



THE CONSTITUTION
OF THE SOCIALIST
FEDERAL REPUBLIC
OF YUGOSLAVIA

ORIGINAL TITLE

U S T A V
SOCIJALISTIČKE FEDERATIVNE
REPUBLIKE JUGOSLAVIJE

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for

THE SECRETARIAT OF THE FEDERAL
ASSEMBLY INFORMATION SERVICE

PUBLISHED BY:

DOPIŠNA DELAVSKA UNIVERZA,
LJUBLJANA, PARMOVA 39

PRINTED BY:

»DELO«, LJUBLJANA

CONTENTS

INTRODUCTORY NOTE	5
REPORT ON THE FINAL DRAFT OF THE S.F.R.Y. CONSTITUTION BY MIJALKO TO- DOROVIĆ	11
INTRODUCTORY PART — BASIC PRINCIPLES .	53
PART ONE — THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA	79
PART TWO — THE SOCIAL SYSTEM . . .	83
CHAPTER I — THE SOCIO-ECONOMIC SY- STEM	83
CHAPTER II — THE FOUNDATIONS OF THE SOCIO-POLITICAL SYSTEM .	131
CHAPTER III — THE FREEDOMS, RIGHTS AND THE CITIZEN	170
CHAPTER IV — CONSTITUTIONALITY AND LEGALITY	187
CHAPTER V — COURTS AND THE OFFICE OF PUBLIC PROSECUTOR .	192
CHAPTER VI — NATIONAL DEFENCE . . .	199
PART THREE — RELATIONS IN THE FEDE- RATION AND THE RIGHTS AND DUTIES OF THE FEDE- RATION	202

CHAPTER I	—RELATIONS IN THE FEDERATION	202
CHAPTER II	—THE RIGHTS AND DUTIES OF THE FEDERATION . . .	224
PART FOUR	—THE ORGANIZATION OF THE FEDERATION	234
CHAPTER I	—THE ASSEMBLY OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA . . .	234
CHAPTER II	—THE PRESIDENCY OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA . . .	254
CHAPTER III	—THE PRESIDENT OF THE REPUBLIC	265
CHAPTER IV	—THE FEDERAL EXECUTIVE COUNCIL	269
CHAPTER V	—FEDERAL ADMINISTRATIVE AGENCIES	280
CHAPTER VI	—THE FEDERAL COURT, THE OFFICE OF FEDERAL PUBLIC PROSECUTOR AND THE OFFICE OF SOCIAL ATTORNEY OF SELF-MANAGEMENT THE CONSTITUTIONAL COURT	283
CHAPTER VII	—THE CONSTITUTIONAL COURT OF YUGOSLAVIA . . .	286
CHAPTER VIII	—THE FORMAL DECLARATION	298
PART FIVE	—AMENDING THE CONSTITUTION OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA	299
PART SIX	—TRANSITIONAL AND CONCLUDING PROVISIONS . .	302
EXPLANATION OF SOME EXPRESSIONS AND NOTIONS USED IN S. F. R. Y. CONSTITUTION .		304

THE CONSTITUTION
OF THE SOCIALIST
FEDERAL REPUBLIC
OF YUGOSLAVIA

BELGRADE
1974.

INTRODUCTORY NOTE

On January 30 and 31, 1974, a combined session of all Chambers of the Federal Assembly was held at which the new Constitution of the Socialist Federal Republic of Yugoslavia was adopted, whereafter, it was promulgated on February 21, 1974, by the Chamber of Nationalities. This marked the end of several years of work that began when the President of the Republic, Josip Broz Tito, on December 9, 1970, submitted to the Federal Assembly, on the basis of his constitutional powers, a motion for the amendment of certain provisions of the Federal Constitution of April 7, 1963, and of the 19 constitutional amendments that had been adopted in 1967 and 1968.

The motion of the President of the Republic was carried by all Chambers of the Federal Assembly at sessions held on December 24—28, 1970, whereafter the Assembly charged its Constitutional Commission to draw up a draft of the new amendments for inclusion in the Constitution. The Commission took several months to complete this work, whereafter the draft was subject to public discussion for two months. Finally, on June 30, 1971, the Federal

Assembly adopted Constitutional Amendments XX—XLII. Since the amendments had been approved by the Assemblies of all Socialist Republics and Autonomous Provinces, they were incorporated into the Federal Constitution as a constituent part of it.

This phase of constitutional reform meant a partial revision of relations between the Federation and the Republics. These relations were placed on new foundations, more in line with the level of socio-economic and political development which had by then been attained. In addition to defining the new status, role and powers of the Federation and introducing corresponding changes in its organization, the amendments, especially those referred to as the "workers' amendments", (XXI to XXIII), laid down certain new principles and forms for self-management socio-political relations. In the course of implementing these partial constitutional changes it was realized that a fuller and more precise regulation of some basic questions concerning the socio-economic system of self-management, the communal system, the assembly system and the political system in general, were needed. For this reason the Federal Assembly decided that immediately after the adoption of Constitutional Amendments XX—XLII preparations should be started for the second phase of constitutional reform (i. e. the drafting of a new constitution) which was seen as an organic continuation of the first phase.

Preparatory work for this new phase of reform of the Federal Constitution was carried out by the Joint Constitutional Commission of all Federal Assembly Chambers. Within this Commission an especially significant role was played by the Coordinating Commission (under the chairmanship of

Edvard Kardelj) which was set up on June 3, 1971. Its duty in this new phase of constitutional reform was to coordinate varying views and proposals with appropriate political agencies and bodies of the socio-political organizations of the Socialist Republics and Autonomous Provinces and with bodies of socio-political organizations at federal level. It also had to coordinate the activities of the working groups of the Constitutional Commission. These working groups were formed as early as the end of December 1970. Their task was to study the situation in specific spheres of the constitutional system and to make proposals to the Constitutional Commission on further changes in the socio-economic and political system. They were to do this on the basis of analyses of the implementation of the Constitution and the pattern of the further development of the socio-economic and political system, as expressed in the President of the Republic's motion for the amendment of the Constitution.

The Constitutional Commission, which was presided over by the President of the Federal Assembly, Mijalko Todorović, gave a positive assessment of the results of one year of intensive and comprehensive work by its Coordinating Commission and other working bodies, and noted, on June 29, 1972, that the preparatory work had reached a stage which made it possible for the Federal Assembly to institute proceedings for the amendment of the Federal Constitution. It thereupon called upon the Chamber of Nationalities to initiate relevant proceedings.

On the basis of agreement by other Chambers of the Federal Assembly and by consent of the Assemblies of all Socialist Republics and Autonomous Provinces, the Chamber of Nationalities passed a

Resolution at its session held on July 21—22, 1972, calling for the institution of proceedings for the amendment of the Federal Constitution. According to this Resolution, constitutional changes were to be made in respect of socio-economic relations and the system of self-management, the communal and assembly systems, the functions of the Federation, the participation and direct responsibility of the Republics and Autonomous Provinces in the exercise of federal functions, and in respect of the judiciary and constitutional courts. The resolution further provided that constitutional change should be carried out in the form of a new integral text of the Federal Constitution rather than in the form of amendments to the 1963 Constitution. This was necessary because, in addition to introducing substantial changes in the above-mentioned spheres, the 1963 Constitution and the provisions of the 42 amendments passed in 1967, 1968 and 1971 had to be brought into accord with these new changes.

The adoption of the Resolution of the Chamber of Nationalities was followed by many months of hard and intricate work on the preparation of a Preliminary Draft of the new Constitution. The bulk of the work was carried out by the Coordinating Commission, together with the working groups of the Constitutional Commission, in cooperation with the constitutional commissions of the Republican and Provincial Assemblies. A large number of scholars, socio-political workers and various specialists took part in this work. At a meeting held on May 21, 1973, the Constitutional Commission determined the text of the Preliminary Draft and referred in to the Chamber of Nationalities for further procedure. On June 7, 1973, the Chamber of Nationalities determined the Preliminary Draft and submitted it to public discussion.

The public discussion of the Preliminary Draft of the Federal Constitution exceeded all expectations with regard to the interest it aroused, the number of people that took part in it, and the extent of critical consideration of the proposed constitutional changes. Through this discussion, which amounted to a kind of general popular referendum — in the course of which a large number of observations were sent to the Constitutional Commission from tens of thousands of gatherings of workers, citizens, their socio-political organizations and associations — the working people and citizens of all nations and nationalities of Yugoslavia overwhelmingly endorsed the basic ideological and political intentions and ideas underlying the proposed changes, and demanded their consistent formulation in the final text of the new Constitution.

After a thorough consideration and evaluation of all proposals and suggestions made in the course of the public discussion, and of the views and proposals of the Federal Assembly Chambers and the Assemblies of the Socialist Republic and Autonomous Provinces, the Constitutional Commission approved and incorporated a large number of them in the Draft Constitution. Some observations and proposals resulted in a better formulation and more adequate solution of individual questions. At its sessions of January 7 and 8, 1974, the Constitutional Commission determined the text of the Final Draft of the Constitution and referred it to the Federal Assembly together with a detailed report on the results of the public discussion and a draft of the constitutional law for the implementation of the new Federal Constitution.

