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Submitted by the Constitutional Commission
of the Parliament of Ukraine



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CONSTITUTION OF UKRAINE

KYIV, UKRAINE

June 10, 1992

THE PEOPLE OF UKRAINE,

EXPRESSING	its sovereign will,
EXERCISING	its inalienable right to self-determination,
RELYING	upon the thousand-year history of Ukrainian statehood,
RECOGNIZING	freedom and the natural rights of Man as the supreme social value,
STRIVING	to create living conditions worthy of Man,
ASPIRING	to preserve and strengthen the social accord,
SEEKING	to build and develop a civic society,
DESIRING	to freely live in an independent democratic state,
GUIDED BY	the Act of the Declaration of Independence of Ukraine of the 24th of August, 1991, as confirmed on the 1st of December, 1991 by a nationwide referendum,
REALIZING	its responsibility to the present generations and those to come,

ADOPT this Constitution and proclaims it the FUNDAMENTAL LAW OF UKRAINE.

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GENERAL PRINCIPLES OF THE CONSTITUTIONAL SYSTEM

Article 1. Ukraine is a democratic and social state which adheres to the rule of law.

Article 2. The Constitutional order of Ukraine is based on the principle of priority of human and civic rights and freedoms.

The State is responsible to Man and society for its activities.

Article 3. Ukraine is a republic. The sole source of state power is the people, which consists of the citizens of Ukraine of all nationalities.

The people exercise the state power directly and also through the system of state bodies.

The state power is exercised in accordance with the principle of the division of powers into legislative, executive and judicial branches.

The National Assembly of Ukraine has the exclusive right to speak on behalf of the people of Ukraine.

No segment of the people, no political party, organization, any other group or individual person can appropriate the right to exercise the state power.

Article 4. The state recognizes and supports local and regional self-government, shall not interfere with its sphere of activity.

Article 5. Ukraine adheres to the principle of supremacy of law.

The Constitution of Ukraine has the force of the highest law. Norms of the Constitution are the direct working norms. The laws and other legal acts must not contradict the Constitution of Ukraine.

Citizens shall exercise their rights in accordance with the principle "all is allowed that is not prohibited by law".

State bodies, local and regional self-government bodies and their officials shall exercise their powers in accordance with the principle "only that which is defined by law is allowed."

Article 6. Social life in Ukraine is based on the principles of political, economic and ideological pluralism.

The state guarantees the equal right of citizens and their associations to participate in the affairs of the state.

The state recognizes the variety of forms of ownership and shall create equal legal conditions for their protection.

No ideology may limit the freedom of convictions, opinions and views or be recognized as the official state ideology.

Article 7. The territory of Ukraine is one, indivisible, inviolable and whole. Questions regarding changes to the territory and state borders of Ukraine shall be resolved only by an all-Ukrainian referendum.

Article 8. Ukraine recognizes the primacy of general human values and respects the commonly accepted principles of international law.

Duly ratified or approved and officially published international treaties entered into by Ukraine shall become part of the body of laws and are binding on the activities of governmental bodies, legal entities and private persons.

Article 9. If other means cannot be resorted to, the citizens of Ukraine have the right to offer resistance of any sort against anyone who attempts to unlawfully overthrow the democratic constitutional system of Ukraine established by this Constitution.

PART I

HUMAN AND CIVIL RIGHTS AND FREEDOMS

Chapter 1. General Provisions

Article 10. All people are born free and equal in their dignity and rights.

Natural rights and freedoms of a person are inalienable.

Article 11. The list of human and civil rights and freedom affirmed in this Constitution is not exhaustive and constitutes the basis for any other personal rights and freedoms.

Article 12. The citizens of Ukraine shall be equal in the exercise of their constitutional rights and freedoms without any distinctions as to their origins, social and property status, position, sex, ethnicity, language, religion, political and other convictions, occupation, place of residence or other characteristics.

The exercise by an individual of his or her rights and

freedoms provided for by the Constitution and laws must not interfere with the rights and freedoms of other persons.

Article 13. Everyone has the right to maintain and defend of his or her national heritage.

Citizens of Ukraine belonging to ethnic minorities have the right to freely express, maintain and develop their ethnic, linguistic or religious identity and to preserve and develop their culture. Affiliation with an ethnic minority is a matter of free choice for every person.

The state shall protect the ethnic, cultural, linguistic and religious identity of all ethnic minorities and shall provide conditions for their encouragement.

Article 14. The constitutional personal rights and freedoms may not be abolished or repealed.

Constitutional rights and personal freedoms may not be restricted except in the interest of protecting the rights and freedoms of other persons, preservation of the general welfare, or in defense of state or social security, health and social morality.

Such limitations shall be established exclusively by law, must be minimal and conform to the fundamentals of the democratic state.

Implementation of rights and freedoms secured in articles 24, 25, 26, 29, 32, 36, 37, 38, 41, 42, 45 of this Constitution can be temporarily limited only in the case of martial law or state of emergency and only to the appropriate extent and time required by the circumstances.

Chapter 2. Citizenship

Article 15. Ukraine has a singular citizenship.

A citizen of Ukraine may not possess, at the same time, the citizenship of another state.

A citizen of Ukraine may not be extradited out of Ukraine, deprived of citizenship or the right to renounce Ukrainian citizenship.

The grounds for acquiring and losing Ukrainian citizenship are defined by the Constitutional Law on the Citizenship of Ukraine.

Article 16. A citizen of Ukraine may not be extradited to a foreign state except in such cases stipulated by the international agreements of Ukraine.

Article 17. The State of Ukraine shall provide for the defense and protection of its citizens outside its borders.

Article 18. The legal status of foreign citizens and persons without citizenship staying within the territory of Ukraine shall be defined by law in accordance with norms of international law and international agreements of Ukraine.

Article 19. Foreign citizens and persons without citizenship may be granted political asylum. The procedure and conditions of granting asylum shall be established by law.

Article 20. Everyone staying in the territory of Ukraine, must respect and obey its Constitution and laws.

Chapter 3. Civic and Political Rights

Article 21. Every person has an inalienable right to life. No one may be arbitrarily deprived of life.

The state shall protect the life of an individual from all unlawful encroachments.

Capital punishment, until its repeal, may be implemented only as the highest punishment according to law for the gravest crimes, and only by a court decision.

Article 22. Every person has the right to freedom, personal sanctity, and respect for his or her dignity.

Arrest, detainment in custody or any other limitation of personal freedom in any form whatsoever is not permitted except in furtherance of a ruling by a court of law and only in such cases and in accordance with such procedures as established by law.

In urgent cases conditioned by the necessity to stop or reveal crimes, authorized bodies may detain suspects which the court is informed about within 48 hours.

If the court does not make a decision to detain under custody within the next 24 hours, the detainee shall be immediately released.

Every detained or arrested person must be informed, immediately and in clear terms, of the reasons for his or her detention or arrest, and of his or her rights.

Article 23. No one may be subjected to torture or cruel, inhuman or degrading treatment or punishment.

No person may, without his or her free consent, be subjected

to medical or other scientific experiments.

Persons deprived of freedom have the right to humane treatment and respect for their dignity. The state shall be responsible for their safety in places of incarceration.

Article 24. Inviolability of dwelling shall be guaranteed to every person.

Invasion of dwellings and lawful premises to conduct searches and to examine property except by a court ruling is prohibited. The court ruling must clearly and distinctly state the place of search or examination, and contain a list of persons and things to be arrested or searched.

In urgent cases involving the direct pursuit of persons suspected in committing a crime, it is possible for other procedures for entering the person's dwelling, conducting a search and examination of property to be stated by law. Such procedures shall necessarily authorize the procedure of judicial control for lawful and well-founded actions of officials.

Article 25. Every person shall be guaranteed privacy of mail, telephone conversations, communications by telegraph, or other correspondence. Exceptions may be allowed only by a court decision made in an attempt to prevent a crime or to determine the truth during the investigation and evaluation of criminal cases on grounds and in the manner stipulated by the law.

Article 26. Every person legally staying on the territory of Ukraine shall be entitled to freedom of movement and the free choice of place of residence or stay and also has the right to freely travel from Ukraine abroad and to return on conditions specified by the law.

Article 27. No one shall be subjected to arbitrary intrusion into his or her private and family life.

It is prohibited to gather, keep, use and disseminate confidential information about any person without his or her consent, except in furtherance of a prior court decision in such cases and in accordance with such procedures as are stipulated by law.

Every person is guaranteed judicial protection of his or her right to disprove false information injurious to his or her interests and dignity, and to seek compensation for the moral and material damage caused by the publication or use of such information.

Article 28. Every person has the right to freedom of thought, conscience and religion. This right includes the freedom to change

one's religion or convictions and the freedom to profess one's religion or not to profess any religion, to exercise, without any hinderance, singly or collectively, religious cults and rites, and to conduct any religious or atheistic activities that do not contradict the law.

No one may be induced to violate the secrecy of confession. Believers of different creeds shall be equal before the law. The rousing of hostility and hatred on religious grounds shall be punishable under law.

Every person has the right to the religious or atheistic upbringing and education of his or her children.

No one may be exempted from discharging one's duties toward the state or refuse to obey laws on the basis of religious beliefs.

If military service is incompatible with the religious convictions of a citizen, he is entitled to have his military duty replaced with an alternative (non-military) service for the same term.

Article 29. Every person has the right to freedom of speech and free expression of their views and convictions in any form.

Every person has the right to freely, regardless of state borders, seek, obtain, record, keep, use and spread any information in oral or written form or with the help of printing mechanisms or through the use of any other form of his or her choice.

Any abridgement of this right shall be defined by law and shall be only for the purposes of protecting individual, family, professional, commercial or state secrets, assuring state and civil security, territorial integrity, respect of other citizens' rights and freedoms, and protecting people's health and civil morality.

Article 30. Every citizen, in a manner described by law has the right to access information about him or her and also official documents which are kept in state bodies and institutions, bodies of local and regional self-governance.

This right may be abridged by law for the purpose of protecting state or commercial secrets.

Article 31. Every person has the right to freely form associations with others in order to exercise and protect their rights and freedoms and also to further other interests including the right to form and voluntarily join trade unions to assure protection of economic and social interests.

No one may be forced to join any association or have his or her rights abridged because of an affiliation or non-affiliation.

Article 32. Every person has the right to assemble peacefully and unarmed and to hold meetings, rallies, street marches and demonstrations.

State agencies must be informed not later than three days prior to the holding, in public places, of meetings, rallies, street marches and demonstrations.

Indoor meetings may be held without any prior notification.

State agencies and bodies of local and regional self-governance must secure proper conditions for the assembly in question and guarantee public order and security of citizens.

The law establishes the minimum necessary demands as to the procedure of execution of this right with the purpose of assuring public order, security and other peoples' rights and freedoms.

Bans affecting the exercise of this right may be appealed in the courts.

Article 33. Citizens have the right to send individual and collective written appeals (petitions) to state agencies, bodies of local and regional self-government and their officials, to give propositions as to improvement of their activity, and to criticize drawbacks in their work.

State agencies, bodies of local and regional administration, and their officials, must consider in an unprejudiced way, all appeals, and give judicially reasoned replies within periods prescribed by the law and to take necessary measures.

Article 34. Every Citizen who has the right to vote is granted the right to participate in the administration of the state, in local and regional administration both directly and through representatives chosen freely by them.

Article 35. Every citizen has equal right to hold state office and to hold a position in bodies of local and regional administration. Qualifications for these offices shall be established by the law depending on the character of public service and official duties. Replacement of these positions shall be executed, as a rule, by contest.

Chapter 4. Economic, Social, Ecological and Cultural Rights

Article 36. Every person has the right to private property, that is the right to own, use and manage his or her property and other values both singly and jointly with others.

No one may be arbitrarily deprived of his or her property.

