arrange for the individual reception of citizens.

Article 11. Settlement by Organs of the Procurator's Office of Matters Arising from the International Treaties of the USSR

The organs of the procurator's office shall, within the limits of their competence and in the established manner, settle matters arising from the international treaties of the USSR.

**II. THE SYSTEM OF ORGANS
OF THE PROCURATOR'S OFFICE
AND THEIR ORGANISATION**

Article 12. System of Organs of the Procurator's Office

The system of organs of the procurator's office shall consist of the Procurator's Office of the USSR, the procurator's offices of the Union Republics, the Autonomous Republics, territories and regions, of the procurator's offices of cities operating with the rights of the procurator's offices of regions, of the procurator's offices of the autonomous regions and autonomous areas, and of district and city procurator's offices. The system of the organs of the procurator's office shall also include the military procurator's offices, transport and other procurator's offices equated to the procurator's offices of regions, or to district or city procurator's offices. In cities where there are district procurator's offices, the Procurator-General of the USSR may set up city procurator's offices with district procurator's offices subordinate to them.

The organisation and order of activity of the military procurator's office functioning in the Armed Forces of the USSR shall be determined by the present Law, by other legislative acts of the USSR, and by the Statute on the military procurator's office, approved by the Presidium of the Supreme Soviet of the USSR on a presentation by the Procurator-General of the USSR.

Transport procurator's offices in rail, water and air transport and other procurator's offices formed by the Procura-

tor-General of the USSR shall be organised and shall function with the rights of regional procurator's offices, and of district or city procurator's offices.

Article 13. The Powers of the Procurator-General of the USSR in Directing the Organs of the Procurator's Office

The Procurator-General of the USSR shall direct the activity of the organs of the procurator's office and shall exercise control over their work.

The Procurator-General of the USSR shall, on the basis and in pursuance of the laws, issue orders and instructions and give directions which shall be binding on all the organs of the procurator's office.

The directions of the Procurator-General of the USSR on matters of investigation work shall be binding for execution by all the organs of investigation.

The Procurator-General of the USSR shall determine the procedure governing the appointment of procurators and investigators of the procurator's office to their posts, and removal from these posts, with the exception of those functionaries the procedure for whose appointment and removal is established by the present Law.

The orders, instructions and directions of the Procurator-General of the USSR may, in the event of their disparity with the law, be rescinded by the Presidium of the Supreme Soviet of the USSR.

Article 14. The Procurator's Office of the USSR

The Procurator's Office of the USSR shall be headed by the Procurator-General of the USSR.

The Procurator-General of the USSR shall have a First Deputy and deputies appointed by the Presidium of the Supreme Soviet of the USSR on a presentation by the Procurator-General of the USSR. The allocation of duties among the deputies shall be made by the Procurator-General of the USSR.

A Collegium consisting of the Procurator-General of the USSR (Chairman), his First Deputy and *ex officio* deputies, and also of other leading functionaries of the organs of the procurator's office shall be formed within the Procurator's Office of the USSR. The individual composition of the Collegium shall be approved by the Presidium of the

Supreme Soviet of the USSR on a presentation by the Procurator-General of the USSR.

The Procurator's Office of the USSR shall have chief administrations, administrations and departments. A Chief Military Procurator's Office shall be formed within the Procurator's Office of the USSR. The heads and deputy heads of the chief administrations, administrations and departments shall be senior assistants and assistants of the Procurator-General of the USSR, who shall be appointed and removed by the Procurator-General of the USSR. The Procurator-General of the USSR shall also have assistants for special assignments. The chief administrations, administrations and departments shall have senior procurators and procurators.

The Statute on the structural subdivisions of the Procurator's Office of the USSR shall be approved by the Procurator-General of the USSR.

The Procurator's Office of the USSR shall, together with the ministries and departments concerned, and by agreement with the Central Statistical Board of the USSR, work out a system and set of methods for the uniform recording and statistical accounting of crimes, and the detection and investigation of crimes.

Article 15. The Procurator's Offices of the Union Republics

The procurator's offices of the Union Republics shall be headed by the procurators of the Union Republics.

The procurators of the Union Republics shall have first deputies and deputies who shall be appointed and removed by the Procurator-General of the USSR on a presentation by the procurators of the Union Republics.

The procurator's offices of the Union Republic shall have collegia consisting of the Procurator of the Union Republic (chairman) and other leading functionaries of the organs of the procurator's office. The individual composition of the collegium shall be approved by the Procurator-General of the USSR on a presentation by the Procurator of the Union Republic.

The procurator's offices of the Union Republics shall have administrations and departments. The heads and deputy heads of the administrations and departments shall be senior assistants and assistants of the procurators of the

Union Republics. The procurators of the Union Republics may also have assistants for special assignments.

The administrations and departments shall have senior procurators and procurators.

Article 16. The Procurator's Offices of the Autonomous Republics, Territories, Regions, Cities, Autonomous Regions, Autonomous Areas, and District and City Procurator's Offices

The procurator's offices of the Autonomous Republics, territories, regions, cities, autonomous regions and autonomous areas, and district and city procurator's offices shall be headed by the respective procurators.

The procurators of the Autonomous Republics, territories, regions, cities, and autonomous regions shall have first deputies and deputies.

Collegia consisting of the procurator, who heads the procurator's office (chairman), and other leading functionaries of the organs of the procurator's office shall be formed within the procurator's offices of the Autonomous Republics, territories, regions, cities and autonomous regions. The individual composition of the collegium shall be confirmed by the Procurator of the Union Republic on a representation by the respective procurator.

Administrations and departments shall be formed within the procurator's offices of the Autonomous Republics, territories, regions, cities and autonomous regions. The heads and deputy heads of the administrations and departments shall be senior assistants and assistants of the procurators who head these procurator's offices. The administrations and departments shall have administration and departmental procurators.

Administrations and departments may also be formed in the city procurator's offices.

The procurators of the autonomous areas, and district and city procurators may have deputies, senior assistants and assistants.

Article 17. The Military Procurator's Office

The Chief Military Procurator's Office shall be headed by the Chief Military Procurator, who shall be appointed by the Presidium of the Supreme Soviet of the USSR on a presentation by the Procurator-General of the USSR. Deputies of the Chief Military Procurator, military procura-

tors of the services of the Armed Forces of the USSR, military districts, air defence districts, groups of troops and fleets shall be appointed by the Procurator-General of the USSR on a presentation by the Chief Military Procurator.

The military procurators of armies, flotillas, formations, garrisons and the military procurators equated to them shall be appointed by the Chief Military Procurator and confirmed by the Procurator-General of the USSR.

A Collegium whose composition shall be approved by the Procurator-General of the USSR on a presentation by the Chief Military Procurator shall be formed within the Chief Military Procurator's Office.

Article 18. The Investigators of the Procurator's Office

The investigators of the procurator's office shall carry out a preliminary investigation in cases referred to their competence by the law, and also in other cases forwarded to them by the procurator.

Under the Procurator-General of the USSR, the procurators of the Union Republics and the Chief Military Procurator there shall be senior investigators for especially important cases and investigators for especially important cases; the Procurator's Office of the USSR and the procurator's offices of the Union Republics may also have senior investigators; the procurator's offices of the Autonomous Republics, territories, regions, cities and autonomous regions shall have investigators for especially important cases and senior investigators; the procurator's offices of the autonomous areas, and district and city procurator's offices shall have senior investigators and investigators.

The military procurator's offices, transport and other procurator's offices equated to the procurator's offices of regions, and to district and city procurator's offices shall have, respectively, investigators for especially important cases, senior investigators and investigators.

Senior investigators for especially important cases and investigators for especially important cases under the Procurator-General of the USSR shall be appointed and removed by the Procurator-General of the USSR.

Article 19. Order of Activity of the Collegia of the Organs of the Procurator's Office

The Collegium of the Procurator's Office of the USSR shall, at its sittings, consider the state of work along the

main lines of the activity of the Procurator's Office, discuss matters in checking up work, in selection, appointment and education of cadres, and drafts of the most important orders and instructions, hear accounts by the Chief Military Procurator, the heads of the chief administrations, administrations and departments of the Procurator's Office of the USSR, the procurators of the Union Republics and other functionaries of the organs of the procurator's office.

The decisions of the Collegium shall be effected by orders of the Procurator-General of the USSR. In the event of a difference of opinion between the Procurator-General of the USSR and the Collegium, the Procurator-General of the USSR shall implement his decisions, reporting on the differences of opinion that have arisen to the Presidium of the Supreme Soviet of the USSR. The members of the Collegium, for their part, may communicate their opinion to the Presidium of the Supreme Soviet of the USSR.

The collegia in the procurator's offices of the Union Republics, Autonomous Republics, territories, regions, cities, and autonomous regions shall, at their sittings, consider the most important matters in the activity of the organs of the procurator's office, fulfilment of the orders of the Procurator-General of the USSR in the exercise of supervision over the observance of the laws, hear accounts by the heads of the administrations and departments, of lower-ranking procurators and other functionaries of the procurator's office, and discuss matters in the selection, placement and education of cadres, and drafts of orders and instructions.

The decisions of the Collegium shall be effected by orders of the respective procurator. In the event of a difference of opinion between the Procurator of a Union Republic and the Collegium, the Procurator of the Union Republic shall implement his decision, reporting to the Procurator-General of the USSR on the difference of opinion that has arisen. The members of the Collegium, for their part, may communicate their opinion to the Procurator-General of the USSR. In the event of a difference of opinion between the Procurator of an Autonomous Republic, territory, region, city, and autonomous region, and the Collegium, the Procurator shall implement his decision, reporting to the Procurator of the Union Republic on the difference of opinion that has arisen. The members of the Collegium, for

their part, may communicate their opinion to the Procurator of the Union Republic.

Article 20. Demands on Persons Appointed to the Office of Procurator and Investigator

Citizens of the USSR having a higher law education and possessing the necessary political, business and moral qualities shall be appointed procurators and investigators of the procurator's office.

Persons who have graduated from higher law schools and have no experience of practical work in their speciality shall work on probation in the organs of the procurator's office in the course of a year.

The appointment to the office of procurator and investigator of the procurator's office of persons not having a complete higher law education, and reduction in the period of work on probation or release from work on probation may be made only in individual cases and shall be effected in the manner established by the Procurator-General of the USSR.

Persons not younger than the age of 25 years shall be appointed to the office of procurators of the Union Republics, Autonomous Republics, territories, regions, cities, autonomous regions, and autonomous areas, and also of district, city, military, transport and other procurators.

The procurators and investigators of the procurator's office shall be subject to certification. The order of certification shall be determined by the Procurator-General of the USSR. Service in the organs of the procurator's office may not be combined with work at enterprises, establishments or organisations, with the exception of scientific or pedagogical activity.

Article 21. Class Ranks of Functionaries of the Organs of the Procurator's Office

Class ranks shall be conferred on the functionaries of the organs of the procurator's office, including research workers of scientific establishments and educational institutions of the procurator's office, in accordance with the posts they hold and the length of service.

The class rank of full state counsellor of justice, and also the class ranks of state counsellor of justice of the 1st, 2nd and 3rd classes shall be conferred by a Decree of the

Presidium of the Supreme Soviet of the USSR. The other class ranks shall be conferred by an order of the Procurator-General of the USSR.

The Statute on the class ranks of the functionaries of the organs of the procurator's office shall be approved by the Presidium of the Supreme Soviet of the USSR.

Persons on whom class ranks have been conferred shall receive additional payments to their official salary with an account of the class rank. The amount of these additional payments shall be determined by the Council of Ministers of the USSR.

