

# Constitution (Fundamental law) of the Union of Soviet Socialist Republics

With Ammendments and Additions adopted by the First, Second, Third, Sixth, Seventh and Eighth Sessions of the Supreme Soviet of the U.S.S.R.

*Kremlin, Moscow, December 5, 1936*

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## Chapter I : The Organization of Society

**ARTICLE 1.** The Union of Soviet Socialist Republics is a socialist state of workers and peasants.

**ARTICLE 2.** The Soviets of Working People's Deputies, which grew and attained strength as a result of the overthrow of the landlords and capitalists and the achievement of the dictatorship of the proletariat, constitute the political foundation of the U.S.S.R.

**ARTICLE 3.** In the U.S.S.R. all power belongs to the working people of town and country as represented by the Soviets of Working People's Deputies.

**ARTICLE 4.** The socialist system of economy and the socialist ownership of the means and instruments of production, firmly established as a result of the abolition of the capitalist system of economy, the abrogation of private ownership of the means and instruments of production and the abolition of the exploitation of man by man, constitute the economic foundation of the U.S.S.R.

**ARTICLE 5.** Socialist property in the U.S.S.R. exists either in the form of state property (the possession of the whole people), or in the form of cooperative and collective-farm property (property of a collective farm or property of a cooperative association).

**ARTICLE 6.** The land, its natural deposits, waters, forests, mills, factories, mines, rail, water and air transport, banks, post, telegraph, and telephones, large state organized agricultural enterprises (state farms, machine and tractor stations and the like) as well as municipal enterprises and the bulk of the dwelling houses in the cities and industrial localities, are state property, that is, belong to the whole people.

**ARTICLE 7.** Public enterprises in collective farms and cooperative organizations, with their livestock and implements, the products of the collective farms and cooperative organizations, as well as their common buildings, constitute the common, socialist property of the collective farms and cooperative organizations.

In addition to its basic income from the public, collective-farm enterprise, every household in a collective farm has for its personal use a small plot of land attached to the dwelling and, as its personal property, a subsidiary

establishment on the plot, a dwelling house, livestock, poultry and minor agricultural implements - in accordance with the the statutes of the agricultural artel.

**ARTICLE 8.** The land occupied by collective farms is secured to them for their use free of charge and for an unlimited time, that is, in perpetuity.

**ARTICLE 9.** Alongside the socialist system of economy, which is the predominant form of economy in the U.S.S.R., the law permits the small private economy of individual peasants and handicraftsmen based on their personal labour and precluding the exploitation of the labour of others.

**ARTICLE 10.** The right of citizens to personal ownership of their incomes from work and of their savings, of their dwelling houses and subsidiary household economy, their household furniture and utensils and articles of personal use and convenience, as well as the right of inheritance of personal property of citizens, is protected by law.

**ARTICLE 11.** The economic life of the U.S.S.R. is determined and directed by the state national economic plan with the aim of increasing the public wealth, of steadily improving the material conditions of the working people and raising their cultural level, of consolidating the independence of the U.S.S.R. and strengthening its defensive capacity.

**ARTICLE 12.** In the U.S.S.R. work is a duty and a matter of honour for every able-bodied citizen, in accordance with the principle: "He who does not work, neither shall he eat."

The principle applied in the U.S.S.R. is that of socialism : "From each according to his ability, to each according to his work."

## **Chapter II : The Organization of the State**

**ARTICLE 13.** The Union of Soviet Socialist Republics is a federal state, formed on the basis of the voluntary association of Soviet Socialist Republics having equal rights, namely :

The Russian Soviet Federative Socialist Republic

The Ukrainian Soviet Socialist Republic

The Byelorussian Soviet Socialist Republic

The Azerbaijan Soviet Socialist Republic

The Georgian Soviet Socialist Republic

The Armenian Soviet Socialist Republic

The Turkmen Soviet Socialist Republic

The Uzbek Soviet Socialist Republic

The Tajik Soviet Socialist Republic

The Kazakh Soviet Socialist Republic

The Kirghiz Soviet Socialist Republic

The Karelo-Finnish Soviet Socialist Republic

The Moldavian Soviet Socialist Republic

The Lithuanian Soviet Socialist Republic

The Latvian Soviet Socialist Republic

The Estonian Soviet Socialist Republic

**ARTICLE 14.** The jurisdiction of the Union of Soviet Socialist Republics, as represented by its highest organs of state authority and organs of government, covers :

- a) Representation of the Union in international relations, conclusion and ratification of treaties with other states;
- b) Questions of war and peace;
- c) Admission of new republics into the U.S.S.R.;
- d) Control over the observance of the Constitution of the U.S.S.R. and ensuring conformity of the Constitutions of the Union Republics with the Constitution of the U.S.S.R.;
- e) Confirmation of alterations of boundaries between Union Republics;
- f) Confirmation of the formation of new Territories and Regions and also of new Autonomous Republics within Union Republics;
- g) Organization of the defence of the U.S.S.R. and direction of all the armed forces of the U.S.S.R.;
- h) Foreign trade on the basis of state monopoly;
- i) Safeguarding the security of the state;
- j) Establishment of the national economic plans of the U.S.S.R.;
- k) Approval of the single state budget of the U.S.S.R. as well as of the taxes and revenues which go to the all-Union, Republican and local budgets;
- l) Administration of the banks, industrial and agricultural establishments and enterprises and trading enterprises of all-Union importance;
- m) Administration of transport and communications;
- n) Direction of the monetary and credit system;
- o) Organization of state insurance;
- p) Raising and granting of loans;
- q) Establishment of the basic principles for the use of land as well as for the use of natural deposits, forests and waters;
- r) Establishment of the basic principles in the spheres of education and public health;
- s) Organization of a uniform system of national economic statistics;
- t) Establishment of the principles of labour legislation;
- u) Legislation on the judicial system and judicial procedure; criminal and civil codes;

v) Laws on citizenship of the Union; laws on the rights of foreigners;

w) Issuing of all-Union acts of amnesty.