The exercise of the right of ownership must not contradict the interests of society as a whole and the rights of individual natural persons and legal entities.

Inviolability of property and the right of inheritance shall be guaranteed by law and secured by judicial protection.

Every person has the right to protect his or her property by all lawful means.

Article 37. Every person has the right to use natural objects of public ownership to meet his or her needs according to Ukraine's laws.

Article 38. Every person has the right to business activity not banned by the law in order to gain profit and to join others for achieving this purpose.

Article 39. Everyone has the right to work, that is the opportunity to earn his or her living by doing work, which he or she has freely chosen or agreed to do.

Every person, without any discrimination, has the right to equal pay for the same work in accordance with its quality and quantity.

Everyone who works conscientiously has the right to fair and satisfactory remuneration that ensures living conditions worthy of him or her and his or her family. This remuneration is defined by the working agreement (contract), resulting from the duration of work no more than 40 hours a week; it can not be less than the minimum amount established by the state.

The state shall create conditions for the employment of the population able to work and equal opportunities for citizens to choose a profession and type of work, and provide programs of vocational training and re-training of workers in accordance with their interests and the needs of society.

Persons who, for reasons beyond their control, are unemployed shall be entitled to welfare benefits in accordance with the law.

Article 40. Every one has the right to working conditions which meet the requirements of working safety and hygiene and that are not harmful.

General conditions shall be defined by law. These conditions may be completed by collective and individual working agreements and contracts which are set as a result of free negotiations of

parties.

Article 41. Use of forced labor shall be prohibited. Forced labor shall not include military or alternative civilian service, work or service required of persons under court judgement and such work as may be necessary under emergency and martial law.

Article 42. The right to strike shall be recognized, that is the right to full or partial stoppage of work at an enterprise, an office or an organization with the purpose of protecting the economic and social interests of employees.

Strikes shall not be allowed if they may directly endanger human lives and people's health.

Strikes of judges, officials of the procuracy, investigation, state notarial offices, bodies of state administration, local and regional self-government, security service, bodies of internal affairs, customs, and military servicemen shall be prohibited.

It shall be prohibited to dismiss an employee for participating in a strike held in conformity with the law.

Article 43. Every person shall have the right to social security in old age, in case of disease, full or partial loss of ability to work, disability, accidents, loss of the principal wage earner and unemployment for reasons beyond their control.

This right shall be guaranteed with a compulsory state social insurance at the expense of insurance deposits of state and private institutions and other sources of social security.

Pensions and all other welfare benefits must ensure for citizens living standards not lower than the living standard set by the state.

The state ensures protection of senior citizens and disabled persons and encourages their participation in society.

Article 44. Every person has the right to dwelling. Nobody may be deprived of dwelling without lawful grounds.

The state and bodies of legal and regional self-governance shall support the meeting of the dwelling needs of citizens, they shall provide dwelling to those who require social security free of charge or on favorable terms.

Article 45. Every person has the right to rest and leisure.

All who work for pay are guaranteed by law, the minimum duration of daily rest, weekly days of rest, holidays, annual paid vacations, a reduced working day for certain professions and jobs,

people under the age of majority, people with limited work ability and also women (one of the parents) having children under 7 years old.

Article 46. Every person has the right to the protection of his or her physical and mental health.

Health protection shall be provided by means of creation of proper living and working conditions, a system of socio-economic, medical, sanitary and prophylactic measures, broadening the state/municipal and private medical establishments and enterprises, the development of the medical industry and learning, consummated by the preparation of highly qualified specialists in the sphere of health protection and state control of their professional competence.

The state shall create conditions for sophisticated and equally accessible medical service, combining free and paid health services.

Every person shall have the right to an independent expert opinion in cases of forced treatment.

The state ensures qualified free of charge medical services to persons who need social security.

Article 47. Every person has the right to a safe environment, and to ecologically safe foodstuffs and objects of everyday use for their life and health.

The state guarantees the right to freely access and spread trustworthy information about environment, living and working conditions, quality of foodstuffs and goods of everyday use.

Every person has the right to state compensation of material or moral damages caused to their health or property by violations of ecological laws and regulations and also to compensation of expenses, connected with liquidation of harmful influence of these violations.

Concealment or distortion by the officials of information or facts which endanger the people's health may be prosecuted under the law.

Article 48. Every person has the right to education. Education which is mandatory shall be guaranteed to be accessible and free, its level shall be defined by the law.

The state respects the freedom of parents or lawful guardians to choose any type of educational establishments for their children.

Article 49. Every person shall have the right to participate in cultural life, to benefit from the achievements of culture and the results of scientific and technological progress.

Every person shall be guaranteed the freedom of scientific, literary, artistic, technological, teaching and other creative activity and research, and general accessibility to the treasures of national and world science and culture which are preserved in public funds.

The law protects the citizens' right to intellectual property, and their material and moral interest in other intellectual activities.

Chapter 5. Guarantees of Rights and Freedoms

Article 50. Every person has the right to equal protection under the law.

Every one has the right to react independently by lawful means to violations of his or her rights and freedoms, including the right of direct appeal to a court of law.

All rights and freedoms of persons and citizens are protected by the independent, fair and unprejudiced court.

Article 51. The state ensures the right of every person to know his or her rights. For this purpose the state publishes all laws and other normative acts and makes them freely accessible.

Laws and other normative acts which have not been published shall not be valid and may not be executed or enforced.

Article 52. No one shall be required to carry out manifestly criminal instructions or orders even under martial or emergency law.

Execution of a manifestly criminal instruction or order is punishable under the law.

Article 53. Legal responsibility of natural persons for offenses arises on an individual basis.

No one may be prosecuted for the same offense more than once.

Article 54. The principle of the presumption of innocence is guaranteed. A suspect indicted or prosecuted shall not be obligated to prove his or her innocence; all doubts are interpreted in his or her favor.

Conviction may not be grounded on illegally acquired proof.

A suspect, convicted or prosecuted, is considered to be innocent until his or her guilt is established in court procedure and is embodied in a court sentence which has come into force.

No one can be convicted by any means other than a court decision.

In the case that a court decision is vacated as unlawful, the state reimburses moral and material damage to those who suffered.

Article 55. A person bears no responsibility for refusal to bear witness against himself or herself, or against a spouse or close relatives, the proximity of whose relation is set forth in law.

A suspect, indicted or prosecuted has the right to defense by an attorney or other qualified legal assistance, to acquaintance with the documents relevant to his or her indictment or prosecution, to demand a face-to-face interview with the persons witnessing against him or her, to call witnesses by force, to call expert testimony, to become acquainted with questions put to experts, to put questions to experts and to acquire written conclusions on them.

A suspect, indicted or prosecuted has also other guarantees provided by law.

Article 56. The purpose of punishment is not to inflict suffering but to rehabilitate, and to provide social re-education to avoid crimes in the future.

An indicted person is entitled to all unabridged civil rights with the exception of the restrictions resulting from the court sentence and the law which regulates its execution.

The state guarantees paid work and social protection to people sentenced to terms of imprisonment and creates conditions for the free development of their personalities.

Article 57. The law which defines or strengthens a person's responsibility is not retroactive.

No one may be prosecuted for actions or failure to act if, at the time of such actions or failure to act, these were not recognized as offenses at that time.

If since an act was committed criminal liability for it has been repealed or mitigated, the new law is applied.

Article 58. Everyone is guaranteed the right to appeal to courts of law against actions of officials and other officers of state administration, bodies of local self-government and public

associations which violate or abridge human rights and freedoms.

Everyone has the right to compensation for moral and material damages caused by unlawful actions of state bodies and officials performing their duties, and also to compensation in cases where unlawful attempts are made on their life, health and property by other means at state expense. The state reserves the right of retroactively applicable appeal.

Officials and other officers of state administration, bodies of local and regional self-government and public associations are personally liable for the actions violating the rights and freedoms of citizens in criminal, administrative and civil court procedure.

Article 59. Everyone is guaranteed the right to qualified legal assistance. In cases provided by the law this assistance is given for free.

Every person detained, taken into custody or indicted of a crime has the right to use the services of a legal counsel or other defender of his interests from the moment of his or her detention, custody or indictment.

Every person is free to choose the defender of his interests.

Chapter 6. Principal Duties of People and Citizens

Article 60. It is everyone's duty to faithfully to comply with the Constitution and laws of Ukraine, to respect the rights and freedoms and honor and dignity of other persons.

Citizens entrusted with performing state functions must discharge their duties in a disciplined manner, honestly and conscientiously.

Article 61. Defense of the Motherland is a duty of every citizen of Ukraine.

Article 62. It is everyone's duty to pay state taxes and duties according to the procedure and amount established by law.

Article 63. It is everyone's duty to prevent damage to nature, to natural resources, and to the historical and cultural heritage, and historical and cultural monuments of Ukraine.

PART IV

CIVIL SOCIETY AND THE STATE

Chapter 7. General Provisions

Article 64. The state shall be subordinated to and serves the

civil society, and directs its activity to provide equal possibilities for every person and citizen as the foundation of social justice.

Article 65. The state shall not infringe on the affairs of persons and of society.

State regulation of societal relationships shall be confined within the borders defined by this constitution.

The legislative power shall be limited by constitutional principles, the natural rights and freedoms of persons and generally recognized principles of international rights.

Executive and judicial power shall be limited by the law.

Chapter 8. Ownership

Article 66. In Ukraine ownership shall be public and private. Public property includes state and communal (municipal) property. All other property shall be private property. The state shall support the social function of ownership.

Article 67. Mineral wealth, waters, coastal areas, air space, forests, animals, and natural resources of the continental shelf and of the exclusive (marine) economic zone of Ukraine shall be subject only to public ownership.

Article 68. Land may be owned publicly and privately. The right of private property to land shall be acquired on grounds and within limits established by the law. The law shall impose certain duties on the landowner, set maximum limits on private ownership of land and encourage efforts aimed at maintaining the quality and fertility of soils.

Article 69. Ownership, in accordance with the laws, may include property designed for production and any other purposes, and also the results of production and intellectual effort.

Article 70. In Ukraine, in accordance with the laws, there may be objects subject to the right of ownership of foreign nationals and legal entities, joint ventures and also by other states and international organizations.

Article 71. Equal legal protection shall be guaranteed to all owners. The owner must compensate for material and moral losses caused to persons or legal entities in the exercise of his or her right of ownership.

Article 72. Property may be forcibly appropriated only for the social necessity and with prior and full reimbursement of its market value, and only in such cases and in accordance with such

orders as are established by law.

Forced appropriation of property with future reimbursement of its value shall be allowed only in cases of martial law and in emergencies taking into consideration the peculiarities and intensity of the given situation.

Confiscation of property may take place only in cases, volumes and in a manner specified by law, and only in cases of criminal and administrative infringements.

Article 73. The rights of ownership may be restricted only in cases and in the manner established by law. Such restrictions shall be determined by the situation, as stipulated in part two of Article 14 of this Constitution.

Chapter 9. Enterprise

Article 74. The state shall guarantee the freedom of enterprise, agreements and fair competition and shall establish economic conditions for their development, utilizing the economic mechanisms of regulation and the formation of fiscal, taxation, price, investment, and credit policy.

State bodies may not interfere in direct economic operations of businessmen, with the exception of cases involving imposition of emergency or martial law.

Restriction on the freedom of entrepreneurship, agreements and competition shall be allowed only in such cases and in such a manner specified by law, under conditions stipulated in part two of Article 14 of this Constitution.

Article 75. With the goal of ensuring the social justice of entrepreneurship, the right of working collectives to take part in administration of enterprises within the forms and limits established by law shall be recognized.

Article 76. All monopolistic activities aimed at or resulting in limitation or elimination of free competition and which constitute an abuse of dominant market position shall be prohibited.