III. PROCURATOR'S SUPERVISION

Chapter 1

Supervision Over the Observance of the Laws by the Organs of State Administration, Enterprises, Establishments, Organisations, Persons in Office and Citizens (General Supervision)

Article 22. The Tasks of General Supervision

The Procurator-General of the USSR and the procurators subordinate to him shall exercise supervision over the observance of the laws by the ministries, state committees and departments, enterprises, establishments and organisations, executive and administrative organs of the local Soviets of People's Deputies, collective farms, cooperative and other public organisations, persons in office and citizens in order that:

the acts issued by said organs and organisations should conform to the Constitution of the USSR, the Constitutions of the Union Republics and the Constitutions of the Autonomous Republics, the legislative acts of the USSR and the Union and Autonomous Republics, and also to the decisions of the Council of Ministers of the USSR, and the Councils of Ministers of the Union and Autonomous Republics;

the laws should be scrupulously and uniformly observed by persons in office and citizens.

Article 23. The Powers of the Procurator in Exercising General Supervision

In exercising general supervision, the procurator shall, within the limits of his competence:

1) obtain on demand, to verify conformity with the law, the orders, instructions, directions and other acts issued by the ministries, state committees and departments, enterprises, establishments and organisations, the executive and administrative organs of the local Soviets of People's Deputies, collective farms, cooperative and other public organisations and persons in office;

2) require of the heads of the ministries, state committees, departments, the executive and administrative organs of the local Soviets of People's Deputies, and the other establishments and organisations enumerated in Point 1 of the present Article, and also of persons in office the necessary documents, material, statistical and other information; the arrangement of check-ups and auditing of the activity of the enterprises, establishments and organisations under their control or within their jurisdiction and persons in office subordinate to them in connection with available data on violations of the law; and assignment of specialists for clarification of the matters which have arisen in the exercise of supervision;

3) check up on the observance of the laws by the organs of state administration, enterprises, establishments, organisations and persons in office listed in Point 1 of the present Article in connection with statements, complaints and other information on infringements of the law;

4) check up on the legality of the administrative detention of citizens and the application by the organs and persons in office concerned of the measures of influence for administrative offences;

5) summon persons in office and citizens and require of them oral or written explanations concerning breaches of the law;

6) protest against acts issued by ministries, state committees and departments, executive and administrative organs of the local Soviets of People's Deputies, organs of state arbitration, people's control, enterprises, establishments and organisations which contradict the law, and also against unlawful acts and actions by persons in office;

7) institute criminal proceedings against offenders, in the manner established by the law, institute disciplinary proceedings or proceedings concerning administrative offences, forward, in the instances provided for by the law, material about them to public organisations for deciding on the applica-

tion of measures of social influence, and issue warnings about the inadmissibility of infringements of the law;

8) take measures to ensure the compensation, in the established manner, of material damage inflicted by an infringement of the law;

9) bring in representations to state organs and public organisations, and before persons in office on the elimination of infringements of the law, the causes of the infringements and the conditions conducive to them.

Article 24. Binding Execution of the Procurator's Demands

The procurator's demands for the elimination of the infringements of the law, the causes of the infringements, and the conditions conducive to them which he has established, for the presentation of acts and other necessary documents, material and information, for the holding of check-ups and audits, assignment of specialists, appearance at the procurator's office and presentation of explanations concerning infringement of the law are binding for execution by all organs, persons in office and citizens to whom they have been addressed. The check-ups or audits must be carried out not later than within a month and the procurator must be duly informed of the results.

Article 25. The Procurator's Protest by Way of General Supervision

The procurator shall bring in his protest against an act contradicting the law to the organ which has issued the act or to a superior organ. Protests against unlawful acts or actions by persons in office shall be brought in the same manner.

In his protest, the procurator shall have the right to demand that the act should be cancelled or brought into conformity with the law, and also that the person in office should cease his unlawful act and re-establish the infringed right.

The procurator's protest shall be subject to mandatory consideration by the organ or person in office concerned not later than within a ten-day period after its receipt. The procurator shall be informed of the results of the consideration of the protest.

The bringing in by the procurator of a protest against an act infringing the rights and freedoms of citizens protected by the law and also in other instances provided for by the

law shall suspend the operation of that act pending the consideration of the protest.

Article 26. The Procurator's Representation by Way of General Supervision

A representation on the elimination of infringements of the law, the causes of the infringements and the conditions conducive to them shall be brought in by the procurator to the state organ, public organisation or person in office empowered to eliminate the infringement of the law, and shall be subject to consideration without delay. Concrete measures for eliminating the infringements of the law, the causes of the infringements and the conditions conducive to them shall be taken not later than within a month, and the results communicated to the procurator.

Article 27. The Procurator's Decisions

The procurator, depending on the nature of the infringement of the law by a person in office or citizen, shall issue a motivated decision on the institution of criminal proceedings, the institution of disciplinary proceedings, or on the institution of proceedings concerning an administrative offence.

The procurator shall also issue motivated decisions in other instances provided for by the law.

The procurator's decision on the institution of disciplinary proceedings or proceedings concerning an administrative offence shall be subject to consideration by the organ or the person in office not later than within a ten-day period after its receipt. The procurator shall be duly informed of the results of the consideration.

Chapter 2

**Supervision Over
the Observance of the Laws
by the Organs of Inquiry
and Preliminary Investigation**

Article 28. The Task of Supervision over the Observance of the Laws by the Organs of Inquiry and Preliminary Investigation

The Procurator-General of the USSR and the procurators subordinate to him shall exercise supervision over the obser-

vance of the laws by the organs of inquiry and preliminary investigation so that:

not a single crime shall remain undetected and that no person who has committed a crime shall escape the responsibility established by the law;

the detention of citizens on suspicion of the commission of a crime shall be effected solely in the manner and on the grounds established by the law;

no one shall be subjected to unlawful or unjustified institution of criminal proceedings or to any other unlawful restriction of rights;

no one shall be subjected to arrest without a decision of the court or sanction of the procurator;

there shall be observance of the procedure established by the law for the institution of proceedings and investigation of criminal cases, the periods for their investigation, the rights of the participants in the trial and other citizens;

there shall be, in the investigation of crimes, undeviating observance of the requirements of the law concerning the all-round, full and objective examination of all the circumstances in the case, and the establishment of circumstances which convict or exonerate the accused, and also those which aggravate or mitigate his responsibility;

the causes for which crimes are committed and the conditions conducive to them shall be established, and measures taken to eliminate these.

Article 29. The Procurator's Powers in Exercising Supervision over the Observance of the Laws by the Organs of Inquiry and Preliminary Investigation

In exercising supervision over the observance of the laws by the organs of inquiry and preliminary investigation, the procurator shall, within the limits of his competence:

1) require of the organs of inquiry and preliminary investigation, for the purpose of checking-up, criminal cases, documents, material and other information concerning committed crimes, the course of the inquiry, the preliminary investigation, and the identification of the persons who have committed the crime; check up, at least once a month, on the observance of the requirements of the law concerning the acceptance, registration and resolution of state-

ments and reports concerning committed crimes or crimes in preparation;

2) rescind unlawful and groundless decisions by investigators and persons carrying out the inquiry;

3) give written instructions on the investigation of crimes, on the selection, change or withdrawal of measures of suppression, qualification of the crime, institution of individual acts of investigation and search for persons who have committed a crime;

4) authorise the organs of inquiry to execute decisions on the detention, bringing in, taking into custody, carrying out of searches, seizure, and search for persons who have committed a crime, and performance of other acts of investigation, and also give instructions on the taking of the necessary measures for the detection of crimes and the discovery of persons who have committed them, in cases which are in the charge of the procurator or investigator of the procurator's office;

5) participate in the inquiry and preliminary investigation and, whenever necessary, personally carry out individual acts of investigation or inquiry to the full extent in any case;

6) issue warrants for the performance of searches, sequestration of postal or telegraphic correspondence and its seizure, removal of the accused from his post and other acts by the investigator and the organ of inquiry in the instances provided for by the law;

7) extend the term of investigation and detention in custody as a measure of suppression in the instances and in the manner established by the law;

8) return criminal cases to the organs of inquiry and preliminary investigation with his instructions on the performance of additional investigation;

9) withdraw any case from the organ of inquiry and transfer it to the investigator, transfer a case from one organ of preliminary investigation to another, and also from one investigator to another for the purpose of ensuring the fullest and most objective investigation;

10) remove a person performing the inquiry, or an investigator from the further performance of the inquiry or preliminary investigation, if they have allowed a breach of the law in the investigation of the case;

11) institute proceedings in criminal cases or refuse

their institution; discontinue or suspend proceedings in criminal cases; give his consent to the discontinuation of criminal proceedings by an investigator or organ of inquiry in the instances in which this is provided for by the law; endorse indictments; forward criminal cases to the court.

The procurator's instructions to the organs of inquiry and preliminary investigation in connection with the institution of proceedings and investigation of criminal cases by them issued in the manner provided for by the legislation on criminal procedure shall be binding for these organs.

Article 30. Warrant of Arrest

The right to issue a warrant of arrest shall belong to: the Procurator-General of the USSR, the Chief Military Procurator, the procurators of the Union Republics, Autonomous Republics, territories, regions, cities, and autonomous regions, their deputies, procurators of the autonomous areas, district and city procurators, and also military, transport and other procurators acting in the capacity of the procurators of regions, districts or cities, and deputy procurators acting in the capacity of the procurators of regions.

The procurator shall issue a warrant for the arrest of a suspect or accused person in the presence of grounds provided for by the law. When deciding on the question of issuing a warrant of arrest, the procurator shall have the duty thoroughly to study all the material containing the grounds for taking into custody and shall, whenever necessary, personally interrogate the suspect or accused person, and shall interrogate suspected or accused minors in all cases.

Chapter 3

Supervision Over the Observance of the Laws in the Hearing of Cases in the Courts

Article 31. The Tasks of Supervision Over the Observance of the Laws in the Hearing of Cases in the Courts

The Procurator-General of the USSR and the procurators subordinate to him shall exercise supervision over the

observance of the laws in the hearing of cases in the courts so that:

the requirements of the law concerning the comprehensive, full, objective and timely examination of cases in courts of all instances should be fulfilled;

lawful and well-grounded judgements, sentences, rulings or decisions should be handed down in every case;

judgements, sentences, rulings and decisions should be brought for execution in due time, in accordance with the requirements of the law.

The procurators shall promote the realisation of the goals of the administration of justice and the tasks of the courts, scrupulously observing the principle that judges are independent and subject to the law alone.

Article 32. The Powers of the Procurators in Exercising Supervision Over the Observance of the Laws in the Hearing of Cases in the Courts

When exercising supervision over the observance of the laws in the hearing of cases in the courts, the procurator shall, within the limits of his competence:

1) take part in the administrative sitting of the court, in the judicial hearing of cases in the first instance, and by way of cassation and supervision; issue decisions on matters arising in the hearing of cases; bring in suits and file applications with the court, issue decisions on the substance of the case as a whole in civil cases; maintain in the court the state indictment in criminal cases, and, in the presence of grounds, withdraw the indictment; perform other procedural acts as provided for by the law;

2) protest against unlawful and groundless judgements, sentences, rulings and decisions of the court and decisions by the judges;

3) check up on the legality of the presentation for execution of judgements, sentences, rulings and decisions of the court, and protest against unlawful acts by the officer of the court;

4) take measures in the instances provided for by the law to review judgements, rulings and decisions in civil cases and resume criminal cases by reason of newly discovered circumstances.

Article 33. Protests Against Judgements, Sentences, Rulings and Decisions of the Courts by Way of Cassation

The right to bring in cassation and private protests against unlawful and groundless judgements, sentences, rulings and decisions shall belong to the procurator and deputy procurator within the limits of their competence, irrespective of their participation in the examination of the case in a court of first instance. Assistant procurators, the procurators of administrations and departments may bring in protests only in cases in whose hearing they have taken part.