**ARTICLE 15.** The sovereignty of the Union Republics is limited only within the provisions set forth in Article 14 of the Constitution of the U.S.S.R.

Outside of these provisions, each Union Republic exercises state authority independently. The U.S.S.R. protects the sovereign rights of the Union Republics.

**ARTICLE 16.** Each Union Republic has its own Constitution, which takes account of the specific features of the Republic and is drawn up in full conformity with the Constitution of the U.S.S.R.

**ARTICLE 17.** To every Union Republic is reserved the right freely to secede from the U.S.S.R.

**ARTICLE 18.** The territory of a Union Republic may not be altered without its consent.

**ARTICLE 19.** The laws of the U.S.S.R. have the same force within the territory of every Union Republic.

**ARTICLE 20.** In the event of a discrepancy between a law of a Union Republic and an all-Union law, the all-Union law prevails.

**ARTICLE 21.** A single Union citizenship is established for all citizens of the U.S.S.R.

Every citizen of a Union Republic is a citizen of the U.S.S.R.

**ARTICLE 22.** The Russian Soviet Federative Socialist Republic consists of the Altai, Krasnodar, Krasnoyarsk, Orjonikidze, Primorye and Khabarovsk Territories; the Archangel, Vologda, Voronezh, Gorky, Ivanovo, Irkutsk, Kalinin, Kirov, Kuibyshev, Kursk, Leningrad, Molotov, Moscow, Murmansk, Novosibirsk, Omsk, Orel, Penza, Rostov, Ryazan, Saratov, Sverdlovsk, Smolensk, Stalingrad, Tambov, Tula, Chelyabinsk, Chita, Chjkalov and Yaroslavl Regions; the Tatar, Bashkir, Daghestan, Buryat-Mongolian, Kabardino-Balkarian, Kalmyk, Komi, Crimean, Mari, Mordovian, Volga German, North Ossetian, Udmurt, Chechen-Ingush, Chuvash and Yakut Autonomous Soviet Socialist Republics; and the Adygei, Jewish, Karachai, Oirot, Khakass and Cherkess Autonomous Regions.

**ARTICLE 23.** The Ukrainian Soviet Socialist Republic consists of the Vinnitsa, Volhynia, Voroshilovgrad, Dnepropetrovsk, Drohobych, Zhitomir, Zaporozhye, Izmail, Kamenets-Podolsk, Kiev, Kirovograd, Lvov, Nikolayev, Odessa, Poltova, Rovno, Stalino, Stanislav, Sumi, Tarnapol; Kharkov, Chernigov and Chernovitsi Regions.

**ARTICLE 24.** The Azerbaijan Soviet Socialist Republic includes the Nakhichevan Autonomous Soviet Socialist Republic and the Nagarno-Karabakh Autonomous Region.

**ARTICLE 25.** The Georgian Soviet Socialist Republic includes the Abkhazian Autonomous Soviet Socialist Republic, the Adjar Autonomous Soviet Socialist Republic and the South Ossetian Autonomous Region.

**ARTICLE 26.** The Uzbek Soviet Socialist Republic consists of the Bukhara, Samarkand, Tashkent, Ferghana and Khorezm Regions, and the Kara-Kalpak Autonomous Soviet Socialist Republic.

**ARTICLE 27.** The Tajik Soviet Socialist Republic consists of the Garm, Kulyab, Leninabad and Stalinabad Regions, and the Gorno-Badakhshan Autonomous Region.

**ARTICLE 28.** The Kazakh Soviet Socialist Republic consists of the Akmolinsk, Aktyubinsk, Alma-Ata East Kazakhstan, Guriev, Jambul, West Kazakhstan, Karaganda, Kzyl-Orda, Kustanai, Pavlodar, North Kazakhstan, Semipalatinsk and South Kazakhstan Regions.

**ARTICLE 29.** The Byelorussian Soviet Socialist Republic consists of the Baranovichi, Byelostok, Brest, Vileyka, Vitebsk, Gomel, Minsk, Moghilev, Pinsk and Polesseye Regions.

**ARTICLE 29-a.** The Turkmen Soviet Socialist Republic consists of the Ashkhabad, Krasnovodsk, Mari, Tashauz and Charjow Regions.

**ARTICLE 29-b.** The Kirghiz Soviet Socialist Republic consists of the Dzhahalal-Abad, Issyk-Kul, Osh, Tien-Shan and Frunze Regions.

### **Chapter III : The Highest Organs of State Authority of the Union of Soviet Socialist Republics**

**ARTICLE 30.** The highest organ of state authority of the U.S.S.R. is the Supreme Soviet of the U.S.S.R.

**ARTICLE 31.** The Supreme Soviet of the U.S.S.R. exercises all rights vested in the Union of Soviet Socialist Republics in accordance with Article 14 of the Constitution, in so far as they do not, by virtue of the Constitution, come within the jurisdiction of organs of the U.S.S.R. that are accountable to the Supreme Soviet of the U.S.S.R., that is, the Presidium of the Supreme Soviet of the U.S.S.R., the Council of People's Commissars of the U.S.S.R. and the People's Commissariats of the U.S.S.R.

**ARTICLE 32.** The legislative power of the U.S.S.R. is exercised exclusively by the Supreme Soviet of the U.S.S.R.

**ARTICLE 33.** The Supreme Soviet of the U.S.S.R. consists of two chambers : the Soviet of the Union and the Soviet of Nationalities.