Article 77. Officials of the National Assembly, officials of the state administration, local and regional self-government, courts of law, procurators's offices, the investigation service, the state notary service, security services, bodies of internal affairs, customs services and the servicemen of the armed forces may not engage in business activities.

Article 78. The state shall protect the interests of consumers, assert control over the quality and safety of products

and all types of services, and ensure the accessibility and authenticity of information about the quantity, quality and range of products.

Chapter 10. Ecological Safety

Article 79. The state shall pursue an ecological policy aimed at ensuring ecological safety by preserving the natural environment and the genetic stock of living nature.

Article 80. The state shall implement measures necessary for the protection and the scientifically-grounded, rational use of land, water resources, flora and fauna, the preservation of the natural purity of soils, air and water, and the reproduction of natural resources, and also shall organize evacuation of people from ecological disaster zones and when necessary organizes their medical treatment. The state encourages the rational recycling and use of raw materials and of industrial and consumer wastes.

Article 81. Ukraine shall operate a system of state and public monitoring of the environment and of control over the construction, location and activity of ecologically non-safe objects, of the supply of food-stuffs and objects of everyday use to the population, and also of the population's quality of life and work in accordance with ecological guidelines set by the state.

Article 82. Ukraine will have state, people's and other types of expert ecological examinations.

The conducting of expert ecological examination shall be compulsory in legislative, drafting, investment, managerial, economic and other activities affecting the condition of the environment.

The procedure for conducting expert ecological examinations shall be determined by law.

Article 83. ... Any violations of ecological standards, concealment or distortion of ecological information is socially dangerous and is subject to prosecution by law.

Chapter 11. The Family

Article 84. Ukraine recognizes the family as the natural and principal social unit of civic society and protects its rights.

Article 85. Marriage shall be based upon voluntary and free consent of husband and wife. Spouses are completely equal in their family relations.

Article 86. Motherhood and children in Ukraine shall be protected and encouraged; legal protection and material and moral

support of maternity and childhood shall be guaranteed.

The state shall prepare and implement programs of social assistance to young families, families with many children and broken families.

Protection of the health of mothers and children shall be ensured through the organization of a wide network of women's clinics, maternity hospitals, sanitariums and recreation centers for expectant mothers and mothers and children, day-care centers, kindergartens and other institutions for children; the granting to women of maternity leaves and social insurance and other welfare benefits; and the prohibition against employing women as labor for hard and harmful work; and other measures.

Article 87. Children shall be equal before the law regardless of the descent and social or marital status of their parents.

Article 88. Parents shall be responsible for the care, upbringing, and development of their children until they attain their majority, and also in other cases stipulated by law.

Parents who refuse to care for their children, must pay to the state an amount established by law.

The entire burden of caring for, bringing up and educating orphans and children left without paternal guardianship shall be borne by the state. The state shall support and encourage charitable assistance rendered to such children.

Chapter 12. Education, Science and Culture

Article 89. The state shall create conditions for the free and thorough development of education, science, and culture, shall develop the spiritual heritage of the nation of Ukraine, as well as the heritage of world culture.

Article 90. The state system of education, science and culture shall be independent from political parties, religious organizations and other public associations.

Autonomy shall be given to scientific and learning institutions in accordance with the law.

Article 91. Education in Ukraine shall be aimed at developing well-rounded individuals through the realization of their own dignity, as well through the nurturing of respect for the rights and freedoms of other people.

The state shall provide for the necessary development of vocational, specialized secondary and higher education, pre-school and extra-curricular education through the system of state and

municipal learning institutions.

The state and bodies of local and regional self-government shall maintain an adequate number of learning institutions.

Private learning and educational institutions shall be allowed.

The state shall establish the general norms of education and uniform requirements for obtaining all education certificates, including diplomas authorizing their holders to engage in professional activities and shall maintain mechanisms for implementing these norms.

Article 92. The state shall provide conditions for the development of fundamental scientific research and the training of scientific personnel.

Article 93. The state shall concern itself with the care and protection of monuments of history and architecture, works of art and other cultural values regardless of their ownership.

Ukraine encourages and supports the development professional arts and amateur artistic activities.

Article 94. The state shall take measures to return to Ukraine the people's historic and cultural valuables which are beyond the borders of Ukraine.

The state shall prevent objects of the historic, cultural and artistic heritage from being removed beyond the borders of Ukraine.

Chapter 13. Public Associations

Article 95. Recognized public associations may include political parties, mass movements, labor unions, voluntary societies, foundations, associations and other organizations of citizens which do not pursue the purpose of gaining profits.

Article 96. The activity of public associations must be grounded on democratic principles and meet the demands of openness and glasnost.

The authority of public associations may not serve as grounds for the restriction of the constitutional rights and freedoms of the members of these associations or of other persons.

Article 97. The state shall create equal opportunities for the activities of public associations.

Article 98. Formation and activities of parties and of other public associations and movements that pursue the purposes of

changing the constitutional system of Ukraine by means of illegal seizure of state power and violating its territorial integrity or through the seizure of state power, or also undermining its security, through war propaganda, violence and cruelty, or by rousing ethnic, racial, religious or social hatred and encroaching upon human rights and freedoms, health and common morality, are prohibited.

Associations of citizens may be banned and disbanded only through a court procedure.

The formation and activities of any structural subdivisions of political factions in state bodies (with the exception of political parties in the National Assembly of Ukraine), bodies of local and regional self-government, the Armed Forces, the National Guard and the Border Defense Forces, and also at state enterprises, offices, organizations and educational establishments, shall be prohibited.

Chapter 14. Information Media

Article 99. Freedom of information media is guaranteed in Ukraine.

The information media should accurately portray events and justly reflect the multitude of views.

The information media shall not be subject to censorship.

Article 100. The right to establish information media shall belong to natural persons and legal entities.

Monopolization of any single medium of information is prohibited.

Article 101. The information media has the right to obtain information about state bodies, associations of citizens, bodies of local and regional self-government, enterprises, institutions, organizations, and officials and to trustworthy information about their activities.

Article 102. State bodies, enterprises, institutions and organizations, associations of citizens, bodies of local and regional self-governance and their officials shall not be allowed to prohibit or hinder lawful professional activities of journalists or exert pressure upon them in other forms.

Article 103. The mass information media may not be used for divulging information constituting state secrets or other secrets protected by law, publishing appeals to overthrow the constitutional system of Ukraine, to seize power, to encroach upon its territorial integrity, to war propaganda, to rousing racial, national, or religious hostility, or to encroach upon human rights.

PART III

TERRITORIAL STRUCTURE

Chapter 15. Principles of Territorial Structure

Article 104. Ukraine shall be a unitarian state. The territorial structure of Ukraine shall be based upon principles of the unity, indivisibility, inviolability and integrity of the state territory, the integrated economic development and individual management of its constituent territories with due regard for common state and regional interests, national and cultural traditions, geographical and demographic peculiarities, and natural and climatic conditions.

Article 105. The opinions of citizens residing in the respective territories and the needs of development of regional and local self-government shall be taken into consideration in solving problems of the territorial structure of Ukraine.

Article 106. The conclusion of any political agreements and unions between separate administrative and territorial units through the means of their local and regional self-governments is inadmissible. They may only conclude agreements on matters within their sphere of responsibility.

Chapter 16. System of Administrative Territorial Division

Article 107. The administrative territorial units of Ukraine include regions (land), districts, cities, settlements and villages.

National administrative territorial units may be formed in localities of traditionally compacted communities of national minorities in accordance with the wishes of residents of the respective territories and with the purpose of satisfying the citizens' national, cultural, spiritual and linguistic needs.

Article 108. The creation, enlargement, liquidation or change of borders of administrative territorial units shall be implemented by initiative of the given bodies of local and regional self-government, taking into consideration the opinion of the concerned population by means of an advisory opinion poll.

Final decision of this question shall be enacted by the Council of Delegates of the National Assembly of Ukraine.

Article 109. The status of administrative territorial units and the procedure of their formation, change or liquidation is defined by Constitutional Law.

Chapter 17. The Autonomous Republic of Crimea

Article 110. The Autonomous Republic of Crimea shall be the state-territorial organization of power and self-government of the population of Crimea.

The Autonomous Republic of Crimea is a component part of Ukraine.

Article 111. The Autonomous Republic of Crimea shall independently reaches decisions related to its authority under the Constitution and laws of Ukraine.

The Autonomous Republic of Crimea shall have its own Constitution which conforms to the National Assembly of Ukraine.

Article 112. The Autonomous Republic of Crimea shall participate in the decision-making process on issues related to the authority of Ukraine, in the National Assembly of Ukraine, Cabinet of Ministers of Ukraine and other state bodies of Ukraine. The forms and quota of representation of the Autonomous Republic of Crimea in bodies of state power of Ukraine shall be defined by the Constitution and laws of Ukraine.

Article 113. The laws of Ukraine shall be obligatory on the territory of the Autonomous Republic of Crimea.

PART IV

STATE POWER

Chapter 18. General Provisions

Article 114. State power shall be exercised by the people through the citizens of Ukraine, who have the right to vote.

Article 115. The people exercise state power through nation-wide voting (referendum), elections and through the system of state bodies.

Article 116. An all-Ukrainian referendum is the constitutional means of direct approval of laws and other state decisions by the people of Ukraine.

Article 117. An all-Ukrainian referendum is necessary to authorize the affiliation of Ukraine in unions with other states and in military-political alliances, and also to authorize change of its territory.

Issues set forth in referendums should be clearly formulated so as to pose no ambiguity of response.

Any draft of a law or a decision is considered approved if it

receives a majority of the votes of the electorate.

Referendums do not have any authority concerning issues of price regulation, taxation, state budgetary expenditure, the appointment and dismissal of state officials, the introduction of martial law and states of emergency, amnesties, pardons, or concerning issues within the judicial power.

Article 118. The elections to the National Assembly of Ukraine and of the President of Ukraine shall take place periodically according to the principle of the general and equal right directly to vote in a secret ballot and according to the free and equal right of nominating of candidates.

Simultaneous elections to the National Assembly and of the President are not allowed.

Article 119. A citizen of Ukraine who will have attained the age of 18 years by the date of the election shall have the right to vote.

The citizens who are incapable according to the decision of court do not have right to vote.

The right to vote is suspended for sentenced citizens.

The method of execution of the right to vote for citizens beyond the territorial limits of Ukraine is stipulated by law.

Article 120. The electing process shall be carried out according to the following guidelines:

- 1) free and equal nomination of candidates and contenders;
- 2) publicity;
- 3) the impartiality of state bodies, agencies and organizations, bodies of local and regional self government to candidates;
- 4) the equal opportunities for all the candidates;
- 5) freedom of electioneering;
- 6) control of the sources of financing and expenditure on election campaign.

Article 121. Elections in Ukraine shall take place in equally authoritative constituencies. Every elector shall have one vote.

Article 122. The candidate shall be elected by a simple majority of participating voters.

Results of the election shall be considered valid if a majority of the qualified voters participated in the election.

The procedure of organization and the implementation of the elections shall be stipulated by the Constitutional law.

Article 123. Delegation of authority from one power to another shall be prohibited in all cases other than those stipulated in this Constitution.

Every power shall be independent and self-reliant in the fulfillment of its functions and acts within the measures stipulated by the Constitution.

Bodies, which possess authority to fulfil the function of appropriate powers, shall cooperate with each other to perform general state missions.

Chapter 19. Legislative Power

National Assembly

Article 124. Legislative power in Ukraine shall be vested in the National Assembly of Ukraine.

Article 125. The National Assembly shall be empowered to decide on any issue of state life of Ukraine besides those which are decided exclusively by All-Ukrainian referendum or, according to the Constitution, are within authorities of the President of Ukraine, government of Ukraine, other state bodies, Autonomous Republic of Crimea or bodies of local and regional self-government.