Article 34. Withdrawal of Cases from the Court for Check-Up by Way of Supervision

The procurator shall have the right, within the limits of his competence, to demand and obtain from the court any case or category of cases in which the judgement, sentence, ruling or decision has entered into legal force. Having decided that the judgement, sentence, ruling or decision of the court is unlawful and groundless, the procurator shall bring in a protest by way of supervision, or, wherever this transcends the limit of his competence, address a representation to the higher-ranking procurator on the bringing in of a protest. In the absence of grounds for bringing in a protest, the procurator shall communicate his decision and its motives to the persons, enterprises, establishments and organisations on whose petition the case was checked up.

Article 35. The Protesting of Judgements, Sentences, Rulings and Decisions of the Courts by Way of Supervision

The right to bring in protests by way of supervision shall belong to:

the Procurator-General of the USSR—against the judgements, sentences, rulings and decisions of any court of the USSR and the Union Republics;

the deputies of the Procurator-General of the USSR—against the judgements, sentences, rulings and decisions of any court, with the exception of the judgements, sentences

and rulings of the judicial collegia of the Supreme Court of the USSR and the decisions of the Plenums of the Supreme Courts of the Union Republics or the Presidia of these courts, when the Presidium is the highest judicial supervisory instance;

the Procurator of a Union Republic and his deputies—against the judgements, sentences, rulings and decisions of any court of the Union Republic, with the exception of the decisions of the Plenum (Presidium) of the Supreme Court of the Union Republic;

the Procurator of an Autonomous Republic, territory, region, and city, the procurator of an autonomous region and autonomous area—against the judgements, sentences, rulings and decisions of the district (city) people's courts, and the rulings of the judicial collegia, respectively, of the Supreme Court of the Autonomous Republic, of the territorial, regional and city courts, the courts of autonomous regions, and the courts of autonomous areas hearing cases by way of cassation;

the Chief Military Procurator—against the judgements, sentences, rulings and decisions of any military tribunal, and the decisions of the judges of these tribunals;

the deputies of the Chief Military Procurator, the military procurators of the services of the Armed Forces of the USSR, military districts, air defence districts, groups of troops, and fleets—against the judgements, sentences, rulings and decisions of the military tribunals of armies, flotillas, formations and garrisons.

The right to bring in protests on judicial cases to the Plenum of the Supreme Court of the USSR shall belong to the Procurator-General of the USSR.

Protests against decisions by judges in cases of administrative offences may be brought in by the district, city and higher-ranking procurators and their deputies.

Article 36. Withdrawal of Protests

A protest against the judgement, sentence, ruling and decision of a court may be withdrawn by the procurator who has brought in the protest, or by a higher-ranking procurator before the protest is heard by the court.

Article 37. Stay of Execution of Judgements, Sentences, Rulings and Decisions of the Courts by Way of Supervision

The Procurator-General of the USSR, the Chief Military Procurator, the Procurator of a Union Republic and their deputies shall have the right to stay the execution of a protested sentence, ruling and decision of the court in a criminal case before the resolution of the case by way of judicial supervision.

In the presence of data, certifying to an obvious breach of the law, said procurators shall have the right, simultaneously with the withdrawal of the criminal case, to stay the execution of the sentence, ruling and judgement of the court before these are protested for a period of not more than three months.

The procurators and their deputies who have the right to bring in protests by way of supervision in civil cases or in cases of administrative offences, having withdrawn the case, may stay the execution of the relevant judgement, ruling and decision of the court before the proceedings by way of supervision are ended.

Article 38. Participation by the Procurator in the Sittings of the Plenums and Presidia of the Courts

The participation of the Procurator-General of the USSR in the sittings of the Plenum of the Supreme Court of the USSR, of the Procurator of a Union Republic in the sittings of the Plenum (Presidium) of the Supreme Court of the Union Republic, and of the Procurator of an Autonomous Republic, territory, region, city, autonomous region and autonomous area, in the sittings of the Presidium of the respective court shall be mandatory.

Article 39. Representation by the Procurator on the Issue of Guiding Instructions to the Courts

The Procurator-General of the USSR shall have the right to bring in for consideration by the Plenum of the Supreme Court of the USSR, and the Procurator of a Union Republic, by the Plenum of the Supreme Court of the Union Republic, representations on the issue of guiding instructions to the courts on matters relating to the application of the laws in the hearing of civil cases, cases on administrative offences and criminal cases.

Article 40. Representation by the Procurator-General of the USSR on Disparities between Decisions of the Plenum of the Supreme Court of the USSR and the Law

The Procurator-General of the USSR shall have the duty to bring in a representation to the Presidium of the Supreme Soviet of the USSR whenever, in his judgement, a decision of the Plenum of the Supreme Court of the USSR does not conform to the law.

Article 41. Representation by the Procurator on Disparities Between Guiding Instructions by the Plenum of the Supreme Court of a Union Republic and the Law

The Procurator of a Union Republic shall have the duty to bring in a representation to the Procurator-General of the USSR whenever, in his judgement, guiding instructions by the Plenum of the Supreme Court of the Union Republic to the courts on the application of the laws in the hearing of judicial cases do not conform to the legislation of the USSR. Whenever the Procurator of a Union Republic discerns a disparity between a guiding instruction and the legislation of the Union Republic, he shall have the duty to bring in a representation to the Presidium of the Supreme Soviet of the Union Republic.

Chapter 4

**Supervision Over
the Observance of the Laws
in Places of Custody,
in Places of Preliminary Detention,
in the Execution of Penalties
and Other Coercive Measures
Appointed by the Courts**

Article 42. The Tasks of Supervision Over the Observance of the Laws in Places of Custody, in Places of Preliminary Detention, in the Execution of Penalties and Other Coercive Measures Appointed by the Courts

The Procurator-General of the USSR and the procurators subordinate to him shall exercise supervision over the

observance of the laws in places of custody, in places of preliminary detention, in places of deprivation of liberty, in the execution of penalties not involving deprivation of liberty, and other coercive measures appointed by the courts, so that:

the maintenance of persons in custody, maintenance in places of preliminary detention, in places of deprivation of liberty, and in establishments for coercive medical treatment and education is effected solely on the grounds and in the manner established by the law;

legislation on the procedure and conditions of the maintenance of persons detained and held in custody, the serving of penalties, correction and re-education of convicted persons, the maintenance of persons to whom measures of coercive medical treatment and education have been applied is observed;

observance of the rights and duties of detainees, persons in custody, convicted persons and also persons to whom measures of coercive medical treatment and education have been applied is ensured.

Article 43. The Powers of the Procurator in Exercising Supervision Over the Observance of the Laws in Places of Custody, in Places of Preliminary Detention, in the Execution of Penalties and Other Coercive Measures Appointed by the Courts

In exercising supervision over the observance of the laws in places of custody, in places of preliminary detention, in places of deprivation of liberty, in the execution of penalties not involving deprivation of liberty, and other coercive measures appointed by the courts, the procurator shall, within the limits of his competence:

1) for the purposes of checking up on the observance of the laws, regularly and at any time visit places of custody, places of preliminary detention, places of deprivation of liberty, and establishments for coercive medical treatment and education;

2) study documents on the strength of which persons have been placed in custody and in preliminary detention, and also are serving penalties in the form of deprivation of liberty and other penal measures or have been subjected to measures of coercive medical treatment and education;

3) immediately release a person who is unlawfully kept in places of custody or, in breach of the law, has been subjected to arrest, preliminary detention, or coercive medical treatment or education;

4) interrogate detainees, arrested persons, convicts and persons subjected to coercive medical treatment and education;

5) check up on the conformity of orders, instructions and decisions by the administrative bodies of the establishments indicated in the present Article with the laws regulating the manner and conditions for the maintenance of persons in these establishments and execution of penalties; stay the execution of such acts and protest them in the event of their disparity with the law.

Article 44. Execution of the Procurator's Decisions and Recommendations

The procurator's decisions and recommendations concerning the observance of the order and conditions established by the law for the maintenance of detainees, arrested persons, and persons sentenced to deprivation of liberty and other penal measures, and also persons to whom measures of coercive medical treatment or education are being applied shall be binding for execution by the administrative bodies of the places of custody, places of preliminary detention, places of deprivation of liberty, establishments effecting coercive medical treatment and education, and also by organs executing sentences of the courts with respect to persons sentenced to penal measures not involving deprivation of liberty.

Article 45. The Procurator's Duties in Ensuring the Right to File Complaints and Make Statements

The procurator shall see to the observance of the requirements of the law concerning the right of detainees, arrested persons, persons sentenced to deprivation of liberty, and persons subjected to coercive medical treatment and education to address complaints and statements to state organs, public organisations and persons in office, and concerning the duty of administrative bodies to forward such complaints and statements to the designated address in the manner established by the law. The procurator shall have

the duty to examine incoming complaints and statements within the period established by the law, to take the necessary measures, and to inform the declarant of his decision.

IV. OTHER MATTERS IN THE ORGANISATION AND ACTIVITY OF THE ORGANS OF THE PROCURATOR'S OFFICE

Article 46. Scientific and Other Establishments and Organisations Under the Procurator's Office of the USSR

The Procurator's Office of the USSR shall have an All-Union Institute for the Study of the Causes and the Elaboration of Measures for the Prevention of Crime, an Institute for the Advanced Training of Leading Cadres of the Procurator's Office of the USSR and its branches, an Institute for the Advanced Training of Investigation Workers, a scientific methods council for the examination of scientific and other proposals for improving the organisation and activity of the organs of the procurator's office, and also a polygraphic enterprise whose annual and long-term publication plans shall be approved by the Procurator-General of the USSR.

The Procurator's Office of the USSR shall publish a journal, *Sotsialisticheskaya zakonnost*.

Article 47. Incentives for and Responsibility of the Functionaries of the Organs of the Procurator's Office

The procedure for the provision of incentives and also for the bringing of procurators and investigators of the procurator's office to disciplinary responsibility shall be established by a Statute approved by the Presidium of the Supreme Soviet of the USSR.

For long and faultless service, functionaries of the organs of the procurator's office may be awarded a badge Honorary Worker of the Procurator's Office of the established standard by the Procurator-General of the USSR, with a simultaneous presentation of a diploma from the Procurator-General of the USSR. The order of presentation for awarding the Honorary Worker of the Procurator's Office

badge shall be determined by the Procurator-General of the USSR.

The institution and examination of criminal cases with respect to procurators and investigators of the procurator's office shall be the exclusive competence of the procurator's office, and shall be effected solely with the consent of the organ which has appointed these persons to office.

Article 48. Procedure Governing the Approval of the Structure and Staffs of the Organs of the Procurator's Office

The structure of the Procurator's Office of the USSR shall be approved by the Presidium of the Supreme Soviet of the USSR on a presentation by the Procurator-General of the USSR.

The structure and staffs of the lower organs of the procurator's office shall be established by the Procurator-General of the USSR within the limits of the approved number of workers and the pay-roll fund.

Article 49. The Seal of the Organs of the Procurator's Office

The organs of the procurator's office shall have a seal bearing the State Emblem of the Union of Soviet Socialist Republics and their name.

*Vedomosti Verkhovnogo Soveta
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LAW
OF THE UNION OF SOVIET SOCIALIST REPUBLICS
ON THE BAR OF THE USSR
(of November 30, 1979)

Article 1. The Tasks of the Bar

In conformity with the Constitution of the USSR, the rendering of legal assistance to citizens and organisations shall be the main task of the Soviet Bar.

The Bar in the USSR shall promote the protection of the rights and lawful interests of citizens and of organisations, the administration of justice, the observance and strengthening of socialist legality, the education of citizens in a spirit of scrupulous and undeviating observance of the Soviet laws, a thrifty attitude to the people's wealth, observance of the discipline of labour, and respect for the rights, honour and dignity of other persons, and for the rules of socialist community-living.

Article 2. Legislation of the USSR and the Union Republics on the Bar

The legislation of the USSR and the Union Republics on the Bar shall consist of the present Law, which determines the organisation and order of activity of the Bar in the USSR, and the Statutes on the Bar issued in conformity with it and approved by the Supreme Soviets of the Union Republics, and other acts of the legislation of the USSR and the Union Republics.

