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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

Russian Draft Constitution

drawn up by the President of the Russian Federation

Text transmitted by Mr Vitruk on 7 June 1993

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IZVESTIYA Publishes Russian Draft Constitution

[Text] The multinational people of the Russian Federation,

united by a common destiny on their own soil,

honoring the memory of their forebears, who handed down to them a love of the Fatherland and shining faith in good and justice,

affirming freedom, human rights and a worthy life, and civil peace and concord,

preserving a historically established state unity,

reviving Russia and making its democratic statehood immutable,

proceeding from a sense of responsibility for their Motherland to present and future generations,

considering themselves part of the world community,

adopt the CONSTITUTION OF THE RUSSIAN FEDERATION.

Section One

Chapter 1. General Provisions

Human Rights and Freedoms

Article 1.

The Russian Federation—Russia is a democratic rule-of-law secular federative state whose highest values are the individual and his dignity and inalienable rights and freedoms.

The sole source of state power in the Russian Federation is its multinational people.

Article 2.

Russia is a federal state—the Russian Federation, uniting the components of the Federation on the basis of the Constitution and of the Federation Treaty as an integral part of the Constitution.

Article 3.

The Russian Federation is a democratic republic.

The state system of the Russian Federation is based on people's power. The people of Russia exercise their power directly or through their representatives.

Article 4.

State power in the Russian Federation is based on the separation of the legislative, executive, and judicial powers, as well as demarcation of areas of jurisdiction and powers between the Russian Federation and the republics, krays, oblasts, federal-status cities, autonomous oblasts, and autonomous okrugs.

Article 5.

On the territory of the Russian Federation, unity of state power is ensured. Power is represented and exercised by:

the head of state—the president of the Russian Federation;

the legislature—the Federal Assembly, consisting of the State Duma and the Federation Council;

the executive—the Government of the Russian Federation;

the judiciary—the courts and judges of the system of justice of the Russian Federation.

State power in the republics, krays, oblasts, federal-status cities, autonomous oblasts, and autonomous okrugs, in accordance with the Federation Treaty, is exercised by organs of legislative (representative) and executive power formed by them.

The president of the Russian Federation, the Federal Assembly, and other elected state organs of the Russian Federation and components of the Federation are elected by citizens of the Russian Federation.

Local self-government is separate from state power and operates independently and autonomously.

Article 6.

No ideology or religion may be established in Russia as a state or compulsory ideology or religion.

No party or church may be under the patronage or control of the state.

Article 7.

The highest expression of direct power of the people of the Russian Federation lies in elections by citizens of their representatives to organs of power and in the nationwide [obshchenarodnyy] referendum, implemented by free, universal, equal, direct, secret ballot.

The basis and procedure for holding a nationwide referendum are laid down by federal constitutional law.

Article 8.

In the Russian Federation basic rights and freedoms are recognized and guaranteed in accordance with the universal Declaration of Human Rights and the generally recognized principles and norms of international law.

Basic human rights and freedoms belong to everyone in Russia from birth.

Article 9.

Everyone is equal before the law and the courts.

Equality of rights and freedoms is guaranteed by the state, regardless of race, nationality, language, origin, property status, official position, place of residence,

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attitude to religion, convictions, membership of social associations, or other circumstances.

Men and women have equal rights and freedoms.

The rights and freedoms of persons belonging to ethnic minorities are guaranteed in accordance with the present Constitution, the generally recognized principles and norms of international law, and the international treaties of the Russian Federation.

Article 10.

Human rights and freedoms in Russia are direct in their operation. As such they determine the purport, content, and application of laws, impose a duty on the legislature, the executive, and local self-government, and are safeguarded by the judicial system.

Article 11.

Human dignity in Russia is inviolable. There can be no grounds for injuring it.

Article 12.

Everyone has the right to life, personal inviolability, freedom, and security.

No one may be subjected to torture, violence, or any other treatment or punishment that is cruel or injurious to human dignity. No one may be subjected to medical, scientific, or other experiments without his freely given consent.

Article 13.

Everyone has the right to freedom of private life, personal and family privacy, and the protection of his honor and good name.

Article 14.

Everyone is guaranteed the right to freedom of conscience, spiritual freedom, freedom of religion, religious or atheistic activity, freedom of thought and expression of opinions and convictions, and free development of the personality.

No one may be forced to express his opinions and convictions or to renounce them.

Article 15.

Everyone has the right to freedom of speech and free dissemination of his thoughts and ideas, and the right to seek, obtain, and freely transmit and disseminate information.

Freedom of the press is guaranteed. Censorship is prohibited.

Article 16.

Everyone has the right to freedom of movement and to the choice of his place of sojourn and domicile throughout the territory of the Russian Federation.

Everyone may travel freely outside the Russian Federation. A citizen of the Russian Federation is entitled to return home without impediment.

Article 17.

Everyone has the right to freedom and privacy of correspondence and privacy of mail, telegraph, telephone, and other communications.

Article 18.

The right to form associations and to freedom of association is recognized.

No one may be forced to join or belong to any association.

Article 19.

Citizens of the Russian Federation have the right to assemble peaceably, without weapons, and to hold assemblies, rallies and demonstrations, marches, and pickets.

Article 20.

Residences are inviolable. No one is entitled to enter a residence against the will of the persons resident there.

Article 21.

Everyone is entitled to own property and to enjoy, use, and dispose of it both individually and in conjunction with other persons.

Ownership is inviolable. No one may be arbitrarily deprived of his property.

The right of private ownership is a natural human right.

Citizens and associations of citizens are entitled to have in their private ownership land and any other property acquired in accordance with the law, and to sell, give, bequeath, or otherwise dispose of the said property as they see fit.

Article 22.

Everyone has the right to economic freedom and the free utilization of his capabilities and property in pursuit of any economic activity that is not prohibited by law.

Article 23.

Labor is free. Everyone has the right to dispose of his capabilities for labor and to freely choose a type of activity and profession.

Forced labor is prohibited.

Article 24.

The listing of basic rights and freedoms in the Constitution should not be interpreted as a denial or diminution of other generally recognized human rights and freedoms.

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Laws revoking or injuring human rights and freedoms may not be promulgated in the Russian Federation.

The conditions and procedure for the implementation of rights and freedoms may only be established by the law.

Specific limitations on human rights and freedoms may be imposed only by federal constitutional law in cases where this is necessary in order to protect the rights and legally safeguarded interests of other persons, to protect the state system, to ensure security and public order, or to preserve health and morality.

There can be no grounds for deviation from the provisions of Articles 8, 9, 10, 11, 12, 13, and 14 of the Constitution.

Article 25.

In the conditions of a state of emergency, specific limitations on rights and freedoms may be established only in the event that the act imposing the state of emergency prescribes such limitations and the limits and duration of their operation.

A state of emergency on the entire territory of the Russian Federation or in particular localities may be imposed, given the existence of circumstances stipulated in federal constitutional law and in accordance with the procedure laid down by such law.

Article 26.

No one may be deemed to have committed a crime or subjected to punishment until his guilt is proven in accordance with the procedure laid down by law and established by a court verdict.

Detention in custody and deprivation of liberty are permitted solely on the basis of the law and by a court decision.

No person may be held in detention for more than 36 hours without a court hearing.

The death penalty, until its total abolition, may be applied as an exceptional measure of punishment for premeditated murder and for homicide during the commission of a felony, and only by a court verdict with the participation of jurors.

Article 27.

The possession, use, and disposal of land and other natural resources is freely exercised by their owners provided this does not lead to the loss of natural wealth and does not infringe the interests of persons living on the territory in question.

The use of freedom of economic activity for the purpose of monopolization or unscrupulous competition is not permitted.

Article 28. Foreigners persecuted for their activity in defense of freedom and deprived of basic rights and freedoms in their own country have the right of asylum in the Russian Federation.

The Russian Federation does not permit the extradition to other states of persons persecuted for political acts or other acts not deemed criminal by Russian Federation law. The extradition of persons charged with crimes takes place on the basis of federal law or international treaty.

Article 29.

The Russian Federation guarantees state protection of human rights and freedoms.

Everyone is entitled to defend his own rights and freedoms by any means for which the law provides.

Article 30.

State organs, institutions, and officials have a duty to grant everyone the opportunity to study documents and materials which directly affect his rights and freedoms, unless the law stipulates otherwise.

Article 31.

Everyone is guaranteed judicial protection of his rights and freedoms. Decisions and actions by state organs, social organizations, or officials which entail infringing the law, exceeding their powers, or infringing citizens' rights may be subject to an appeal to the courts.

Article 32.

The rights of victims of crimes and abuses of power are protected by law. The state guarantees them access to justice and compensation for damage sustained, from the culprits and from the state.

Article 33.

Anyone convicted of a crime has the right to a review of sentence by a higher judicial authority in accordance with the procedure laid down by law, as well as the right to appeal for a pardon or mitigation of punishment.

No one may be subjected to criminal or other proceedings twice for the same offense.

Evidence obtained in violation of the law may not be used in judicial proceedings.

Article 34.

No law establishing or aggravating the liability of the individual may be retroactive. No one may be held accountable for an action which at the time of its commission was not deemed an offense. If, following the commission of an offense, liability for the said offense is abolished or alleviated, the new law applies.

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A law making provision for the punishment of citizens or the limitation of their rights may enter into force only after publication in accordance with official procedure.

Article 35.

No one is obliged to bear witness against himself, his spouse, or his close relatives as defined in law. The law may also stipulate other circumstances in which the duty to give evidence is waived.

Article 36.

Everyone is guaranteed the right to receive qualified legal assistance. In cases stipulated by law this assistance is provided free.

Anyone arrested, detained in custody, or charged with the commission of a crime has the right to the assistance of a lawyer (attorney) from the moment of the said arrest, detention in custody, or charge, and is entitled to refuse to testify in the absence of a lawyer (attorney).

Article 37.

Everyone has the right to state compensation for damage sustained as a result of unlawful actions by state organs or their officials in the execution of their official duties.

Chapter 2. Citizens of the Russian Federation

Article 38.

A person's affiliation with the Russian Federation and his status are determined by Russian citizenship.

Each person born and being permanently resident in Russia is entitled to Russian citizenship.

All citizens of components of the Federation are citizens of the Russian Federation.