A. Composition and Formation of the National Assembly

Article 126. The National Assembly of Ukraine is composed of two houses: the Council of Deputies and the Council of Delegates, which are permanently functioning bodies.

Article 127. The Council of Deputies, composed of 350 deputies is elected in equally authoritative constituencies with approximately equal numbers of voters for a term of 5 years.

Any citizen of Ukraine who has attained the age of twenty-five years by the date of polling, who has right of vote, who permanently resides within the territory of Ukraine and has a level of education not lower than generally adequate one may be elected as a Deputy of Ukraine.

Article 128. The Council of Delegates, as a territorially representative body, is elected in equally authoritative constituencies on the basis of equal representation: 5 delegates

from every region, the Crimean Autonomous Republic and the City of Kyiv.

Any citizen of Ukraine who has attained the age of thirty-five years by the date of the polling, has resided in the territory of a constituency for at least 10 years, and has a level of education not lower than generally adequate one, may be elected as a Delegate of Ukraine.

Article 129. The Deputies and the Delegates of the National Assembly represent the people of Ukraine and are accountable to their electors. No one may simultaneously be a member of both houses of the National Assembly or have other representative's mandate.

Disputes as to the validity of mandates of members of the National Assembly shall be adjudicated by the Constitutional Court of Ukraine.

Article 130. The state shall create conditions for effective exercise by members of the National Assembly of their mandates.

Members of the National Assembly shall perform the functions on a permanent basis. They must resign from their previous positions for the duration of their terms. The amounts of remuneration for members of the National Assembly and of allowances for the discharge of their functions shall be determined by the National Assembly.

A member of the National Assembly shall be accountable to the house to which he or she has been elected. Any member of the National Assembly absent without valid excuse at a session of a his or her house or one of its bodies to which he has been elected may be recalled by the electors according to an initiative by the house.

Members of the National Assembly shall not be allowed to engage in business activities, perform any paid works besides scientific or teaching activity during time free from his or her duties as a deputy.

Other cases of inconsistency with mandate of the member of the National Assembly, with the aim of securing of its independence and principle of distribution of powers, shall be stipulated by the Constitutional Law about status of the members of the National Assembly.

Article 131. Members of the National Assembly have the right to speak at the sessions of the National Assembly or its houses on any issue which is considered, to question and inquire of all state bodies and their officials (besides the President or bodies of

judicial power), to demand information necessary for the discharge of their functions, and also other rights stipulated by the Constitution and the Constitutional Law about status of the members of the National Assembly.

Article 132. Members of the National Assembly are protected by parliamentary immunity.

They shall bear no legal responsibility for their voting and statements in the National Assembly and its bodies.

Members of the National Assembly have the right not to testify against persons who have reported any facts to them as deputies or delegates, and also not to disclose such facts.

The powers of members of the National Assembly and their civil rights may not be abridged by the introduction of martial law or state of emergency.

Members of the National Assembly may not be criminally indicted, arrested or subjected to any other treatment limiting their freedom and rights, or subjected to any administrative sanctions imposed by courts without a prior consent of the respective house.

Requests for members of the National Assembly to be deprived of their parliamentary immunity shall be made to the respective houses by the Procurator General of Ukraine.

Article 133. The mandate of a member of the National Assembly is terminated simultaneously with the expiration of the authorities of a house to which he or she is elected, or in case of his or her death.

Pre-term termination of the mandate of a member of the National Assembly according to the decision of the corresponding house can be ordered in the following cases:

- 1) non-performance of requirements without valid excuses for over two months which is inconsistent with deputy's mandate;
- 2) resignation through a personal note in writing;
- 3) conviction by a court sentence that has come into force;
- 4) if a Deputy is pronounced legally incompetent or missing;
- 5) loss of the Ukrainian citizenship, or permanent movement of residence outside the borders of Ukraine.

A decision of the house on the pre-term cancellation of the mandate of a member of the National Assembly may be appealed to the

Constitutional Court of Ukraine.

The mandate of a Deputy may be terminated pre-term if he or she is recalled by his or her electors.

B. Powers and organization of work of the National Assembly

Article 134. The National Assembly shall enact the Constitution of Ukraine, and carry out any changes and additions (filling in).

The National Assembly of Ukraine shall enact constitutional laws of Ukraine, which are foreseen by Articles, 14, 109, 122, 130, 174, 191, 201, 203, 222, 229, of this Constitution.

Article 135. Enactment of the laws of Ukraine by the National Assembly.

The Assembly shall have exclusive legislative powers in the following matters:

- 1) rights and freedoms of people and citizens, guaranteeing these rights and freedoms;
- 2) citizenship, legal rights of bodies, the status of foreigners and persons without citizenship;
- 3) the principle duties of people and citizens;
- 4) rights of national minorities;
- 5) status of languages;
- 6) demographic, migration, immigration and emigration policy;
- 7) principles of budgetary, financial, pricing, credit, taxing and investment policies; principles for building a taxation system; collection of taxes, duties and obligatory payments; income taxes and taxable goods; currency, carat, value and types of national coins, order and sanctioning of emissions of banknotes;
- 8) units of weight, size and time;
- 9) principles and fundamental directions of external policy, organization of defence, general leadership and use of the Armed Forces;
- 10) fundamental organization of state security and protection of civil order;
- 11) principles of external economic and customs policy;

- 12) legal status of state borders;
- 13) provisions of Ukrainian territorial organization;
- 14) principles of organization of regional and local self-government, incorporation of the regions and creation of economic free zones;
- 15) general rules for the use of natural resources, exploration of space, organization and use of energy, air, sea, river, rail, auto and pipeline transportation and communications;
- 16) legal status of ownership, system of protection of property rights of legal entities and natural persons, system of property taxation;
- 17) general provisions and guarantees for business;
- 18) environmental policy and ecological standards;
- 19) principles of social-economic policy, social security, protection of marriage, family, parenthood and childhood, health insurance, upbringing, education, science, technology and culture;
- 20) fundamentals of formation and activities of public associations and the functioning of the mass media;
- 21) organization and procedure of elections and referendums;
- 22) organization and activities of the National Assembly, legal status of the members of the National Assembly;
- 23) fundamentals of organization and activities of state executive bodies, general provisions of state service, provision of state statistics and information;
- 24) definition of crimes and administrative violations, determination of punishments for them, amnesty;
- 25) judicial system and legal procedures, procurators, investigators, advocates, notary service and reformatory institutions.
- 26) method of use and protection of the state flag, emblem and anthem; status of the capital;
- 27) martial law and other states of emergency;
- 28) giving of state awards and special titles.

Exclusive prerogatives of the National Assembly also include the approval of codes from all spheres of legislation, executing

corrections and additions.

National Assembly shall approve laws involving other questions in the manner provided by the Constitution.

Article 136. The National Assembly shall:

- 1) approve the state budget and report on its execution;
- 2) elect and appoint state officials in cases stipulated by this Constitution;
- 3) execute parliamentary control over executive and judicial power by the methods and within measures stipulated by this Constitution;
- 4) give consent to the conclusion of international treaties on state unions, economic and military-political associations and international organizations, state borders and also of agreements which concern the constitutional rights and freedoms of persons and citizens, or citizenship, or require financial expenditure from the state;
- 5) ratify, abrogate, suspend and annul international agreements.

The National Assembly may carry out investigations and hold hearings on any matters relevant to public interests.

Article 137. The National Assembly works in sessions.

The Councils of Deputies and Delegates and their permanent and temporary commissions shall hold sessions jointly and separately.

Article 138. The joint sessions of the Council of Deputies and the Council of Delegates shall be held to:

- 1) open and close sessions of the National Assembly;
- 2) make changes and additions to the Constitution and Constitutional laws of Ukraine;
- 3) make public the results of All-Ukrainian referendums;
- 4) ratify, abrogate, suspend and annul international agreements of Ukraine;
- 5) fix the date of election of the President of Ukraine, declare of the act of election of the President and take from him constitutional oath, recognize or reject resignation of the President of Ukraine;

6) make public the dissolution of the National Assembly or of an individual house, fix the date of regular or extraordinary elections of the National Assembly or its houses;

7) approve the decision about holding a referendum on pre-term termination of authorities of the President of Ukraine on requirement of 2 million of electors or on initiative of the National Assembly itself;

8) appoint and dismiss the Prime Minister on the proposal of the President of Ukraine;

9) hear the President's reports on the domestic and external state of Ukraine;

10) appoint the Chief of the Constitutional Court of Ukraine and to take constitutional oaths from the judges of the Constitutional Court, recognize or reject the resignation of the Chief of the Constitutional Court of Ukraine;

11) determine the structure and amount of the Armed Forces of Ukraine, National Guard of Ukraine, the National Security Service of Ukraine and the Boarder Guards of Ukraine;

12) proclaim the state of war on a proposal of the President and approve the President's decision to use the Armed Forces of Ukraine in case of an armed attack against it;

13) approve the President's decrees of introduction of martial law and state of emergency in Ukraine or in its separate localities, complete or partial mobilization;

14) hold second hearing of a law vetoed by the President, order parliamentary veto of a Presidential decree, which contradicts the laws of Ukraine;

15) consider reports and proposals created by temporary joint commissions of the houses, discuss and make decisions regarding them;

16) use of the impeachment procedure in cases specified by this Constitution;

17) adopt resolutions, statements, declarations and addresses;

18) consider answers regarding questions posed to the members of the National Assembly on the matters which are being discussed at their joint sessions;

19) scrutinize again the drafts of the laws proposed by the coordinating commission of the houses;

All other matters within the authority of the National Assembly shall be considered, as a rule, at the separate sessions of the houses.

Article 139. The Council of Deputies and the Council of Delegates shall carry out the Authority of the National Assembly on the principle of equality and distribution of the functions.

The houses may accept for consideration any matters referred to the competence of the National Assembly, with the exception of articles 140 and 141 of this Constitution which are within the exclusive authorities of another house.

Article 140. Exclusive prerogatives of the Council of Deputies include the following:

1) parliamentary control in the sphere of protection of human and civil rights in Ukraine; appointment of the Commissioner of the National Assembly for Human Rights (National Human Rights Commissioner);

2) parliamentary control over the activities of the National Bank of Ukraine and the State Control Committee; appointment of Chairman of the National Bank, the Chairman of the State Control Committee and State Comptroller;

3) granting of a preliminary consent to the conclusion of international treaties, which concern human rights and freedoms or require financial expenditures from the state;

4) confirmation of appointment or approval of dismissal by the President of Ukraine of the Minister of Finance of Ukraine, the Minister of Foreign Affairs of Ukraine, the Minister of Justice of Ukraine, the Minister of the Interior of Ukraine, the Chairman of the National Security Service of Ukraine, the Minister of Defense of Ukraine, chiefs of diplomatic missions of Ukraine in other states and chiefs of delegations of Ukraine with international organizations;

5) election of the Chief and eleven members of the Constitutional Court;

6) ordering of charge in case of impeachment with enough reasons to start criminal prosecution against the President, Prime Minister and officials, who are elected, appointed or approved by the houses of the National Assembly; that results in dismissal of that person from the relevant position.

Article 141. Exclusive prerogatives of the Council of Delegates include the following:

1) formation, merging or liquidation of administrative

territorial units; naming and renaming them;

2) approval of statutes of regional self-government;

3) election, on the Chairman of the Council of Delegate's proposals, of Chairmen and Justices of the Supreme Court and the Supreme Economic Court, and appointment of the Procurator General of Ukraine;

4) election of the Chief and 11 members of the Constitutional Court.

5) creation of the Supreme Certification and Disciplinary Commissions of the judges;

6) granting of preliminary consent to the conclusion of international treaties on state unions military-political alliances, international organizations and state borders;

7) approving decisions on the sufficiency of grounds for removal from office of officials in case of impeachment proceedings.

Article 142. The council of Deputies and the Council of Delegates shall adopt resolutions on matters referred to their exclusive powers.