The rights and duties of advocates in the performance of assignments in civil and criminal cases, and in cases of ad-

ministrative offences shall be regulated by the corresponding legislation of the USSR and the Union Republics.

Article 3. Colleges of Advocates

Colleges of advocates shall be voluntary associations of persons practising as advocates.

Colleges of advocates shall be set up on application by a group of constituents consisting of persons with a higher law education, or on the initiative of the executive and administrative organ of the corresponding Soviet of People's Deputies. The proposal to form a college of advocates shall be addressed to the Ministry of Justice of a Union Republic, which shall, given its consent, present it to the Council of Ministers of a Union Republic without regional division, and of an Autonomous Republic, and to the executive committee of the territorial, regional, or city Soviet of People's Deputies for approval and registration.

Republican colleges of advocates shall be formed in Union Republics without regional division and in Autonomous Republics, territorial and regional colleges of advocates in territories and regions, and city colleges of advocates in the instances provided for by the Statute on the Bar of the Union Republic.

Inter-territorial and other colleges of advocates may be formed with the consent of the Ministry of Justice of the USSR, whenever this is necessary for rendering legal assistance to citizens and organisations.

Colleges of advocates shall be juridical persons.

Article 4. The Organs of the Colleges of Advocates

A general meeting (conference) of the members of a college shall be its highest organ, a Presidium, its executive organ, and an auditing commission, its control and auditing organ.

The Presidium and the auditing commission of a college of advocates shall be elected by the general meeting (conference) of the members of the college of advocates by secret ballot for a term of three years.

The powers of the general meeting (conference), the Presidium and the auditing commission, and the rights and duties of the Chairman of the Presidium of the college of advocates shall be determined by the Statute on the Bar of the Union Republic.

Article 5. Membership in the Colleges of Advocates

Citizens of the USSR with a higher law education and a length of service in the speciality of jurist of at least two years shall be admitted as members of colleges of advocates. The admittance to college membership of said persons may be made contingent on a trial period of up to three months.

Persons who have graduated from higher law academic institutions, who have no length of service in the speciality of jurist or who have a length of service of under two years may be admitted to a college of advocates after serving a probation period in the college for a period of from six months to one year.

The procedure governing admittance to the college of advocates shall be determined by the Statute on the Bar of the Union Republic and other legislative acts of the USSR and the Union Republics.

Members of the college of advocates and probationers may not hold office in state or public organisations. Exceptions may be made by the Presidium of the college of advocates for persons engaged in scientific or pedagogical activity, and also in other cases provided for by the Statute on the Bar of the Union Republic.

Article 6. The Rights of the Members of the College of Advocates

A member of a college of advocates shall have the right:
to elect and be elected to the organs of the college of advocates;

to put before the organs of the college of advocates questions relating to the activity of the college, to bring in proposals for improving its work, and to take part in their discussion;

personally to take part in every case of discussion by the organs of the college of his activity or behaviour;

to resign from the college of advocates.

An advocate acting as a representative or counsel for the defence shall be legally competent:

to represent the rights and lawful interests of persons applying for legal assistance in all state and public organisations, within whose competence the resolution of the relevant matters falls;

to require and obtain, through the legal advice office, information, references and other documents required in connection with the extension of legal assistance, from state and public organisations, which shall have the duty to issue these documents or their copies in the established manner.

An advocate may not be interrogated as a witness concerning the circumstances which have become known to him in connection with the performance of his duties of counsel for the defence or representative.

Article 7. The Duties of the Members of the College of Advocates

An advocate shall, in his activity, have the duty scrupulously and undeviatingly to observe the requirements of effective legislation, and to use all the ways and means provided for by the law in protecting the rights and lawful interests of citizens and organisations who have applied to him for legal assistance.

An advocate shall not have the right to accept an assignment on rendering legal assistance whenever, in a given case, he is rendering or has earlier rendered legal assistance to persons whose interests conflict with the interests of the person who has filed a request on the conduct of a case, or in which he has acted as a judge, procurator, investigator, person who has conducted the inquiry, expert, specialist, interpreter, witness or witness in a search, and also where a person in office to whom the advocate is allied by blood is taking part in the investigation or examination of the case.

An advocate shall not have the right to divulge information communicated to him by the principal in connection with the rendering of legal assistance.

Article 8. Legal Advice Offices

Legal advice offices shall be set up in cities and other populated centres by the presidia of the colleges of advocates for the purpose of organising the work of advocates in rendering legal assistance.

The organisation and order of activity of the legal advice offices, and the rights and duties of the head of the legal advice office shall be determined by the Statute on the Bar of the Union Republic.

Article 9. Types of Legal Assistance Rendered by Advocates

Advocates rendering legal assistance shall:

give consultations and explanations on juridical matters, and oral and written information on legislation;

draw up petitions, complaints and other legal documents; act as representatives in court, arbitration and other state organs for civil affairs and cases of administrative offences;

participate in the preliminary investigation and in court in criminal cases as counsel for the defence, representatives of victims, civil plaintiffs and civil defendants.

Advocates shall also render other legal assistance to citizens and organisations.

Article 10. Remuneration of the Work of Advocates

The work of advocates shall be remunerated from the receipts paid to the legal advice office by citizens and organisations for the legal assistance rendered to them.

Article 11. The Rendering of Legal Assistance to Citizens Free of Charge

The colleges of advocates shall render legal assistance free of charge:

to plaintiffs in courts of first instance in the conduct of cases for the recovery of alimony and labour cases; in action brought by collective farmers against collective farms on the remuneration of labour; of compensation for injuries caused by mutilation or other injury to health connected with work; of compensation for damage caused by the death of a breadwinner which has occurred in connection with his work, and also to citizens in the drawing up of petitions for the award of pensions and allowances;

to citizens filing complaints concerning incorrect entries on electoral rolls;

to the deputies of Soviets of People's Deputies when giving consultations on legislative matters connected with the exercise of their deputy powers;

to the members of comrades' courts and volunteer people's squads for the maintenance of public order in giving

consultations on legislation in connection with their social activity.

Legal assistance shall also be rendered free of charge in the other instances provided for by legislation.

In addition, the head of a legal advice office, the Presidium of a college of advocates, and also the organ of preliminary investigation, the procurator and the court handling the case shall have the right, depending on the property status of the citizen, to release him fully or partially from payment for legal assistance.

When a citizen is released from payment of legal assistance by the head of the legal advice office or the Presidium of the college, the advocate shall be remunerated for his work from the funds of the college.

When a citizen is released from payment for legal assistance by an organ of preliminary investigation, the procurator or the court, the cost of remuneration of the advocate's work shall be referred to in the established manner to the account of the state.

Article 12. Incentive Measures for Advocates

For exemplary fulfilment of their duties, for long and faultless service, and vigorous social activity, incentives shall be offered to advocates by a decision of the Presidium of the college.

Incentive measures and the manner in which these are to be applied shall be determined by the Statute on the Bar of the Union Republic and by other legislative acts of the USSR and the Union Republic.

Article 13. Disciplinary Responsibility of Advocates

Advocates may be brought to disciplinary responsibility for breaches of the requirements of the present Law, the Statute on the Bar of the Union Republic and other acts of legislation of the USSR and the Union Republics regulating the activity of the Bar.

Disciplinary penalties shall be applied by the Presidium of the college of advocates immediately upon the discovery of an offence, but not later than one month from the day of its discovery, not counting the time of an advocate's illness or absence on leave. No penalty may be imposed

later than six months from the day the offence has been committed.

The penalty measures, and the order in which disciplinary penalties are imposed, removed and appealed against shall be determined by the Statute on the Bar of the Union Republic.

Article 14. Cessation of Membership of a College of Advocates

The removal of an advocate from a college shall be effected by the Presidium of the college of advocates;

on application by the advocate;

in the event of unsatisfactory results of the trial specified for admission to the college of advocates;

in the event of a discovery that the advocate is incapable of fulfilling his duties in consequence of inadequate training or state of health.

The dismissal of an advocate from the college shall be effected by the Presidium of the college of advocates in the following instances:

repeated breaches by the advocate of the internal work regulations or careless fulfilment of his duties, provided measures of disciplinary or social influence have earlier been applied to the advocate;

commission of other offences not compatible with membership of the college.

Removal or dismissal from the college of advocates may be appealed against through the courts within the period of a month from the service of a copy of the removal or dismissal decision by the Presidium of the college.

Article 15. Funds of the Colleges of Advocates

The funds of the colleges of advocates shall consist of the amounts deducted by the legal advice offices from payments for the rendering of legal assistance.

The amount of the deductions to the fund of the college shall be established by a general meeting (conference) of the members of the college of advocates, but may not be in excess of thirty per cent of the amounts received by the legal advice office.

The staffs, salary scales, pay-roll funds and office-man-

agement expenditures of the colleges of advocates shall not be subject to registration with financial agencies. The colleges of advocates shall not be subject to state and local taxes and levies.

Article 16. Relations Between the Bar and State Organs and Public Organisations

Overall guidance of the colleges of advocates shall be exercised by the Soviets of People's Deputies and their executive and administrative organs in accordance with the legislation determining their competence, both directly and through the ministries of justice, the departments of justice of the executive committees of territorial, regional and city Soviets of People's Deputies.

The rights and duties of the Ministry of Justice of the USSR, the Ministries of Justice of the Union and Autonomous Republics, departments of justice of the executive committees of the territorial, regional and city Soviets of People's Deputies with respect to the colleges of advocates shall be determined by the present Law, the Statutes on the Bar of the Union Republics and other legislation of the USSR and the Union Republics.

The Ministry of Justice of the USSR shall, within the limits of its competence:

control the observance by the colleges of advocates of the requirements of the present Law, the Statutes on the Bar of the Union Republics, and other acts of legislation of the USSR and the Union Republics regulating the activity of the Bar;

establish the manner of payment for legal assistance and, by agreement with the corresponding departments, the terms for the remuneration of the work of advocates;

issue instructions and methodical recommendations on the activity of the Bar;

establish the specific features of the order of organisation and activity of inter-territorial and other colleges of the advocates;

exercise other powers connected with the general guidance of the Bar.

In the event of a disparity between effective legislation and a decision of the general meeting (conference) or a decision of the Presidium of a college of advocates, the

Ministry of Justice of the USSR shall stay their operation. In that instance, the matter may be brought in for fresh discussion, respectively, to the general meeting (conference) or the Presidium of the college of advocates.

The colleges of advocates shall, in fulfilling the tasks of the Bar, maintain ties with state organs and public organisations, render legal assistance to work collectives, people's deputies, voluntary people's squads, comrades' courts and other organs of public initiative engaged in combating offences, and shall participate in the propaganda of law and explanation of legislation to the population.

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LAW
OF THE UNION OF SOVIET SOCIALIST REPUBLICS
ON STATE ARBITRATION IN THE USSR
(of November 30, 1979)

I. GENERAL PROVISIONS

Article 1. Settlement of Economic Disputes by the Organs of State Arbitration

In conformity with the Constitution of the USSR, the settlement of economic disputes between enterprises, establishments and organisations shall be effected by the organs of state arbitration within the limits of their competence.

The organs of state arbitration shall settle economic disputes in precise conformity with the legislation of the USSR and the Union Republics.

Article 2. The Tasks of the Organs of State Arbitration

The following shall be the tasks of the organs of state arbitration:

ensuring the defence of the rights and the law-protected interests of enterprises, establishments and organisations in the settlement of economic disputes;

active assistance in the settlement of economic disputes at enterprises, establishments and organisations for the purpose of ensuring their observance of socialist legality, fulfilment of plan assignments and contractual obligations, struggle against undue emphasis on local and departmental interests in economic activity; unflagging application of the measures of material responsibility, as established by legislation or contract, for breaches of state discipline committed in the fulfilment of plan assignments and contractual obligations;

ensuring the uniform and correct application of legislation in the settlement of economic disputes;

promotion of improvement in contractual and claim-filing work in the economy, prevention of breaches of legality in the economic activity of enterprises, establishments and organisations;

elaboration of proposals and realisation of measures designed to improve the legal regulation of economic activity.