Each citizen of the Russian Federation in the territory of each component of the Federation enjoys the same rights and bears the same obligations as any citizen of the component of the Federation.

The acquisition of Russian citizenship and its voluntary renunciation are regulated by federal law.

Article 39.

A citizen of the Russian Federation cannot be deprived of his citizenship nor of the right to change it.

A citizen of the Russian Federation cannot be deported outside Russia's borders.

The Russian Federation guarantees the defense and protection of its citizens outside its borders.

Laws on the rights and obligations of citizens must be general, must apply equally to all citizens, and must not create any advantages or privileges for any one of them apart from those envisaged by the Constitution and the law for the purpose of citizens' social protection.

No personal liabilities, taxes, or levies can be imposed other than on the basis of the law.

Article 40.

A citizen of the Russian Federation can also have citizenship of a foreign state—dual citizenship—in accordance with federal law and international treaties.

The fact that a citizen of the Russian Federation has citizenship of a foreign state does not diminish his rights and freedoms and does not absolve him of any obligations stemming from Russian citizenship, unless otherwise provided by federal law or international treaties.

Article 41.

Citizens of the Russian Federation reach maturity and can autonomously and fully exercise their rights and obligations upon attaining the age of 18. Exceptions to this rule are laid down by law.

Article 42.

Citizens of the Russian Federation have the right to elect and can be elected to state organs and organs of local self-government in accordance with the law.

Citizens of the Russian Federation who have attained the age of 18 participate in elections. Citizens who have been deemed incompetent by a court and inmates of custodial institutions serving sentences imposed by a court cannot elect or be elected.

Article 43.

Family, motherhood, and childhood are a matter of concern for the whole of society and of preferential protection by the law; concern for children and their upbringing is the natural right and obligation of parents.

Labor on the upbringing of children enjoys equal status with all other forms of labor and provides the basis for normal and fitting social security.

Article 44.

State-funded social security in old age, in the event of illness and loss of ability to work, or the loss of the breadwinner is guaranteed in the Russian Federation.

Pensions, social benefits, and social assistance in line with society's economic potential must ensure a standard of living which is not below the subsistence minimum as laid down by law.

Large families, invalids of war and nonwar time, victims of repressions, widows and orphans of victims of war and repressions, persons suffering from incurable physical and mental diseases, and orphans and children deprived of parental care have the right to preferential social security.

Encouragement is given to voluntary social insurance, the creation of additional forms of social security, and charitable work.

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Article 45.

The necessary measures are taken in the Russian Federation to ensure that each family has well-appointed housing by means of citizens either purchasing or acquiring without payment the ownership of apartments or houses built at the expense of the state or organs of local self-government, by making housing from state and municipal stock available for use by the needy at affordable rent, and by other forms as laid down by law.

Article 46.

Citizens have the right to work in conditions meeting safety and hygiene standards, to earn equal remuneration for equal labor without any discrimination whatsoever and not below the minimum wage as laid down by law, and the right to be protected against unemployment.

Article 47.

Citizens have the right to skilled medical assistance within the health care system. The development of all forms of provision of medical services, including free and paid medical services, as well as medical insurance, is guaranteed; activity promoting ecological prosperity, the improvement of health, and the development of physical culture and sports is encouraged.

Article 48.

The activity of the state to meet citizens' social needs must not lead to state wardship replacing economic freedom and activeness, entrepreneurial initiative, or the opportunities available to citizens to achieve economic prosperity for themselves and their families by themselves.

Article 49.

Freedom of literary, artistic, scientific, and technical creative work and of tuition, and also intellectual property, are protected by law.

Citizens have the right to participate in cultural life and to utilize cultural institutions, as well as the right to free access to cultural assets.

Each person is obliged to show concern for the preservation of the historical and cultural heritage and to protect historical, cultural, and natural monuments.

Article 50.

The payment of taxes as laid down by law is the duty and obligation of citizens and their associations in order to defray the state's expenditure on defense, social needs, and other state needs.

Article 51.

The provision of conditions for education is the public duty and obligation of the state. The conditions and procedure governing education and the activity of state, municipal, and private schools and other educational

establishments are determined by law. Secondary and vocational education is subsidized by the state and can be acquired by any citizen without payment.

Article 52.

The defense of the fatherland is the citizen's duty.

A citizen performs military service in accordance with the law.

A citizen whose beliefs or faith are at odds with the performance of military service, or in other cases as laid down by law, has the right to perform alternative civilian service instead.

Article 53.

Citizens are obliged to preserve nature and the environment and to care for natural wealth.

Article 54.

Foreign citizens and stateless persons in the Russian Federation enjoy the rights and bear the obligations of its citizens, except in cases laid down in federal laws and international treaties of the Russian Federation concluded on the principles of reciprocity.

Chapter 3. Russian Federation

Article 55.

The Russian Federation as a federal state consists of republics, krays, oblasts, federal-status cities, autonomous oblasts, and autonomous okrugs.

The components of the Federation consist of self-governing territorial communities and autonomously determine their territorial structure.

Article 56.

The composition of the Russian Federation is made up of:

The Republic of Adygea (Adygea), the Republic of Bashkortostan, the Republic of Buryatia, the Republic of Gorno-Altay, the Dagestan Soviet Socialist Republic, the Republic of Dagestan, the Ingush Republic, the Kabardino-Balkar Republic, the Republic of Kalmykia-Khalmg Tangch, the Karachay-Cherkessian Republic, the Republic of Karelia, the Republic of Komi, the Republic of Mari El, the Mordovan Soviet Socialist Republic, the Republic of Sakha (Yakutia), the North Ossetian Soviet Socialist Republic, the Republic of Tatarstan (Tatarstan), the Republic of Tuva, the Udmurt Republic, the Republic of Khakassia, the Chechen Republic, the Chuvash Republic-Chavash Respubliki;

Krays: Altay, Krasnodar, Krasnoyarsk, Maritime, Stavropol, Khabarovsk;

Oblasts: Amur, Arkhangelsk, Astrakhan, Belgorod, Bryansk, Vladimir, Volgograd, Vologda, Voronezh, Ivanovo, Irkutsk, Kaliningrad, Kaluga, Kamchatka,

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Kemerovo, Kirov, Kostroma, Kurgan, Kursk, Leningrad, Lipetsk, Magadan, Moscow, Murmansk, Nizhniy Novgorod, Novgorod, Novosibirsk, Omsk, Orenburg, Orel, Penza, Perm, Pskov, Rostov, Ryazan, Samara, Saratov, Sakhalin, Sverdlovsk, Smolensk, Tambov, Tver, Tomsk, Tula, Tyumen, Ulyanovsk, Chelyabinsk, Chita, Yaroslavl;

Federal-status cities: Moscow, St. Petersburg;

Autonomous oblast: Jewish;

Autonomous okrugs: Aga Buryat, Komi-Permyak, Koryak, Nenetsk, Taymyr (Dolgano-Nenetsk), Ust-Orda Buryat, Khanti-Mansiysk, Chukotsk, Evenki, Yamalo-Nenetsk.

The incorporation of new components of the Federation in the Russian Federation and the formation of new components within it are effected subject to the consent of components of the Federation which have signed the Federation Treaty, via the adoption of a federal constitutional law.

Article 57.

The territory of the Russian Federation comprises the territories of the republics, krays, oblasts, federal-status cities, autonomous oblasts and autonomous okrugs, the internal and territorial maritime waters of the Russian Federation, and the airspace above them.

Borders between republics, krays, oblasts, autonomous oblasts, and autonomous okrugs may be changed subject to their mutual consent and ratified according to the procedure envisaged by the Federation Treaty. On the initiative of components of the Federation, questions of the borders of the components of the Federation may be submitted by the Federation Council to a referendum of the population of the territories in question.

Article 58.

The sovereignty of the Russian Federation extends to its entire territory.

No component of the Federation, no part of the people, nor any individual state organ, official, or individual can appropriate the right to exercise the sovereignty of the Russian Federation.

Article 59.

The Russian language is recognized as the official state language in the Russian Federation.

The language of the people (or peoples) of a republic may also be used as a state language in the republics.

The state guarantees the right of all peoples of the Russian Federation to preserve their native language and to create conditions for its study and development.

Article 60.

The name of the Russian Federation is: "Russian Federation-Russia." The names "Russian Federation" and "Russia" are equally valid.

The Russian Federation has a state flag of the Russian Federation, a coat of arms, and a national anthem whose description is laid down by federal constitutional law.

The capital of the Russian Federation is the city of Moscow.

Article 61.

State powers are divided between the Russian Federation and the components of the Federation on the basis of the premise that state power beyond the powers of the Russian Federation laid down by the Constitution and the Federation Treaty is autonomously exercised by components of the Federation on their territory.

Article 62.

The jurisdiction of the Russian Federation, unless otherwise provided by the Federation Treaty, extends to:

a) the adoption of and amendments to the Constitution of the Russian Federation and the federal laws, and the monitoring of their observance;

b) the federal structure and territory of the Russian Federation;

c) the protection of citizens' human rights and freedoms and of citizenship in the Russian Federation; the protection of ethnic minorities' rights;

d) the establishment of a system of federal organs of legislative, executive, and judicial powers and the procedure for their organization and activity; the formation of federal state organs;

e) the federal state property and its management;

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

g) the establishment of legal foundations for a single market: financial, monetary, credit, and customs regulation, the emission of money, and the foundations of pricing policy; federal economic services including federal banks;

h) the federal budget; federal taxes and duties; federal funds for regional development;

i) the federal power supply systems, nuclear power engineering, fissile materials; federal transport, railways, information, and communications; space activities;

j) the foreign policy and international relations of the Russian Federation, international treaties of the Russian Federation; questions of war and peace;

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k) the foreign economic relations of the Russian Federation;

l) defense and security; defense production; determination of the procedure for the purchase and sale of weapons, ammunition, military equipment, and other military property; the production of fissile materials, toxic materials, and narcotics and the procedure governing their utilization;

m) the status and protection of the state border, territorial waters, economic zone, and continental shelf of the Russian Federation;

n) the judiciary; the prosecutor's office; criminal, criminal procedure, and criminal enforcement legislation; amnesty and clemency; civil, civil procedure, and arbitration procedure legislation; legal regulations governing intellectual property;

o) conflict of federal laws;

p) the meteorological service, standards, weight and measure standards, the metrication system, and the computation of time; official statistical and bookkeeping records;

q) state awards and honorary titles of the Russian Federation;

r) the federal state service.