**ARTICLE 34.** The Soviet of the Union is elected by the citizens of the U.S.S.R. according to electoral areas on the basis of one deputy for every 300,000 of the population.

**ARTICLE 35.** The Soviet of Nationalities is elected by the citizens of the U.S.S.R. according to Union and Autonomous Republics, Autonomous Regions and national areas on the basis of twenty-five deputies from each Union Republic, eleven deputies from each Autonomous Republic, five deputies from each Autonomous Region and one deputy from each national area.

**ARTICLE 36.** The Supreme Soviet of the U.S.S.R. is elected for a term of four years.

**ARTICLE 37.** Both Chambers of the Supreme Soviet of the U.S.S.R., the Soviet of the Union and the Soviet of Nationalities, have equal rights.

**ARTICLE 38.** The Soviet of the Union and the Soviet of Nationalities have an equal right to initiate legislation.

**ARTICLE 39.** A law is considered adopted if passed by both Chambers of the Supreme Soviet of the U.S.S.R. by a simple majority vote in each.

**ARTICLE 40.** Laws passed by the Supreme Soviet of the U.S.S.R. are published in the languages of the Union Republics over the signatures of the President and Secretary of the Presidium of the Supreme Soviet of the U.S.S.R.

**ARTICLE 41.** Sessions of the Soviet of the Union and the Soviet of Nationalities begin and terminate simultaneously.

**ARTICLE 42.** The Soviet of the Union elects a Chairman of the Soviet of the Union and two Vice- Chairmen.

**ARTICLE 43.** The Soviet of Nationalities elects a Chairman of the Soviet of Nationalities and two Vice-Chairmen.

**ARTICLE 44.** The Chairmen of the Soviet of the Union and the Soviet of Nationalities preside over the sittings of the respective Chambers and direct the procedure of these bodies.

**ARTICLE 45.** Joint sittings of both Chambers of the Supreme Soviet of the U.S.S.R. are presided over alternately by the Chairman of the Soviet of the Union and the Chairman of the Soviet of Nationalities.

**ARTICLE 46.** Sessions of the Supreme Soviet of the U.S.S.R. are convened by the Presidium of the Supreme Soviet of the U.S.S.R. twice a year.

Special sessions are convened by the Presidium of the Supreme Soviet of the U.S.S.R. at its discretion or on the demand of one of the Union Republics.

**ARTICLE 47.** In the event of a disagreement between the Soviet of the Union and the Soviet of Nationalities, the question is referred for settlement to a conciliation commission formed on a parity basis. If the conciliation commission fails to arrive at an agreement, or if its decision fails to satisfy one of the Chambers, the question is considered for a second time by the Chambers. Failing agreement between the two Chambers, the Presidium of the Supreme Soviet of the U.S.S.R. dissolves the Supreme Soviet of the U.S.S.R. and orders new elections.

**ARTICLE 48.** The Supreme Soviet of the U.S.S.R. at a joint sitting of both Chambers elects the Presidium of the Supreme Soviet of the U.S.S.R., consisting of a President of the Presidium of the Supreme Soviet of the U.S.S.R., sixteen Vice-Presidents, a Secretary of the Presidium and twentyfour members of the Presidium.

The Presidium of the Supreme Soviet of the U.S.S.R. is accountable to the Supreme Soviet of the U.S.S.R. for all its activities.

**ARTICLE 49.** The Presidium of the Supreme Soviet of the U.S.S.R. :

- a) Convenes the sessions of the Supreme Soviet of the U.S.S.R.;
- b) Interprets laws of the U.S.S.R. in operation, issues decrees;
- c) Dissolves the Supreme Soviet of the U.S.S.R. in conformity with Article 47 of the Constitution of the U.S.S.R. and orders new elections;
- d) Conducts referendums on its own initiative or on the demand of one of the Union Republics;
- e) Annuls decisions and orders of the Council of People's Commissars of the U.S.S.R. and of the Council of People's Commissars of the Union Republics in case they do not conform to law;
- f) In the intervals between sessions of the Supreme Soviet of the U.S.S.R., relieves of their posts and appoints People's Commissars of the U.S.S.R. on the recommendation of the Chairman of the Council of People's Commissars of the U.S.S.R., subject to subsequent confirmation by the Supreme Soviet of the U.S.S.R.;
- g) Awards with decorations and confers titles of honour of the U.S.S.R.;
- h) Exercises the right of pardon;
- i) Appoints and removes the higher commands of the armed forces of the U.S.S.R.; j) In the intervals between sessions of the Supreme Soviet of the U.S.S.R., proclaims a state of war in the event of armed attack on the U.S.S.R., or whenever necessary to fulfil international treaty obligations concerning mutual defence against aggression;
- k) Orders general or partial mobilization;

- l) Ratifies international treaties;
- m) Appoints and recalls plenipotentiary representatives of the U.S.S.R. to foreign states;
- n) Receives the credentials and letters of recall of diplomatic representatives accredited to it by foreign states;
- o) Proclaims martial law in separate localities or throughout the U.S.S.R. in the interests of the defence of the U.S.S.R. or for the purpose of ensuring public order and state security.

**ARTICLE 50.** The Soviet of the Union and the Soviet of Nationalities elect Credentials Commissions which verify the credentials of the members of the respective Chambers.

On the commendation of the Credentials Commissions, the Chambers decide either to endorse the the credentials or to annul the election of the deputies concerned.

**ARTICLE 51.** The Supreme Soviet of the U.S.S.R. when it deems necessary, appoints commissions of enquiry and investigation on any matter.

It is the duty of all institutions and public servants to comply with the demands of these commissions and to submit to them the necessary materials and documents.