In their activity, the organs of state arbitration shall make the utmost use of legal instruments so as to strengthen the protection of socialist property, consolidate management accounting, intensify the regime of savings and elimination of losses in the economy, enhance the role of contract, and develop rational economic ties and cooperation between enterprises, establishments and organisations, promoting the dynamic, balanced and proportional development of the economy, accelerating scientific and technical progress, enhancing the efficiency of social production and the quality of workmanship, and improving the end results of economic activity.

Article 3. Legislation of the USSR and the Union Republics on State Arbitration in the USSR

The organisation, order of activity and competence of the organs of state arbitration shall be determined by the present Law, the Rules for the Examination of Economic Disputes by State Arbitration and the Statute on State Arbitration under the Council of Ministers of the USSR, both approved by the Council of Ministers of the USSR, and other acts of legislation of the USSR, and also by the provisions on the organs of state arbitration in the Union Republics, approved by the Councils of Ministers of the Union Republics in coordination with the State Arbitration under the Council of Ministers of the USSR.

Article 4. Legislation on the Basis of Which Economic Disputes Shall Be Examined

The organs of state arbitration shall settle disputes on the basis of the laws and other legislative acts of the USSR and the Union Republics, the decrees and orders of the

Council of Ministers of the USSR and the Councils of Ministers of the Union Republics, and other normative acts, and in conformity with state plans for economic and social development.

II. ORGANISATION OF STATE ARBITRATION

Article 5. The System of Organs of State Arbitration

State Arbitration

under the Council of Ministers of the USSR—the State Arbitration of the USSR;

under the Councils of Ministers of the Union Republics—the state arbitrations of the Union Republics;

under the Councils of Ministers of the Autonomous Republics—the state arbitrations of the Autonomous Republics;

under the executive committees of the territorial and regional Soviets of People's Deputies—territorial and regional state arbitrations

shall operate in the USSR.

The Council of Ministers of the Union Republic, in coordination with the State Arbitration of the USSR, may form the state arbitration boards of cities, autonomous regions and autonomous areas which shall operate, respectively, under the executive committee of the city Soviet of People's Deputies, the Soviet of People's Deputies of an autonomous region or an autonomous area.

The State Arbitration of the USSR, the state arbitrations of the Union and Autonomous Republics, territories, regions and cities, autonomous regions and autonomous areas shall constitute an integral system of the organs of state arbitration of the USSR.

Article 6. Direction of the Organs of State Arbitration

The Council of Ministers of the USSR shall exercise direction of the State Arbitration of the USSR. The State Arbitration of the USSR shall be a Union-Republican organ of the USSR. The State Arbitration of the USSR shall, as a rule, exercise direction of all the organs of state arbitration through the state arbitrations of the Union Republics.

The State Arbitration of the USSR shall be responsible

for the organisation, state and improvement of the activity of all the organs of state arbitration.

Both the Councils of Ministers of the Union Republics and the State Arbitration of the USSR shall exercise direction of the state arbitrations of the Union Republics. The state arbitrations of the Union Republics shall be Union-Republican organs of the Union Republics and shall exercise direction of the lower organs of state arbitration.

Both the organs under which the state arbitrations of the Autonomous Republics, territories, regions, cities, autonomous regions and autonomous areas operate and higher state arbitration shall exercise direction of these state arbitrations.

Article 7. Chief State Arbitrator

State arbitration shall be headed by a Chief State Arbitrator.

The Chief State Arbitrator shall be responsible for the fulfilment of the tasks assigned to the respective arbitration.

The Chief State Arbitrator of the USSR and the Chief State Arbitrator of the Union Republic shall be appointed to and removed from their posts, respectively, by the Council of Ministers of the USSR and the Councils of Ministers of the Union Republics.

The Chief State Arbitrator of the Autonomous Republic, territory, region, city, autonomous region and autonomous area shall be appointed to and removed from his post, respectively, by the Council of Ministers of the Autonomous Republic, the executive committee of the territorial, regional, and city Soviet of People's Deputies, the executive committee of the Soviet of People's Deputies of the autonomous region, and autonomous area, by agreement with the State Arbitration of the Union Republic.

The Chief State Arbitrators shall have Deputies, appointed to and removed from their posts by the organs which appoint the Chief State Arbitrators.

Article 8. State Arbitrator

The State Arbitrator shall direct the examination of economic disputes, ensure the restoration of the infringed rights

and lawful interests of the parties in the adoption of a decision on the dispute, bring out, in connection with the examination of cases, any breaches of legality, state discipline and shortcomings in the economic activity of enterprises, establishments and organisations, the causes of these breaches and shortcomings, bring in proposals for their elimination and prevention, and, whenever necessary, also on calling to account the persons at fault, and perform other functions provided for by legislation.

The State Arbitrator shall be responsible for the observance of the requirements of legislation in the examination of disputes, and for the legality and solid grounding of the decision by state arbitration.

The State Arbitrator's demands presented within the limits of the powers of state arbitration in connection with the examination of disputes shall be binding on all enterprises, establishments, organisations and persons in office.

The State Arbitrator shall be appointed to and removed from his post by the organ under which the state arbitration operates, on a presentation by the Chief State Arbitrator of this arbitration.

III. JURISDICTION OVER ECONOMIC DISPUTES

Article 9. Economic Disputes Within the Jurisdiction of State Arbitration

State arbitration shall settle disputes between state, cooperative (with the exception of collective farms, inter-collective farm and state-collective farm enterprises, organisations and their associations) and other public enterprises, establishments and organisations arising in the conclusion, amendment, cancellation and execution of economic contracts or on other grounds, with the exception of the instances when the settlement of such disputes is referred by the legislation of the USSR to the competence of other organs.

Article 10. Delimitation of Jurisdiction Over Economic Disputes Between the Organs of State Arbitration

The State Arbitration of the USSR and the State Arbitration of the Union Republic shall settle the most impor-

tant disputes referred to their competence by the legislation of the USSR.

The State Arbitration of the Autonomous Republic, territory, region, city, autonomous region and autonomous area shall settle all the other disputes between enterprises, establishments and organisations falling within the jurisdiction of the organs of state arbitration.

The State Arbitration of a Union Republic which has no subordinate organs of state arbitration shall settle all disputes between enterprises, establishments and organisations falling within the jurisdiction of the organs of state arbitration, with the exception of disputes referred to the competence of the State Arbitration of the USSR.

The State Arbitration of the USSR shall have the right to take cognizance of and settle any dispute which falls within the jurisdiction of the organs of state arbitration. The State Arbitration of the Union Republic shall have the right to take cognizance of and settle any dispute which falls within the jurisdiction of the organs of state arbitration of the Union Republic.

Article 11. Territorial Jurisdiction Over Economic Disputes Settled by the Organs of State Arbitration

Disputes which fall within the jurisdiction of the organs of state arbitration and which arise in the conclusion, amendment and cancellation of economic contracts shall be examined by the state arbitration of the place where the enterprise, establishment and organisation—supplier, subcontractor or provider of services, is located. Disputes arising from the fulfilment of economic contracts and other grounds shall be examined in the place where the respondent is located.

Exemptions from these rules may be established by the legislation of the USSR.

**IV. ORDER OF SETTLEMENT
OF ECONOMIC DISPUTES**

Article 12. Filing of Application with State Arbitration for Settlement of Economic Disputes

The state arbitration shall examine disputes on the strength of applications filed by the enterprises, establish-

ments and organisations concerned, and also of applications from higher organs filed in the interests of enterprises, establishments and organisations within their system.

A dispute may be referred for settlement by state arbitration only after the parties have taken measures to settle it directly in the established order. During the examination of a dispute, the plaintiff or the respondent may be brought into the case on the initiative of the state arbitration, regardless of the adoption of such measures.

The waiving of the right to apply to state arbitration shall be invalid.

Article 13. Institution of Proceedings on the Initiative of State Arbitration

The state arbitration shall have the right to institute proceedings in a case on its own initiative given the existence of evidence of infringements by enterprises, establishments and organisations of state planning and contractual discipline and other breaches of legality in economic activity.

The institution of proceedings on the initiative of state arbitration shall be effected regardless of the observance by enterprises, establishments and organisations of the order for the direct settlement of disputes.

Article 14. Examination of Economic Disputes

Disputes shall be examined by state arbitration consisting of the chairman—the State Arbitrator or the Chief State Arbitrator or his Deputy—and the representatives of the parties.

For the examination of complex disputes, the Chief State Arbitrator or the Deputy Chief State Arbitrator may additionally co-opt two state arbitrators.

In the instances and in the order established by the Rules for the Examination of Economic Disputes by State Arbitration, the disputes may be examined without the participation of the representatives of the parties.

Article 15. Parties to the Examination of Economic Disputes

Enterprises, establishments and organisations which are juridical persons may be parties to disputes settled by state arbitration.

The heads or deputy heads of enterprises, establishments, organisations, and of higher organs or other duly authorised persons shall be representatives of the parties in state arbitration.

In the examination of disputes in state arbitration, each of the parties shall enjoy equal procedural rights.

The parties shall have the duty conscientiously to use the procedural rights vested in them and display mutual respect for the rights and lawful interests of the other party.

Article 16. Public Participation in the Examination of Economic Disputes

Representatives of public organisations and work collectives of enterprises, establishments and organisations which are a party in the case shall be allowed to take part in the examination of disputes by state arbitration for the purpose of setting forth to the state arbitration the opinion of the organisations and collectives which have authorised them concerning the dispute being examined.

The rights and duties of the representatives of public organisations and work collectives in the examination of disputes by state arbitration shall be determined by the Rules for the Examination of Economic Disputes by State Arbitration.

Article 17. The Rights of State Arbitration in the Examination of Economic Disputes

The state arbitration considering a dispute shall have the right:

1) to summon persons in office of enterprises, establishments, organisations and of higher organs for presenting explanations on the substance of the dispute;

2) to require of enterprises, establishments and organisations, including those which are not parties to the dispute, the presentation of documents, information and findings necessary for the settlement of the dispute, and also to study such material directly at enterprises, establishments and organisations;

3) to appoint an expert examination of the case;

4) to perform other acts provided for in the Rules for the Examination of Economic Disputes by State Arbitration for the purpose of ensuring the correct and timely settlement of the dispute.

Article 18. Adoption of Decisions by State Arbitration

Decisions on economic disputes shall be taken by the State Arbitrator and the representatives of the parties involved in the case on the strength of the results of the discussion of all the circumstances of the case at the state arbitration sitting, with the State Arbitrator promoting the attainment of an agreement between the parties.

In the instances when no agreement has been reached between the representatives of the parties, or the agreement between the parties does not conform with the requirements of the law or the material in the case, or the case is examined without the participation of the representatives of both parties or either party, the decision shall be taken by the State Arbitrator, and in the examination of the dispute by the three state arbitrators, by a majority of the votes of the arbitrators.

Article 19. The Powers of State Arbitration in the Adoption of Decisions

State arbitration shall take, on the strength of the results of the examination of an economic dispute, a decision to satisfy the claim, to dismiss the claim fully or partially, or to terminate the proceedings in the case.

State arbitration shall recognise as invalid, fully or partially, a contract contradicting legislation, state plans and assignments, and shall also refuse to satisfy the claims of the parties when these claims are based on an act by an organ of state administration not in conformity with legislation.