The Federation Treaty defines the state powers falling within the joint jurisdiction of the Russian Federation and the components of the Federation and the procedures for the exercise of these powers by state organs.

Article 63.

Output, goods, services, and financial resources circulate freely throughout the territory of the Russian Federation without the creation of any obstacles for anyone and regardless of borders existing in the Russian Federation between components of the Federation and territories.

The introduction of any levies or duties in respect of the movement of output, goods, services, and financial resources across the borders of components of the Russian Federation and territories is not permitted.

Individual and temporary restrictions on the circulation of output, goods, services, and financial resources can be introduced by law provided this is required in order to ensure the safety and protect the life and health of people, or to safeguard nature and cultural assets.

Article 64.

The ruble is the single currency unit throughout the territory of the Russian Federation. The introduction and emission of other currencies in Russia are not permitted.

The system of taxes collected for the federal budget, the budgets of components of the Federation, and local budgets is laid down by federal law.

The imposition of onerous taxes, making it impossible for the taxpayer to earn a normal income from his activity or the upkeep of property belonging to him, is not permitted.

State loans are floated on the basis of the law and cannot be forcibly imposed on the population or other creditors.

Article 65.

The Constitution of the Russian Federation has supreme legal force, and its norms are direct-acting in the Russian Federation.

Federal constitutional laws are adopted on questions defined by the Constitution.

Codes, fundamentals of legislation, and other codified laws with the force of general and fundamental principles for laws and other legal acts are adopted in the Russian Federation.

Federal laws act throughout the territory of the Russian Federation. In the event of conflict between a federal law and any other act promulgated in the Russian Federation, the federal law prevails.

Article 66.

The system of state power in the components of the Federation is established on the basis of the provisions of this Constitution concerning people's power, republican form of government, and separation of powers.

Each republic, kray, oblast, autonomous oblast, autonomous okrug, and federal-status city elects a representative organ of state power and a head of executive power, and forms a government (administration).

The head of executive power and the government (administration) of a component of the Federation are part of the uniform system of executive power in the Russian Federation.

Article 67.

The powers of federal state authority at local level are exercised by federal territorial organs and officials.

State organs of the Russian Federation can delegate the exercise of the powers of state federal authority to the state organs and officials of components of the Federation and to organs of local self-government which, in this event, are guided by federal legislation and the decisions of the relevant state organs of the Russian Federation.

The President of the Russian Federation and the Government of the Russian Federation adopt, in accordance with this Constitution, measures ensuring the exercise of the powers of federal state authority throughout the territory of the Russian Federation.

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Article 68.

The right to wage war, except in the event of repulsing aggression against the Russian Federation and in other events as provided under international legal norms, is not vested in the state.

Article 69.

The Russian Federation can delegate under appropriate treaties and agreements part of its sovereign rights to commonwealths, communities, alliances, and other associations of states.

These treaties and agreements cannot affect human rights and freedoms or the fundamentals of the state system in the Russian Federation; they must be built and implemented on the basis of the principles of equality and reciprocity.

The ratification of such treaties and agreements is effected by a decision of the Federation Council adopted by a majority of at least two-thirds of the total number of the chamber's deputies.

Chapter 4. The President of the Russian Federation

Article 70.

The president of the Russian Federation is the head of state.

The president is the guarantor of the Constitution and of the rights and freedoms of the citizens. Within the procedure established by this Constitution he adopts measures to protect the sovereignty of the Russian Federation and its independence and state integrity and ensures the coordinated functioning and interaction of all state organs.

As head of state the president is the state's highest official representing the Russian Federation inside the country and in international relations.

Article 71.

The president of the Russian Federation is elected for five years.

The same person cannot hold the post of president for more than two consecutive terms.

Any citizen of the Russian Federation who is not younger than 35 years and not older than 65 years and who has had a permanent place of residence in the Russian Federation for not less than 10 years can be elected president.

The president cannot be a deputy of the chambers of the Federal Assembly. The person who is president can receive earnings only from this post.

The procedure for presidential elections is determined by federal law.

Article 72.

On taking office the president of the Russian Federation swears the following oath at a session of the Federal Assembly: "I solemnly swear that I will honestly fulfill the duties of president, implement and defend the Constitution of the Russian Federation, and protect the rights and freedoms of the citizens of the Russian Federation."

Article 73.

The president of the Russian Federation makes direct appointments to the highest state posts or submits to the Federal Assembly candidacies for election or appointment to such posts.

The president of the Russian Federation:

submits to the Federal Assembly a candidacy for appointment to the post of chairman of the Government of the Russian Federation;

puts to the Federal Assembly questions of confidence in the Government of the Russian Federation or its dismissal;

submits to the Federal Assembly a candidacy for appointment to the post of chairman of the Central Bank of the Russian Federation;

on the recommendation of the chairman of the Government of the Russian Federation and after consultation with the Federation Council, makes appointments to the posts of federal ministers and leaders of federal departments and releases them from their posts;

submits to the Federation Council candidacies for appointment to the post of justice of the Constitutional Court of the Federation, the Supreme Court of the Federation, and the Superior Court of Arbitration of the Federation; candidacies of federal justices for appointment to the Superior Judicial Office [Vyssheye Sudebnoye Prisutstviye] of the Federation; and also the candidacy of the general prosecutor of the Russian Federation;

appoints and releases the leader of the Administration of the President of the Russian Federation and other officials of that Administration;

appoints and releases plenipotentiary representatives of the president in the regions;

appoints and releases the supreme command of the Armed Forces of the Russian Federation;

appoints and recalls the diplomatic representatives of the Russian Federation to foreign states and international organizations.

Article 74.

The president of the Russian Federation:

calls Federal Assembly elections;

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after consultation with the chairman of the Federation Council and the State Duma, effects the early dissolution of the Federal Assembly in the event that the Federal Assembly does not adopt the decision necessitated by Article 106 of the present Constitution for the formation of the Government of the Russian Federation and in other instances when a crisis of state power cannot be resolved in the basis of the procedures established by the present Constitution;

calls a nationwide referendum;

submits draft laws to the Federal Assembly on his own initiative;

sends an annual message to the Federal Assembly on the implementation of Russia's domestic and foreign policy;

signs and promulgates federal laws after their adoption.

Article 75.

The president of the Russian Federation conducts negotiations and signs international treaties of the Russian Federation and acts on behalf of the state in international relations.

Foreign ambassadors, extraordinary envoys, and plenipotentiary representatives of international organizations are accredited to the president of the Russian Federation.

Article 76.

The president of the Russian Federation is the supreme commander in chief of the Armed Forces of the Russian Federation.

In conditions of aggression against the Russian Federation or a direct threat to it the president introduces martial law on the territory of the country or in individual localities and informs the Federal Assembly of this without delay.

Article 77.

In the circumstances and under the procedure stipulated by the present Constitution, the Federation Treaty, and federal constitutional law, the president of the Russian Federation introduces a state of emergency and informs the Federal Assembly of this without delay.

Article 78.

The president of the Russian Federation leads the Security Council of the Russian Federation, whose membership comprises the chairman of the Government of the Russian Federation, the federal ministers responsible for defense, internal affairs, and justice, and also other officials appointed to the Security Council of the Russian Federation by the president with the approval of the Federation Council.

The Security Council of the Russian Federation discusses and prepares decisions adopted by the president of the Russian Federation and the Government of the Russian Federation.

Article 79.

The president of the Russian Federation:

decides questions of Russian citizenship and the granting of asylum;

awards state awards and confers honorary titles of the Russian Federation;

grants pardons.

Article 80.

The president of the Russian Federation is the arbiter in disputes between state organs of the Russian Federation and components of the Federation, and also between state organs of the components of the Federation, confirms by his decision agreement reached on disputed questions, and, if agreement is not reached, passes the dispute to the Constitutional Court of the Federation for examination.

In the event of the adoption by state organs of the Russian Federation, components of the Federation, or organs of local self-government of acts which contradict the present Constitution or the Federation Treaty or which violate the rights and freedoms of the individual, the president of the Russian Federation suspends the operation of these acts and submits to the appropriate court a demand for the elimination of these violations.

Article 81.

The president of the Russian Federation adopts edicts and issues directives.

Article 82.

The president of the Russian Federation possesses immunity.

Article 83.

The powers of the president of the Russian Federation cease in the event of his resignation, the impossibility of his carrying out the powers vested in him, impeachment, or as a result of death. Elections for president must be held no later than six weeks after the occurrence of one of the aforementioned circumstances.

The president of the Russian Federation can be impeached by the Federation Council only on the basis of an accusation made by the State Duma and confirmed by the Superior Judicial Office that the president has committed state treason or a premeditated violation of the present Constitution which undermines the state system or infringes the rights and freedoms of the individual.

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In all instances when the president of the Russian Federation is not in a position to perform his duties these duties are temporarily carried out by the chairman of the Federation Council or, should this be impossible, by the chairman of the Government of the Russian Federation

Chapter 5. The Federal Assembly

Article 84.

The Federal Assembly-Parliament of the Russian Federation is the highest representative federal organ of the Russian Federation.

Article 85.

The Federal Assembly consists of two chambers: the Federation Council and the State Duma.

Two deputies from each component of the Federation are elected to the Federation Council. Additional deputies are elected from republics within the Russian Federation, autonomous oblasts, and autonomous okrugs according to representation norms laid down by federal law in such a way as to ensure that deputies from these components of the Federation make up at least 50 percent of the Federation Council.

The State Duma consists of 300 deputies elected from territorial electoral districts on the basis of uniform representation norms.

Article 86.

The Federation Council and the State Duma are elected simultaneously for a four-year term.

The procedure for the elections of deputies to the State Duma and Federation Council is laid down by federal law.

Article 87.

Any citizen of the Russian Federation who has reached the age of 21 years and has the right to vote can become a deputy of the State Duma or deputy of the Federation Council.

A deputy cannot be simultaneously a member of the Federation Council and of the State Duma.

Article 88.