Article 143. Each house of the National Assembly shall meet for its first session not later than thirty days after the elections.

A house is empowered if not less than four-fifths of the total number of its members as specified by the Constitution have been elected.

The houses shall assemble for their regular sessions on the first Tuesday of February and the first Tuesday of September every year.

Extraordinary sessions of the houses shall be convened by the Chairmen of the houses on their initiative or at the request of not less than one-third of the Constitutionally ordained members of each house, or on a proposal of the President of Ukraine. Such sessions conclude their work after agenda has been exhausted.

In case of introduction of martial or emergency law in Ukraine or its separate localities the houses shall assemble within two days term without convocation.

Article 144. Sessions of the houses shall have authority with when two-thirds or more of the total number of their members, as specified by the Constitution, are in attendance and the sessions

are conducted in accordance with the proper procedure.

Article 145. A session of a house shall be presided over by its Chairman or in other cases, by a representative designated by the Rules of Procedure.

The first session of a house shall be opened by the Chairman of the representative house of the National Assembly of the previous session. Pending the election by the house of a new chairman, its session shall be presided over by a Presidium elected by the current house.

Joint sessions of the houses shall be presided alternately over by the Chairman of the Council of Deputies and the Chairman of the Council of Delegates according to the general procedure of the National Assembly.

Article 146. At its first session, each house shall elect a Credentials Commission and an Auditing Commission.

On a proposal of its Credentials Commission, each house shall adopt a resolution on the recognition of the credentials of the Deputies and Delegates, or the case of violation of the electoral laws, a resolution declaring the elections of individual deputies or delegates null and void.

Article 147. Joint and separate sessions of the houses shall be held publicly and openly. A closed session shall be held on decision of the house(s).

Voting at sessions of the houses shall be conducted by roll call and carried out openly, unless otherwise stipulated by this Constitution and by the Rules.

Article 148. The Council of Deputies and the Council of Delegates after discussions shall adopt decisions by a majority of their total number of members unless a different procedure is provided for by this Constitution or their Rules of Procedure.

At a joint session of the houses, resolutions shall be adopted separately by each house.

Article 149. Every house shall elect, from among its members, a. Chairman, Deputy Chairmen and the house Secretary, and also chairmen of its permanent commissions.

By the decision of a house they may be dismissed.

The chairmen of the houses shall:

1) carry out general management and preparation of the issues which are subject to consideration at the joint and separate

sessions of the houses; sign acts approved by the houses;

2) represent the houses during contacts with bodies and organizations within the state and abroad;

3) establish the secretariats of the houses and organize their work;

4) deal with the budget allocations, granted for the houses maintenance and their operation;

5) perform other functions stipulated by the Constitution.

Deputy Chairmen of the houses, authorized by the Chairmen of the houses, may perform some of the functions of the Chairmen of the houses and substitute the Chairmen of the houses in case of their absence or their inability to perform their duties.

Article 150. Every house shall form its Presidium composed of the Chairman of the house who shall also be Chairman of the Presidium, Deputy Chairmen of the house and Secretary of the house. The Secretary of the house is appointed neither from the Deputies nor from the Delegates.

The presidium of a house shall be a working body accountable to the house and shall ensure cooperation between the houses and organization of the work of the house and its bodies, and exercise other powers.

The Chairman of the council of Deputies shall also be Chairman of the National Assembly with the Chairman of the council of Delegates serving as his deputy.

The Chairman of the National Assembly shall represent the National Assembly outside its frames and perform other functions stipulated by this Constitution.

Article 151. The houses shall form permanent commissions composed of their members.

The permanent commissions shall draft legislation, prepare and consider advance matters, which are within the authority of respective commissions; supervise implementation of the laws and other acts of the National Assembly and their houses.

The permanent commissions shall adopt resolutions on issues which are within their authority. The resolutions of the commissions shall be subject to immediate review by the appropriate bodies, organizations and officials who must inform the commissions about the results of their review.

The houses may establish, when necessary, temporary special commissions for preparation and preliminary consideration of the matters within their authority.

Article 152. The houses of the National Assembly may elect from their members joint or separate investigating commissions to scrutinize on any matters they have specifically determined which represent common interest.

The decision on establishing of the temporary investigating commission and its mission is considered adopted after a third of the members of the house, as stipulated by the Constitution, have voted for it.

The temporary investigating commissions carry out collection, examination and assessment of information with the same authority and restrictions as investigating bodies and court power possess; provide the joint or separate sessions of the houses with reports and proposals.

The temporary investigating commissions shall cease their activity after the appropriate house has made a final decision to suspend its investigation.

Conclusions and proposals of the temporary investigating commissions shall not be considered decisive in a court of law.

Article 153. Members of the National Assembly have the right to create parliamentary groups in the houses to facilitate the organization of the work of the house, to carry out the responsibilities of the Deputies and Delegates and to coordinate their positions as to issues, which are being considered by the corresponding houses or their bodies.

Registered parliamentary groups have the right to proportional representation in the appropriate bodies of the houses, to guaranteed free speech of their representatives on any issue of agenda, to material and technical support of their activity, to assistance of technical personnel and to other rights determined by the law.

Article 154. The mandates of the National Assembly and of its houses expire on the day when a newly elected National Assembly opens its first session.

The mandate of the National Assembly or of either of its houses may be terminated before the expiration of its term in case of self-dissolution or by the decision of an all-Ukrainian referendum, which shall be held at the demand of at least two million of voters.

If a no-confidence motion concerning the National Assembly or

one of its houses is supported by a majority of votes cast in an all-Ukrainian referendum, the National Assembly shall announce its dissolution or the dissolution of the house in question and appoint a date for the elections to a new National Assembly or house. Newly elected houses shall have the mandates for a whole term appropriately determined in Articles 127 and 128 of this Constitution.

Article 155. The organization of the functioning of the Council of Deputies and the Council of Delegates shall be determined by their Rules of Procedure, which shall be adopted by them, shall have the force of law, without the signature of the President, from the day of its publication.

C. Legislative Process

Article 156. The right to initiate legislation in the National Assembly shall be vested in the people of Ukraine, the Deputies and the Delegates, the houses of the National Assembly, their Presidiums and permanent commissions, the President of Ukraine, the Supreme Council of the Autonomous Republic of Crimea.

The members of the National Assembly, the Presidium and the permanent commissions shall exercise legislative initiative through submission to the respective house(s) of proposals for preparation of bills or texts of appropriate legislative acts or changes and additions to such acts.

Article 157. The people shall exercise the right of legislative initiative by submitting bills to the National Assembly, which bills shall take priority for consideration.

A bill shall be submitted on the behalf of not fewer than 300,000 voters. A bill proposing changes of, or amendments to, the Constitution shall be submitted on the behalf of not fewer than 2 million voters.

The procedure of exercise by the people of the right of legislative initiative shall be governed by Law.

Article 158. Bills shall be submitted to the Presidiums of the houses, circulated to the Deputies and the Delegates and given preliminary consideration by the appropriate permanent or temporary investigative commission.

A bill preliminary considered by the commissions shall be passed to consideration of the houses with the commission's findings. Consideration in the houses shall be organized to determine the will of the majority of its members.

Consideration and adoption of a bill by a house shall go through the following process:

- general enactment of principal provisions;
- enactment of articles and as a whole.

Article 159. After a bill has been discussed and voted on by article and as a whole, it shall be considered passed if a majority of the total number of members of either house as specified by the Constitution have voted for its approval, unless a different procedure is provided for by this Constitution.

Article 160. A bill requiring financial expenditures shall be submitted for consideration during sessions of the houses on the condition that it is accompanied with the necessary estimates of the State Control Committee and a study of a corresponding permanent commission specifying well founded means of payment.

An adopted law envisioning new or additional expenditures must define ways of covering them.

Article 161. A bill passed as a whole by one of the houses shall be submitted to the other house for consideration. If approved as a whole by the latter or without any objections (vetoes) to the bill within a month, the bill shall be considered passed by the National Assembly.

The same majority of votes necessary for enactment of a bill is required to veto it.

If a house approves a bill after having made changes in or additions to it, the bill shall be immediately returned to the other house which initially approved it. The consent of the latter to the changes or additions made shall mean that the bill has been passed by the National Assembly.

To overcome such disagreements as may arise between the houses in considering a bill, the houses shall form a coordinating commission on the basis of equal representation. A bill agreed upon by this commission shall then be considered again at a joint session of the houses. If the joint session fails to come to agreement, the bill shall be considered rejected by the National Assembly.

In cases of disagreements between the houses in considering budgetary and financial matters, or questions of territorial structure or demographic and migration policy, a coordinating commission shall not be formed. A final decision on budgetary and financial matters shall be adopted by a second vote of the Council of Deputies, and by the Council of Delegates on matters of territorial structure, demographic and migration policy.

Article 162. Ratification, denunciation, suspension and annulment of international treaties shall be done by means of

adopting a corresponding law if nothing else is stipulated in a treaty itself.

Bills on ratification, abrogation, suspension or annulment of international treaties shall be drafted by the Council of Delegates and discussed and enacted in accordance with the usual procedure.

Article 163. A law is signed by the Chairmen of the houses of the National Assembly and immediately presented by them to the President of Ukraine.

The President of Ukraine shall read a law and accept it for execution by authenticating it with his or her signature and officially publishing it within fifteen days of its receipt. Before the expiration of this term the President of Ukraine may use his right of deferring veto and return the law with his remarks to the National Assembly to be considered for a second time.

If, after having been considered for a second time, the law is passed by the majority (alternatively by two-thirds) of the total number of members of each house as determined by the Constitution, the President of Ukraine shall be obliged to sign and publish it within ten days.

In case the President does not return a law within the determined term for a second consideration, the law shall be considered accepted by the President.

If the President passes to the Constitutional Court a law not signed by him or her because he or she feels it is unconstitutional, the term for signing the law shall be extended.

Laws and acts of the houses which are not subjected to President's authentication shall be published by the appropriate houses.

In case the President does not resort to his power of veto until after the end of a session of the National Assembly, an extraordinary session shall be convened immediately for considering the law for a second time.

Article 164. According to the decision of the National Assembly or of one of its houses a law can be introduced at all-Ukrainian referendum until it is signed by the President.

A law adopted through an all-Ukrainian referendum shall not require the signature of the President.

Article 165. Changes of, amendments to, repeal of laws other interpretatory additions shall be enacted in accordance with the same procedure which is prescribed for their adoption.

Article 166. A law shall come into force ten days after its publication, unless the law itself contains a different provision, but not before the day of its publication.

D. Budget. Financial Control

Article 167. The National Assembly carries out exclusive right of management of all property which is within state ownership and within the state treasury.

The legal status of state property shall be determined by law.

The executive branch shall be responsible for the administration of state property within the framework of the laws.

The National Assembly shall implement general control over the maintenance of the legal status of state property.

Article 168. The state budget of Ukraine shall consist of revenues and expenditures of the state.

Revenues and expenditures of the state must be specifically determined and balanced.

The state budget law may not alter or truncate expenditures in other laws already in effect.

The National Assembly may implement a new accounting system for state income, and also may change previous ones, and select new appropriations for the current budgetary year and additional budgets.

Any expenditures not provided for by the state budget shall constitute infringements of the law.

The law shall set the maximum limit of a budget deficit. The issuance of currency shall not be resorted to cover a budget deficit without the permission of the National Assembly.

If the National Assembly adopts a budget in which expenditures exceed revenues, the law on the state budget shall specify sources and means of covering the deficit. The law on the state budget may not establish new taxes, fines, penalties or other payments not authorized by a corresponding law.

The National Assembly, taking into account the economic development of the various regions of Ukraine, their natural resources, ecological and demographic situation, shall define principles for the formation and execution of local and regional budgets.