At its session of January 22, 1974, the Chamber of Nationalities determined the Final Draft of the

Constitution and the Draft Constitutional Law on the implementation of the Federal Constitution and adopted both these documents, whereafter they were also passed in other Chambers of the Federal Assembly at the sessions held on January 30 and 31. At the sessions of their Chambers held in the first half of February 1974, the Assemblies of all Socialist Republics and Autonomous Provinces approved the text of the new Federal Constitution previously adopted by the Federal Assembly, whereby the new Federal Constitution was finally passed.

In order to inform the public of the socio-economic and political assumptions, basic lines and substance of the constitutional changes and the characteristics of the new Yugoslav Constitution, we present here the report on the Final Draft of the Constitution made by the President of the Federal Assembly and Chairman of its Constitutional Commission, Mijalko Todorović, at the session of the Chamber of Nationalities held on January 22, 1974, and also the text of the new Constitution of the Socialist Federal Republic of Yugoslavia.

REPORT ON THE FINAL DRAFT
OF THE S. F. R. Y. CONSTITUTION
BY MIJALCO TODOROVIĆ,

PRESIDENT OF THE FEDERAL ASSEMBLY
AND CHAIRMAN OF THE JOINT
CONSTITUTIONAL COMMISSION OF ALL THE
CHAMBERS OF THE FEDERAL ASSEMBLY,
MADE AT THE SESSION OF THE CHAMBER
OF NATIONALITIES HELD ON
JANUARY 22, 1974

Comrades deputies,

The proposed text of the Final Draft of the new Constitution which this Chamber should consider and adopt, has been drawn up by the Joint Constitutional Commission of all the Chambers of the Federal Assembly on the basis of proposals made and opinions expressed during the public discussion of the Preliminary Draft Constitution adopted by this Chamber.

The scope of the public discussion of the Preliminary Draft showed the enormous interest and massive and creative participation of our working class and all working people. Never before had the adoption of a document been subject to such broad and all-embracing public discussion as was the case of the Preliminary Draft of this Constitution. This interest was certainly the result of the high consciousness of our working class and working

people and their awareness that a crucial moment had been reached in the development of socio-economic and political relations in our self-management society, that the new Constitution was a legal and political instrument which would become an irreplaceable weapon in the struggle for the realization of their interests and aspirations.

The public discussion was closely associated with the ideological-political struggle for the application of the constitutional amendments. It contributed to the enrichment of the substance and programmes of action aimed at the realization of the immediate and long-term goals laid down in the Letter of the President of the League of Communists of Yugoslavia and the Executive Bureau of the Presidency of the League of Communists of Yugoslavia. Finally, the entire work on the preparation of the new Constitution was a component part of and a contribution to preparations for the Tenth Congress of the League of Communists of Yugoslavia.

The public discussion gave resolute support to the ideologico-political fundamentals of the Draft. By far the greatest number of observations were aimed at making the provisions of the Constitution clearer, more efficacious or more complete. The Commission reviewed all proposals, adopted all those which it considered would contribute to a better expression of the constitutional principles, and made corresponding changes in the text. The Commission could not make direct use of some useful observations and proposals, because they related to questions falling within the scope of the republican and/or provincial constitutions, or of statutory regulation.

A small number of observations and proposals were at variance with the ideas embodied in the

Draft, or were not in line with the self-management development of our society. Needless to say, the Commission did not take such proposals into account.

Finally, I must emphasize that on the basis of new analysis and knowledge and of opinions expressed in the public discussion, the Commission came to the conclusion that it was necessary to introduce some new points into the Draft in order to express more fully and consistently the overall concept of socio-economic and political relations.

As is known, it was President Tito who provided the initiative for the amendment of the Federal Constitution by introducing the relevant motion. On several occasions he spoke of the ideologico-political fundamentals and significance of constitutional reform, and Comrade Kardelj gave detailed explanations of the fundamentals and principles on which the new solutions should be based.

Allow me now to draw your attention to some questions in conjunction with the proposed text of the Constitution.

II

1. The profound changes in socialist production relations based on self-management which are introduced by the new Constitution are the basis from which all other changes in the socio-economic and political system stem and evolve.

According to the proposed text of the Constitution, socio-economic order "shall be based on freely associated labour and socially-owned means of production, and self-management by the working people in production and in the distribution of the social product in basic and other organizations of associated labour and in social reproduction as a

whole." In addition, the Constitution lays down the inalienable right of workers "freely and on an equal footing with other workers in associated labour to manage their labour and the conditions and results thereof".

These constitutional provisions mean in essence the abolition of any kind of monopoly — either private-capitalist or state — of the means of production "which cease to be means of private production and products of private production, and can thereafter be only means of production in the hands of associated producers, i. e. the latter's social property, much as they are their social products."¹

Through the constitutional reform our revolution ensures, more consistently and more fully than any other revolution in history to date, that the means of production belong to associated workers and that they "see in these means what they *in natura* are, their own products and subjects elements of their own activity".²

The abolition of the alienation of the means of production from the workers and the transformation of associated workers into direct masters of the conditions and results of their labour, are the most important historic revolutionary acts and the basis on which the emancipation of the working class is built. The capitalist servitude of the workers, the entire system of capitalist exploitation and despoliation grows from the situation in which the working class is deprived of the ownership of the means of production, out of antagonism, to use

¹ Marx, K.: *Kapital* (Capital), Vol. III, p. 482, Kultura, 1964.

² Marx, K.: *Teorija o višku vrednosti* (Theories of Surplus-Value), Vol. III, p. 288, Kultura, 1956.

Marx's words, between labour performed and oneself, i. e. living labour.

It is this Marxist conception of social ownership, or rather of the fusion of labour and ownership, that determines our conception of the socialist self-management relations of production. However, it is precisely in respect of the essence and character of social ownership and the character of past labour, and in respect of the significance and character of the basic organizations of associated labour, that rather deep misunderstandings have come about, partly during the public discussion, and much more so in the implementation of the constitutional amendments.

Since this involves substantial questions concerning new production relations, allow me briefly to discuss some of them. It is pointed out that past labour does not create any value and that consequently it cannot be a factor in and a basis or criterion for the distribution and allocation of social income or social surplus-labour. This would, allegedly, be tantamount to the capital-relationship. This view also reflects itself in the negation of the right of the basic organizations of associated labour to a share in income on account of the pooling of resources, while interest on resources pooled or deposited in banks, if they are not negated, are considered to be a necessary evil. Lack of understanding of the new relations in respect of past labour are also reflected in the wish to reduce the "right to past labour" to a mere increase in personal incomes and pensions according to the length of creditable service and the like.

That past labour does not create any value is well known, but one cannot underestimate the "value which past labour has for its present", as Marx says, i. e. that these are the means of pro-

duction and the material conditions of labour without which one cannot do. In particular, we must not conclude from it that past labour should be alienated from living labour, from the workers who have generated it.

The rights of the worker to his labour of yesterday through which he has created for himself better conditions of labour, higher productivity, shorter working hours, better living conditions and more consumer goods for today — is a real material interest and an incentive for present living labour and social accumulation. When he is shorn of the results of past labour the worker loses his own objective conditions of labour, he reverts to the wage-labour relationship, is transformed again into a proletarian. When the results of past labour are denied to the worker, they tend to transform themselves into power over the worker instead of becoming an element of his power. Such relations of expropriation of and power over the worker come into being not only on the basis of private capitalist ownership, but also through statist, technocratic and similar alienation of the results of labour from the workers.

From the fact that past labour must not be alienated from the worker stem all essential elements for the realization of his socio-economic status, and these are in particular — first, the management and disposal of the means of production and the product of labour or surplus-labour as the inalienable right of associated workers in basic and broader organizations of associated labour; second, the distribution of income according to work performed and according to the results of management and self-management as the constituent parts of productive labour, i. e. also according to the better management of the social means of production,

according to accumulation and investment aimed at the expansion and promotion of production in their own and other work organizations; third, the distribution, based on the laws governing the formation of prices, of the total social surplus-labour among the basic organizations of associated labour according to their total past and living labour; fourth, direct participation by the workers in the management of the totality of relations in the process of social reproduction.

This must be the worker's attitude towards that part of the social means of production which he generates and directly uses in common work in his basic organizations of associated labour, if he is to be in a position in actual relations in the process of production, exchange and distribution (consequently in consumption, too) really to treat the totality of the means of production and social product as his own. Consequently, the associated worker must be the master of the totality of living and past labour realized and accumulated in his basic organizations of associated labour.

I shall disregard here those views which openly negate even the right of the basic organizations of associated labour to manage the income generated by them, and which do not take into account the market. But I would like to say a few words about the views of those who take into consideration both the market and self-management, but put forward demands for what they call equalization of business conditions through prices which would correspond to the values produced, or rather, according to which individual work collectives would only dispose of income which can be considered as the result of their own labour.

As is well known, total social surplus-labour, or rather total social accumulation, is distributed

through prices in commodity exchange among individual organizations of associated labour not only in proportion to living labour, but also according to total — past and living labour. These are objective laws of economics. A corresponding distribution of joint surplus-labour arising from the pooling of labour and resources, interest and the like, also stems from and is associated with these objective laws.