Deputies of the State Duma and deputies of the Federation Council cannot be detained, arrested, subjected to search, personal examination, interrogation, or judicially imposed administrative penalties, or subjected to criminal proceedings for actions to discharge their duties as deputies.

Deputies cannot be prosecuted or arrested for crimes or administrative misdemeanors unconnected with their discharge of their duties without the consent of the appropriate chamber or, in the period between sessions,

without the consent of the chairman of the chamber, except for cases where they are caught at the scene of the crime.

Article 89.

The Federal Assembly carries out its activity in the form of sessions.

The first session of the Federal Assembly is convened by the president of the Russian Federation no later than 30 days after the election of the Assembly.

A session of the Federal Assembly is declared closed by the joint decision of both chambers.

Article 90.

The Federation Council and the State Duma meet separately. Joint sittings of the chambers can be held to examine questions envisaged by the present Constitution.

Sittings of the chambers are open. In cases directly specified by the standing orders the chambers are entitled to hold closed sittings.

Each of the chambers elects from its membership a chairman of the chamber and his deputy. The chairmen lead the sittings of the appropriate chambers and are in charge of their internal procedures.

The procedure for carrying out the activity of the chambers and for holding joint sittings is defined by the standing orders adopted for each chamber and for joint sittings.

Article 91.

The Federation Council and the State Duma form committees and commissions to prepare draft laws and other acts adopted by the Federal Assembly and hold parliamentary hearings and investigations.

Article 92.

The Federation Council and State Duma jointly:

adopt the federal budget and ratify the report on its implementation;

examine the annual message of the president of the Russian Federation;

ratify the admission to the Russian Federation and the formation within it of new components of the Federation;

adopt federal constitutional laws;

make amendments to the Constitution;

decide other questions envisaged by the Constitution.

Joint decisions of the Federation Council and State Duma are deemed to be adopted if a majority of the deputies of each chamber has voted in favor of them

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insofar as no other adoption procedure is laid down by the present Constitution or federal constitutional law.

Article 93.

In accordance with the Constitution and the Federation Treaty the Federation Council:

ratifies changes in the borders between components of the Federation;

ratifies changes in the legal-constitutional status of components of the Federation.

Article 94.

At the submission of the president of the Russian Federation the Federation Council appoints the chairman of the Government of the Russian Federation and decides the question of confidence in the government or of its dismissal.

Article 95.

At the submission of the president of the Russian Federation the Federation Council appoints justices of the Federation Constitutional Court, the Federation Supreme Court, and the Federation Superior Court of Arbitration and federal justices to the Superior Judicial Office of the Federation, and also appoints and releases the general prosecutor of the Russian Federation.

The Federation Council examines the candidacies for the Security Council of the Russian Federation proposed by the president of the Russian Federation.

Article 96.

The Federation Council:

ratifies and denounces international treaties;

decides questions of war and peace;

establishes a state of emergency or confirms the act of the president of the Russian Federation on its introduction;

introduces martial law or passes a decree in connection with its introduction by the president of the Russian Federation;

decides the question of the possibility of using the Armed Forces of the Russian Federation outside the territory of the Russian Federation;

examines federal laws adopted by the State Duma.

Article 97.

Given the grounds envisaged by Article 83 of the present Constitution, the Federation Council decides the question of impeachment of the president of the Russian Federation. A decision on impeachment of the president

is deemed to be adopted if over two-thirds of the total number of Federation Council deputies have voted in favor of it.

Article 98.

Decisions of the Federation Council are adopted by a majority of the total number of deputies of the chamber, unless some other decisionmaking procedure is laid down by the present Constitution or federal constitutional law.

Article 99.

The State Duma:

exercises legislative regulation on questions within the charge of the Russian Federation;

establishes federal taxes and levies;

exercises control over the emission of money;

institutes state awards and establishes the procedure for instituting and conferring honorary titles of the Russian Federation;

declares amnesties;

puts forward charges against the president of the Russian Federation in conformity with the present Constitution.

Decisions of the State Duma are adopted by a majority of the total number of deputies, unless some other decisionmaking procedure is laid down by the present Constitution or federal constitutional law.

Article 100.

The Federal Assembly adopts federal laws.

Federal constitutional laws are adopted by a majority of at least two-thirds of the total number of deputies of each of the chambers of the Federal Assembly.

The State Duma and the Federation Council adopt decrees on questions of the organization and procedure for their activity.

Article 101.

The right to initiate legislation belongs to the State Duma and Federation Council, deputies of the chambers of the Federal Assembly, the president of the Russian Federation, the Government of the Russian Federation, and legislative (representative) organs of the components of the Federation.

The draft federal budget, draft laws on the introduction and abolition of taxes, on exemption from payment of them, on the issue of state loans, and on changes to the financial commitments of the state, and other draft laws envisaging expenditure covered from the federal budget (financial draft laws) can be submitted to the Federal Assembly only at the proposal of the president of the Russian Federation or Government of the Russian Federation.

Article 102.

The State Duma adopts federal laws on all questions placed within the charge of the Russian Federation, with the exception of federal laws which, in conformity with the present Constitution, are adopted by the Federation Council or by both chambers of the Federal Assembly.

A law adopted by the State Duma is referred to the Federation Council. If upon the expiry of 10 days from the receipt of the law in the Federation Council the latter has not expressed its opinion, the law is deemed to be adopted by the Federal Assembly.

If the Federation Council rejects a law by adopting an appropriate decree, within five days the chambers set up a conciliation commission to overcome the disagreements that have arisen. In the event of a failure to reach consensus, the State Duma reexamines the draft law in question. If during a repeat vote a draft law is approved by two thirds of the total number of deputies of the State Duma, the law is deemed to be adopted.

Article 103.

An adopted federal law is sent within five days to the president of the Russian Federation for signature and publication.

If within 14 days from receipt the president rejects a law or an individual section of it, the Federal Assembly reexamines the law or the section in question. If during a repeat vote the law is approved by a majority of at least two-thirds of the total number of deputies of each of the chambers, it is signed and published according to the prescribed procedure.

Article 104.

In the event of early dissolution of the Federal Assembly the president of the Russian Federation sets a new date for elections in order to ensure that a newly elected Federal Assembly is convened no later than 90 days after the early dissolution.

Chapter 6. The Government of the Russian Federation

Article 105.

The executive branch of the Russian Federation is headed by the Government of the Russian Federation.

The government consists of the chairman of the Government of the Russian Federation and federal ministers.

Article 106.

The chairman of the Government of the Russian Federation is appointed by the Federation Council within two weeks of the submission of a candidacy to it by the president of the Russian Federation.

If the Federation Council rejects the candidacy submitted by the president, within one week he submits the

question of appointing the chairman of the government for fresh examination by the Federation Council. If the Federation Council again rejects the candidacy submitted by the president, the question of appointing the chairman of the government is referred by the president within one week for joint examination by the chambers of the Federal Assembly. In this case the appointment of the chairman of the government must be made no later than one month from the day of the president's submission. If the chairman of the government is not appointed by the Federal Assembly within this time, the president can adopt a decision on early dissolution of the Federal Assembly and appoint an acting chairman of the government.

Article 107.

The chairman of the Government of the Russian Federation no later than one week after his appointment submits to the president of the Russian Federation proposals regarding the structure of federal organs of executive power within the government.

Federal ministers are appointed and released by the president of the Russian Federation. The president of the Russian Federation accepts the resignation of federal ministers.

The chairman of the government appoints one or several federal ministers as his deputies.

The organization and activity of the Government of the Russian Federation are defined by federal constitutional law.

Article 108.

The chairman of the Government of the Russian Federation determines on the basis of the present Constitution and laws the basic guidelines for the policy and activity of the government and bears responsibility for them. Federal ministers are responsible for implementing the government's policy in the relevant sphere of state management.

Article 109.

The Government of the Russian Federation along with other general functions of federal executive power:

elaborates the federal budget, submits it to the Federal Assembly, and ensures its implementation;

ensures the implementation of a unified financial, credit, and monetary policy on the territory of the Russian Federation;

ensures the implementation of state policy in the spheres of culture, science, education, and health care on the territory of the Russian Federation;

organizes and implements the management of federal property;

takes measures to ensure the defense of the country, state security, and implementation of the foreign policy of the Russian Federation;

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implements measures coordinated with the components of the Federation to ensure legality and citizens' rights and freedoms, to protect property and public order, and to combat crime.

Article 110.

On the basis and in implementation of the present Constitution, federal laws, and edicts of the president of the Russian Federation, the Government of the Russian Federation issues decrees and directives and ensures their implementation.

The chairman of the government and on his instructions the deputy chairmen issue directives and federal ministers issue orders.

Decrees and directives of the Government of the Russian Federation, directives of the chairman of the government and his deputies, and orders of federal ministers adopted within the bounds of their competence must be implemented throughout the territory of the Russian Federation.

Article 111.

The Government of the Russian Federation may tender its resignation, which is accepted or rejected by the Federation Council at the submission of the president of the Russian Federation.

At the submission of the president or at the submission of deputies of the chamber the Federation Council can express no-confidence in the Government of the Russian Federation. A decree of no-confidence in the government is adopted by the Federation Council by a majority of the total number of deputies.

If the president's submission on no-confidence in the government or the acceptance of its resignation is not supported or examined by the Federation Council within one week of its introduction, the president can reiterate his no-confidence in the government or acceptance of its resignation, which entails the resignation of the government without the question being examined by the Federation Council.

The Federation Council can express no-confidence in a federal minister. An appropriate decree of the Federation Council is sent to the president, who in accordance with the submission of the chairman of the government leaves the federal minister in office or releases him.

Article 112.

In the event of the resignation of the Government of the Russian Federation or of the adoption by the Federation Council of a decree on no-confidence in the government the president of the Russian Federation within one week submits to the Federation Council a proposal on candidacy for chairman of the government.

The chairman of the Government of the Russian Federation at the request of the president, and federal ministers at the request of the chairman of the government must continue to conduct business until the appointment of their successors.

Chapter 7. Justice

Article 113.

Justice in the Russian Federation is exercised only by the courts.

The judicial system in the Russian Federation is laid down by the Constitution and federal constitutional laws.

Article 114.

Citizens who have reached the age of 25 years and who have higher juridical education and at least five years' work experience in juridical posts may be judges. Federal law may lay down additional requirements regarding justices of courts of the Russian Federation.