Article 169. The state budget of Ukraine shall be adopted in

the form of an annual law for a period beginning on the 1st day of January and ending on the 31st day of December or, in the case of emergency, for other periods of time.

In the course of the first 15 days of the last session the President of Ukraine shall send to the Council of Deputies a draft law on the state budget for the forthcoming year.

Within the same period the Council of Deputies shall submit for consideration its draft law on the state budget.

A draft budget shall first be considered by the State Control Committee, and also the corresponding commissions of the houses.

A law on the state budget approved in accordance with the procedure provided for by Article 161 of this Constitution shall come into force as of the 1st of January of the following year and shall not be subject to approval by the President.

If the President or the Council of Deputies fail to submit a draft law on the state budget by the 30th day of November, or if a draft law on the state budget has not been approved by the 31st day of December, the law on the state budget for the current year shall remain valid for the first quarter of the following year.

Procedure of formation and adoption of the state budget shall be determined by law.

Article 170. The President shall send to the Council of Deputies an itemized report on the execution of the state budget within three months of the end of the fiscal year covered by this report.

The report submitted by the President shall first be considered by the State Control Committee and the corresponding commissions of the houses of the National Assembly. The report shall be approved with consideration of their conclusions and must be published.

Article 171. Money circulation and procedure of settlements shall be determined by the National Bank of Ukraine, which possesses the exclusive right to print money.

The National Bank is accountable to the Council of the Deputies.

Article 172. The Council of Deputies shall be charged with the exercise of the financial control over the execution of the state budget.

The Council of Deputies shall exercise financial control both directly and through the State Control Committee.

Article 173. The State Control Committee is a body of parliamentary control over the financial operations of the state, bodies of local and regional self-government, the use of mobile and immobile properties and other public valuables.

The State Control Committee is subordinate and accountable to the Council of the Deputies.

Article 174. The State Control Committee shall be composed of state Comptrollers, who shall be appointed by the Council of Deputies from among specialists in the field of finance and law for a term of 5 years. The State Comptrollers shall bear the responsibilities as provided by article 208 of this Constitution.

The State Control Committee shall be headed by a Chairman. The Chairman of the State Control Committee and his deputies shall be appointed by a proposal of the Chairman of the Council of Deputies at a session of the Council of Deputies.

The State Control Committee shall be empowered to carry out investigations of issues relating to it within the same authorities as the temporary investigating commissions of the houses have.

Organization, competence and rules of procedure of the State Control Committee shall be defined by the Constitutional Law.

Chapter 20. Executive Power

A. President

Article 175. The head of state and of the executive power shall be the President of Ukraine. The President shall act in the name of the people.

The President shall be politically responsible to the people of Ukraine.

The President shall be elected for a five year term in a universal, equal and direct secret ballot election in which freely nominated candidates run for the Office of the President.

A citizen of Ukraine who has the right to vote, is at least thirty five years old on election day, has lived in Ukraine for at least 10 years, speaks the Ukrainian language, has reached at least the minimum level of mandatory education and is in a state of health which would enable him or her to fulfill his or her presidential responsibilities, may be elected President of Ukraine.

No one may be elected President of Ukraine for more than two consecutive terms.

The President of Ukraine may not be a member of the National

Assembly, hold another representative office, hold any office in state bodies and civilian associations nor in other organizations and establishments, nor can he or she engage in other paid employment or in business activities. In fulfilling the presidential duties, the President during his or her time in office must suspend his or her membership in political parties and in professional associations.

The following presidential election shall be held not earlier than sixty days and not later than ten days before the completion of the preceding President's term in office.

The procedure of holding presidential elections shall be defined by the Law on the Election of President of Ukraine.

Article 176. The President shall be considered to be in office from the moment he or she takes the oath during a session of the National Assembly.

The oath shall be administered by the Chairman of the National Assembly.

Upon taking office, the President shall take the following oath:

"I solemnly swear to the people of Ukraine that in carrying out the duties of President, I will strictly adhere to the Constitution and to the laws of Ukraine, respect and defend the citizens' human and civil rights and freedoms, protect the sovereignty of Ukraine and conscientiously perform the highly important duties entrusted in me."

The President shall take the oath no later than fifteen days after the official announcement of the results of the election. The date of taking the oath shall be appointed by the National Assembly.

Article 177. The President of Ukraine shall have parliamentary immunity, defined by article 132 of this Constitution.

Article 178. The President of Ukraine shall:

- 1) guarantee the security of civil rights and freedoms, the state sovereignty of Ukraine, the adherence and implementation of the Constitution and the laws of Ukraine;
- 2) represent the state in international relations;
- 3) address the people of Ukraine and submit annual reports on the situation in Ukraine to the National Assembly;
- 4) have the right to initiate legislation;

5) as decided by the National Assembly, enact economic and other decrees, not regulated by the laws of Ukraine, which shall then be approved by the National Assembly;

6) submit a draft of the state budget for the approval of the National Assembly; submit a report on the implementation of the state budget for the approval of the National Assembly;

7) during a session of the National Assembly and its houses, answer questions which emanate from their specialized work;

8) have the right to veto the laws approved by the National Assembly and return them to the National Assembly to be considered for a second time;

9) manage state wealth in cases foreseen by law;

10) head the system of bodies of executive power of Ukraine, enforces through them the Constitution and the laws of Ukraine, ensures that judicial decisions are enforced;

11) carry out the general leadership of the Cabinet of Ministers of Ukraine and direct its executive activities;

12) submit candidates to the National Assembly for appointment to the post of Prime Minister; submit proposals to the National Assembly to dismiss the Prime Minister;

13) based on the approval of the Council of Deputies, appoint and dismiss the Minister of Finance of Ukraine, the Minister of Justice of Ukraine, the Minister of Foreign Affairs of Ukraine, the Minister of the Interior of Ukraine, the Minister of Defense of Ukraine, the Chairman of the National Security Service of Ukraine, the heads of diplomatic delegations of Ukraine in other states and the heads of delegations of Ukraine in international organizations;

14) appoint and dismiss other ministers and officials of the executive branch, grant authority, not designated by law, to officials of the executive branch;

15) appoint and dismiss chairmen of regional (land) and city (the cities of Kyiv and Sevastopol) councils, as well as presidential representative in the Autonomous Republic of Crimea; confirm the decisions of the chairmen of regional councils concerning the appointment or dismissal of chairmen of regional councils;

16) use the necessary means to secure state and national safety, the inviolability of state borders and the territorial integrity of Ukraine;

17) direct the implementation of the foreign policy and the

conduct of external relations of Ukraine; conduct negotiations and sign international treaties of Ukraine which are subject to ratification by the National Assembly, accept credentials and letters of recall of foreign diplomatic representatives appointed by him;

18) be Commander-in-Chief of the Armed Forces of Ukraine; presides over the National Defense Council of Ukraine; in accordance with the Council of Delegates, appoint and dismiss the high command of the Armed Forces;

19) promote individuals to the highest military and diplomatic ranks, and other special ranks and positions;

20) make decisions, to be confirmed by the National Assembly within two days, on the declaration of state of war and the use of the Armed Forces of Ukraine in the event of an armed attack against Ukraine;

21) in the event of a threat of an attack against Ukraine or a threat to the state sovereignty of Ukraine, make decisions, subject to confirmation by the National Assembly within two days, on general or partial mobilization and imposition of martial law in Ukraine or its separate localities;

22) declare, if necessary, separate localities of Ukraine ecological disaster areas with subsequent confirmation of such decisions by the National Assembly within two days;

23) declare, if necessary, in Ukraine or separate localities, emergency laws subject to confirmation by the National Assembly within two days;

24) annul acts of ministers, heads of central and local bodies of executive power and the Government of the Crimean autonomous Republic if they do not act in accordance with the Constitution and the laws of Ukraine and decrees of the President;

25) pass decisions on matters concerning the granting and renunciation of Ukrainian citizenship, the granting of asylum and deportation of foreign nationals and persons without citizenship;

26) propose to the National Assembly the dissolution of separate bodies of local and regional self-government, in the case that they violate the Constitution and laws of Ukraine and announce new elections for them;

27) establish additional measures of administrative order during times of emergency created by natural disaster, epidemics and epizooties;

28) take measures to defend the rights of Ukrainian citizens

abroad;

29) promote satisfaction of national, cultural, spiritual and linguistic needs of Ukrainians living in other states;

30) exercise the right of pardon with regard to persons convicted by courts of Ukraine, with the exception of persons who are impeached;

31) award state decorations, honorary titles of Ukraine; establish and present presidential awards;

32) explain acts adopted by him;

33) exercise other powers authorize by this Constitution.

Article 179. The President may not delegate his authority to other persons or bodies.

Article 180. For performing his duties, the President shall establish all necessary managing and consultative bodies within the expenditure limits provided for the staff and maintenance of state executive power.

Article 181. The President may not dissolve the National Assembly, except in the case of the event provided for by Article 187 of the Constitution.

Article 182. Within the limits of his or her powers, on the basis of the Constitution and for its fulfillment the President shall issue decrees and orders.

Article 183. The President of Ukraine shall perform his duties until a newly elected President assumes office.

The powers of President shall be terminated before the expiration of his or her term of office in the following cases:

- violations of the rules of incompatibility of the presidential post with other forms of activity as set forth by part 6, Article 175 of this Constitution;

- acceptance of his resignation;

- inability to perform his or her duties for reasons of health;

- no confidence vote by the people in an all-Ukrainian referendum;

- removal from the presidency through impeachment;

- loss of Ukrainian citizenship or permanent change of residency to outside the borders of Ukraine.

Article 184. The President's resignation shall be accepted and shall take effect on the condition that his resignation statement has been read by him or her in person and considered at a plenary session of the National Assembly and accepted by a simple majority of votes, out of the number of members established by the Constitution of each of the Houses.

Article 185. Inability of the President of Ukraine to perform his or her functions for reasons of health shall be established at the session of the National Assembly on the basis of a written request of the Supreme Court of Ukraine supported by a medical certificate and a specially formed temporary parliamentary commission, and approved by a majority of votes in each of the houses, as established by the Constitution.

Article 186. A decision to hold an all-Ukrainian referendum to recall the President, if demanded by at least two million citizens having electoral rights, shall be adopted by the National Assembly by a majority of votes of each of the Houses, established by the Constitution.

Article 187. A decision to hold an all-Ukrainian referendum on the termination of the powers of the President of Ukraine before the expiration of his or her term of office on the initiative of the National Assembly shall be adopted by a majority of no fewer than two-thirds of members of each of the houses established by the Constitution.

If, in the course of the referendum held by the initiative of the National Assembly, the people of Ukraine express confidence in the President, the National Assembly may be dissolved by the President of Ukraine within two weeks after the results of the referendum have been officially announced.

Article 188. In the event the President criminally violates the Constitution and the laws of Ukraine in the discharge of his or her official duties, the Council of Deputies may impeach the President for trial by the Council of Delegates. The Council of Delegates shall adopt the decision to remove the President from office by no fewer than two-thirds of its total number of members, established by the Constitution.

A person thus removed from the Presidency shall be liable for prosecution on general grounds.

Article 189. In the event of death, termination of the President's powers before the expiration of his or her term of office, or his or her removal from office in cases provided for by articles 183 and 188 of this Constitution, the National Assembly

shall adopt the decision to authorize the Prime Minister of Ukraine to discharge the presidential duties pending the election of a new President. Election of a new President shall be held not later than 90 days after the office becomes vacant. The newly elected President shall have powers for the term defined in Article 175 of the Constitution.

B. Cabinet of Ministers of Ukraine

Article 190. The Cabinet of Ministers (Government) of Ukraine shall be subordinated to the President, responsible to him and guided by his program and decisions in its activity.

The Cabinet of Ministers shall include the Prime Minister, the Deputy Prime Ministers, ministers and also other officials appointed by the President.