These laws can only be circumvented through subjectivist voluntaristic violence to the economy and socio-economic relations, or rather through taking away from associated workers and their basic organizations of associated labour the entire or almost the entire surplus-labour and handing it over to the state or another alienated centre for further administrative or similar kind of distribution. This means a return to statism or technocratism. What is more, a distribution of the surplus-labour earmarked for accumulation and expanded reproduction which did not take into consideration accumulated past labour (i. e. differences in the average organic composition of fixed assets by branch of production) would not in principle be economically rational. Such a distribution of social surplus-labour would, in fact, be detrimental to the equality of workers in production and would be contrary to the principle of distribution according to work performed. It would make it impossible for workers in the basic organizations of associated labour to become the principal factors responsible for the functions and means of social reproduction.

The value of product of a basic organization of associated labour does not only consist of the present labour of its workers, but also of their past labour. In exchanging their products with other

organizations of associated labour, they tend to "maintain the old value by increasing it".³

Consequently, every basic organization of associated labour strives through the realization of the value of its product, through prices, to obtain from the total mass of social accumulation an aliquot part proportional to its total labour, past and living, engaged in commodity production. This right of a basic organization to an aliquot part of social accumulation is connected with its obligation to produce and to expand production, to carry out simple and expanded reproduction in its respective branch. Therefore, it is necessary to reckon with different ratios of living and past labour so that production and expanded reproduction can be ensured. This is not a property relationship but the basis of equality in common, social labour in which workers themselves in the basic organizations of associated labour are the principal factors responsible for accumulation and expanded reproduction. Price policy, credit policy and other measures of planned adjustment and guidance of the conditions of business and development must take into account this objective law, rely on it and control its action.

Difficulties, misunderstandings and even resistance which arise in connection with the constitution of the basic organizations — in addition to various kinds of resistance offered by techno-managerial and bureaucratic forces — are in my opinion also due to lack of understanding of the basic organizations of associated labour as a new production relationship, as a new socio-economic category. The creation of the basic organizations of associated labour is sometimes understood as a

³ *Ibid.*, p. 289.

mere organizational contrivance, and not as an objectively given socio-economic category at the present stage of development of socialist self-management production relations.

It seems to me that the dual and contradictory character of the basic organizations of associated labour is not sufficiently understood. First, they are within the framework of associated labour as a whole the basic socialist self-managing form of work organization, the basic cells of direct cooperation, of directly associated labour working with socially-owned means of production. Second, each — alone or associated — is an enterprise, i. e. an independent producer of commodities, and an economic and legal entity which more or less independently operates on the market in commodity, monetary and legal traffic.

The worker in his basic organization of associated labour also has a dual, contradictory role and character. First, he is a free associated producer, a participant in joint labour, who on a self-managing basis and directly disposes of or manages the conditions and results of his labour in his basic organization. On this basis social accumulation and expanded reproduction take the form of the workers' conscious activity aimed at the realization of his individual and social, current and long-term material interests. Second, he is a collective entrepreneur who manages the social means of production and who is responsible for his decisions, in other words, he is in a way his own collective employer.

It is the first of the above-mentioned features that provides the essential, new revolutionary socialist quality which in its further development should strengthen, assert itself and gain in depth.

The other contradictory feature is a remnant of the old, but such a remnant as is not only inevitable and unavoidable, as long as we have to deal with commodity production, with the production of values, but is today actually an expression and guarantee of the emancipation of direct producers, a basis for their independence and initiative. It is a form in which the emancipation of labour and of the worker's personality is being realized on the basis of socialist self-management. As a remainder of the old, this contradictory feature no doubt entails certain dangers and negative tendencies. But we should not because of this overlook its irreplaceable positive role in the suppression of the new forms of alienation and monopoly — statist, technocratic and others.

In answering those who maintain that the basic organization of associated labour means in fact the atomization of the economy, we must point out that it is only with the establishment of the basic organizations of associated labour that our economy has been given its real natural basis and the foundations of rational and stable integration on self-management principles. It is precisely the socio-economic status of the workers in the basic organization of associated labour and through this in the totality of relationships, that stimulates and enables workers to strive for integration in the economy, trade, scientific research, etc. The interests of the workers in the basic organizations of associated labour increasingly impel them to realize that successful social reproduction — and thereby also the success of their organization of associated labour — depends on the harmonious functioning of the overall process of social reproduction and the transcendence of autarky and anarchy in commodity production. In this way the

above-mentioned contradictions are being resolved in the process of development on self-management foundations, through the direct linkage of the working people in the process of labour and new socialist relationships among people, based on reciprocity and solidarity.

A basic organization of associated labour cannot be an inward-looking, autarkic organization because it is an expression of new production relations. This follows from the role and function which its workers realize in production and in social reproduction as a whole, and from the fact that the nature of the basic organizations role in decision-making also implies decision-making in the other forms of the pooling of labour and resources in which it is involved. The basic organizations of associated labour are in fact the basic cells of a single organism of associated labour without which this organism could not function under present conditions. The basic organizations of associated labour can only exist as parts of this total organism. In the basic organizations the workers generate and distribute income as a part of total social income, and as the result of their total social past and living labour. The basic organizations are a form of dialectical transcendence of the »classical« autarkic enterprise.

At the same time, the above contradictions and their effects must be consciously controlled by society and gradually transcended according as the objective assumptions are created for so doing. These contradictions warn us that socialist production relations cannot be left to the rule of blind forces and spontaneity, but that continuous organized action by conscious socialist forces must play a decisive role both in the guidance of social devel-

opment as a whole, and in the struggle going on in each basic organization of associated labour.

In each individual cell a struggle is waged between the old and the new, just as it is waged on the level of society as a whole. Organized action by socialist forces must ensure that associated workers everywhere become masters of the conditions, means and results of their labour, or else opportunities may emerge for the development of group-property, techno-managerial, statist and other deviating practices.

Speaking of the character of the struggle waged today by the working class, Comrade Tito emphasized that the »basic element of the struggle for the realization of the role of the working class is to overcome the statist-bureaucratic and technocratic forces that find support in the remnants of state-property and other forms of monopoly«. Consequently, it is primarily on these issues that the workers' class struggle is being waged; the realization of such production relations will be one of the most important victories of the working class, headed by the League of Communists and Comrade Tito, in the present struggle for socialism.

2. The proposed text of the Constitution contains still more precise provisions pertaining to the various forms of the pooling of labour and resources in work and composite organizations of associated labour, the integration of production and trade, banks, insurance communities, etc. Banks are treated as joint organizations, primarily as organization of associated labour through which the latter pool and manage their resources in the common interest and under their own control. The proposed Constitution treats the trade sector as a continuation of the production process of labour

and a component part of the entire process of social reproduction.

Significant changes have also been introduced in respect of the satisfaction of common and general needs. Under the new Constitution these needs will be financed from the personal incomes of the workers and the income of their organizations of associated labour, in accordance with the purposes and aims of the relevant services.

The proposed constitutional solutions provide safeguards against any excessive burdening of personal incomes and of the income of organizations of associated labour. Fiscal burdens — taxes and other dues levied on income — will be determined in accordance with the ability of the work organizations to ensure the satisfaction of the personal and common needs of their workers and a specific level of expanded reproduction, in line with the business results achieved by them.

3. The new constitutional provisions concerning social activities, especially the further qualitative development of self-managing communities of interest, ensure consistent realization of socialist self-management relations in the broad fields of human activity outside material production, fields which are daily becoming more significant for man.

As a result of class exploitative relations and monopolistic, technocratic and statist tendencies in contemporary social systems, most working people in these fields are being increasingly brutally exploited and deprived of independent action and initiative. On the other hand, the working people whose interests and needs should be satisfied through these activities are in most cases reduced to passive objects with no real influence upon the volume and mode of use of resources which they

themselves provide for the development of these activities.

The development of self-management in these fields has in our society to some extent reversed the above-mentioned tendencies and solved a few of the above problems. However, according to the Draft the formation of new self-managing communities of interest will mean that all real conditions are being created for the establishment of new socialist self-management relations, both among the working people performing these activities and between them and those who use their services.

The creation of self-managing communities of interest means that dependence on the state budget and administration is being eliminated, and that relations governed by market laws, where these laws have acted in a very distorted way, are being transcended. The process of free exchange of labour is starting, labour is being directly assessed and adjusted on the basis of the common interests of those who form self-managing communities of interest, and conditions are being created for a broader establishment of direct relations among people on the basis of reciprocity and solidarity. Free exchange of labour leads to the integration of all spheres of social labour — material production and other social activities — into a single process of social reproduction and to the establishment of the same socio-economic status for working people in all spheres of associated labour. In this sense, self-managing communities of interest are also a form of association of labour, especially in so far as they satisfy the needs and interests of reproduction.

The Draft Constitution has solved some of the problems that became obvious during the implementation of the constitutional amendments, and

which were pointed out during the public discussion. Thus, it is explicitly regulated that in certain spheres it is obligatory to form communities of interest and that they must be organized so as to be able to take part in direct self-management decision-making regarding the totality of relations in their respective spheres of work. According to differences in the nature of relations involved, the Draft provides for several types of communities of interest concerned with the realization of the various needs and interests in these communities, and according to their significance for social reproduction.

4. In the constitutional proposals special attention was paid to relations in the countryside. As a result, these relations are more fully and clearly regulated in the proposed text of the Constitution. The guaranteed rights of farmers, as individual producers, are also granted to members of their households who engage in farming. This means a further step in the elimination of the remnants of patriarchal relations and the frequently unequal status of members of farmers' families.