Article 115.

Judges are irremovable.

A judge's powers may be terminated or suspended only on the grounds and according to the procedure laid down by federal law.

Article 116.

Judges are inviolable.

Criminal, administrative, and disciplinary proceedings may be instituted against judges only with the consent of the judicial organs defined by federal law.

Article 117.

Judges are independent and are subordinate only to the Constitution and the law.

If in the examination of a case a judge establishes that a legal act of a state organ or other organ is at variance with the law, he makes his decision on the basis of that law.

Article 118.

No one may be deprived of the right to have a case examined in the court and by the judge under whose jurisdiction the case in question falls.

A person accused of committing a crime has the right to have his case tried by jury in cases envisaged by federal law.

Article 119.

The hearing of cases in all courts is open. A case may be heard in camera in instances envisaged by federal law.

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The hearing of criminal cases in absentia in courts of first instance is not permitted.

Judicial proceedings are carried out on the basis of the

ADVERSARIAL PRINCIPLE, with the exception of cases laid down by federal law.

Article 120.

The funds for the maintenance of courts and judges must ensure the possibility of full and independent exercise of justice, must be determined in accordance with the demands of the law, and cannot be reduced during the ratification and implementation of the relevant budgets.

Article 121.

The Constitutional Court of the Federation examines questions regarding the conformity with the Constitution of laws and decrees of the Federal Assembly, edicts of the president of the Russian Federation, acts of other federal organs, the constitutions of republics and charters of krais and oblasts, other legal acts of the components of the Federation, and internal federal and international treaties. The decree of the Constitutional Court of the Federation on these questions is final.

The Constitutional Court of the Federation also resolves disputes regarding competence between federal state organs; between federal state organs and state organs of components of the Federation; and between state organs of components of the Federation.

Article 122.

The Supreme Court of the Federation is the highest judicial organ for civil, criminal, administrative, and other cases and for lower [podsudnyy] courts of general jurisdiction, implements judicial oversight over their activity, and adopts judicial determinations that are binding in the resolution of these cases.

Article 123.

The Superior Court of Arbitration of the Federation is the highest judicial organ for the resolution of economic disputes and other cases examined by courts of arbitration, implements judicial oversight over their activity, and adopts judicial determinations that are binding in the resolution of these cases.

Article 124.

Justices of the Constitutional Court of the Federation, the Supreme Court of the Federation, and the Superior Court of Arbitration of the Federation, and federal justices of the Superior Judicial Office of the Federation are appointed by the Federation Council at the submission of the president of the Russian Federation.

Federal justices of other courts are appointed by the president of the Russian Federation.

The powers and procedure for the formation and activity of the Constitutional Court, the Supreme Court of the

Federation, and the Court of Arbitration of the Federation are laid down by federal law.

Article 125.

The Superior Judicial Office of the Federation is formed by the chairman of the Constitutional Court of the Federation, the chairman of the Supreme Court of the Federation, the chairman of the Superior Court of Arbitration of the Federation, the first deputy (deputy) chairmen of each of these courts, and also three federal justices appointed to the Superior Judicial Office of the Federation by the Federation Council at the submission of the president of the Russian Federation.

Sittings of the Superior Judicial Office are chaired in turn by the chairmen of the Constitutional Court of the Federation, the Supreme Court of the Federation, and the Superior Court of Arbitration of the Federation.

The Superior Judicial Office:

interprets the Constitution of the Russian Federation;

provides findings on the existence of grounds for impeachment of the president of the Russian Federation;

removes from office federal justices appointed by the Federation Council given the existence of the grounds envisaged by federal law;

adopts decrees on questions of defining jurisdiction over cases for courts of the Russian Federation;

makes a proposal to the president of the Russian Federation regarding candidacy for office and the removal from office of the general prosecutor of the Russian Federation;

examines cases regarding the constitutionality of judicial practice and also other cases at the submission of the Federal Assembly, the president of the Russian Federation, the Constitutional Court of the Federation, the Supreme Court of the Federation, and the Superior Court of Arbitration.

Article 126.

Oversight of the legality of the examination of cases regarding crimes, the maintenance of state prosecution in court, the submission to court of suits in protection of the state's interests, and the protesting in court of illegal acts by state organs, organs of local self-government, and officials are carried out by the Prosecutor's Office of the Russian Federation, headed by the general prosecutor of the Russian Federation.

The general prosecutor of the Russian Federation and the prosecutors under his authority implement their activity under the oversight of the court.

The general prosecutor of the Russian Federation is appointed and released by the Federation Council at the submission of the president of the Russian Federation,

which is made on the basis of the proposal of the Superior Judicial Office of the Russian Federation.

Chapter 8. Local Self-Government

Article 127.

Local self-government in cities, rayons, villages, and other territorial units is guaranteed.

Local self-government is implemented within the borders of territorial units established in republics, krais, oblasts, federal-status cities, autonomous oblasts, and autonomous okrugs.

The territorial limits of local self-government may be changed only with the consent of the population of the appropriate territorial communities, determined by means of a referendum.

National rayons and other national-territorial formations may be created in order to implement local self-government with regard for the national and ethnic composition of the population.

National-territorial units are formed on the basis of federal law adopted in coordination with the appropriate component of the Federation.

Article 128.

Organs of local self-government independently ratify the local budget and local taxes and levies, manage municipal property, implement the protection of public order, and also resolve any economic, social, and other questions of local significance not excluded from their charge or not transferred to state organs.

Article 129.

State organs cannot restrict the rights of local self-government laid down by the Constitution and the laws.

Organs of local self-government are entitled to delegate some of their powers to primary territorial collectives of social self-government.

Article 130.

Local self-government is implemented by the population via various forms of direct expression of their will (referendums, assemblies, gatherings), via organs of primary territorial collectives of social self-government, and also by local representative and executive organs and justices of the peace.

In territorial units whose population has national (ethnic), religious, cultural, or other particular features organs of local self-government in line with local traditions and customs may be formed.

Chapter 9. Constitutional Amendments and Revision of the Constitution

Article 131.

Proposals regarding amendments and revision of Section 1 of the Constitution can be submitted by the president of the Russian Federation, the Government of the Russian Federation, components of the Federation, and groups of deputies of the Federal Assembly numbering at least one-tenth of the total number of deputies of one of the chambers.

In order to adopt a decision at least four-fifths of the total number of deputies of the relevant chamber of the Federal Assembly must take part in the sitting of each chamber.

An amendment or decision on revision of the Constitution is deemed to be adopted if at least two-thirds of the total number of deputies of each chamber of the Federal Assembly have voted in favor of it. The amendment or decision on revision enters into force if it is ratified by two-thirds of the components of the Federation.

Article 132.

The provisions of Chapter 1 of the Constitution cannot be the subject of amendments or revision.

If a proposal regarding a change in the provisions of Chapter 1 of the Constitution is supported by two-thirds of the votes of the total number of deputies of each of the chambers of the Federal Assembly, the Federal Assembly is dissolved and a Constitutional Assembly is convened, which either confirms that the Constitution is unchanged or announces the preparation of a new Constitution of the Russian Federation and establishes the appropriate procedure for this.

Article 133.

Changes to the provisions of Article 56 of the Constitution defining the composition of the Russian Federation are made on the basis of federal constitutional law on the admission to the Russian Federation or the formation within it of a new component of the Federation.

Section Two

Treaty on the Delineation of Spheres of Jurisdiction and Powers Between Federal Organs of State Power of the Russian Federation and the Organs of Power of the Sovereign Republics Belonging to the Russian Federation

We, the authorized representatives of federal organs of state power of the Russian Federation and organs of power of sovereign republics belonging to the Russian Federation,

with manifest respect for the history, traditions, culture, language, and national dignity of the peoples of the Russian Federation,

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acknowledging our responsibility for the preservation of the historically determined state unity of the peoples of the Russian Federation and the integrity of the republics and territories making it up,

pursuing the goal of the achievement and reinforcement of interethnic agreement, trust, and mutual understanding,

assigning priority to human and civil rights and freedoms, irrespective of national origin and territory of residence, and to the right of national groups to self-determination,

striving for the qualitative renewal of federal relations on the basis of the voluntary distribution of powers and the effective exercise of these powers,

proceeding from the premise that organs of state power of the republics belonging to the Russian Federation will exercise their powers autonomously within their territory and within the confines of their authority,

and guided by the Declaration of State Sovereignty of the Russian Federation, the declarations of state sovereignty of the republics belonging to the Russian Federation, and the decisions of the Congress of People's Deputies of the Russian Federation and the Supreme Soviet of the Russian Federation on matters pertaining to the federated structure and federal relations in the Russian Federation,

have agreed on the following:

Article I.

1. The following will be under the jurisdiction of federal organs of state power of the Russian Federation:

a) the adoption and amendment of the Constitution of the Russian Federation and federal laws and the monitoring of their observance;

b) the federated structure and territory of the Russian Federation;

c) the regulation of human and civil rights and freedoms and the regulation and protection of the rights of ethnic minorities; citizenship in the Russian Federation;

d) the establishment of a system of federal organs of legislative, executive, and judicial power and the procedures of their organization and operation; the creation of federal state organs;

e) federal state property and its management;

f) the establishment of the fundamentals of federal policy and federal programs in the sphere of state, economic, ecological, social, cultural, and ethnic development in the Russian Federation;

g) the establishment of the legal bases of the unified market; financial, monetary, credit, and customs regulation, the issuance of money, and the fundamentals of price policy; federal economic agencies, including federal banks;

h) the federal budget; federal taxes and duties; federal funds for regional development;

i) federal power engineering systems, nuclear power engineering, and fissionable materials; federal transportation and the system of railways, information, and communications; activities in outer space;

j) the foreign policy and international relations of the Russian Federation and the international treaties of the Russian Federation; questions of war and peace;

k) the foreign economic relations of the Russian Federation;

l) defense and security; defense production; the determination of procedures for the sale and purchase of weapons, ammunition, military hardware, and other military property; the production of fissionable materials, toxic substances, and narcotic drugs and the procedures for their use;

m) the determination of the status and the protection of the state border, territorial waters, air space, economic zone, and continental shelf of the Russian Federation;

n) judicial administration; the procuracy, criminal, criminal procedural, and criminal enforcement legislation; amnesties and pardons; civil, civil procedural, and arbitral procedural legislation;

o) conflict of federal laws;

p) the meteorological service, standards and measures, the metric system and the computation of time; geodesy and cartography, and official statistics and accounting records;

q) state awards and honorary titles of the Russian Federation;

r) the federal civil service.