The Cabinet of Ministers shall be headed by the Prime Minister of Ukraine.

The Prime Minister shall be deputy to the President.

Article 191. The Prime Minister shall exercise direct management of the staff of the Cabinet of Ministers, control and coordinate the activities of the ministries and other bodies of the executive power.

The Prime Minister shall be subordinated, accountable and answerable to the President.

The powers and the procedure of the Cabinet of Ministers' activities are defined by Constitutional Law.

Article 192. The suspension of the President's authority shall result in the discharge of the Cabinet of Ministers.

The Cabinet of Ministers which is discharged continues carrying out its duties until the new Cabinet is formed.

Article 193. The ministers and heads of other central bodies of the executive power shall direct the functioning of spheres of administration entrusted to them and shall be responsible to the President for the state of affairs in these spheres.

The ministers and heads of other central bodies of the executive power shall, within the limits of their powers, issue orders and other acts on the basis and in pursuance of the Constitution and the laws of Ukraine and also of presidential decrees.

A minister or the head of another central body of the executive power whose activity has been declared unsatisfactory by

the National Assembly or either of its Houses shall be subject to dismissal by a presidential decree.

Members of the Government and heads of other central bodies of executive power have the right to participate in sessions of the National Assembly, the Houses and their commissions.

The officials of the executive power shall answer the questions addressed to them by the members of the National Assembly or its Houses within twenty days.

Article 194. The rules on incompatibility, established by Article 208 of this Constitution, apply to the officials of the Cabinet of Ministers and other bodies of the state executive power.

C. Local Bodies of the State Executive Power

Article 195. Local bodies of executive power include regional (land) and district councils.

Article 196. The regional (land) and district councils shall, within the limits of their powers, enforce and implement the Constitution, the laws, presidential decrees, and other acts of legislative and executive power, ensure the maintenance of public order and protect civil rights and freedoms, control and coordinate the activity of enterprises, institutions and organizations, bodies of local and regional self-government and also local state bodies which are directly subordinated to the ministries and other central bodies, and perform other functions the state management of the given territory.

The regional (land) and district councils shall not have the right to make decisions which are within the jurisdiction of bodies of local and regional self-government.

Article 197. Regional (land) and district councils shall be headed by chairman of the given council, who shall perform their functions on the basis of personal leadership and responsibility.

The chairman of a district (land) council shall be appointed and dismissed by the President.

The chairman of a district council shall be appointed and dismissed by the chairman of the regional (land) council with subsequent confirmation by the President.

Chairmen of the regional and district councils shall be subordinated to the President.

Chairmen of regional (land) and district councils may be dismissed by the President on the proposition of no less than two thirds of the total number of advisors elected to the regional

(land), district councils.

Article 198. To ensure an effective exercise of their powers, the chairmen of councils shall form departments, administrations and other services; and shall have the power to appoint and dismiss their heads.

Article 199. The heads of the regional and district councils, their deputies, heads of departments, managing bodies and other officers shall comply with the responsibilities of Article 208 of this Constitution.

Article 200. Within the limits of their powers, the chairmen of the councils shall issue orders on the basis and in pursuance of the Constitution, the laws and presidential decrees.

Orders of the chairmen of regional (land) and district councils may be annulled by the President.

Orders of the chairmen of district councils may be annulled by chairmen of regional (land) councils.

Article 201. The structures, powers rules of procedure and sources of financing of regional (land), and district councils shall be defined by Constitutional Law.

Part 21. JUDICIARY

A. Judicial Courts

Article 202. Judicial authority belongs exclusively to the courts, in the form of constitutional, civil, criminal and administrative proceedings. Appropriation or delegation of the judicial functions to others, is not allowed.

Jurisdiction is realized from the name of Ukraine.

Article 203. The judiciary system shall consist of the Constitutional Court of Ukraine, common and economic courts.

The creation of extraordinary courts and special extrajudicial bodies by the judiciary is forbidden.

The organization, method of activity and authority of the judges shall be established by constitutional laws.

Article 204. The jurisdiction of the Constitutional Court of Ukraine shall be governed by the limits set forth in this Constitution.

Article 205. Civil, administrative and criminal cases may arise in courts of general jurisdiction - before justices of the

peace, district, local and regional (land) courts, the Supreme Court of the Autonomous Republic of Crimea and the Supreme Court of Ukraine.

Judicial review of decisions of general courts shall belong to the Supreme Court of Ukraine.

Article 206. Economic courts, regional (land) courts, the Kyiv local economic courts, economic courts of the Autonomous Republic of Crimea, and the Highest Economic Court of Ukraine shall resolve economic disputes.

Article 207. Judges shall be independent and shall answer only to the Constitution and its laws.

The inviolability of judges shall be guaranteed by law.

Judges shall not be changed during their tenure. Upon attaining the age prescribed by law, judges shall retire. Prior to the age of retirement, a judge, without his consent, may be relieved of his duties only under the circumstances and according to the terms set forth by Constitutional law.

The state shall provide proper working conditions for judges.

Article 208 Judges shall not be members of political parties, movements, trade unions, or take interest in political activities, hold any elected position, or have any other paid position other than lecturing during time off from their duties. Other activities incompatible with the position or duties of the judge shall be indicated by law.

Article 209. Judges shall be elected and appointed for a permanent term.

Justices of the peace, general and economic judges, other than in cases foreseen by Articles 140 and 141 of this Constitution, shall be appointed by the Council of Delegates according to competitive results.

Judges who first pass the competitive selection are appointed for a term of five years.

Article 210. For the purposes of testing for the positions of the justices of the peace, general judges, and economic judges, and inquiry into questions about the judges service record, imposition of disciplinary measures and impeachment, the Council of Deputies shall create the Supreme judicial certification and disciplinary commission.

The organization and activities of the Supreme certification and disciplinary commission of judges shall be defined by law.

Article 211. Jurisdiction shall be exercised either by a single judge acting alone or by a panel of judges.

In panel decisions, the justice will be preserved by shall be examination by the entire panel of judges and by the jury of the matter at issue.

In matters that may be examined by the courts, the selection and empowering of the jury shall be undertaken in accordance with the law.

Article 212. All judicial proceedings shall be public and open proceedings. Closed proceedings shall fulfill all the rules of judicial procedure, and may be conducted only in cases where the court determines that open proceedings may reveal national, professional or commercial secrets, or facts about the personal life of a citizen or his family.

Article 213. Judicial proceedings shall be adversarial and based on equality of both parties before the law.

Article 214. Judicial proceedings shall be conducted in Ukrainian language or in the language of the majority of that locality. Participants in judicial proceedings who do not speak Ukrainian have the right to fully understand all material matters relating to the proceeding, to participate in the proceeding through an interpreter and to speak during the proceeding in their native language.

Article 215. No one can be denied the right to have access to the court of proper jurisdiction as provided by law.

Article 216. Judicial decisions should be reasoned, unprejudiced, and based upon a complete and objective analysis of facts; and shall be publicly announced.

The decision of the court of first impression may be protested in accordance with the annulment and appeals procedures.

Article 217. Judges shall not apply laws or interpretations of them that are inconsistent with the Constitution.

In the event that in the course of examining a specific matter the court determines that it must apply a law or its interpretation that is inconsistent with the Constitution, then the court shall adjourn the proceeding and shall petition the Constitutional Court of Ukraine to declare the law or its interpretation unconstitutional.

Article 218. Decisions of the court that have taken on the force of law shall be applicable to all governmental bodies, businesses, institutions and organizations, bodies of local and

regional governments, citizens and their associations, officials and other persons, and must be complied with (at the same time and in similar manner) throughout the entire territory of Ukraine.

Article 219. Material and moral damages that result from judicial errors or from the unlawful acts of judicial and investigative organs or the procuracy shall be compensated by the state in accordance with law.

B. The Procuracy

Article 220. The Procurator General of Ukraine and all other procurators shall be responsible for:

- 1) the supervision of adherence to the laws by executive branch organizations and local and regional governments by their acts which relate to the interest of the state;
- 2) the supervision of adherence to the laws by legal agencies which carry out searches, fact finding and initial investigations;
- 3) pre-trial investigation of criminal activity and authorized by law;
- 4) prosecution of state cases in the court
- 5) the supervision of adherence with the law by places of detention;
- 6) the defense of property or other interests of the state;

Article 221. The Procurator General of Ukraine shall be appointed by the Council of Delegates on the nomination of the Chairman of the council of Delegates for a 5 year term. The regional, district and city procurators shall be appointed by the Procurator General of Ukraine for 5 year terms.

The Procurator General of the Autonomous Republic of Crimea shall be appointed by the Procurator General on the nomination of the Supreme Council of the Autonomous Republic of Crimea. In the case of a failure of agreement within three months between the Procurator General of Ukraine and the Supreme Council of the Autonomous Republic of Crimea, questions about the appointment of the Procurator of the Autonomous Republic of Crimea shall be decided by the Council of Delegates of Ukraine, on the recommendation of alternative candidates by the Supreme Council of the Autonomous Republic of Crimea and the General Procurator of Ukraine.

Article 222. The Procurator has the right to require and obtain from any bodies, organizations and officials, documents and

real information necessary for the fulfillment of his responsibilities.

Article 223. The procurators and other officials of the procuracy are subject to the requirements of inconsistency, according to Article 208 of this Constitution. The organization, authority and procedure of conduct of Ukraine shall be defined by Constitutional Law.

PART VII

CITY AND REGIONAL SELF-GOVERNANCE

Article 224. City self-governance shall be determined by the population of the city, town and villages (local community), either directly or through elected representative bodies.

The system of city self-governance shall include city, town and village Councils, city referendums, and other forms of territorial self-organization by the population.

The organs of local self-governance are city, town, and village councils.

The city, town and village councils shall delineate their own capability, which shall not be altered except by law or by agreement. The organs of city self-governance shall be independent bodies within the limits of their own competence.

Article 225. City, town and village Councils shall be composed of council members who shall be elected for a 5 year term on the basis of a general, equal and direct right to elect by secret ballot freely nominated candidates all of which have equal rights to be elected.

Council members are responsible for a defined territorial community.

The city, town and village Councils shall be chaired by the President of the Council, who shall be elected by the council members or by direct popular vote.

The President of the Council may simultaneously be the Chairman of the respective territorial community.

Article 226. City, town and village Councils, in order to fulfill their duties, shall create necessary executive bodies which shall be headed by appropriate council members.

Article 227. The city, town and village Councils, within the limits of their authority, shall prepare, approve and implement

budgets for their respective populated areas, prescribe city taxes and levies according to law, govern and maintain community property and decide other questions that arise out of the collective needs of their respective territorial community.

The relationship of the city Councils to business enterprises, organizations and institutions, cooperatives and other establishments and individuals, whose property does not form part of the community property, shall be based on taxation and contractual arrangements.

In accordance with and within the limits of established laws, the governing bodies of city administration may assume the national administrative duties delegated to them.

Article 228. District self-governance shall be administered by the population in the regions (lands) and districts directly through regional referendums as well as through regionally elected bodies.

The bodies of local self-governance shall be the regional (land) and district Councils.

The regional (land) and district councils shall consist of council members, elected for a 5 years term by the city, town and village Councils. Variant: Members of regional (land) and district councils shall be elected by the voters of regions (lands) and districts for a term of four years.

Article 229. The regional (Land) and district Councils have standardizing, executive and coordinating functions as well as other authority in the spheres and within the areas confined by Constitutional Law.

Article 230. Regional (land) and district Councils shall be headed by its chairman.

The chairmen of the regional (land) and district Councils shall be elected by the Council members for the duration of the session of the Councils.

The chairmen of the regional (land) and district Councils shall organize the work of Councils, their administrative bodies and council members, ensure the execution of enacted decrees, represent Councils in their relations with state bodies, peoples' organizations, organs of the city self-governance, enterprises, organizations, associations and citizens and also in external relations.