**ARTICLE 52.** A member of the Supreme Soviet of the U.S.S.R. may not be prosecuted or arrested without the consent of the Supreme Soviet of the U.S.S.R., and during the period when the Supreme Soviet of the U.S.S.R. is not in session, without the consent of the Presidium of the Supreme Soviet of the U.S.S.R.

**ARTICLE 53.** On the expiration of the term of office of the Supreme Soviet of the U.S.S.R., or after the dissolution of the Supreme Soviet prior to the expiration of its term of office, the Presidium of the Supreme Soviet of the U.S.S.R. retains its powers until the formation of a new Presidium of the Supreme Soviet of the U.S.S.R. by the newly-elected Supreme Soviet of the U.S.S.R.

**ARTICLE 54.** On the expiration of the term of office of the Supreme Soviet of the U.S.S.R., or in the event of its dissolution prior to the expiration of its term of office, the Presidium of the Supreme Soviet of the U.S.S.R. orders new elections to be held within a period not exceeding two months from the date of expiration of the term of office or dissolution of the Supreme Soviet of the U.S.S.R.

**ARTICLE 55.** The newly-elected Supreme Soviet of the U.S.S.R. is convened by the outgoing Presidium of the Supreme Soviet of the U.S.S.R. not later than one month after the elections.

**ARTICLE 56.** The Supreme Soviet of the U.S.S.R. at a joint sitting of both Chambers, appoints the Government of the U.S.S.R., namely, the Council of People's Commissars of the U.S.S.R.

#### **Chapter IV : The Highest Organs of State Authority of the Union Republics**

**ARTICLE 57.** The highest organ of state authority of a Union Republic is the Supreme Soviet of the Union Republic.

**ARTICLE 58.** The Supreme Soviet of a Union Republic is elected by the citizens of the Republic for a term of four years.

The basis of representation is established by the Constitution of the Union Republic.

**ARTICLE 59.** The Supreme Soviet of a Union Republic is the sole legislative organ of the Republic.

**ARTICLE 60.** The Supreme Soviet of a Union Republic :

- a) Adopts the Constitution of the Republic and amends it in conformity with Article 16 of the Constitution of the U.S.S.R.;
- b) Confirms the Constitutions of the Autonomous Republics forming part of it and defines the boundaries of their territories;
- c) Approves the national economic plan and also the budget of the Republic;
- d) Exercises the right of amnesty and pardon of citizens sentenced by the judicial organs of the Union Republic.

**ARTICLE 61.** The Supreme Soviet of a Union Republic elects the Presidium of the Supreme Soviet of the Union Republic, consisting of a Chairman of the Presidium of the Supreme Soviet of the Union Republic, Vice-Chairmen, a Secretary of the Presidium and members of the Presidium of the Supreme Soviet of the Union Republic.

The powers of the Presidium of the Supreme Soviet of a Union Republic are defined by the Constitution of the Union Republic.

**ARTICLE 62.** The Supreme Soviet of a Union Republic elects a Chairman and a Vice-Chairman to conduct its sittings.

**ARTICLE 63.** The Supreme Soviet of a Union Republic appoints the Government of the Union Republic, namely, the Council of People's Commissars of the Union Republic.

## **Chapter V : The Organs of Government of the Union of Soviet Socialist Republics**

**ARTICLE 64.** The highest executive and administrative organ of state authority of the Union of Soviet Socialist Republics is the Council of People's Commissars of the U.S.S.R.

**ARTICLE 65.** The Council of People's Commissars of the U.S.S.R. is responsible to the Supreme Soviet of the U.S.S.R. and accountable to it; and in the intervals between sessions of the Supreme Soviet it is responsible and accountable to the Presidium of the Supreme Soviet of the U.S.S.R.

**ARTICLE 66.** The Council of People's Commissars of the U.S.S.R. issues decisions and orders on the basis and in pursuance of the laws in operation, and supervises their execution.

**ARTICLE 67.** Decisions and orders of the Council of People's Commissars of the U.S.S.R. are binding throughout the territory of the U.S.S.R.

**ARTICLE 68.** The Council of People's Commissars of the U.S.S.R. :

- a) Coordinates and directs the work of the All- Union and Union-Republican People's Commissariats of the U.S.S.R. and of other institutions, economic and cultural, under its administration;
- b) Adopts measures to carry out the national economic plan and the state budget, and to strengthen the credit and monetary system;
- c) Adopts measures for the maintenance of public order, for the protection of the interests of the state, and for the safeguarding of the rights of citizens;
- d) Exercises general guidance in respect of relations with foreign states;
- e) Fixes the annual contingent of citizens to be called up for military service and directs the general organization and development of the armed forces of the country;



f) Sets up, whenever necessary, special Committees and Central Administrations under the Council of People's Commissars of the U.S.S.R. for matters concerning economic, cultural and defence organization and development.

**ARTICLE 69.** The Council of People's Commissars of the U.S.S.R. has the right, in respect of those branches of administration and economy which come within the jurisdiction of the U.S.S.R., to suspend decisions and orders of the Councils of People's Commissars of the Union Republics and to annul orders and instructions of People's Commissars of the U.S.S.R.

**ARTICLE 70.** The Council of People's Commissars of the U.S.S.R. is appointed by the Supreme Soviet of the U.S.S.R. and consists of:

The Chairman of the Council of People's Commissars of the U.S.S.R.;

The Vice-Chairmen of the Council of People's Commissars of the U.S.S.R.;

The Chairman of the State Planning Commission of the U.S.S.R.;

The Chairman of the Soviet Control Commission;

The People's Commissars of the U.S.S.R.;

The Chairman of the Committee on Arts;

The Chairman of the Committee on Higher Education;

The Chairman of the Board of the State Bank.