The Draft also contains fuller and more precise provisions on cooperatives. These provisions emphasize the free and voluntary nature of internal relations in cooperatives; they encourage the creation of various forms of mutual cooperation among farmers on the basis of the pooling of labour and resources aimed at raising their labour productivity and living standards.

Members of a cooperative may, according to the Draft, freely regulated matters concerning the investment of resources in the cooperative — they may retain their right of ownership or receive compensation for the value of these resources. They have the right to share in the income of their

cooperative proportionally to the amount of labour and resources invested. Part of the income realized in the cooperative which exceeds the amount accruing to its members on account of labour and resources pooled, becomes social property and serves for the development of the cooperative.

Farmers, as working people who earn income on the basis of their personal labour, have, under the Draft, in principle the same socio-economic status and basically the same rights and obligations as workers in organizations of associated labour. Such constitutional provisions will allow further incentive for the development of agriculture, agricultural cooperatives and socialist relations in the countryside.

5. One of the demands especially insisted upon in the public discussion was a more precise definition of the self-management system of planning.

The Draft only lays down the basic principles. These will be elaborated upon by legislation and further developed and complemented during the development of new production relations. The Draft treats planning as an essential element of the socio-economic system. First of all, self-managing planning will result in a further expansion of the social power of and direct influence by direct producers on the totality of flows of social reproduction outside the basic organizations of associated labour. The Draft makes planning generally compulsory, which was not previously the case. Likewise, the planning agents are bound to adjust their plans mutually and to the plans of the socio-political communities.

In order to strengthen mutual responsibility and discipline in planning, the Draft provides that work and other self-managing organizations and communities may not unilaterally rescind their

mutual obligations undertaken with a view to ensuring the realization of the common plan before the expiration of the planning period.

Special emphasis is laid on the responsibility of the agencies of socio-political communities for taking measures, with — in the framework of their constitutionally-defined rights, for the realization of planned targets. For this purpose and in order to eliminate disruption of Yugoslavia's unified market, the Draft gives the socio-political communities a fairly wide choice of instruments (including the right to impose by statute obligatory pooling of resources for specific purposes), without, however, the right to appropriate the resources of the basic organizations of associated labour.

III

1. In the course of the public discussion full support was expressed for the ideologico-political foundations of the proposed changes in the political system. The new principle according to which political power should be directly exercised by the working class in alliance with the peasantry and other working people, was unanimously endorsed. The political system of self-management democracy, based on the delegational principle, as spelled out in the Draft Constitution, initiates a process of transcending the historical dualism between the state and society and makes possible a new kind of integration of the sphere of power and the sphere of labour, thus, as Marx wrote, returning to society control over alienated political power.

The entire evolution of our political system from the establishment of people's liberation committees up to the present day, despite an uneven

course, some wrong turnings and slowdowns, has been determined by this basic Marxist belief. And, although the essential and basic line of development of our political system ever since the time of people's liberation committees has entailed a negation of the representative system, significant elements of representative indirect democracy have constantly been present in it.

The adoption of the Fundamental Law in 1953, marked a switch to the development of an integral system of socialist self-management. After this a more resolute line was taken towards the buildup of direct socialist democracy and the assembly system. An important step was the formation of the chambers of producers, and later on — in 1963 — the establishment of the chamber of work communities.

In the course of these two decades the assemblies increasingly asserted themselves as a form of integration of self-management and political power. However, despite radical changes in the structure of the assemblies our political system did not in essence succeed in extricating itself from the framework of bourgeois parliamentarism. The breakthrough achieved with the attempts, unprecedented in the history of representative institutions, to express the interests of "broad spheres of social labour" in the process of assembly decision-making through the chambers of work communities, only half succeeded. The political chambers as bodies of general competence formed on the basis of general political representation were retained in the assemblies and the chambers of work communities were not constituted on the delegational principle, but on the basis of general elections. As a result, they still contained elements of the classical repre-

sentative systems, both with regard to electors and to the mode of decision-making in the assemblies.

The retention of elements of bourgeois parliamentarism was to a large extent also due to certain tendencies in the development of self-management social relations. The slowdown in the development of self-management and the strengthening of the alienated centres of techno-managerial and statist economic and political power resulted in the emergence of tendencies towards the bureaucratization of social relations and the strengthening of technocratic monopoly, which inevitably also reflected itself in the character and functioning of the assemblies and acted towards their expropriation.

Historical experience has shown that the system of representative democracy is based on production relations in which the exploitation of wage labour by capital is firmly embodied. The property monopoly of the capitalist class in production relations manifests itself in the political domination by this class in political relations and political decision-making.

Isolated in the political sphere, the egoistic individual can only be represented by an alienated intermediary, by a general representative who acts as a representative of some kind of fictitious general interests. The function of political power as an expression of some kind of "unified social interest" and thereby also of the "legitimacy" of the real power of the bourgeoisie, cannot, therefore, be based on man as he is, man as determined by the entirety of social relations, interests and the status of the class to which he belongs. Because of this, the classical representative system is based on an "abstract citizen", on imaginary man, divorced from basic social relations, the relations of

production, in which the real social substance is reproduced.

The development of parliamentary-representative democracy confirms the historically limited scope of this form of the political organization of society. Immanent in the very nature of parliamentarism is the process of the transformation of representative bodies into "parliamentary talking shops" and the transfer of the centre of political power from representative bodies to the executive. The process of political life being gradually monopolized by powerful, centralized and bureaucratized parties is carried out almost to the fullest possible extent. The various improvements and reforms of bourgeois parliaments remain sterile and powerless because they are shattered against the reality of economic and political relations based on the interest of big capital. Some recent examples of the parliamentary life of the bourgeois democracies show to what extent the role of representative institutions has been degraded and become powerless.

2. The present constitutional changes are a radical turning point in transcending bourgeois parliamentarism. The historically new status of the working class in political relations will be ensured through the constitutional provisions whereby the political system and entire political power must be directly rooted in the status and interests of the working class, peasantry and other working people organized politically and on self-management foundations.

Institutionally, this status of associated labour in the political sphere will be achieved through the delegational system, i. e. through a political system that will make it possible for the ordinary working man, organized economically and politically, inde-

pendently and efficiently to take part in the political life and organization of the state. Instead of the isolated individual, citizen standing outside the socio-economic relations which determine him as a member of his class, the basis and essence of the political system of socialist self-management democracy are now the working people who, organized politically and on self-management foundations in their work communities and communities of life, and in other socio-political organizations, are mutually linked through their delegations and delegates and exercise power and management of general social affairs.

The substance of the delegational system lies in the establishment of active socio-political relationships between the social base organized on self-management principles and the centre of political decision-making in broader communities. The new position of delegates is defined in the constitutional provision whereby in the process of political decision-making delegates must act according to the guidelines of their self-managing organizations and communities, but also according to common social interests and needs.

One of the necessary conditions for the establishment of such a system of political relations and the role of the working class is, primarily, the self-management status of the workers, their full involvement in the basic organizations of associated labour and the provision of safeguards against any form of monopoly and alienation of the surplus-labour of the workers, the keeping of workers fully informed of all relevant facts, the public character of conduct of affairs, and an active and efficient role of the organized forces of social consciousness. Without the organized influence of socialist consciousness, the League of Communists in

particular, in the basic, natural cells of work and society, the delegational form of political organization could hardly come to life. Blind forces and spontaneity would make it possible to manipulate the working class and its interests, the delegational system would become distorted and turn from an instrument of the working class into a means of usurpation and arbitrariness by the techno-managerial and bureaucratic layer, and would facilitate a breakthrough by other anti-socialist forces.

The delegational system should enable the working class, organized politically and on a self-management basis, as Marx put it, to "organize itself as a state", but as a state "which in good part is no longer this". What is involved here is a special type of socialist state, the historic form of the dictatorship of the proletariat which corresponds to the present level of development of our socialist self-management.

3. In addition to observations which contributed to improvements in the proposed constitutional changes, observations were also heard in the course of the public discussion which, while paying lip service to the basic ideological concept of the delegational political system, accepted in essence the system as a form of indirect elections, of more or less indirect decision-making. In other words, the delegational system was understood as a kind of "improved" form of the classical representative system.

Such ideological and political conceptions came especially to expression in discussions on indirect and direct decision-making and the idea of their being mechanistically separated from each other. Those voicing such ideas considered that only personal expression of views and options at gatherings, through referenda, etc., were direct deci-

sion-making. Similar mistakes are made by those who distinguish between "direct" and "indirect" self-management. If we have self-management — then this self-management cannot be indirect! It is either a matter of mixing up self-management and direct democracy with bourgeois parliamentarism, or of a petty-bourgeois reformist mentality.

The essential change introduced by the delegational system lies in the fact that decision-making in the broader socio-political communities is no longer exercised by some kind of general political representatives but through a type of political institution which ensures that interests formed in the base of society are directly represented in the centres of political power.

Delegations and delegates are not general political representatives vested with a general political mandate expressing some kind of general political rights of electors, but are instruments of the working class organized politically and on a self-management basis, an expression of the real interests of the working people, with clearly and precisely defined responsibility to the workers and all working people in the basic organizations and communities, and to the social community as a whole. Being based on principles of association and free cooperation and the organized influence of these basic communities, delegations act as collective representatives of the interests of these communities in broad forms of decision-making. Since they themselves are part of these communities, the delegations are, in fact, representatives of their own interests, not of the interests of somebody else.