In adopting decisions on economic disputes, state arbitration shall have the right:

1) to go beyond the limits of the statements of claim where this is required for the protection of the interests of the state and also of the rights and law-protected interests of enterprises, establishments and organisations;

2) to exact from a party grossly in breach of its obligations a forfeit (fine, penalty) at a higher rate in the instances and within the limits established by the legislation of the USSR, with the conversion of this part of the exacted amounts to the revenue of the Union Budget;

3) to convert fully or partially to the revenue of the Union Budget the exacted forfeit (fine, penalty) if the plain-

tiff has not demanded sanctions or is in breach of legislation which does not decrease the responsibility of the respondent, and also when the case has been initiated by state arbitration;

4) in exceptional cases, to reduce the amount of the forfeit (fine, penalty) to be exacted from the party in breach of its obligation;

5) to exact from the party in breach of the deadlines for the presentation and examination of claims a fine to the amount established by the legislation of the USSR for the revenue of the Union Budget.

Other powers of state arbitration in the adoption of decisions may also be established by the legislation of the USSR.

Article 20. Entry into Force and Execution of State Arbitration Decisions

A state arbitration decision shall enter into force immediately upon its adoption and shall be mandatory for execution by all enterprises, establishments, organisations, ministries, state committees and departments.

The execution of the decision shall be effected in conformity with the legislation of the USSR and the Union Republics on the strength of an order issued by state arbitration which shall be a writ. An order for the exaction of monies may be forwarded by state arbitration directly to the credit establishment.

Article 21. Review of State Arbitration Decisions by Way of Supervision

A state arbitration decision may be reviewed by way of supervision on the application of a party or an organ superior to it, and also at the request of a ministry, state committee or department, on protest by a procurator or on the initiative of state arbitration. The review of the decision shall be carried out by the Chief State Arbitrator or Deputy Chief State Arbitrator of the arbitration which has taken the decision or a higher arbitration.

The Chief State Arbitrator or Deputy Chief State Arbitrator shall have the right, in reviewing the state arbitration decision by way of supervision:

- to leave the decision without amendment;
- to amend the decision;

to cancel the decision and take another decision or refer the case for a fresh examination, or terminate the proceedings in the case.

The procedure governing the filing of the appropriate applications and requests, and also the procedure governing the review of state arbitration decisions and the instances in which no review of a decision adopted by way of supervision is allowed shall be defined by the Rules for the Examination of Economic Disputes by State Arbitration.

A state arbitration decision may be reviewed by way of supervision not later than within one year from the day the decision was adopted.

The Chief State Arbitrator or Deputy Chief State Arbitrator considering the question of reviewing a decision shall have the right to stay its execution pending the completion of proceedings by way of supervision.

Article 22. Review of State Arbitration Decisions by Reason of Newly Discovered Circumstances

State arbitration may review a decision it has adopted by reason of newly discovered circumstances which are of substantive importance for the case and which were not and could not have been known to the declarant.

The application for the review of a decision by reason of newly discovered circumstances may be filed not later than three months from the day the circumstances serving as grounds for the review were established.

**V. PREVENTION OF BREACHES OF LEGALITY
AND FORMULATION OF PROPOSALS
FOR IMPROVING THE LEGAL REGULATION
OF ECONOMIC ACTIVITY**

Article 23. Prevention by the Organs of State Arbitration of Breaches of Legality and State Discipline in Economic Activity

The organs of state arbitration shall carry on work in preventing breaches of legality, state discipline and shortcomings in the economic activity of enterprises, establishments and organisations, and in bringing out and eliminating the causes of these breaches and shortcomings.

For these purposes, state arbitration shall:

1) examine economic disputes which are of great social importance directly at the enterprises, establishments and organisations;

2) carry on the propaganda of economic legislation;

3) make a study in the ministries, state committees, departments, enterprises, establishments and organisations of the practical application of legislation in the conclusion of contracts and the performance of obligations, and also in the pre-arbitration settlement of economic disputes;

4) together with the ministries, state committees, departments, enterprises, establishments and organisations consider matters relating to the formulation of measures for preventing and also for eliminating the breaches of legality and shortcomings in economic activity brought out by state arbitration;

5) forward, in the established manner, to enterprises, establishments, organisations, and to higher organs and persons in office reports on the breaches of legality, state discipline and shortcomings brought out in economic activity, with proposals for their elimination, and also for calling to account the persons at fault and for compensation by them of the material damage they have caused.

The heads of enterprises, establishments, organisations and higher organs, who have received such a report, shall have the duty to inform the state arbitration about the measures taken within a month of the day on which the report was received.

Whenever necessary, reports on the breaches of legality, state discipline and shortcomings brought out in economic activity shall be forwarded for examination of the matter of calling to account the persons at fault to the organs of the procurator's office, internal affairs and other competent organs.

The organs of state arbitration shall coordinate their activity in preventing breaches of legality with the activity of other state organs.

Article 24. Formulation of Proposals for Improving Legislation

The organs of state arbitration shall, on the basis of studies and generalisations, of the practical application of legislation in the settlement of economic disputes, work out and, in the established manner, bring in proposals for im-

proving the legal regulation of economic activity, and also of the activity of state arbitration and the arbitrations of ministries, state committees and departments.

Article 25. The Competence of the State Arbitration of the USSR and the State Arbitration of the Union Republic in Approving and Elucidating Normative Acts

The State Arbitration of the USSR shall, in the instances provided for by the legislation of the USSR, or by authorisation of the Council of Ministers of the USSR, and the State Arbitration of the Union Republic, in the instances provided for by the legislation of the Union Republic, or by authorisation of the Council of Ministers of the Union Republic:

1) approve normative acts regulating economic activity, and also examine drafts of such acts submitted for coordination;

2) give to ministries, state committees and departments elucidations on the application of the relevant decisions of the Council of Ministers of the USSR and decisions of the Council of Ministers of the Union Republic regulating economic activity.

Article 26. Instructions of the State Arbitration of the USSR and the State Arbitration of the Union Republic

The State Arbitration of the USSR and the State Arbitration of the Union Republic shall issue, within the limits of their competence, instructions on questions arising in the application, respectively, of the legislation of the USSR or of the Union Republic in the settlement of economic disputes and in their pre-arbitration settlement.

The instructions of the State Arbitration of the USSR and of the State Arbitration of the Union Republic on these matters shall be binding on the organs of arbitration, and also on the ministries, state committees, departments, enterprises, establishments and organisations.

Article 27. Instruction of the Arbitrations of Ministries, State Committees and Departments, and Also of Other Organs Settling Economic Disputes

The organs of state arbitration shall, in the manner determined by the State Arbitration of the USSR, instruct the

arbitrations of ministries, state committees and departments and also other organs settling economic disputes on the organisation and practical work in the examination of such disputes, shall study the experience of this work and shall issue recommendations for its improvement.

*Vedomosti Verkhovnogo Soveta
SSSR, No. 49, 1979, Item 844.*

LAW
OF THE UNION OF SOVIET SOCIALIST REPUBLICS
ON CITIZENSHIP OF THE USSR
(of December 1, 1978)

Citizens of the USSR possess in full the socio-economic, political, and personal rights and freedoms proclaimed and guaranteed by the Constitution of the USSR and Soviet statutes.

The Soviet socialist state of the whole people protects the rights and freedoms of citizens of the USSR and ensures their equality in all spheres of economic, political, social and cultural life.

A citizen of the USSR is obliged to observe the Constitution and Soviet laws, to uphold the dignity of citizenship of the USSR, to guard the interests of the Soviet state and help strengthen its might and standing, and to be true and faithful to his (her) socialist Motherland.

I. GENERAL PROVISIONS

Article 1. Uniform Federal Citizenship

In accordance with the Constitution of the Union of Soviet Socialist Republics a uniform federal citizenship is established in the USSR.

Every citizen of a Union Republic is a citizen of the USSR.

USSR citizenship is the same for all Soviet citizens irrespective of the grounds on which it was acquired.

Article 2. Legislation of the USSR and Union Republics on Soviet Citizenship

The legislation of the USSR on Soviet citizenship consists of this Law, which defines the grounds and procedure for acquiring and losing Soviet citizenship in accordance with Article 33 of the Constitution of the USSR and other statutes of the USSR.

Matters of Soviet citizenship placed in the competence of a Union Republic by the Constitution of the USSR, the Constitution of the Union Republic, and this Law shall be decided by legislation of the Union Republic.

Article 3. Citizenship of the USSR

The following are citizens of the USSR:

persons who were citizens of the USSR on the date the present Law came into force;

persons who were naturalised as citizens of the USSR in accordance with the present Law.

Article 4. Retention of USSR Citizenship Upon Conclusion or Dissolution of a Marriage

Marriage of a citizen of the USSR (male or female) to a person who is a citizen of a foreign state or a stateless person, and the dissolution of such a marriage, shall not entail any change in citizenship of the spouses.

Acquisition or loss of USSR citizenship by one of the spouses shall not entail a change in the citizenship of the other spouse.

Article 5. Retention of USSR Citizenship by Persons Domiciled Abroad

Domicile of a USSR citizen abroad shall not in itself entail loss of USSR citizenship.

Article 6. Protection of USSR Citizens Abroad by the State

In accordance with the Constitution of the USSR citizens of the USSR abroad enjoy the protection and assistance of the Soviet state.

Article 7. Inadmissibility of Extradition of a USSR Citizen to a Foreign Country

A citizen of the USSR may not be extradited to a foreign country.

Article 8. Non-recognition of Dual Citizenship for a Citizen of the USSR

A person who is a citizen of the USSR shall not be recognised as a citizen of a foreign country.

Article 9. Stateless Persons

Persons resident in the USSR who are not citizens of the USSR and lack evidence of their citizenship of a foreign country shall be considered stateless persons.

II. ACQUISITION OF USSR CITIZENSHIP

Article 10. Grounds for Acquiring Citizenship of the USSR
Citizenship of the USSR is acquired:

- (1) by birth;
- (2) by naturalisation as a citizen of the USSR;
- (3) on grounds provided for by international treaties to which the USSR is a party;
- (4) on other grounds provided for by this Law.

Article 11. Citizenship of Children Whose Parents Are Citizens of the USSR

A child both of whose parents were citizens of the USSR at the time of its birth is a citizen of the USSR irrespective of whether it was born on the territory of the USSR or outside its boundaries.

Article 12. Citizenship of Children One of Whose Parents Is a Citizen of the USSR

When there is a difference in the citizenship of the parents, one of whom was a citizen of the USSR at the time of a child's birth, said child is a citizen of the USSR:

- (1) if it was born on the territory of the USSR;

- (2) if it was born outside the USSR but one or both of its parents were domiciled at the time in the USSR.

When there is a difference in the citizenship of the parents, one of whom was a citizen of the USSR at the time of a child's birth, the citizenship of said child, born outside the USSR, shall be decided by agreement of the parents if at the time both parents were domiciled outside the USSR.

A child, one of whose parents was a citizen of the USSR at the time of its birth and the other a stateless person or else unknown, is a citizen of the USSR irrespective of its place of birth.

Article 13. Acquisition of USSR Citizenship by the Children of Stateless Persons

The child of stateless persons domiciled in the USSR, born on the territory of the USSR, is a citizen of the USSR.

Article 14. Citizenship of Children Whose Parents Are Not Known

A child living on the territory of the USSR, both of whose parents are not known, is a citizen of the USSR.

Article 15. Naturalisation as a Citizen of the USSR

Foreign citizens and stateless persons may be naturalised as citizens of the USSR at their request in accordance with this Law irrespective of their race and nationality, sex, education, language, or domicile.

**III. LOSS OF CITIZENSHIP OF THE USSR.
RESTORATION OF USSR CITIZENSHIP**

Article 16. Grounds for Loss of USSR Citizenship

Citizenship of the USSR shall be forfeited:

- (1) as a consequence of renouncing USSR citizenship;
- (2) as a consequence of being deprived of USSR citizenship;
- (3) on grounds provided for by international treaties to which the USSR is a party;
- (4) on other grounds provided for by this Law.

Loss of citizenship of the USSR also entails loss of citizenship of a Union Republic.