**ARTICLE 71.** The Government of the U.S.S.R. or a People's Commissar of the U.S.S.R. to whom a question of a member of the Supreme Soviet of the U.S.S.R. is addressed must give a verbal or written reply in the respective Chamber within a period not exceeding three days.

**ARTICLE 72.** The People's Commissars of the U.S.S.R. direct the branches of state administration which come within the jurisdiction of the U.S.S.R.

**ARTICLE 73.** The People's Commissars of the U.S.S.R. issue, within the limits of the jurisdiction of the respective People's Commissariats, orders and instructions on the basis and in pursuance of the laws in operation, and also of decisions and orders of the Council of People's Commissars of the U.S.S.R., and supervise their execution.

**ARTICLE 74.** The People's Commissariats of the U.S.S.R. are either All-Union or Union-Republican Commissariats.

**ARTICLE 75.** The All-Union People's Commissariats direct the branches of state administration entrusted to them throughout the territory of the U.S.S.R. either directly or through bodies appointed by them.

**ARTICLE 76.** The Union-Republican People's Commissariats, as a rule, direct the branches of state administration entrusted to them through the corresponding People's Commissariats of the Union Republics; they administer directly only a definite and limited number of enterprises according to a list confirmed by the Presidium of the Supreme Soviet of the U.S.S.R.

**ARTICLE 77.** The following People's Commissariats are All-Union People's Commissariats :

Defence

Foreign Affairs

Foreign Trade

Railways

Post, Telegraph and Telephones

Maritime Fleet

River Fleet

Coal-Mining Industry

Oil Industry

Electric Power Stations

Electrical Engineering Industry

Iron and Steel Industry

Non-Ferrous Metals Industry

Chemical Industry

Aircraft Industry

Shipbuilding Industry

Munitions Industry

Armaments Industry

Heavy Machine-Building Industry

Medium Machine-Building Industry

General Machine-Building Industry

Navy

Agricultural Stocks

Civil Engineering Industry

Cellulose and Paper Industry.

**ARTICLE 78.** The following People's Commissariats are Union-Republican People's Commissariats :

Food Industry

Fishing Industry

Meat and Dairy Produce Industry

Light Industry

Textile Industry

Timber Industry

Agriculture State Grain and Livestock Farms

Finance

Trade

Internal Affairs

State Security

Justice

Public Health

Building Materials Industry

State Control.

## **Chapter VI : The Organs of Government of the Union Republics**

**ARTICLE 79.** The highest executive and administrative organ of state authority of a Union Republic is the Council of People's Commissars of the Union Republic.

**ARTICLE 80.** The Council of People's Commissars of a Union Republic is responsible to the Supreme Soviet of the Union Republic and accountable to it; and in the intervals between sessions of the Supreme Soviet of the Union Republic it is responsible and accountable to the Presidium of the Supreme Soviet of the respective Union Republic.

**ARTICLE 81.** The Council of People's Commissars of a Union Republic issues decisions and orders on the basis and in pursuance of the laws in operation of the U.S.S.R. and of the Union Republic, and of the decisions and orders of the Council of People's Commissars of the U.S.S.R., and supervises their execution.

**ARTICLE 82.** The Council of People's Commissars of a Union Republic has the right to suspend decisions and orders of Councils of People's Commissars of Autonomous Republics, and to annul decisions and orders of Executive Committees of Soviets of Working People's Deputies of Territories, Regions and Autonomous Regions.

**ARTICLE 83.** The Council of People's Commissars of a Union Republic is appointed by the Supreme Soviet of the Union Republic and consists of :

The Chairman of the Council of People's Commissars of the Union Republic;

The Vice-Chairmen;

The Chairman of the State Planning Commission;

The People's Commissars of :

Food Industry

Fishing Industry

Meat and Dairy Produce Industry

Light Industry

Textile Industry

Timber Industry

Building Materials Industry

Agriculture

State Grain and Livestock Farms

Finance

Trade

Internal Affairs

State Security

Justice

Public Health

State Control

Education

Local Industry

Municipal Economy

Social Maintenance

Motor Transport

The Chief of the Arts Administration;

The Representatives of the All-Union People's Commissariats.

**ARTICLE 84.** The People's Commissars of a Union Republic direct the branches of state administration which come within the jurisdiction of the Union Republic.

**ARTICLE 85.** The People's Commissars of a Union Republic issue, within the limits of the jurisdiction of their respective People's Commissariats, orders and instructions on the basis and in pursuance of the laws of the U.S.S.R. and of the Union Republic, of the decisions and orders of the Council of People's Commissars of the U.S.S.R. and that of the Union Republic, and of the orders and instructions of the Union-Republican People's Commissariats of the U.S.S.R.

**ARTICLE 86.** The People's Commissariats of a Union Republic are either Union-Republican or Republican Commissariats.

**ARTICLE 87.** The Union-Republican People's Commissariats direct the branches of state administration entrusted to them, and are subordinate both to the Council of People's Commissars of the Union Republic and to the corresponding Union- Republican People's Commissariats of the U.S.S.R.

**ARTICLE 88.** The Republican People's Commissariats direct the branches of state administration entrusted to them and are directly subordinate to the Council of People's Commissars of the Union Republic.

## **Chapter VII : The Highest Organs of State Authority of the Autonomous Soviet Socialist Republics**

**ARTICLE 89.** The highest organ of state authority of an Autonomous Republic is the Supreme Soviet of the Autonomous Soviet Socialist Republic.

**ARTICLE 90.** The Supreme Soviet of an Autonomous Republic is elected by the citizens of the Republic for a term of four years on the basis of representation established by the Constitution of the Autonomous Republic.