Article 231. The regional (land), district, city, town and village Councils shall enact decrees.

The decisions of regional (land), district, city, town and village Councils shall not contradict the Constitution, laws of Ukraine, or other legal acts which are necessary to fulfil on a definite territory.

Decisions of regional (land), district, city, town and village Councils which violate Constitution, laws of Ukraine or other legal acts shall be suspended by the President of the regional (land) Council until a decision of a court is rendered.

Article 232. The authority of city and regional administrative bodies may be suspended immediately by President, if these bodies violate the Constitution and laws of Ukraine. The terms by which the authority of the city and regional administrative bodies may be terminated shall be set forth by law.

Article 233. The authority of the city administrative bodies of Kyiv shall be determined by the Law on the capital of Ukraine - Kyiv.

PART 6.

State Defence and Security

Article 234. Defence of Ukraine, armed protection of its sovereignty and territorial integrity and inviolability shall be borne by the Armed Forces of Ukraine.

General command of the Armed Forces shall be executed by the National Assembly, President and Council of National Defense of Ukraine.

The Ukrainian Minister of Defence shall have direct command over the Armed Forces.

The structure of the Armed Forces, its number, armament, economic, financial and material-technical resources shall be determined by law.

Article 235. In matters not connected with state defense, the National Assembly shall authorize the use of the Armed Forces.

Article 236. The Council of National Defense, created by the President, shall be the highest state organ which collectively manages the defense and security of Ukraine.

The Council of National Defense shall be created with the goal to develop military doctrines of Ukraine in the fields of defense and national security, and to maintain control of the fulfillment of critical state tasks regarding the upkeep of the defense

capacities of Ukraine.

The Council of National Defense shall report to the National Assembly.

The authority, structure, organization and tasks of the Council of National Defense shall be determined by Constitutional Law.

Article 237. The National Guard of Ukraine shall be a state military unit designated to protect the sovereignty and territorial integrity of Ukraine, as well as the welfare and dignity of its citizens, their constitutional rights and citizens from criminal acts and other anti-social activity.

The National Guard shall answer to the President. The National Guard's Commander-in-Chief shall have direct command over the Guard.

Article 238. The Armed Forces, National Guard, Security and organs of Internal Affairs shall not be used by anyone for the purpose of overthrowing constitutional order and removing legally elected organs of power, illegally restricting the rights and freedoms of citizens, nor in other ways that contradict this Constitution.

PART VIII

DEFENSE OF THE CONSTITUTION

Article 239. Questions relating to the constitutionality of certain laws and legislative acts shall be decided by the Constitutional Court of Ukraine.

Article 240. The Constitutional Court of Ukraine shall consist of a Chairman, two Vice Chairmen and twenty two members of the Constitutional Court.

A Ukrainian citizen who has the right to vote, is at least forty years old, is a qualified lawyer, has a minimum of ten years working experience in practical, scientific or pedagogical jurisprudence.

The Chairman of the Constitutional Court shall be elected by a secret ballot election held in a joint session of the Council of Deputies and the Council of Ambassadors of the National Assembly.

The Chairman of the National Assembly, together with the President, nominates a candidate for the Chairman of the Constitutional Court. In the event that the Chairman of the National Assembly and the President cannot agree on the candidate

their proposed candidates shall be presented to the National Assembly as alternatives.

The Vice Chairmen and the members of the Constitutional Court shall in equal number - one Vice Chairmen and 11 Constitutional Court members - be elected by secret ballot in individual proceedings, during separate sessions of the Council of Deputies and Council of Delegates of the National Assembly.

The candidates for Vice Chairmen of the Constitutional Court shall be presented to the Council of Deputies and Council of Delegates by the President and either the Chairman of the Council of Deputies or the Chairman of the Council of Delegates. In the event that the President and the Chairman of the Council of Deputies or the Chairman of Council of Delegates cannot agree on the candidates for the positions of Vice Chairmen of the Constitutional Court, both nominated candidates shall be brought to the Council of Deputies or the Council of Delegates as alternatives.

The candidates for the membership of the Constitutional Court shall be nominated by the Chairmen of the Council of Deputies a Council of Delegates.

The Chairman, Vice Chairmen and the members of the Constitutional Court of Ukraine shall be the judges of the Constitutional Court and shall be elected for only 1 ten-year term.

Article 241. In performing their duties, the judges of the Constitutional Court shall be independent and shall answer only to the Constitution of Ukraine.

The judges of the Constitutional Court shall not hold other offices designated in Article 208 of this Constitution.

The judges of the Constitutional Court shall have parliamentary immunity, as put forth by Article 132 of this Constitution.

When taking office, a judge of the Constitutional Court shall take the following oath before the National Assembly: "I solemnly swear to honestly and conscientiously fulfill my duties as a judge of the Constitutional Court of Ukraine, to protect the Constitution of Ukraine, to guarantee its supremacy, to respect and protect civil and human rights and freedoms."

Article 242. The authority of a judge of the Constitutional Court shall terminate at the end of his or her term in office. He or she may continue to perform his or her duties until a new judge is elected, provided that this time does not exceed four months.

The authority of a judge of the Constitutional Court shall

cease to exist before the end of his or her term under the following conditions:

- a) if he or she resigns;
- b) if his or her Ukrainian citizenship is lost or place of residency moves abroad;
- c) if his or her health prevents the carrying out of his or her duties;
- d) if he or she reaches his or her mandatory retirement age;
- e) if he or she holds an office in addition to the one that he or she occupies within the Constitutional Court, as set forth by article 208 of this Constitution;
- f) if there is a violation of his or her oath;
- g) if he or she is impeached;

The National Assembly shall decide whether a Constitutional Court judge forfeits his or her authority before the official end of the term in office.

Article 243. The Constitutional Court shall review the constitutionality of:

- 1) laws and other legislative acts of the National Assembly of Ukraine and its Houses;
- 2) the Constitution and laws of the Autonomous Republic of Crimea;
- 3) decrees of the President of Ukraine;
- 4) acts of the Ministers and other heads of the central bodies of the executive branch of Ukraine;
- 5) acts of the Chairmen of the Regional (Land), district and city governments;
- 6) acts of the regional (land) and city governments;

On the request of either the President, the Chairman of the Council of Deputies, the Chairman of the Council of Delegates, at least one fifth of the Council of Deputies or the Council of Delegates, the Chairman of the Supreme Court, the Chairman of the Supreme Economic Court, General Procurator, the Representative of National Assembly of human rights, the Supreme Council of the Autonomous Republic of Crimea, regional (land) Councils and general courts in cases authorized by article 217 of this constitution the

Constitutional Court shall consider issues regarding constitutional law.

The Constitutional Court shall consider the constitutionality of laws and the other legal acts on a citizen's complaint if the case has been considered and decided by a general courts and the citizen believes that laws and legal acts utilized in the case contradict the Constitution. The citizen's complaints shall be submitted to the Constitutional Court through the Representative of National Assembly of human rights. From the points named by this article the Constitutional Court renders decisions enforceable on all Ukrainian territory for the legislative, executive and judicial bodies, city and regional bodies of governance, officials, citizens and their associations.

Article 244. Upon the request of National Assembly and their houses the Constitutional Court shall report on:

1) if the Constitution corresponds with the international agreements of Ukraine submitted to the National Assembly for ratification;

2) the limits of authority of legislative and executive powers in Ukraine, state bodies of Ukraine and the Autonomous Republic of Crimea, bodies of state power, local and regional bodies of governance if they have any disagreement;

3) adherence by the President to the Constitution;

4) adherence to the Constitution by the Prime Minister, other officials, who are elected, nominated or confirmed by National Assembly or their houses (excluding judges of Constitutional Court);

5) the validity of mandates of members of the National Assembly with regard to controversial questions.

The Constitutional Court shall also give consultations regarding the other issues authorized by this Constitution.

Article 245. Questions submitted to the Constitutional Court shall be considered during its plenary meetings and meetings of collegium. Collegiums of the Constitutional Court shall consist of three judges and shall be appointed by the Chairman of the Constitutional Court.

On plenary meetings of the Constitutional Court cases indicated in items 1,2,3,6,7 of Article 243, items 1,2,3 of Article 244 may be considered. On meetings of collegium of the Constitutional Court cases indicated in items 4,5,8 and in part 3 of the article 243, item 4 of the article 244 of this Constitution shall be considered.

Article 246. The decisions and conclusions of the Constitutional Court shall be made by open voting during the plenary meeting by the majority of judges appointed according to the Constitution, and during the meeting of the Collegium, by the majority of its members of the Collegium.

Preventing judges from approving decisions and conclusions is forbidden.

Article 247. Decisions and conclusions enacted during the plenary meeting of the Constitutional Court shall be final.

Decisions and conclusions, enacted during the meeting of the Collegium, on the request of the Chairman of the Constitutional Court, may be reconsidered during plenary meeting of the Constitutional Court.

Article 248. Laws and other legal acts may be held fully or partly unconstitutional by the Constitutional Court, if the process of its review, adoption or implementation violates this Constitution.

Laws and other legal acts, their separate stances, ruled by the Constitutional Court as unconstitutional, lose their legal force from the moment the Constitutional Court publishes its decision on their illegality.

Laws and other legal acts and their separate stances, related to human rights ruled unconstitutional by the Constitutional Court lose their legal force from the moment the Constitutional Court reaches such a decision.

Material and moral damage, inflicted on people and legal entities by unconstitutional acts and actions, must be reversed by the government.

Article 249. The authority of the Constitutional Court in real cases shall not interfere with the specific work of court decisions, the work of investigating bodies, and the procurator's office.

Part VIII

STATE SYMBOLS

Article 250. The symbols of sovereign statehood of Ukraine include its state emblem, flag, and anthem.

Article 251. The state emblem of Ukraine shall be the symbol of the ancient nation of Kyiv and Rus-- a golden trident set upon

a blue background.

Article 252. The state flag of Ukraine shall be a rectangular cloth composed of two horizontal bars of equal width, the upper bar blue and the lower one yellow, symbolizing a clear sky and wheat fields, with a golden trident on the upper part of the flag a few inches away from the pole.

The ratio between the width of the flag to its length is 1 to 2.

Article 253. The state anthem of Ukraine shall be the national anthem "Shche ne Vmerla Ukraina" to the music of M. Verbytsky and lyrics of P. Chubynsky.

Article 254. The capital of Ukraine shall be the City of Kyiv.

Article 255. The national holiday of Ukraine shall be Independence Day, the twenty fourth of August.

PART IX Amendments and Additions to the Constitution and Constitutional Law

Article 256. Amendments and additions to the Constitution may be introduced on the motion of no less than one third of the members of each house of the National Assembly, or, in the case of an initiative from the public, by written petition containing the signatures of no less than two million electors.

A law embodying a proposed amendment or addition to the Constitution which is based upon an initiative of the public, shall be approved by an all-Ukrainian referendum.

A law embodying a proposed amendment or addition to the Constitution which is based upon an initiative from the National Assembly shall be approved by a vote of at least two thirds of the Constitutionally ordained members of each house in the National Assembly.

Article 257. No amendments or additions to the Constitution may be introduced which are directed against the independence and territorial integrity of Ukraine, which are aimed at altering the rule of the Constitution, restricting constitutionally defined forms of property, limiting human rights, or are added to the Constitution under conditions of an extraordinary crisis.

A law embodying proposed amendments or additions to the Constitution shall not require the President's approval.

Article 258. Laws which in this Constitution are described as

constitutional laws shall be approved and amended by a vote of no less than two thirds of the Constitutionally ordained members of each house of the National Assembly.

Constitutional laws may be approved and amended on the basis of the constitutionality of the proposed laws and any changes or additions to such laws by the recommendation of the Constitutional Court.

Constitutional laws, amendments and additions to such laws shall not require the President's approval.