4. The changes proposed in the Draft in respect of the assembly system are aimed precisely to achieve this. The assemblies are constituted so that

through the delegations they express, link and adjust all kinds of interests of the working people organized politically and on a self-management basis. These are the basic organizations of associated labour, local communities, communes, communities of interest, and socio-political organizations.

In order to regulate more clearly the political system as a whole and express all socially-relevant interests, the Draft Constitution spells out in greater detail the status of communities of interest, or to be more precise, the status of the assemblies of these communities under the assembly system. The basic idea proposed in the Draft is, as was also observed during the public discussion, to avoid any possible idea of a kind of sporadic and consultative participation by the communities of interest in assembly decision-making. In this way the Draft accords due value to the political achievements of the working people in the fields of science, education, culture, health, etc. Their status in the assembly system is thus given a more realistic form and role.

Experience gained in the development of our political system to date and our present knowledge of the character of political relations, in the present phase confirm that the totality of the real social interests of the working people cannot in the delegational system only be expressed through the mechanism of delegations and delegates from the basic organizations of associated labour and other basic self-managing organizations and communities, and especially that the overall process of political decision-making cannot be left to spontaneous operation and blind forces. In an insufficiently developed and contradictory society it is necessary to ensure a synthesis of individual and general social

interests, an integration of the momentary and the historic interest of the working class.

The Draft Constitution tries to solve this problem through the institution of chambers in charge of politico-executive functions. However, the incompleteness of the conception of this chamber caused much misunderstanding and was criticized during the public discussion. It was in particular obvious that in view of the mode of its constitution and the character of its function the concept of the politico-executive chamber failed to solve two problems: first, the influence of the organized forces of socialist consciousness on the process of decision-making, on a democratic basic and within the framework of the assemblies themselves, and, second, the need for clear and precise dimensioning of the status of executive bodies in the assemblies.

It was realized that in order to secure the basic line of development of our socialist society it was necessary, within the very mechanism of decision-making in the assemblies and through direct participation of the organized forces of socialist consciousness — the League of Communists and other socio-political organizations within the framework of the Socialist Alliance — to ensure that the resolution of conflicts of interest should be realized in line with progressive socialist development expressed in the long-term interests and the historic role of the working class.

From the very beginning of the development of self-management we have faced important problems of how to determine in practice the role of organized socialist forces, primarily the League of Communists of Yugoslavia, in respect of political power. Throughout this entire period we have with regard to the status of socio-political organizations and political power striven to avoid two

kinds of relations which are inadequate for a society based on self-management. One was a petty-bourgeois reformist tendency towards spontaneous and uncontrolled development of society into socialism, independently of the influence of organized socialist consciousness, and the other — the bureaucratic-statist tendency towards direct power by the party apparatus with the well-known system of "transmission". The dilemma between these two extremes has in practice also created the artificial dilemma of the "interference or non-interference" of the League of Communists.

It is quite indisputable that the socialist self-management system presupposes a high level of socialist social consciousness and a decisive influence of the conscious factor — the League of Communists of Yugoslavia. The organized forces of socialist consciousness, the League of Communists in particular, cannot be deprived of responsibility for the realization of the strategic targets of development of our socialist society. It is a question of the form and mode of their action in the system of socialist self-management and self-management direct democracy, i. e. the question of their being sufficiently efficacious and publicly responsible, of not jeopardizing these relations, but of strengthening and developing them instead. The proposed concept of the socio-political chamber, which is based on the direct representation of socio-political organizations in the assembly system, is devised so as to strengthen and make more direct and public the responsibility of the organized forces of socialist consciousness for the socialist development of society.

The objection that the existence of this chamber implies lack of trust in the working class and its delegates and that there is a danger of its taking over

the powers of other chambers of delegates, does not take into account the fact that a spontaneous and pragmatic approach would inevitably mean that the chambers of associated labour and the assemblies as a whole would be subject to manipulation or would become mere transmission cogs for the executive power or centres outside the assemblies. In this respect and with regard to the mode of its constitution and the character of its powers, the socio-political chamber is at the present moment of our revolution an indispensable part of the entire assembly system.

The powers of this chamber stem from its character. According to the Draft Constitution, it takes part in decision-making concerning a restricted range of questions concerning production relations, the political system, the protection of constitutional order, etc. But its role should come to expression through broad and continuous political and creative initiative in the assemblies.

In line with the structure of the assemblies, the Draft also specifies and defines more precisely the status of the executive organs of power. In all the assemblies of the socio-political communities executive bodies will be vested with precisely specified powers and responsibilities. The Draft accords the executive organs of power the necessary significance and responsibility for the state of affairs in society, and this means responsibility both for the implementation of the policy of the assemblies and for the initiation and preparation of projects and detailed proposals. At the same time the responsibility of the holders of executive functions and of powers vested in them are also more clearly and precisely laid down.

In keeping with the concept of integral self-management, the process of mutual dialectic permea-

tion of state-political and self-management elements of society is continuing. On the one hand, the competence of the state is being restricted through the replacement of state functions by the normative role of freely associated labour, primarily through self-management agreements and social compacts, and on the other, the very essence of the state is being changed with the introduction of the delegational system.

The state's rights and powers as the acting holder of social property are curtailed to the greatest possible extent. The state is being transformed from an alienated power over society into an instrument of society, to the extent to which the working class organized politically and on a self-management basis gains mastery over the conditions, means and results of labour.

However, this does not mean that the role of the state as an instrument of the working class in the realization and securing of the socialist self-management development of the country has lost its importance. From the contradictions through which a society based on self-management moves forward can and do arise various conflicts, distortions of socialist self-management relations, technobureaucratic and other kinds of usurpation, etc. Most of these contradictions will be resolved by self-managers themselves through self-management mechanisms. However, in certain cases the state must resort to administrative coercion in order to safeguard the free and fuller development of self-management relations. In this respect the Draft provides the state with new, more efficacious instruments than has hitherto been the case. In addition, the state will continue to act as the supreme and direct executor of some of its "classical" functions, such as the protection of security

and integrity of the country and the like. The Draft defines with precision the state's powers in these fields.

The concept of the state in the proposed Constitution is a radical criticism of both statist and petty-bourgeois reformist conceptions, the central problem being not the question of whether the state grows stronger or weaker, but of the extent to which the entire state organization performs the functions imposed upon it by the development of socialist relations of self-management.

In line with the totality of changes in social relations, the Draft also provides for reforms in the judiciary, especially through the establishment of courts of self-management, the office of social attorney of self-management, and through other instruments to safeguard self-management.

IV

Relations in the Federation were basically regulated by the constitutional amendments of 1971. The Draft provides for some additions, primarily through changes in the structure of the S. F. R. Y. Assembly and the definition of its powers.

The development of our socialist self-management society especially the efforts to give the working class a status which ensures it hegemony in the sphere of economic and political relations, has been inseparably linked with the development of a new type of relations in the Federation. According to the Draft, these relations are based on foundations that will ensure full equality of the nations and nationalities on the principle of free agreement, association and socialist internationalism.

Our socialist revolution has confirmed the fact that the internal structure of a multi-national community need not remain "abnormal or insufficiently developed", although this tendency in the development of federal states under contemporary conditions of a marked process of *étatisation* of economic and political relations is clearly present.

The close dialectical interconnection of the solution of the relations and status of the working class in associated labour and in the system of political relations and of the self-management solution of relations among the nationalities, has been confirmed. It is only in the interests of the working class, as the dominating "nation within the nation", that lies the dialectic unity of solution of class and national interests. Only when such social assumptions have been created, and the entire spirit of the proposed Constitution is determined by the need for the working class to assume mastery over the whole of the social process of reproduction, will all indispensable conditions for independent national life and free mutual self-management association within the framework of our multi-national communities be created. Under such conditions the working class alone will represent the national interest and, *vice versa*, what manifests itself and becomes the national interest will be the interest of the working class of a particular nation.

The Marxist solution of the class-nation relationship has enabled us to constitute our Federation and relations within it in a unique way, without any precedent in the history of federal structures. What I have in mind is primarily the absence of any kind of »outvoting« among the citi-

zens of our multi-national community in the sphere of political relations.

The foundations of the new relationships within the Federation, based on agreements and compacts, respect for differences, but also on the deepening of mutual trust and mutual solidarity, were laid in the common National Liberation War and Revolution. They form a basis for the further development of equality among the nations and nationalities, and it is this which constitutes a guarantee of the unity and stability of our Federation. In this context, especially significant, radical and without precedent is the provision according to which the Republican Assemblies will take over federal powers in respect of all essential issues of economic policy. The Draft Constitution lays down that the Chamber of Republics and Provinces shall, in agreement with the Republican and Provincial Assemblies, adopt the social plan, formulate policy and pass federal statutes pertaining to the monetary system, currency issue, the foreign exchange system, the external trade system, credit and other relations with foreign countries, etc.