**ARTICLE 91.** The Supreme Soviet of an Autonomous Republic is the sole legislative organ of the Autonomous Soviet Socialist Republic.

**ARTICLE 92.** Each Autonomous Republic has its own Constitution, which takes account of the specific features of the Autonomous Republic and is drawn up in full conformity with the Constitution of the Union Republic.

**ARTICLE 93.** The Supreme Soviet of an Autonomous Republic elects the Presidium of the Supreme Soviet of the Autonomous Republic and appoints the Council of People's Commissars of the Autonomous Republic, in accordance with its Constitution.

## **Chapter VIII : The Local Organs of State Authority**

**ARTICLE 94.** The organs of state authority in territories, regions, autonomous regions, areas, districts, cities and rural localities (stanitsas, villages, hamlets, kishlaks, auls) are the Soviets of Working People's Deputies.

**ARTICLE 95.** The Soviets of Working People's Deputies of territories, regions, autonomous regions, areas, districts, cities and rural localities (stanitsas, villages, hamlets, kishlaks, auls) are elected by the working people of the respective territories, regions, autonomous regions, areas, districts, cities or rural localities for a term of two years.

**ARTICLE 96.** The basis of representation for Soviets of Working People's Deputies is defined by the Constitutions of the Union Republics.

**ARTICLE 97.** The Soviets of Working People's Deputies direct the work of the organs of administration subordinate to them, ensure the maintenance of public order, the observance of the laws and the protection of the rights of citizens, direct local economic and cultural organization and development and draw up the local budgets.

**ARTICLE 98.** The Soviets of Working People's Deputies adopt decisions and issue orders within the limits of the powers vested in them by the laws of the U.S.S.R. and of the Union Republic.

**ARTICLE 99.** The executive and administrative organs of the Soviets of Working People's Deputies of territories, regions, autonomous regions, areas, districts, cities and rural localities are the Executive Committees elected by them, consisting of a Chairman, Vice-Chairmen, a Secretary and members.

**ARTICLE 100.** The executive and administrative organ of rural Soviets of Working People's Deputies in small localities, in accordance with the Constitutions of the Union Republics, is the Chairman, the Vice-Chairman and the Secretary elected by them.

**ARTICLE 101.** The executive organs of the Soviets of Working People's Deputies are directly accountable both to the Soviets of Working People's Deputies which elected them and to the executive organ of the superior Soviet of Working People's Deputies.

## **Chapter IX : The Courts and Procurator's Office**

**ARTICLE 102.** In the U.S.S.R. justice is administered by the Supreme Court of the U.S.S.R., the Supreme Courts of the Union Republics, the Territorial and the Regional courts, the courts of the Autonomous Republics and the Autonomous Regions, the Area courts, the special courts of the U.S.S.R. established by decision of the Supreme Soviet of the U.S.S.R., and the People's Courts.

**ARTICLE 103.** In all courts cases are tried with the participation of people's assessors, except in cases specially provided for by law.

**ARTICLE 104.** The Supreme Court of the U.S.S.R. is the highest judicial organ. The Supreme Court of the U.S.S.R. is charged with the supervision of the judicial activities of all the judicial organs of the U.S.S.R. and of the Union Republics.

**ARTICLE 105.** The Supreme Court of the U.S.S.R. and the special courts of the U.S.S.R. are elected by the Supreme Soviet of the U.S.S.R. for a term of five years.

**ARTICLE 106.** The Supreme Courts of the Union Republics are elected by the Supreme Soviets of the Union Republics for a term of five years.

**ARTICLE 107.** The Supreme Courts of the Autonomous Republics are elected by the Supreme Soviets of the Autonomous Republics for a term of five years.

**ARTICLE 108.** The Territorial and the Regional courts, the courts of the Autonomous Regions and the Area courts are elected by the Territorial, Regional or Area Soviets of Working People's Deputies of the Autonomous Regions for a term of five years.

**ARTICLE 109.** People's Courts are elected by the citizens of the district on the basis of universal, direct and equal suffrage by secret ballot for a term of three years.

**ARTICLE 110.** Judicial proceedings are conducted in the language of the Union Republic, Autonomous Republic or Autonomous Region, persons not knowing this language being guaranteed every opportunity of fully acquainting themselves with the material of the case through an interpreter and likewise the right to use their own language in court.

**ARTICLE 111.** In all courts of the U.S.S.R. cases are heard in public, unless otherwise provided for by law, and the accused is guaranteed the right to be defended by Counsel.

**ARTICLE 112.** Judges are independent and subject only to the law.

**ARTICLE 113.** Supreme supervisory power over the strict execution of the laws by all People's Commissariats and institutions subordinated to them, as well as by public servants and citizens of the U.S.S.R. is vested in the Procurator of the U.S.S.R.

**ARTICLE 114.** The Procurator of the U.S.S.R. is appointed by the Supreme Soviet of the U.S.S.R. for a term of seven years.

**ARTICLE 115.** Procurators of Republics, Territories and Regions, as well as Procurators of Autonomous Republics and Autonomous Regions are appointed by the Procurator of the U.S.S.R. for a term of five years.

**ARTICLE 116.** Area, district and city procurators are appointed for a term of five years by the Procurators of the Union Republics, subject to the approval of the Procurator of the U.S.S.R.

**ARTICLE 117.** The organs of the Procurator's Office perform their functions independently of any local organs whatsoever, being subordinate solely to the Procurator of the U.S.S.R.

## **Chapter X : Fundamental Rights and Duties of Citizens**

**ARTICLE 118.** Citizens of the U.S.S.R. have the right to work, that is, are guaranteed the right to employment and payment for their work in accordance with its quantity and quality.