Article 17. Renunciation of USSR Citizenship

Renunciation of USSR citizenship shall be sanctioned by the Presidium of the Supreme Soviet of the USSR.

Renunciation of USSR citizenship may be refused if the applicant has not fulfilled his (her) obligations to the state or has property commitments connected with the substantive interests either of citizens or of state, cooperative, or other public organisations.

Renunciation of USSR citizenship shall not be sanctioned if the applicant is under indictment or if there is a court judgement against him (her) liable to enforcement, or if the person's renunciation of USSR citizenship is against the interests of the national security of the USSR.

Article 18. Deprivation of USSR Citizenship

Citizenship of the USSR may be forfeited in exceptional cases by a ruling of the Presidium of the Supreme Soviet of the USSR if a person has committed actions bringing discredit on the calling of USSR citizen or damaging the prestige or national security of the USSR.

Deprivation of USSR citizenship shall not entail any change in the citizenship of the person's spouse or children.

Article 19. Restoration of USSR Citizenship

Persons who have lost citizenship of the USSR may be restored to such citizenship on their application by a ruling of the Presidium of the Supreme Soviet of the USSR.

**IV. THE CITIZENSHIP OF CHILDREN
IN THE EVENT OF A CHANGE
IN THEIR PARENTS' CITIZENSHIP
OR IN CASE OF ADOPTION**

Article 20. Change in the Citizenship of Children in the Event of a Change in the Citizenship of Both Parents

When there is a change in the citizenship of parents as a consequence of which both become citizens of the

USSR or lose such citizenship, the citizenship of their children under 14 years of age shall be correspondingly altered.

Article 21. Acquisition of USSR Citizenship by Children in the Event of One Parent Acquiring USSR Citizenship

If one parent becomes a citizen of the USSR and the other remains a foreign citizen, a child may acquire USSR citizenship on application by the parent who has acquired USSR citizenship.

When one of the parents becomes a USSR citizen and the other remains a stateless person, a child living on the territory of the USSR shall become a citizen of the USSR.

When one parent becomes a citizen of the USSR and the other remains a stateless person, a child living outside the USSR may acquire USSR citizenship on application by the parent who has acquired USSR citizenship.

Article 22. Retention of USSR Citizenship by Children in the Event of One Parent Renouncing USSR Citizenship

When one parent renounces USSR citizenship and the other retains such citizenship, a child shall retain USSR citizenship.

Article 23. Acquisition of USSR Citizenship by Children in Cases of Adoption

A child who is a foreign citizen or a stateless person, adopted by citizens of the USSR, shall become a citizen of the USSR.

A child who is a foreign citizen, adopted by a married couple one of whom is a citizen of the USSR and the other a stateless person, shall become a citizen of the USSR.

A child who is a stateless person, adopted by a married couple one of whom is a citizen of the USSR, shall become a citizen of the USSR.

A child who is a foreign citizen, adopted by a married couple one of whom is a citizen of the USSR and the other

a foreign citizen, may become a citizen of the USSR by agreement of the adopters.

Article 24. Retention of USSR Citizenship by Children in Cases of Adoption

A child who is a citizen of the USSR, adopted either by foreign citizens or by a married couple one of whom is a citizen of the USSR and the other a foreign citizen, shall retain citizenship of the USSR. Such a child may be permitted to renounce USSR citizenship by the Presidium of the Supreme Soviet of the USSR on application by the adopters.

A child who is a citizen of the USSR, adopted either by stateless persons or by a married couple one of whom is a citizen of the USSR and the other a stateless person, shall retain citizenship of the USSR.

Article 25. The Need for Children's Consent to a Change in Their Citizenship

A change in the citizenship of children aged 14 to 18 shall follow from any change in the citizenship of their parents or in the event of adoption only with the children's consent, expressed in writing.

**V. CONSIDERATION OF APPLICATIONS
AND REPRESENTATIONS
ON MATTERS OF CITIZENSHIP**

Article 26. Bodies Ruling on Matters of Soviet Citizenship

The Presidium of the Supreme Soviet of the USSR shall rule:

on applications for naturalisation as citizens of the USSR by foreign citizens and stateless persons living outside the borders of the USSR;

on applications for naturalisation as citizens of the USSR by foreign citizens or stateless persons living in the USSR, where there is a previous ruling of the Presidium on their citizenship;

on applications for restoration of USSR citizenship, or for release from such citizenship, and on representations for deprivation of USSR citizenship;

on other applications on matters of Soviet citizenship accepted for consideration by the Presidium.

Rulings on applications for naturalisation as citizens of a Union Republic and thus of the USSR by foreign citizens or stateless persons domiciled on the territory of the Union Republic shall be made by the Presidium of the Supreme Soviet of the Union Republic.

On matters of a change of citizenship the Presidium of the Supreme Soviet of the USSR or the Presidium of the Supreme Soviet of a Union Republic shall issue a decree; in case of refusal of an application on matters of citizenship, it shall pass a resolution.

Changes in citizenship shall come into force on the day of promulgation of the decree of the Presidium of the Supreme Soviet of the USSR or of the Presidium of the Supreme Soviet of the Union Republic, unless the decree states otherwise.

Article 27. Applications on Matters of Citizenship

Applications on matters of citizenship shall be made as appropriate to the Presidium of the Supreme Soviet of the USSR or the Presidium of the Supreme Soviet of a Union Republic.

Persons living abroad submit such applications through the diplomatic or consular representatives of the USSR.

Applications on matters of citizenship by persons under 18 years of age shall be made by their legal representatives.

Article 28. Procedure for Considering Applications and Representations on Matters of Citizenship

The procedure for considering applications and representations on matters of citizenship, and the preparation and issuing of documents on these matters, and also for establishing citizenship of the USSR shall be defined by the Presidium of the Supreme Soviet of the USSR, and on matters of citizenship falling within the competence of a Union Republic by the Presidium of the Supreme Soviet of the Union Republic.

VI. INTERNATIONAL TREATIES

Article 29. Implementation of International Treaties

If an international treaty to which the USSR is a party has established rules other than those contained in this Act, the rules of the treaty shall prevail.

*Vedomosti Verkhovnogo Soveta
SSSR, No. 49, 1978, Item 816.*

LAW

**OF THE UNION OF SOVIET SOCIALIST REPUBLICS
ON THE PROCEDURE GOVERNING THE CONCLUSION,
EXECUTION AND ABROGATION
OF INTERNATIONAL TREATIES OF THE USSR
(of July 6, 1978)**

International treaties of the Union of Soviet Socialist Republics are an important instrument for conducting the Leninist policy of peace, and strengthening the security of the nations and broad international cooperation.

The Union of Soviet Socialist Republics concludes and executes international treaties proceeding from the constitutional principles of foreign policy, in accordance with the generally accepted principles and rules of international law.

True to the principle of observance of international treaties by their parties, the USSR scrupulously and conscientiously fulfils its international obligations.

I. GENERAL PROVISIONS

Article 1. The Tasks of the Law

The present Law establishes the procedure governing the conclusion, execution and abrogation of international treaties of the USSR, which is designed to promote the realisation of the purposes and principles of the foreign policy of the USSR, as proclaimed and consolidated in the Constitution of the USSR.

The procedure governing the conclusion, execution and abrogation of international treaties of the USSR—inter-state, inter-governmental and inter-departmental—as established by the present Law, shall apply to all international treaties of the USSR, regardless of their form and

title (treaty, agreement, convention, covenant, protocol, exchange of letters or notes, and other forms and titles of international treaties).

Article 2. International Treaties of the USSR

The conclusion and also the abrogation of international treaties of the USSR shall be within the competence of the Union of Soviet Socialist Republics.

International treaties of the USSR shall be concluded with foreign states, and also with international organizations, on behalf of:

the Union of Soviet Socialist Republics;

the Presidium of the Supreme Soviet of the USSR;

the Government of the USSR;

the ministries, state committees and departments of the USSR.

II. CONCLUSION OF INTERNATIONAL TREATIES OF THE USSR

Article 3. Proposals for the Conclusion of International Treaties of the USSR

Proposals for the conclusion of international treaties of the USSR shall be brought in, in the established manner, to the Council of Ministers of the USSR by the Ministry of Foreign Affairs of the USSR.

Other ministries, and also state committees and departments of the USSR shall bring in to the Council of Ministers of the USSR proposals for the conclusion of international treaties of the USSR, together with the Ministry of Foreign Affairs of the USSR or by agreement with it, and independently only in the instances provided for by Article 4 of the present Law.

Article 4. Proposals for the Conclusion of International Treaties of the USSR on Matters of Foreign Trade, Other Types of External Economic Activity, and Scientific and Technical Cooperation

Proposals for the conclusion of international treaties of the USSR on matters of foreign trade, including matters of commercial, economic and industrial cooperation, on

matters of economic cooperation and extension of technical assistance, and on matters of scientific and technical cooperation shall be brought in to the Council of Ministers of the USSR, respectively, by the Ministry of Foreign Trade of the USSR, the State Committee of the USSR for Foreign Economic Relations, the State Committee of the USSR for Science and Technology independently or jointly with the Ministry of Foreign Affairs of the USSR or by agreement with it.

Proposals for the conclusion of international treaties of the USSR on matters relating to the realisation of socialist economic integration shall be brought in to the Council of Ministers of the USSR by ministries, state committees and departments of the USSR within whose competence the matters regulated by the treaties fall, by agreement with the ministries, state committees and departments of the USSR concerned.

Article 5. Proposals for the Conclusion of International Treaties of the USSR of an Inter-Departmental Character.

The procedure governing the bringing in of proposals for the conclusion by ministries, state committees and departments of the USSR of international treaties of the USSR of an inter-departmental character shall be determined by the Council of Ministers of the USSR.

Article 6. Proposals for the Conclusion of International Treaties of the USSR Subject to Agreement With the Ministry of Justice of the USSR

Proposals for the conclusion of international treaties of the USSR which establish rules other than those contained in Soviet legislation shall be brought in to the Council of Ministers of the USSR by agreement with the Ministry of Justice of the USSR.

Article 7. Proposals by the Union Republics for the Conclusion of International Treaties of the USSR

Proposals for the conclusion of international treaties of the USSR may be brought in by the Union Republics as

represented by their higher organs of state power and administration.

Article 8. Decisions on the Holding of Negotiations and on the Signing of International Treaties of the USSR

Decisions on the holding of negotiations and on the signing of international treaties of the USSR shall be taken:

1) with respect to treaties concluded on behalf of the Union of Soviet Socialist Republics—by the Presidium of the Supreme Soviet of the USSR, and with respect to treaties concluded on behalf of the Union of Soviet Socialist Republics on matters falling within the competence of the Government of the USSR—by the Council of Ministers of the USSR;

2) with respect to treaties concluded on behalf of the Presidium of the Supreme Soviet of the USSR—by the Presidium of the Supreme Soviet of the USSR;

3) with respect to treaties concluded on behalf of the Government of the USSR—by the Council of Ministers of the USSR.

Decisions on the holding of negotiations and on the signing of international treaties of the USSR of an inter-departmental character shall be taken in the manner determined by the Council of Ministers of the USSR.

Article 9. Powers for the Holding of Negotiations and for the Signing of International Treaties of the USSR

Powers for the holding of negotiations and for the signing of international treaties of the USSR shall be issued:

1) with respect to treaties concluded on behalf of the Union of Soviet Socialist Republics—by the Presidium of the Supreme Soviet of the USSR, and with respect to treaties concluded on behalf of the Union of Soviet Socialist Republics on matters falling within the competence of the Government of the USSR—by the Council of Ministers of the USSR. Powers for the holding of negotiations and for the signing of said treaties may also be issued on behalf of the Presidium of the Supreme Soviet of the USSR or the Government of the USSR by the Ministry of Foreign Affairs of the USSR;

2) with respect to treaties concluded on behalf of the Presidium of the Supreme Soviet of the USSR—by the

Presidium of the Supreme Soviet of the USSR or the Ministry of Foreign Affairs of the USSR on behalf of the Presidium of the Supreme Soviet of the USSR;

3) with respect to treaties concluded on behalf of the Government of the USSR—by the Council of Ministers of the USSR or the Ministry of Foreign Affairs of the USSR on behalf of the Government of the USSR;

4) with respect to treaties of an inter-departmental character—by the appropriate ministry, state committee or department of the USSR.