The organs of power of the republics belonging to the Russian Federation will participate in the exercise of federal powers within the limits and in the forms established by the Constitution of the Russian Federation and federal laws.

The republics belonging to the Russian Federation will be guaranteed representation in federal organs of state power of the Russian Federation.

Article II.

1. The following will be under the joint jurisdiction of the federal organs of state power of the Russian Federation and the organs of state power of the republics belonging to the Russian Federation:

a) the assurance of the conformity of the constitution and laws of republics belonging to the Russian Federation to the Constitution and laws of the Russian Federation;

b) the protection of human and civil rights and freedoms and the rights of ethnic minorities; the maintenance of legality, law and order, and public safety, and the administration of border zones;

c) the demarcation of state property;

d) the use of natural resources, environmental protection, and ecological safety; natural preserves; the guarding of historical and cultural monuments;

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

f) the coordination of matters in public health and family, maternity, paternity, and child protection; social protection, including social security;

g) measures to combat catastrophes, natural disasters, and epidemics and to eliminate their consequences;

h) the establishment of general principles of taxation and the collection of duties;

i) administrative, administrative procedural, labor, family, land, housing, water, and forest legislation; legislation on minerals and environmental protection; the legal regulation of intellectual property;

j) the judicial system, the bar and the office of state notary; the personnel of law enforcement agencies;

k) the protection of the native habitats and traditional lifestyles of small ethnic communities;

l) the establishment of the general principles of the organization of local self-government.

2. Federal organs of state power of the Russian Federation will publish the Fundamentals of Legislation pertaining to the spheres listed in Paragraph 1 of this article, and organs of power of the republics belonging to the Russian Federation will conduct their own legal regulation, including the passage of laws and other legal instruments, in conformity with these fundamentals.

3. Legislative bills on the matters of joint jurisdiction listed in Paragraph 1 of this article will be forwarded to the republics belonging to the Russian Federation, and their relevant proposals will be considered by the Supreme Soviet of the Russian Federation.

Article III.

1. The republics (or states) belonging to the Russian Federation will be vested with all state (legislative, executive, and judicial) power within their territory, with the exception of the powers delegated (or assigned) to the jurisdiction of federal organs of state power of the Russian Federation in accordance with this Treaty. The territory and status of a republic belonging to the Russian Federation may not be changed without its consent.

2. The republics belonging to the Russian Federation will be autonomous parties to international and foreign economic relations and agreements with other republics, krays, oblasts, the autonomous oblast, and autonomous okrugs of the Russian Federation unless this is contrary to the Constitution and laws of the Russian Federation and this Treaty. The coordination of the international and foreign economic relations of the republics belonging to the Russian Federation will be conducted by federal organs of state power of the Russian Federation in conjunction with the republics belonging to the Russian Federation.

3. The land, minerals, water, flora and fauna will belong (or be owned) by the peoples living on the territory of the corresponding republics. Questions connected with the possession, use, and disposal of land, minerals, water, and other natural resources will be regulated by the Fundamentals of Legislation of the Russian Federation and by the legislation of the republics belonging to the Russian Federation. The status of federal natural resources will be defined by mutual agreement by federal organs of state power of the Russian Federation and the organs of state power of the republics belonging to the Russian Federation.

4. If a state of emergency is to be declared by federal organs of state power of the Russian Federation within the territory of a republic belonging to the Russian Federation, the preliminary consent of the organs of state power of this republic will be necessary. If the circumstances serving as the grounds for the declaration of a state of emergency are confined to the territory of only one of the republics belonging to the Russian Federation, the state of emergency in this republic may be declared by the organs of state power of this republic with notification of the President of the Russian Federation and the Supreme Soviet of the Russian Federation without delay and in accordance with federal law.

Article IV.

1. By agreement with the organs of power of a republic belonging to the Russian Federation, federal organs of state power of the Russian Federation may delegate part of their powers to these bodies.

2. By agreement with federal organs of state power of the Russian Federation, the organs of power of republics belonging to the Russian Federation may delegate part of their powers to them.

Article V.

1. Federal organs of state power of the Russian Federation and the organs of power of a republic belonging to the Russian Federation will execute federal laws and other legal instruments of the Russian Federation in the republic belonging to the Russian Federation according to the procedure established by the laws of the Russian Federation.

2. Legal documents issued by organs of power of the Russian Federation or a republic belonging to the Russian Federation within the limits of the powers of these organs, establishments, or officials will be acknowledged throughout the territory of the Russian Federation.

Article VI.

1. The federal organs of state power of the Russian Federation may not publish legal instruments on matters under the jurisdiction of the organs of state power of a republic belong to the Russian Federation. If organs of power of a republic belonging to the Russian Federation publish laws or other legal instruments on matters under the exclusive jurisdiction of federal organs of state power of the Russian Federation, the federal laws will apply.

2. Relations between federal organs of state power of the Russian Federation and the organs of state power of the republics belonging to the Russian Federation will be based on the Constitution of the Russian Federation, the constitutions of the republics, mutual respect, and mutual responsibility. Disputes will be settled with the obligatory use of conciliation procedures in the manner stipulated in the Constitution and laws of the Russian Federation.

3. Disputes over the matters listed in Paragraph 1 of this article and matters assigned to joint jurisdiction in accordance with Article 2 [as published] of this Treaty will be settled by the Constitutional Court of the Russian Federation.

Article VII.

The delineation of spheres of jurisdiction and powers established in this Treaty may not be changed unilaterally.

Article VIII.

This Treaty will go into force on the day it is signed. After it has been approved by the Congress of People's Deputies of the Russian Federation, it will become part (a separate section) of the Constitution of the Russian Federation. Amendments and additions to this section of the Constitution of the Russian Federation will be made with the consent of the republics of the Russian Federation that have signed this Treaty.

Each republic belonging to the Russian Federation will reserve the right to sign this Treaty and to regulate its relations in the delineation of powers with federal organs of state power of the Russian Federation in accordance with the Constitution of the Russian Federation and the Constitution of the republic belonging to the Russian Federation.

Treaty on the Delineation of Spheres of Jurisdiction and Powers Between Federal Organs of State Power of the Russian Federation and the Organs of Power of Krais, Oblasts and the Cities of Moscow and St. Petersburg of the Russian Federation

We, the authorized representatives of federal organs of state power of the Russian Federation and organs of state power of krais, oblasts, and the cities of Moscow and St. Petersburg of the Russian Federation, with manifest respect for the history, traditions, culture, language, and national dignity of the peoples of the Russian Federation, acknowledging our responsibility for the preservation of the historically determined state unity of the peoples of the Russian Federation and the integrity of its territory, pursuing the goal of the achievement and reinforcement of interethnic agreement, trust, and mutual understanding, assigning priority to human and civil rights and freedoms, irrespective of national origin, territory of residence, and other circumstances, and with manifest concern for the material well-being and spiritual development of the individual; striving for the qualitative renewal of federal relations on the basis of the efficient distribution of powers and their effective exercise; proceeding from the premise that organs of state power of krais, oblasts, and the cities of Moscow and St. Petersburg of the Russian Federation will exercise their powers autonomously within their territory and within the confines of their powers, and guided by the Declaration of State Sovereignty of the Russian Federation and the decisions of the Congress of People's Deputies of the Russian Federation and the Supreme Soviet of the Russian Federation on matters pertaining to the federated structure and federal relations in the Russian Federation, have agreed on the following:

Article I.

1. The following will be under the jurisdiction of federal organs of state power of the Russian Federation:

a) the adoption and amendment of the Constitution of the Russian Federation and federal laws and the oversight of their observance;

b) the federated structure, composition, and territory of the Russian Federation and its integrity; the confirmation of the creation of new krais and oblasts; the confirmation of changes in the boundaries of krais, oblasts and the cities of Moscow and St. Petersburg;

c) the protection of human and civil rights and freedoms and citizenship in the Russian Federation; the protection of the rights of ethnic minorities;

d) the establishment of a system of federal organs of legislative, executive, and judicial power and the procedures of their organization and operation; the creation of federal state organs; the establishment of the general principles governing the organization of the system of organs of representative and executive power in krais, oblasts, and the cities of Moscow and St. Petersburg;

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e) the establishment of the fundamentals of federal policy and federal programs in the sphere of state, economic, ecological, social, cultural, and ethnic development in the Russian Federation;

f) federal state property and its management;

g) the establishment of the legal bases of the unified market; financial, monetary, credit, and customs regulation, the issuance of money, and the fundamentals of price policy; federal economic agencies, including federal banks;

h) the federal budget; federal taxes and duties; federal funds for regional development;

i) federal power engineering systems, nuclear power engineering, and fissionable materials; federal transportation and the system of railways, information, and communications; activities in outer space;

j) the foreign policy and international relations of the Russian Federation and the international treaties of the Russian Federation; questions of war and peace;

k) the foreign economic relations of the Russian Federation;

l) defense and security; defense production; the determination of procedures for the sale and purchase of weapons, ammunition, military hardware, and other military property; the production of fissionable materials, toxic substances, and narcotic drugs and the procedures for their use;

m) the determination of the status and the regulation and protection of the state border, territorial waters, air space, economic zone, and continental shelf of the Russian Federation;

n) judicial administration; the procuracy; criminal, criminal procedural, and criminal enforcement legislation; amnesties and pardons; civil, civil procedural, and arbitral procedural legislation; administrative procedural, labor, and family legislation and the legal regulation of intellectual property;

o) conflict of federal laws;

p) the meteorological service, standards and measures, the metric system and the computation of time; official statistics and accounting records;

q) the federal civil service;

r) state awards and honorary titles of the Russian Federation.

2. The organs of power of krais, oblasts, and the cities of Moscow and St. Petersburg of the Russian Federation will participate in the exercise of federal powers within the limits and in the forms established by the Constitution of the Russian Federation and federal laws.