The Constitutional Commission could not accept the views expressed in the public discussion whereby the domination of the working class at federal level, which means also the role of the working class as a factor of cohesion and integration in our multi-national community, could not be ensured through dialogue and agreement among the Republics and Autonomous Provinces, or rather, that the class interests of the workers at federal level must not be mediated by the interests of the nations, but must be directly expressed. It is evident that here we have to deal with ideological conceptions which mechanically separate the interests of class and of individual nations, and which con-

sider it necessary to constitute a kind of working class with its interests *in abstracto*, independently of the fundamental social relations in which class as a social category satisfies the totality of its multi-dimensional interests. The last two and a half years since the adoption of the constitutional amendments have shown that the confidence, solidarity and brotherhood and unity of our nations have strengthened, and this has strengthened our federal community.

However, one need not be a Utopian and believe that the entire mechanism of agreements and compacts among the republics and provinces will succeed by itself, that there will be no difficulties, especially at the beginning, until the entire system of socialist self-management social relations has matured. In this respect subjective socialist forces have a very great role. The Draft Constitution provides for instruments in cases when no decision can be reached by the envisaged procedure which calls for the conclusion of agreements and compacts among the Republics and/or Provinces. The possibility of the frequent taking of temporary measures or of the preservation of the *status quo* because no agreement can be reached on a particular issue, will certainly be a weak point in our political practice, especially at the beginning, and this is something that must be reckoned with.

The central question concerning the normal development of the new kind of relationship at federal level is the level of development of self-management in the Republics and Provinces. The faster and fuller self-management has established itself in the Republics and Autonomous Provinces as the dominant social relationship and has ensured the democratic, genuine interests of the working class, from the basic communities to the Re-

publics and the Federation, the sooner adequate safeguards against monopoly by statist and technomanagerial forces have been secured in all Republics and Provinces, the more smoothly relations in the Federation will develop, without serious political difficulties and convulsions. The character of the constitutional solutions in the sphere of production and political relations provides social preconditions for the creation of a still clearer front of progressive socialist forces against various conservative, nationalistic and other forces within the individual nations of Yugoslavia. The chances of the various conservative and reactionary forces to present their political interests as national interests are now greatly restricted.

In addition, for an efficient conclusion of agreements and compacts between the Republics and Provinces it is necessary to set up at federal level efficient, creative, well organized and well staffed executive bodies, planning-analytical and other centres which will be able to work out adequate projects and platforms conducive to the conclusion of agreements and compacts among the Republics and Autonomous Provinces.

The Draft Constitution does not introduce any major changes in the regulation of the status of the Presidency of the Socialist Federal Republic of Yugoslavia. Proceeding from the historic role of Comrade Tito in the National Liberation War, Socialist Revolution and postwar development of the country, and bearing in mind the general mood of the working class, the peasantry and all working people, the Draft empowers the S. F. R. Y. Assembly to elect, on the proposal of the Assemblies of the Republics and the Assemblies of the Autonomous Provinces, Comrade Tito President of the Republic for an indefinite period of time.

V

The character of contradictions in the so-called "welfare societies" shows that one of the fundamental questions is that of how to reconcile the powerful development of productive forces and increasing material demands with the humanization of society, emancipation of labour, social justice and the abolition of all forms of political domination. The question of self-management, the relations and forms through which the working people will manage production and distribution, and in general the question of real democratic management of social affairs, are today the central themes of modern society.

The tendencies in the development of relations among nations in the international community, and the deepening gap that separates the developed and the developing countries, and finally the present ever sharper and deeper crisis of international economic relations, also show that relations among nations can no longer be resolved through imperialistic domination and hegemony.

Under these conditions of our society's development towards socialism, the ideas of integral socialist self-management and of the new type of Federation, as defined in the proposed Constitution, have aroused great interest among the progressive forces of the world. They are seen as a unique experience of the working class for the solution of problems of the contemporary world. Because of its complex structure, the Yugoslav multi-national community is in a way a world in miniature. By resolving its own problems, it contributes to the practice of the international workers' movement in its struggle for the resolution of the

fundamental contradictions of contemporary society on a progressively democratic and humanistic and socialist basis. This imposes upon the working class an additional responsibility, especially upon communists in Yugoslavia, regarding the realization of the principles underlying the new socio-economic and political relations based on socialist self-management, as spelled out in the Draft Constitution.

VI

Comrades Deputies,

Our entire constitutional development to date has shown that in devising the solutions contained in this Draft we have proceeded from the given level of development of economic and political relations, and have striven, without clinging to schemes or dogmas, to adapt our institutional solutions to new tendencies and social laws. Our aim has been to open up and secure enough leeway for further change in social relations. In this sense the proposed Constitution is an expression of reality in our country. But the extent and the far-reaching character of change make it a revolutionary programme for whose realization we shall still have to fight. Replacement of the old by new institutional structures is not automatic and spontaneous process. On the contrary, social changes of this kind are latent with possibilities for normative solutions to be at variance with actual social relations. In order to carry the constitutional ideas and provisions into effect and to translate them into real socio-economic and political relations, it will be necessary to carry out very intricate and extensive specialist, legislative, organizational and other kinds of work, at all levels,

from the basic organizations of associated labour and the local communities to the Federation.

What is especially necessary is unremitting and inexorable ideological and political struggle by organized socialist forces, headed by the League of Communists, in order to break through the inertia of conservatism and break down conscious resistance by various anti-self-management and anti-socialist forces. This does not only relate to the already well-known and existing forces and centres of resistance, technocratism, bureaucratism, and the like, or petty-bourgeois reformist and other petty bourgeois tendencies. From our social structure, from the above-mentioned contradictions through which our social development evolves, will also spring up new kinds of resistance with which the forces of socialism must continuously grapple.

In this connection I think that the greatest danger does not come from open anti-self-management and anti-socialist forces. These are easily recognized though they should not be underrated. But there are fewer and fewer such forces. Self-management has taken deep root in the consciousness of the working people and hardly anyone dares to oppose it openly. Most dangerous today are those forces which pay lip service to self-management at the same time as they work for technocratism and bureaucratism.

Our experience in the implementation of the so-called "workers' amendments" (XXI and XXII) shows to what extent words can differ from deeds. Because of this, as President Tito has warned, adjustment of words and deeds must everywhere be the rule. What the working class will most need is efficient practical help so that it can carry into effect the constitutional ideas and provisions. In

the coming period this will be the most important field of ideological and political struggle of all progressive forces led by the League of Communists.

By carrying into effect the new social relations, which are also pregnant with new social contradictions, our society will necessarily be faced with new problems which it will have to solve. Because of this, it is indispensable to follow the development of society in a comprehensive, scholarly and scientific way, constantly and critically to re-examine our own practice, to detect new laws emerging from the soil of new relationships, and to determine conditions for the solution of these problems. An irreplaceable role in the organization, stimulation and direction of such broad creative initiative will be played by the League of Communists.

The implementation of the new Constitution and the attainment of the working class's dominant role in all spheres of social life will also be of great significance for the long-term stabilization of economic flows by stimulating the development of productive forces and the rise in social productivity of labour, and by making possible more efficacious adjustment and guidance of the flows of social reproduction.

But it must also be said that a higher degree of economic stability is an essential precondition for the fast and successful implementation of the constitutional reform. In view of the fact that unstable economic movements may directly hinder or even endanger the efficient implementation of constitutional changes and thus compromise the very principles on which the constitutional reform rests, it will be the duty of all of us to strive still

more resolutely to do all that is necessary and possible to achieve stabilization of the economy.

We shall soon have elections which will mean a radical break with the classical formalist parliamentary elections and quite a new kind of socio-political relations. The election of delegations and delegates, and cadre solutions in the whole of the new socio-political and state mechanism, will be the first test of our political preparedness to accept and carry into effect the new Constitution.

The Tenth Congress of the League of Communists of Yugoslavia must find us enriched with a great and historic experience in the deepening of socialist relations of self-management.

The adoption of the Constitution will mark the termination of the second phase of the constitutional reform begun fully three years ago. It has been a period of intensive activity, theoretical and practical, ideological and political. There has been broad discussion and new principles have been tested in practise on the basis of the constitutional reforms made in the first phase. In view of this, it can be said that millions of working people throughout the country have taken part in the preparation of the new Constitution.

The new Constitution is the result of free agreement on terms of equality among the Republics and Provinces, a unanimously accepted synthesis of the common interests of our nations and nationalities.

In content, mode of preparation and adoption the new Constitution is a genuine charter of self-management and a social compact on the basis of which our multi-national socialist and free community of labour will be further developed. This guarantees that the new Constitution will be carried into effect with the same unanimity.

On behalf of the Constitutional Commission, I move that the text of the Final Draft of the S. F. R. Y. Constitution prepared by this Commission be adopted by the Chamber of Nationalities as the Final Draft of the Constitution of the Socialist Federal Republic of Yugoslavia.