Article 10. The Holding of Negotiations and the Signing of International Treaties of the USSR Without Special Authorisation

The Chairman of the Presidium of the Supreme Soviet of the USSR, the Chairman of the Council of Ministers of the USSR and the Minister of Foreign Affairs of the USSR shall have the right to conduct negotiations and sign international treaties of the USSR without special authorisation.

The head of the diplomatic representation of the USSR in a foreign country or the head of the representation of the USSR at an international organisation shall, without special authorisation, have the right to conduct negotiations on the conclusion of an international treaty of the USSR, respectively, with the state of accreditation or within the framework of the given international organisation.

Ministers of the USSR, chairmen of the state committees of the USSR and the heads of departments of the USSR shall, within the limits of their competence, have the right to conduct negotiations and sign international treaties of the USSR of an inter-departmental character without special authorisation.

Article 11. Ratification of International Treaties of the USSR

In conformity with the Constitution of the USSR, international treaties of the USSR shall be ratified by the Presidium of the Supreme Soviet of the USSR.

Article 12. International Treaties of the USSR Subject to Ratification

International treaties of the USSR on friendship, cooperation and mutual assistance, treaties on the mutual renun-

ciation of the use or threat of force, peace treaties, treaties on the territorial delimitation of the USSR with other states, and treaties establishing rules other than those contained in the legislative acts of the USSR shall be subject to ratification.

International treaties of the USSR at the conclusion of which the parties agreed on subsequent ratification shall be equally subject to ratification.

The Presidium of the Supreme Soviet of the USSR may also ratify other international treaties of the USSR.

Article 13. Proposals for the Approval and for the Ratification of International Treaties of the USSR

Proposals for the approval by the Council of Ministers of the USSR of international treaties of the USSR and for their ratification shall be brought in to the Council of Ministers of the USSR by the Ministry of Foreign Affairs of the USSR independently or jointly or by agreement with other ministries, state committees or departments of the USSR.

The Council of Ministers of the USSR shall consider proposals for the approval of treaties and for the bringing of these to the Presidium of the Supreme Soviet of the USSR for ratification and shall take the relevant decisions.

Article 14. Preliminary Examination of International Treaties of the USSR in the Standing Commissions of the Chambers of the Supreme Soviet of the USSR

By authorisation of the Presidium of the Supreme Soviet of the USSR, the Commissions on Foreign Affairs of the Soviet of the Union and the Soviet of Nationalities of the Supreme Soviet of the USSR shall make a preliminary examination of international treaties of the USSR brought in for ratification and shall hand down the relevant findings.

Article 15. Adoption of Decisions on the Ratification of International Treaties of the USSR

The Presidium of the Supreme Soviet of the USSR shall consider international treaties of the USSR brought in by the Council of Ministers of the USSR for ratification and shall take the relevant decisions.

The decision of the Presidium of the Supreme Soviet of the USSR on the ratification of an international treaty of the USSR shall be taken in the form of a decree. The instruments of ratification shall be signed on the basis of the decree on ratification.

Article 16. Exchange of the Instruments of Ratification and Their Deposition

The exchange of the instruments of ratification and the deposition of the instruments of ratification of international treaties of the USSR with the depositaries shall be effected by the Ministry of Foreign Affairs of the USSR or, by its authorisation, by the diplomatic representation of the USSR or the representation of the USSR at an international organisation.

Article 17. Approval of International Treaties of the USSR Not Subject to Ratification

Approval (acceptance) of international treaties of the USSR which are not subject to ratification but which provide for their approval (acceptance) shall be effected:

1) with respect to treaties concluded on behalf of the Union of Soviet Socialist Republics—by the Presidium of the Supreme Soviet of the USSR, and with respect to treaties concluded on behalf of the Union of Soviet Socialist Republics on matters falling within the competence of the Government of the USSR—by the Council of Ministers of the USSR;

2) with respect to treaties concluded on behalf of the Presidium of the Supreme Soviet of the USSR—by the Presidium of the Supreme Soviet of the USSR;

3) with respect to treaties concluded on behalf of the Government of the USSR—by the Council of Ministers of the USSR.

The approval (acceptance) of international treaties of the USSR of an inter-departmental character shall be effected in the manner determined by the Council of Ministers of the USSR.

Article 18. Accession to International Treaties

Decisions on the accession of the Union of Soviet Socialist Republics to international treaties shall be taken:

1) with respect to treaties subject to ratification—by the Presidium of the Supreme Soviet of the USSR;

2) with respect to treaties not subject to ratification, accession to which is effected on behalf of the Union of Soviet Socialist Republics—by the Presidium of the Supreme Soviet of the USSR, and with respect to treaties not subject to ratification accession to which is effected on behalf of the Union of Soviet Socialist Republics on matters falling within the competence of the Government of the USSR—by the Council of Ministers of the USSR;

3) with respect to treaties not subject to ratification accession to which is effected on behalf of the Presidium of the Supreme Soviet of the USSR—by the Presidium of the Supreme Soviet of the USSR;

4) with respect to treaties not subject to ratification accession to which is effected on behalf of the Government of the USSR—by the Council of Ministers of the USSR.

Decisions on accession to international treaties of an inter-departmental character shall be taken in the manner determined by the Council of Ministers of the USSR.

III. EXECUTION OF INTERNATIONAL TREATIES OF THE USSR

Article 19. Observance of International Treaties of the USSR

International treaties of the USSR shall be subject to scrupulous observance by the Union of Soviet Socialist Republics in accordance with the rules of international law.

In accordance with the principle of scrupulous observance of international treaties, the Union of Soviet Socialist Republics advocates that the other parties to bilateral and multilateral international treaties to which the USSR is a party should scrupulously fulfil their obligations which follow from these treaties.

Article 20. Ensuring the Fulfilment of International Treaties of the USSR

In conformity with the Constitution of the USSR, the Council of Ministers of the USSR shall take measures to ensure fulfilment of international treaties of the USSR.

Article 21. Fulfilment of Obligations Under International Treaties of the USSR

The ministries, state committees and departments of the USSR, the Councils of Ministers of the Union Republics and other state organs within whose competence the matters regulated by international treaties of the USSR fall shall ensure fulfilment of the obligations undertaken under the treaties by the Soviet Side and shall see to the realisation of the rights belonging to the Soviet Side which follow from such treaties, and to the fulfilment of their obligations by the other parties to the treaties.

Article 22. General Supervision Over the Execution of International Treaties of the USSR

The Ministry of Foreign Affairs of the USSR shall exercise general supervision over the execution of international treaties of the USSR.

Article 23. Measures To Be Taken in the Event of a Breach of an International Treaty of the USSR by Its Other Parties

In the event of a breach of the obligations under an international treaty of the USSR by its other parties, the Ministry of Foreign Affairs of the USSR and other ministries, state committees and departments of the USSR, by agreement with the Ministry of Foreign Affairs of the USSR, shall bring in to the Council of Ministers of the USSR proposals on the adoption of the necessary measures in accordance with the rules of international law.

In the event of a substantial breach of an international treaty of the USSR by its other parties, and also in other instances provided for by the rules of international law, such a treaty may be terminated in the manner established by Articles 27-30 of the present Law.

Article 24. Proposals for the Introduction of Amendments and Addenda to Soviet Legislation in Connection With the Conclusion of an International Treaty of the USSR

In the instances when a law of the USSR, a decree or decision of the Presidium of the Supreme Soviet of the USSR or the adoption of a decision or ordinance of the Council of Ministers of the USSR are required for the purpose of

fulfilment of an international treaty of the USSR, the ministries, state committees and departments of the USSR concerned shall, by agreement with the Ministry of Justice of the USSR, bring in proposals, in the established manner, for the adoption of the relevant act.

IV. PROMULGATION AND REGISTRATION OF INTERNATIONAL TREATIES OF THE USSR

Article 25. Promulgation of International Treaties of the USSR

International treaties concluded on behalf of the USSR, the decisions on the signing of which were taken by the Presidium of the Supreme Soviet of the USSR and which have entered into force for the USSR, international treaties of the USSR concluded on behalf of the Presidium of the Supreme Soviet of the USSR, ratified treaties and treaties accession to which was effected on the basis of decisions of the Presidium of the Supreme Soviet of the USSR shall be promulgated on a representation by the Ministry of Foreign Affairs of the USSR in the *Vedomosti Verkhovnogo Soveta SSSR*.

International treaties concluded on behalf of the Union of Soviet Socialist Republics the decisions on the signing of which were taken by the Council of Ministers of the USSR, and which have entered into force for the USSR, treaties concluded on behalf of the Government of the USSR and not subject to ratification, treaties accession to which was effected on the basis of decisions of the Council of Ministers of the USSR shall be promulgated by a representation of the Ministry of Foreign Affairs of the USSR in the *Collection of the Decisions of the Government of the USSR*.

International treaties of the USSR, whose authentic texts have been drawn up in foreign languages shall be promulgated in one of these languages with an official translation into the Russian language.

The procedure governing the promulgation of international treaties of the USSR of an inter-departmental character shall be determined by the Council of Ministers of the USSR.

Article 26. Registration of International Treaties of the USSR

The registration of international treaties of the USSR with the Secretariat of the United Nations Organisation and in the corresponding organs of other international organisations shall be effected by the Ministry of Foreign Affairs of the USSR.

Procedure governing the registration of international treaties of the USSR of an inter-departmental character shall be determined by the Council of Ministers of the USSR.

**V. ABROGATION
OF INTERNATIONAL TREATIES
OF THE USSR**

Article 27. Proposals for the Abrogation of International Treaties of the USSR

Proposals for the abrogation of international treaties of the USSR shall be brought in, in the established manner, by the Ministry of Foreign Affairs of the USSR to the Council of Ministers of the USSR independently or jointly or by agreement with other ministries, state committees and departments of the USSR.

Article 28. Abrogation of International Treaties of the USSR by the Presidium of the Supreme Soviet of the USSR

The abrogation of international treaties of the USSR concluded on behalf of the Union of Soviet Socialist Republics, the decisions on the signing of which were taken by the Presidium of the Supreme Soviet of the USSR, international treaties of the USSR concluded on behalf of the Presidium of the Supreme Soviet of the USSR, ratified treaties, treaties accession to which was effected on the basis of decisions by the Presidium of the Supreme Soviet of the USSR shall be effected by the Presidium of the Supreme Soviet of the USSR.

Article 29. Preliminary Consideration of Proposals for the Abrogation of International Treaties of the USSR in the Standing Commissions of the Chambers of the Supreme Soviet of the USSR

By authorisation of the Presidium of the Supreme Soviet of the USSR, the Commissions for Foreign Affairs of the

Soviet of the Union and the Soviet of Nationalities of the Supreme Soviet of the USSR shall make a preliminary examination of international treaties of the USSR brought in for abrogation and shall hand down the relevant conclusions.

Article 30. Abrogation of International Treaties of the Council of Ministers of the USSR

The abrogation of international treaties of the USSR concluded on behalf of the Union of Soviet Socialist Republics, the decisions on the signing of which were taken by the Council of Ministers of the USSR, treaties concluded on behalf of the Government of the USSR and not subject to ratification, and treaties accession to which was effected on the basis of decisions by the Council of Ministers of the USSR shall be effected by the Council of Ministers of the USSR.

The abrogation of international treaties of the USSR of an inter-departmental character shall be effected in the manner determined by the Council of Ministers of the USSR.

*Vedomosti Verkhovnogo Soveta
SSSR,*
No. 28, 1978, Item 439.

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