The right to work is ensured by the socialist organization of the national economy, the steady growth of the productive forces of Soviet society, the elimination of the possibility of economic crises, and the abolition of unemployment.

**ARTICLE 119.** Citizens of the U.S.S.R. have the right to rest and leisure.

The right to rest and leisure is ensured by the reduction of the working day to seven hours for the overwhelming majority of the workers, the institution of annual vacations with full pay for workers and employees and the provision of a wide network of sanatoria, rest homes and clubs for the accommodation of the working people.

**ARTICLE 120.** Citizens of the U.S.S.R. have the right to maintenance in old age and also in the case of sickness or loss of capacity to work.

This right is ensured by the extensive development of social insurance of workers and employees at state expense, free medical service for the working people and the provision of a wide network of health resorts for the use of the working people.

**ARTICLE 121.** Citizens of the U.S.S.R. have the right to education.

This right is ensured by universal, compulsory elementary education; by education, including higher education, being free of charge; by the system of state stipends for the overwhelming majority of students in the universities and colleges; by instruction in schools being conducted in the native language, and by the organization in the factories, state farms, machine and tractor stations and collective farms of free vocational, technical and agronomic training for the working people.

**ARTICLE 122.** Women in the U.S.S.R. are accorded equal rights with men in all spheres of economic, state, cultural, social and political life.

The possibility of exercising these rights is ensured to women by granting them an equal right with men to work, payment for work, rest and leisure, social insurance and education, and by state protection of the interests of mother and child, pre-maternity and maternity leave with full pay, and the provision of a wide network of maternity homes, nurseries and kindergartens.

**ARTICLE 123.** Equality of rights of citizens of the U.S.S.R., irrespective of their nationality or race, in all spheres of economic, state, cultural, social and political life, is an indefeasible law.

Any direct or indirect restriction of the rights of, or, conversely, any establishment of direct or indirect privileges for, citizens on account of their race or nationality, as well as any advocacy of racial or national exclusiveness or hatred and contempt, is punishable by law.

**ARTICLE 124.** In order to ensure to citizens freedom of conscience, the church in the U.S.S.R. is separated from the state, and the school from the church. Freedom of religious worship and freedom of anti-religious

propaganda is recognized for all citizens.

**ARTICLE 125.** In conformity with the interests of the working people, and in order to strengthen the socialist system, the citizens of the U.S.S.R. are guaranteed by law :

a) freedom of speech;

b) freedom of the press;

c) freedom of assembly, including the holding of mass meetings;

d) freedom of street processions and demonstrations; These civil rights are ensured by placing at the disposal of the working people and their organizations printing presses, stocks of paper, public buildings, the streets, communications facilities and other material requisites for the exercise of these rights.

**ARTICLE 126.** In conformity with the interests of the working people, and in order to develop the organizational initiative and political activity of the masses of the people, citizens of the U.S.S.R. are ensured the right to unite in public organizations - trade unions, cooperative associations, youth organizations, sport and defence organizations, cultural, technical and scientific societies; and the most active and politically most conscious citizens in the ranks of the working class and other sections of the working people unite in the Communist Party of the Soviet Union (Bolsheviks), which is the vanguard of the working people in their struggle to strengthen and develop the socialist system and is the leading core of all organizations of the working people, both public and state.

**ARTICLE 127.** Citizens of the U.S.S.R. are guaranteed inviolability of the person. No person may be placed under arrest except by decision of a court or with the sanction of a procurator.

**ARTICLE 128.** The inviolability of the homes of citizens and privacy of correspondence are protected by law.

**ARTICLE 129.** The U.S.S.R. affords the right of asylum to foreign citizens persecuted for defending the interests of the working people, or for their scientific activities, or for their struggle for national liberation.

**ARTICLE 130.** It is the duty of every citizen of the U.S.S.R. to abide by the Constitution of the Union of Soviet Socialist Republics, to observe the laws, to maintain labour discipline, honestly to perform public duties, and to respect the rules of socialist intercourse.

**ARTICLE 131.** It is the duty of every citizen of the U.S.S.R. to safeguard and strengthen public, socialist property as the sacred and inviolable foundation of the Soviet system, as the source of the wealth and might of the country, as the source of the prosperous and cultured life of all the working people.

Persons committing offences against public, socialist property are enemies of the people.

**ARTICLE 132.** Universal military service is law.

Military service in the Workers' and Peasants' Red Army is an honourable duty of the citizens of the U.S.S.R.

**ARTICLE 133.** To defend the fatherland is the sacred duty of every citizen of the U.S.S.R. Treason to the country - violation of the oath of allegiance, desertion to the enemy, impairing the military power of the state, espionage - is punishable with all the severity of the law as the most heinous of crimes.

## **Chapter XI : The Electoral System**



**ARTICLE 134.** Members of all Soviets of Working People's Deputies - of the Supreme Soviet of the U.S.S.R., the Supreme Soviets of the Union Republics, the Soviets of Working People's Deputies of the Territories and Regions, the Supreme Soviets of the Autonomous Republics, the Soviets of Working People's Deputies of Autonomous Regions, area, district, city and rural (stanitsa, village, hamlet, kishlak, aul) Soviets of Working People's Deputies - are chosen by the electors on the basis of universal, direct and equal suffrage by secret ballot.

**ARTICLE 135.** Elections of deputies are universal : all citizens of the U.S.S.R. who have reached the age of eighteen, irrespective of race or nationality, religion, educational and residential qualifications, social origin, property status or past activities, have the right to vote in the election of deputies and to be elected, with the exception of insane persons and persons who have been convicted by a court of law and whose sentences include deprivation of electoral rights.