Taking as point of departure the historic fact that the workers, peasants and progressive people of all the nations and nationalities of Yugoslavia, united in the National Liberation Front headed by the Communist Party, by their struggle in the National Liberation War and Socialist Revolution overthrew the old class order based on exploitation, political oppression and national inequality and began to build a society in which human labour and man would be emancipated from exploitation and arbitrariness, a society in which each nation and nationality and all of them together would find conditions for free and all-round development;

bearing in mind that the development of the country's economic foundations and of socialist social relationships, and the further development of relations based on self-management and national equality, have brought about substantial changes in social and political relations which call for corresponding changes in the Constitution of the Socialist Federal Republic of Yugoslavia of 1963, and that the provisions of that Constitution have in individual spheres already been changed by the constitutional amendments of 1967, 1968 and 1971;

wishing to consolidate and further develop the revolutionary achievements already accomplished, to strengthen the right and responsibility of the Socialist Republics and Autonomous Provinces for their own development and for the development of the Yugoslav community as a whole, and to ensure the further development of socialist democratic relations of self-management on the road to the emancipation of labour and the creation of a communist society;

proceeding also from the need to strengthen the constitutional system on uniform foundations of socialist self-management by the new Constitution of the Socialist Federal Republic of Yugoslavia, which, in addition to the changes it introduces, incorporates and adjusts to it the provisions of the 1963 Constitution of the Socialist Federal Republic of Yugoslavia and the provisions of Constitutional Amendments I—XLII.

The Federal Assembly, in agreement with the Assemblies of the Republics and the Assemblies of the Autonomous Provinces has adopted

THE CONSTITUTION OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA

INTRODUCTORY PART

BASIC PRINCIPLES

I

The nations of Yugoslavia, proceeding from the right of every nation to self-determination, including the right to secession, on the basis of their will freely expressed in the common struggle of all nations and nationalities in the National Liberation War and Socialist Revolution, and in conformity with their historic aspirations, aware that further consolidation of their brotherhood and unity is in the common interest, have, together with the nationalities¹ with which they live, united in a federal republic of free and equal nations and nationalities and founded a socialist federal community of working people — the Socialist Federal Republic of Yugoslavia, in which, in the interests of each nation and nationality separately and of all of them together, they shall realize and ensure:

socialist social relations based on self-management by working people and the protection of the socialist self-management system;

national freedom and independence;

the brotherhood and unity of the nations and nationalities;

the uniform interests of the working class, and solidarity among workers and all working people;

possibilities and freedoms for the all-round development of the human personality and for the rapprochement of the nations and nationalities, in conformity with their interests and aspirations on the road to the creation of an ever richer culture and civilization in a socialist society;

the unification and adjustment of efforts to develop the economic foundations of a socialist society and the prosperity of the people;

a system of socio-economic relations and uniform foundations for a political system which will ensure the common interests of the working class and all working people and the equality of the nations and nationalities;

the linking of Yugoslavia's aspirations with the progressive strivings of mankind.

The working people and the nations and nationalities shall exercise their sovereign rights in the Socialist Republics, and in the Socialist Autonomous Provinces in conformity with their constitutional rights, and shall exercise these rights in the Socialist Federal Republic of Yugoslavia when in their common interests it is so specified by the present Constitution.

The working people, nations and nationalities shall make decisions in the Federation according to the principles of agreement among the Republics and Autonomous Provinces, solidarity and reciprocity, equal participation by the Republics and

Autonomous Provinces in federal agencies, in line with the present Constitution, and according to the principle of responsibility of the Republics and Autonomous Provinces for their own development and for the development of the socialist community as a whole.

II

The socialist social system of the Socialist Federal Republic of Yugoslavia is based on the power of the working class and all working people and on relations among people as free and equal producers and creators whose labour serves exclusively for the satisfaction of their personal and common needs.

These relationships are based on the socio-economic status of the working man which ensures him that, by working with socially-owned resources and by deciding directly and on an equal footing with other working people in associated labour on all matters concerning social reproduction² under conditions and relations of mutual interdependence, responsibility and solidarity, he shall realize his personal material and moral interests and the right to benefit from the results of his current and past labour³ and from the achievements of general material and social progress, and that on this basis he shall satisfy his personal and social needs and develop his working and other creative abilities.

In conformity with this, man's inviolable status and role shall be based on:

the social ownership of the means of production which precludes the return of any kind of system of exploitation of man, and which, by ending the

alienation of the working class and working people from the means of production and other conditions of labour, ensures self-management by the working people in production, in the distribution of the product of labour, and in guidance of the development of society on self-management foundations;

the emancipation of labour as a means of transcending the historically conditioned socio-economic inequalities and dependence of people in labour, which shall be ensured through the elimination of antagonism between labour and capital and of any form of wage-labour relationships, the all round development of productive forces, a rise in labour productivity, a reduction in working hours, the development and application of science and technical achievements, the increasing provision of higher education for all, and a rise in the culture of the working people;

the right to self-management, on the basis of which every working man, on an equal footing with other working people, shall decide on his own labour and on the conditions and results of labour, on his own and common interests, and on the guidance of social development, and shall exercise power and manage other social affairs;

the right of the working man to enjoy the fruits of his labour and of the economic progress of the social community in keeping with the principle: »From each according to his abilities — to each according to his labour,« provided he ensures the development of the economic foundations of his own and social labour and contributes to the satisfaction of other social needs;

man's economic, social and personal security;

solidarity and reciprocity by everyone towards all and by all towards everyone, based on the awareness of the working people that they can

realize their lasting interests only on the basis of these principles;

free initiative in the development of production and other social and personal activities for the benefit of man and the social community;

democratic political relations which make it possible for man to realize his interests, the right to self-management and other rights, to develop his personality through direct activity in social life, and especially in bodies of self-management, socio-political organizations and other social organizations and associations, which he himself sets up and through which he exercises an influence on the development of social consciousness and on the expansion of conditions for his own activity and for the attainment of his interests and rights;

equality of rights, duties and responsibilities of people, in conformity with constitutionality and legality.⁴

The socio-economic and political system stems from this position of man and it shall serve him and his role in society.

Any form of the management of production and of other social activities, and any form of distribution that distorts social relationships based on the above defined position of man — be it through bureaucratic arbitrariness, technocratic usurpation or privileges based on the monopoly of management of the means of production, or the appropriation of social resources on a group-property basis or any other mode of privatization of these resources, or in the form of private-property or particularist selfishness, or through any form restricting the working class in playing its historic role in socio-economic and political relations and in organizing power for itself and for all working people, shall

be contrary to the socio-economic and political system laid down by the present Constitution.

III

Social ownership, as an expression of socialist socio-economic relationships among people, shall be the basis of free associated labour and of the ruling position of the working class in production and in social reproduction as a whole; it shall also be the basis of personal property acquired through one's own labour and serving for the satisfaction of man's needs and interests.

Socially-owned means of production, being the common, inalienable basis of social labour and social reproduction, shall exclusively serve as a basis for the performance of work aimed at the satisfaction of the personal and common needs and interests of the working people and at the development of the economic foundations of socialist society and socialist relations of self-management. Socially-owned means of production, including the means for expanded reproduction,⁵ shall be managed directly by associated workers working with these means, in their own interests and in the interests of the working class and socialist society. In performing these social functions associated workers shall be responsible to one another and to the socialist community as a whole.

Social ownership of the means of production and other resources shall ensure that everyone becomes integrated, under equal conditions, into associated labour working with social resources, and that, by realizing his right to work with social resources, and on the basis of his own labour, he earns in-

come for the satisfaction of this personal and common needs.

Since no one has the right of ownership over social means of production, nobody — not socio-political communities,⁶ nor organizations of associated labour, nor groups of citizens, nor individuals — may appropriate on any legal-property grounds the product of social labour or manage and dispose of the social means of production and labour, or arbitrarily determine conditions for distribution.

Man's labour shall be the only basis for the appropriation of the product of social labour and for the management of social resources.

The distribution of income between the part which serves for the expansion of the economic foundations of social labour and the part which serves for the satisfaction of the personal and common needs of working people in conformity with the principle of distribution according to work performed, shall be decided upon by the working people who generate this income, in compliance with mutual responsibility and solidarity and with socially-determined fundamentals of and criteria for the acquisition and distribution of income.

Resources earmarked for the replacement and expansion of the economic foundations of social labour shall be the common basis for the maintenance and development of society, i. e. for social reproduction realized on the basis of self-management by the working people through all forms of pooling of labour and resources and through mutual cooperation among organizations of associated labour.

The basic organizations of associated labour, which are the fundamental form of associated labour in which workers exercise their inalienable

right by working with social resources to manage their own labour and conditions of labour and to decide on the results of their labour, shall be the basis of all forms of pooling of labour and resources and of self-management integration.

By realizing the results of their joint labour in terms of value on the market under conditions of socialist commodity production, workers, through direct linkage, self-management agreements and social compacts concluded by their organizations of associated labour and other self-managing organizations and communities, and by planning work and development, shall integrate social labour, promote the entire system of socialist socio-economic relations, and control the blind forces of the market.

The money and credit system shall be a constituent part of relations in social reproduction based on self-management by workers in associated labour working with social resources, and the entire income realized in these relations shall be in inalienable part of income of the basic organizations of associated labour.

Proceeding from the interdependence of production and the trade and financial spheres of associated labour, as parts of the unified system of social reproduction, workers in organizations of associated labour shall regulate their mutual relations in social reproduction and shall cooperate in such a way as will ensure workers in production the right to decide on the results of their own current and past labour in the entirety of these relations.

The working people shall ensure the satisfaction of their personal and common needs and interests in the field of education, science, culture, health and other social activities, which are part of the unified process of social labour, by freely exchang-

ing and pooling their labour and the labour of workers in organizations of associated labour operating in the above fields. Working people shall achieve this free exchange of labour directly, through organizations of associated labour and within the framework of or through selfmanaging communities of interest.⁷ Such relations shall ensure the working people in these activities the same socio-economic status as that enjoyed by workers in other organizations of associated labour.