3. Krais, oblasts, and the cities of Moscow and St. Petersburg will be guaranteed representation in federal representative organs of state power of the Russian Federation.

Article II.

1. The following will be under the joint jurisdiction of federal organs of state power of the Russian Federation and the organs of state power of krais, oblasts, and the cities of Moscow and St. Petersburg of the Russian Federation:

a) the assurance of the conformity of regulations and other legal instruments of krais, oblasts, and the cities of Moscow and St. Petersburg to the Constitution and laws of the Russian Federation;

b) the protection of human and civil rights and freedoms; the maintenance of legality, law and order, and public safety;

c) the establishment of the general principles of the territorial division and organization of local self-government in krais, oblasts, and the cities of Moscow and St. Petersburg;

d) the establishment of the general principles of taxation in krais, oblasts and the cities of Moscow and St. Petersburg;

e) the bar and the office of state notary;

f) the protection of the natural habitats and traditional lifestyles of small ethnic communities;

g) administrative and housing legislation; land, water, and forest legislation; legislation on minerals and environmental protection;

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

i) public health, family, maternity, paternity, and child protection, and social protection, including social security;

j) the use of natural resources, environmental protection, and ecological safety; natural preserves; the guarding of historical and cultural monuments;

k) quarantines and efforts to combat catastrophes, natural disasters, and epidemics and to eliminate their consequences;

l) the exercise of other powers assigned by the Constitution of the Russian Federation to the joint jurisdiction of the Russian Federation and the krais, oblasts, and cities of Moscow and St. Petersburg of the Russian Federation.

2. Federal organs of state power of the Russian Federation will publish the Fundamentals of Legislation pertaining to the spheres listed in the first paragraph of this article, and the organs of state power of the krais, oblasts, and cities of Moscow and St. Petersburg of the

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Russian Federation will conduct their own legal regulation in conformity with them within the confines of their own authority when adopting legal instruments.

3. Legislative bills on the matters of joint jurisdiction listed in the first paragraph of this article will be forwarded to the krays, oblasts, and cities of Moscow and St. Petersburg.

Article III.

1. All of the spheres (polnomochiya) of state power not assigned in accordance with Articles I and II of this Treaty to the jurisdiction of federal organs of state power of the Russian Federation and the joint jurisdiction of federal organs of state power of the Russian Federation and organs of state power of the krays, oblasts, and cities of Moscow and St. Petersburg will be exercised autonomously by the organs of state power of the krays, oblasts, and cities of Moscow and St. Petersburg in conformity with the Constitution of the Russian Federation.

2. Krays, oblasts, and the cities of Moscow and St. Petersburg will be autonomous parties to international and foreign economic relations and agreements with other krays and oblasts, as well as the republics, the autonomous oblast, and the autonomous okrugs belonging to the Russian Federation, if this does not contradict the Constitution and laws of the Russian Federation. The coordination of the international and foreign economic relations of kray, oblasts, and the cities of Moscow and St. Petersburg will be conducted by federal organs of state power of the Russian Federation in conjunction with the organs of power of the kray, oblasts, and cities of Moscow and St. Petersburg.

3. Questions connected with the possession, use, and disposal of land, minerals, water, and forest and other natural resources will be regulated by the Fundamentals of Legislation of the Russian Federation and the legal instruments of kray, oblasts, and the cities of Moscow and St. Petersburg. The status of federal natural resources will be defined by mutual agreement by federal organs of state power of the Russian Federation and organs of state power of the kray, oblasts, and cities of Moscow and St. Petersburg.

4. A state of emergency within the territory of a kray, oblast, or the cities of Moscow and St. Petersburg will be declared by federal organs of state power of the Russian Federation with the notification of organs of power of the kray, oblast, or cities of Moscow and St. Petersburg.

Article IV.

1. By agreement with the organs of state power of kray, oblasts, and cities of Moscow and St. Petersburg, federal organs of state power of the Russian Federation may delegate part of their powers to these bodies if this does not contradict the Constitution and laws of the Russian Federation.

2. By agreement with federal organs of state power of the Russian Federation, the organs of state power of a kray,

oblast, and cities of Moscow and St. Petersburg may delegate part of their powers to them.

Article V.

1. The federal organs of state power of the Russian Federation and organs of state power of the kray, oblasts, and cities of Moscow and St. Petersburg will execute federal laws and other legal instruments of the Russian Federation in the kray, the oblast, and cities of Moscow and St. Petersburg according to the procedure established by the laws of the Russian Federation.

2. Legal documents issued by the organs of power, establishments, and officials of the Russian Federation, kray, oblasts, and the cities of Moscow and St. Petersburg, as well as republics, the autonomous oblast, and autonomous okrugs belonging to the Russian Federation, within the confines of the powers of these organs, establishments, and officials, will be acknowledged throughout the territory of the Russian Federation.

Article VI.

1. The organs of state power of kray, oblasts, and cities of Moscow and St. Petersburg may not adopt legal instruments on matters assigned to the jurisdiction of federal organs of state power of the Russian Federation, just as federal organs of state power of the Russian Federation may not adopt legal instruments on matters assigned by this Treaty to the jurisdiction of kray, oblasts, and cities of Moscow and St. Petersburg.

2. If the organs of state power of kray, oblasts, and the cities of Moscow and St. Petersburg publish legal instruments on matters assigned to the jurisdiction of federal organs of state power of the Russian Federation, or if the legal instruments of the kray, oblast, and cities of Moscow and St. Petersburg are inconsistent with published federal laws on matters assigned to the joint jurisdiction of federal organs of state power of the Russian Federation and organs of state power of kray, oblasts, and the cities of Moscow and St. Petersburg, the federal laws will apply.

3. Disputes over the matters listed in Paragraphs 1 and 2 of this article will be settled by the Constitutional Court of the Russian Federation.

Article VII.

Relations between federal organs of state power of the Russian Federation and organs of state power of kray, oblasts, and the cities of Moscow and St. Petersburg will be based on the Constitution of the Russian Federation, mutual respect, and mutual responsibility. Disputes will be settled with the obligatory use of conciliatory procedures in conformity with the Constitution and laws of the Russian Federation.

Article VIII.

The delineation of spheres of jurisdiction and authority in this Treaty may not be changed unilaterally.

Article IX.

The provisions of this treaty will be submitted to the Congress of People's Deputies of the Russian Federation in the form of a joint legislative initiative for inclusion in the Constitution (Fundamental Law) of the Russian Federation.

Treaty on the Delineation of Spheres of Jurisdiction and Powers Between Federal Organs of State Power of the Russian Federation and the Organs of Power of the Autonomous Oblast and Autonomous Okrugs Belonging to the Russian Federation

We, the authorized representatives of federal organs of state power of the Russian Federation and organs of state power of the autonomous oblast and autonomous okrugs belonging to the Russian Federation, with manifest respect for the history, traditions, culture, language, and national dignity of the peoples of the Russian Federation, acknowledging our responsibility for the preservation of the historically determined state unity of the peoples of the Russian Federation and the integrity of its territory, pursuing the goal of the achievement and reinforcement of interethnic agreement, trust, and mutual understanding, assigning priority to human and civil rights and freedoms, irrespective of national origin, territory of residence, and other circumstances, and with manifest concern for the material well-being and spiritual development of the individual, striving for the qualitative renewal of federal relations on the basis of the efficient distribution of powers and their effective exercise, proceeding from the premise that organs of state power of the autonomous oblast and autonomous okrugs belonging to the Russian Federation will exercise their powers autonomously within their territory and within the confines of their authority, and guided by the Declaration of State Sovereignty of the Russian Federation and the decisions of the Congress of People's Deputies of the Russian Federation and the Supreme Soviet of the Russian Federation on matters pertaining to the federated structure and federal relations in the Russian Federation, have agreed on the following:

Article I.

1. The following will be under the jurisdiction of federal organs of state power of the Russian Federation:

- a) the adoption and amendment of the Constitution of the Russian Federation and federal laws and the oversight of their observance;
- b) the federated structure, composition, and territory of the Russian Federation and its integrity; the confirmation of the creation of new autonomous oblasts and autonomous okrugs; the confirmation of changes in the boundaries of autonomous oblasts and autonomous okrugs belonging to the Russian Federation;
- c) the protection of human and civil rights and freedoms and citizenship in the Russian Federation; the protection of the rights of ethnic minorities;

d) the establishment of a system of federal organs of legislative, executive, and judicial power and the procedures of their organization and operation; the creation of federal organs of state power; the establishment of the general principles governing the organization of the system of representative and executive power in the autonomous oblast and autonomous okrugs belonging to the Russian Federation;

e) the establishment of the fundamentals of federal policy and federal programs in the sphere of state, economic, ecological, social, cultural, and ethnic development in the Russian Federation;

f) federal state property and its management;

g) the establishment of the legal bases of the unified market; financial, monetary, credit, and customs regulation, the issuance of money, and the fundamentals of price policy; federal economic agencies, including federal banks;

h) the federal budget; federal taxes and duties; federal funds for regional development;

i) federal power engineering systems, nuclear power engineering, and fissionable materials; federal transportation and the system of railways, information, and communications; activities in outer space;

j) the foreign policy and international relations of the Russian Federation and the international treaties of the Russian Federation; questions of war and peace;

k) the foreign economic relations of the Russian Federation;

l) defense and security; defense production; the determination of procedures for the sale and purchase of weapons, ammunition, military hardware, and other military property; the production of fissionable materials, toxic substances, and narcotic drugs and the procedures for their use;

m) the determination of the status and the regulation and protection of the state border, territorial waters, air space, economic zone, and continental shelf of the Russian Federation;

n) judicial administration; the procuracy; criminal, criminal procedural, and criminal enforcement legislation; amnesties and pardons; civil, civil procedural, and arbitral procedural legislation; administrative procedural labor, and family legislation and the legal regulation of intellectual property;

o) conflict of federal laws;

p) the meteorological service, standards and measures, the metric system and the computation of time; official statistics and accounting records;

q) the federal civil service;

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r) state awards and honorary titles of the Russian Federation and special honors.

2. The organs of state power of the autonomous oblast and autonomous okrugs belonging to the Russian Federation will participate in the exercise of federal powers within the limits and in the forms established by the Constitution of the Russian Federation and federal laws.