**ARTICLE 136.** Elections of deputies are equal : each citizen has one vote; all citizens participate in elections on an equal footing.

**ARTICLE 137.** Women have the right to elect and be elected on equal terms with men.

**ARTICLE 138.** Citizens serving in the Red Army have the right to elect and be elected on equal terms with all other citizens.

**ARTICLE 139.** Elections of deputies are direct : all Soviets of Working People's Deputies from rural and city Soviets of Working People's Deputies to the Supreme Soviet of the U.S.S.R., inclusive, are elected by the citizens by direct vote.

**ARTICLE 140.** Voting at elections of deputies is secret.

**ARTICLE 141.** Candidates for election are nominated according to electoral areas.

The right to nominate candidates is secured to public organizations and societies of the working people : Communist Party organizations, trade unions, cooperatives, youth organizations and cultural societies.

**ARTICLE 142.** It is the duty of every deputy to report to his electors on his work and on the work of the Soviet of Working People's Deputies, and he is liable to be recalled at any time in the manner established by law upon decision of a majority of the electors.

## **Chapter XII : Arms, Flag, Capital**

**ARTICLE 143.** The arms of the Union of Soviet Socialist Republics consists of a sickle and hammer against a globe depicted in the rays of the sun and surrounded by ears of grain with the inscription "Workers of All Countries, Unite!" in the languages of the Union Republics. At the top of the arms is a five-pointed star.

**ARTICLE 144.** The state flag of the Union of Soviet Socialist Republics is of red cloth with the sickle and hammer depicted in gold in the upper corner near the staff and above them a five-pointed star bordered in gold. The ratio of the width to the length is 1:2.

**ARTICLE 145.** The capital of the Union of Soviet Socialist Republics is the City of Moscow.

## **Chapter XIII : Procedure for Amending the Constitution**

**ARTICLE 146.** The Constitution of the U.S.S.R. may be amended only by decision of the Supreme Soviet of the U.S.S.R. adopted by a majority of not less than two-thirds of the votes cast in each of its Chambers.

## **Appensices : Laws Adopted by the Tenth Session of the Supreme Soviet of the U.S.S.R.**

### **APPENDIX I**

#### **LAW**

##### **On Creating Troop Formations of the Union Republics and on Reorganizing the People's Commissariat of Defence in Connection therewith from an All-Union into a Union Republican People's Commissariat**

With the object of strengthening the defence capacity of the Union of Soviet Socialist Republics, the Supreme Soviet of the Union of Soviet Socialist Republics decrees :

1. To establish that the Union Republics shall organize troop formations of their respective Republics.
2. To introduce into the Constitution of the U.S.S.R. the following amendments :
  - a) to insert in ARTICLE 14g of the Constitution of the U.S.S.R. after the words "Organization of the defence of the U.S.S.R. and direction of all the armed forces of the U.S.S.R.," the words - "establishment of the guiding principles of organization of the troop formations of the Union Republics," thus formulating this point as follows :

"g) Organization of the defence of the U.S.S.R., direction of all the armed forces of the U.S.S.R., establishment of the guiding principles of organization of the troop formations of the Union Republics."
  - b) To add to the Constitution of the U.S.S.R.

ARTICLE 18 -b, as follows :

"ARTICLE 18-b Each Union Republic has its own Republican troop formations."

- c) To add to ARTICLE 60 of the Constitution of of the U.S.S.R. sec. f, as follows :

"f) Establishes the system of organization of the Republican troop formations."

3. To reorganize the People's Commissariat of Defence from an All-Union into a Union-Republican People's Commissariat.

#### **M. KALININ**

*President of the Presidium of the Supreme Soviet of the U.S.S.R.*

#### **A. GORKIN**

*Secretary of the Presidium of the Supreme Soviet of the U.S.S.R.*

### **APPENDIX II**

#### **LAW**

##### **On Granting the Union Republics Plenipotentiary Powers in the Sphere of Foreign Relations and on Reorganizing the People's Commissariat of Foreign Affairs in Connection Therewith from an All-Union into a Union Republican People's Commissariat**

With the object of extending international connections and strengthening the collaboration of the Union of Soviet Socialist Republics with other states and taking into consideration the growing requirements of the Union Republics in the matter of establishing direct relations with foreign states, the Supreme Soviet of the Union of Soviet Socialist Republics decrees :

1. To establish that the Union Republics may enter into direct relations with foreign states and conclude agreements with them.

2. To introduce into the Constitution of the U.S.S.R. the following amendments :

a) To insert in ARTICLE 14a of the Constitution of the U.S.S.R., after the words "Representation of the Union in international relations, conclusion and ratification of treaties with other states," the words - "establishment of a uniform system in the relations between the Union Republics and foreign states," thus formulating this point as follows :

"a) Representation of the Union in international relations, conclusion and ratification of treaties with other states, establishment of a uniform system in the relations between the Union Republics and foreign states."

b) To add to the Constitution of the U.S.S.R.

ARTICLE 18-a, as follows :

"ARTICLE 18-a "Each Union Republic has the right to enter into direct relations with foreign states, conclude agreements with them and exchange diplomatic and consular representatives."

c) To add to ARTICLE 60 of the Constitution of the U.S.S.R. sec. e, as follows :

"e) Establishes representation of the Union Republic in international relations."

3. To reorganize the People's Commissariat of Foreign Affairs from an All-Union into a Union- Republican People's Commissariat.

**M. KALININ**

*President of the Presidium of the Supreme Soviet of the U.S.S.R.*

**A. GORKIN**

*Secretary of the Presidium of the Supreme Soviet of the U.S.S.R.*

*Moscow, The Kremlin*

*February 1, 1944.*