3. The autonomous oblast and autonomous okrugs belonging to the Russian Federation will be guaranteed representation in federal organs of state power of the Russian Federation.

Article II.

1. The following will be under the joint jurisdiction of federal organs of state power of the Russian Federation and the organs of state power of the autonomous oblast and autonomous okrugs belonging to the Russian Federation.

a) the assurance of the conformity of the normative legislative instruments of the autonomous oblast and autonomous okrugs belonging to the Russian Federation to the Constitution and laws of the Russian Federation;

b) the protection of human and civil rights and freedoms; the maintenance of legality, law and order, and public safety;

c) the establishment of the general principles of territorial division and the organization of local self-government in the autonomous oblast and autonomous okrugs belonging to the Russian Federation;

d) the establishment of the general principles of taxation in the autonomous oblast and autonomous okrugs belonging to the Russian Federation;

e) the bar and the office of state notary;

f) the protection of the natural habitats and traditional lifestyles of small ethnic communities;

g) administrative and housing legislation; land, water, and forest legislation; legislation on minerals and environmental protection;

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

i) public health, family, maternity, paternity, and child protection, and social protection, including social security;

j) the use of natural resources, environmental protection, and ecological safety; natural preserves; the guarding of historical and cultural monuments;

k) quarantines and efforts to combat catastrophes, natural disasters, and epidemics and to eliminate their consequences;

l) the exercise of other powers assigned by the Constitution of the Russian Federation to the joint jurisdiction of

the Russian Federation and the autonomous oblast and autonomous okrugs belonging to the Russian Federation.

2. Federal organs of state power of the Russian Federation will publish the Fundamentals of Legislation, codes, and laws pertaining to the spheres listed in the first paragraph of this article, and the organs of state power of the autonomous oblast belonging to the Russian Federation will conduct their own legal regulation within their own sphere of authority in conformity with them when adopting legal instruments. The organs of state power of autonomous okrugs belonging to the Russian Federation will conduct their own legal regulation within the sphere of their authority in conformity with the Fundamentals of Legislation, codes, and laws of the Russian Federation and treaties with the krays and oblasts where the autonomous okrugs are located.

3. Legislative bills on matters of joint jurisdiction listed in Paragraph 1 of this article will be forwarded to the autonomous oblast and autonomous okrugs belonging to the Russian Federation.

Article III.

1. All of the spheres of state power not assigned in accordance with Articles 1 and 2 of this Treaty to the jurisdiction of federal organs of state power of the Russian Federation and the joint jurisdiction of federal organs of state power of the Russian Federation and the organs of state power of the autonomous oblast and autonomous okrugs belonging to the Russian Federation will be defined by laws of the Russian Federation on the autonomous oblast and separate autonomous okrugs, passed by the Supreme Soviet of the Russian Federation at the request of the autonomous oblast or autonomous okrug concerned, and other legal instruments of the Russian Federation, and will be exercised autonomously by the organs of state power of the autonomous oblast and autonomous okrugs in conformity with the Constitution of the Russian Federation.

2. The autonomous oblast and autonomous okrugs belonging to the Russian Federation will be autonomous parties to international and foreign economic relations and agreements with krays and oblasts and with the republics, the autonomous oblast, and the autonomous okrugs belonging to the Russian Federation in conformity with the Constitution and laws of the Russian Federation. The coordination of the international and foreign economic relations of the autonomous oblast and autonomous okrugs belonging to the Russian Federation will be conducted by federal organs of state power of the Russian Federation.

3. Questions connected with the possession, use, and disposal of land, minerals, water, and forest and other natural resources will be regulated by the Fundamentals of Legislation, codes, and laws of the Russian Federation and the legal instruments of the autonomous oblast and autonomous okrugs belonging to the Russian Federation. The status of federal natural resources will be

defined by mutual agreement by federal organs of state power of the Russian Federation and the organs of state power of the autonomous oblast and autonomous okrugs belonging to the Russian Federation with consideration for the need to maintain and support traditional forms of natural resource management and use within the territories concerned.

4. A state of emergency within the territory of the autonomous oblast and autonomous okrugs belonging to the Russian Federation will be declared by federal organs of state power of the Russian Federation with the notification of the organs of power of the autonomous oblast and autonomous okrugs belonging to the Russian Federation.

Article IV.

1. By agreement with the organs of state power of the autonomous oblast and autonomous okrugs belonging to the Russian Federation, federal organs of state power of the Russian Federation may delegate part of their powers to these organs in conformity with the Constitution and laws of the Russian Federation.

2. By agreement with federal organs of state power of the Russian Federation, the organs of state power of the autonomous oblast and autonomous okrugs belonging to the Russian Federation may delegate part of their powers to them.

Article V.

1. The federal organs of state power of the Russian Federation and organs of state power of the autonomous oblast and autonomous okrugs belonging to the Russian Federation will execute federal laws and other legal instruments of the Russian Federation in the autonomous oblast and autonomous okrugs belonging to the Russian Federation according to the procedure established by the laws of the Russian Federation.

2. Legal documents issued by organs of state power, establishments, and officials of the Russian Federation, the kray or oblast, and the republic, autonomous oblast, or autonomous okrug belonging to the Russian Federation with the limits of the authority of these organs, establishments, and officials will be acknowledged throughout the territory of the Russian Federation.

Article VI.

1. The organs of state power of the autonomous oblast and autonomous okrugs belonging to the Russian Federation may not adopt legal instruments on matters under the jurisdiction of federal organs of state power of the Russian Federation, just as federal organs of state power of the Russian Federation may not adopt legal instruments on matters under the jurisdiction of the autonomous oblast and autonomous okrugs belonging to the Russian Federation.

2. If the organs of state power of the autonomous oblast and autonomous okrugs belonging to the Russian Federation publish legal instruments on matters assigned to the jurisdiction of federal organs of state power of the Russian Federation, or if the legal instruments of the autonomous oblast and autonomous okrugs are inconsistent with published federal laws on matters assigned to the joint jurisdiction of federal organs of state power of the Russian Federation and organs of state power of the autonomous oblast and autonomous okrugs, the federal laws will apply.

3. Disputes over the matters listed in the first and second paragraphs of this article will be settled by the Constitutional Court of the Russian Federation.

Article VII.

1. Relations between federal organs of state power of the Russian Federation and organs of state power of the autonomous oblast and autonomous okrugs belonging to the Russian Federation will be based on the Constitution of the Russian Federation and federal laws.

2. Disputes over matters listed in Paragraphs 1 and 2 of Article 6 of this Treaty will be settled with the use of conciliatory procedures in conformity with the Constitution and laws of the Russian Federation.

Article VIII.

The delineation of spheres of jurisdiction and authority in this Treaty may not be changed unilaterally.

Article IX.

The provisions of this Treaty will be submitted to the Congress of People's Deputies of the Russian Federation in the form of a joint legislative initiative for inclusion as a section in the Constitution (Fundamental Law) of the Russian Federation.

Section Three

Transitional Provisions

1. The Constitution (Fundamental Law) of the Russian Federation is subject to publication " " [blank space for date] 1993, and enters into force on that day. 2. Laws and other legal enactments in force on Russian Federation territory prior to " " [blank space for date] 1993, until such time as they are revoked or amended, are to be applied insofar as they are not contrary to the Constitution.

3. Pending the introduction of amendments to the Russian Federation Criminal Code, the death penalty may be applied by court verdict only for premeditated murder with aggravating circumstances as stipulated in Article 102 of the Russian Federation Criminal Code and for premeditated murder and homicide during the commission of crimes as stipulated in Articles 66, 67, 68, 77, 191, and 240 of the Russian Federation Criminal Code.

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4. Pending the adoption of a federal law on alternative service, citizens refusing for reasons of conscience to serve in the Russian Federation Armed Forces are to be sent to serve for the duration of their military duties in medical, construction, rescue, municipal, or other state institutions and organizations determined by the Russian Federation Government.

5. The president of the Russian Federation is to act as head of state in accordance with Articles 70 and 73-83 of the Constitution for the duration of the term for which he was elected by the whole people.

6. Elections of the first convocation of the Federal Assembly will take place " " [blank space for date] 199 [year left blank] on the basis of the Russian Federation Law "On Elections to the Federal Assembly."

Pending the convocation of the Federal Assembly, the powers of the State Duma are to be exercised by the Russian Federation Supreme Soviet in the convocation existing at the time that the Constitution enters into force, and the powers of the Federation Council by a Council of Components of the Federation consisting of one representative from the legislative (representative) organ of each component of the Federation and the heads (heads of administration) of the components of the Federation.

7. The Council of Ministers—Government of the Russian Federation which is in office at the time that the Constitution enters into force, until the expiry of its powers or its resignation in accordance with the procedure stipulated in the Constitution, is to exercise the powers stipulated in Articles 105 and 108-112 of the Constitution.

8. From the time that the Constitution enters into force, the Russian Federation Constitutional Court, the Russian Federation Supreme Court, and the Russian Federation Superior Court of Arbitration are to exercise justice respectively as the Constitutional Court of the Federation, the Supreme Court of the Federation, and the Superior Court of Arbitration of the Federation in accordance with the powers laid down by the Constitution and legislation on the said courts in force prior to the adoption of the present Constitution and not at variance with it.

From the day the Constitution enters into force, the appointment of federal judges is to take place in accordance with the procedure laid down in Article 124 of the Constitution.

Pending the appointment of federal judges by the first convocation of the Federation Council to the Superior Judicial Office of the Federation, the latter is to exercise the powers stipulated in Article 125 of the Constitution with the following composition: the chairman of the Constitutional Court of the Federation and his deputy, the chairman of the Supreme Court of the Federation and his first deputy, and the chairman of the Superior Court of Arbitration of the Federation and his first deputy.

9. The powers of the Congress of Russian Federation People's Deputies and the Russian Federation Supreme Soviet, and of the Russian Federation Constitutional Court indicated in Section Two of the Constitution belong respectively to the Federal Assembly and the Constitutional Court of the Federation.

10. Relations between the Russian Federation and components of the Federation which have not signed the Federation Treaty are structured on the basis of the Constitution, proceeding from the premise that outside the bounds of powers assigned by the Constitution to the Federation's jurisdiction, the state organs of the said components of the Federation exercise state power autonomously on their territory.