To achieve a fuller, more rational und organized satisfaction of their personal and common needs and interests in social activities and in specific activities in material production, the working people shall, together with workers in organizations of associated labour in these activities, set up communities of interest in which they shall freely exchange labour and directly regulate relations of common interest. Workers and working people shall also form self-managing communities of interests by pooling resources on the basis of the principles of reciprocity and solidarity.

Working people who independently carry out activities with their own personal labour and resources in citizens' ownership shall on the basis of their own labour, in principle, have the same socio-economic status and basically the same rights and obligations as workers in organizations of associated labour.

Enjoying the right of ownership of arable land, as spelled out in the present Constitution, farmers shall have the right and obligation to exploit this land for the purpose of promoting agricultural production in their own interest and in the interest of the socialist community. The socialist community shall give full support to farmers in raising

the productivity of their labour and in freely associating in cooperatives and other forms of association in order to promote the conditions of their work and life.

To achieve organized integration of farmers in socialist self-management socio-economic relations and to foster agricultural production, conditions shall be ensured for the development of agriculture on the basis of social resources and social labour, and so shall conditions for the association of farmers in, and their cooperation with, organizations of associated labour according to the principles of free choice and equality.

In order to provide economic foundations for the equality of the nations and nationalities of Yugoslavia, and to equalize the economic conditions of the social life and work of the working people, and to achieve the most harmonious possible development of the economy as a whole, in the Socialist Federal Republic of Yugoslavia special attention shall, in the common interest, be paid to the faster development of productive forces in economically underdeveloped Republics and Autonomous Provinces, and to this end the necessary resources shall be ensured and other measures taken.

In order to promote the conditions of life and work, create foundations for their stability and the fullest utilization of possibilities for the development of society's productive forces and for raising the productivity of their own and total social labour, to develop socialist relations of self-management on this basis, and to control the blind forces of the market, workers in basic and other organizations of associated labour and working people in self-managing communities of interest and other

self-managing organizations and communities, and also in socio-political communities, shall, by relying on science and the assessment of development possibilities based thereon, and by planning their work and development, adjust relations in social reproduction and direct the development of social production and other social activities to serve their common interests and aims determined on a self-management basis.

IV

In the Socialist Federal Republic of Yugoslavia all power shall be vested in the working class in alliance with all working people in towns and villages.

In order to create a society of free producers, the working class and all working people shall develop socialist self-management democracy as a special form of the dictatorship of the proletariat; they shall ensure this through:

the revolutionary abolition of and constitutional ban on any form of socio-economic and political relations and organization based on class exploitation and property monopoly, or on any kind of political action aimed at the establishment of such relations;

the realization of self-management in organizations of associated labour, local communities,⁸ self-managing communities of interest and other self-managing organizations and communities, and also in socio-political communities and society as a whole, and through the mutual linkage of and cooperation among these organizations and communities;

the free and equal self-management regulation of mutual relations and the adjustment of the

common and general interests of the working people and their self-managing organizations and communities by self-management agreements and social compacts;

decision-making by the working people in the realization of power and in the management of other social affairs in the basic organizations of associated labour and other basic self-managing organizations and communities, through delegations and delegates in the managing bodies of self-managing organizations and communities, and also through delegations and delegates to the assemblies of the socio-political communities and other bodies of self-management;

keeping the working people informed on all questions significant for the realization of their socio-economic status and for the fullest and most competent possible decision-making in the performance of functions of power and management of other social affairs;

the public character of work of all organs of power and self-management and of holders of self-management, public and other social function;

personal responsibility of the holders of self-management, public and other social functions, responsibility of the organs of power and self-management, recallability of the holders of self-management, public and other social functions, and restriction of their re-election and re-appointment to specific functions;

realization of supervision by workers and other working people and of social control in general over the work of the holders of self-management, public and other social functions in self-managing organizations and communities and in socio-political communities;

realization and protection of constitutionality and legality;

socio-political activity by socialist forces organized in socio-political organizations;

free and all-round activity by people.

Self-management by the working people in the basic organizations of associated labour, local communities, self-managing communities of interest and other basic self-managing organizations and communities shall be the basis of a uniform system of self-management by and power of the working class and all working people.

In order to ensure conditions for their life and work and for social development and the creation of the socialist community, working people in the Communes, as self-managing and basic socio-political communities, shall realize their common interests, exercise power, and manage other social affairs by linking their organizations of associated labour and other self-managing organizations and communities, through the activity of socio-political organizations, and through self-management agreements, social compacts and the functioning of the assemblies as the common bodies of all working people and their organizations and communities.

The constitutionally-established functions of power and management of social affairs in socio-political communities shall be conducted by the assemblies of the socio-political communities, as elected and recallable delegations of the working people in self-managing organizations and communities and socio-political organizations, and by other agencies responsible to the assemblies.

In order to ensure the fullest possible participation of the working people and all organized socialist forces in the realization of power and man-

agement of other social affairs, and in order to adjust their common and general social interests, agencies of the socio-political communities shall consider initiatives, opinions and proposals of socio-political organizations, take stands thereon, and cooperate with socio-political organizations.

The working class and all working people shall through state power by means of generally-binding rules secure socialist social relations, the development of society and the management of social affairs on a self-management basis, protect the freedoms of man and the citizen, socialist self-management relations and the self-management rights of the working people, and shall settle social conflicts and protect the constitutionally-established order.

The self-management status and rights of the working man in basic and other organizations of associated labour, local communities, self-managing communities of interest and in other self-management organizations and communities, the self-management status of the working people in the Communes, free association on the basis of self-management, activities and creative endeavour by the working people, the equality of the nations and nationalities and the freedom, rights and duties of man and the citizen, as laid down by the present Constitution, shall be the basis, limit and direction for the realization of the rights and duties of the socio-political communities in exercising the functions of power.

Social self-protection, as a function of a society based on self-management, shall be achieved through activities by working people, citizens, organizations of associated labour and other self-managing organizations and communities, socio-politi-

cal other organizations and the socio-political communities, with a view to safeguarding constitutional order, the self-management rights of the working people, and other rights and freedoms of man and the citizen, protecting social property, ensuring the personal and property security of the working people and citizens, and achieving free social development.

In order to realize and adjust their interests and self-managing rights in line with the general interests of socialist society, and in order to conduct specific social affairs and develop various activities, the working people and citizens shall freely combine in socio-political and other social organizations and citizens' associations, as constituent part of the socialist system based on self-management.

Socio-political organizations, as a form of free socialist political organization of working people based on class socialist foundations, shall be constituent parts of and active factors in the development and protection of socialist society based on self-management.

The freedoms, rights and duties of man and the citizen, as spelled out by the present Constitution, are an inseparable part and expression of democratic socialist self-management relations in which man is becoming liberated from any form of exploitation and arbitrariness and with his labour is creating conditions for the all-round and free expression and protection of his personality and respect for human dignity. The freedoms and rights of man and the citizen shall only be restricted by the equal freedoms and rights of others and by the interests of socialist society. Socialist society shall ensure conditions for the

fullest possible realization and protection of the freedoms and rights laid down by the present Constitution. Any activity infringing the freedom and rights of man and the citizen shall be contrary to the interests of socialist society.

Proceeding from the fact that education, science and culture are essential factors in the development of socialist society, the rise in labour productivity, the development of people's creative forces and the all-round development of the human personality, the humanization socialist relations of self-management and society's general progress, the socialist community shall ensure freedom of creative endeavour and create conditions for the development and promotion of education, scientific, cultural and artistic creativity, so that they may contribute as successfully as possible to the rise in the creative abilities of the working people, the promotion of socialist social relations and the all-round development of a free and humanized personality.

The system of upbringing and education shall be based on the achievements of modern science, especially of Marxism as the foundation of scientific socialism, and shall be instrumental in training young people for work and self-management and educating them in the spirit of achievements of the Socialist Revolution, the socialist code of ethics, self-management democracy, socialist patriotism, brotherhood and unity, the equality of the nations and nationalities, and socialist internationalism.

The working people in organizations of associated labour and other self-managing organizations and communities shall, on the basis of solidarity, reciprocity and socialist humanism, ensure their economic and social security, and shall create

increasingly favourable conditions for their life and work for the development of an all-round personality in the working man. These aims of welfare policy shall be attained through the constant improvement and equalization of the conditions of life and work, the transcendence, on the basis of solidarity and reciprocity, of differences stemming from economic undevelopment and other unequal conditions of life and work, the equalization of possibilities for education and work, and through the prevention and elimination of social differences which are not based on the application of the principle of distribution according to work performed.

The socialist social community shall ensure financial and other conditions for the realization of the rights of veterans, disabled veterans, and dependents of fallen veterans, which guarantee their social security.

In order to conserve and improve the human environment, working people and citizens, organizations of associated labour, other self-managing organizations and communities and socialist society shall ensure conditions to preserve and improve natural and other values of the human environment conducive to a healthy, safe and active life and work for the present and future generations.

VI

The working people and citizens, nations and nationalities of Yugoslavia are determined to direct their forces towards peaceful creative work and the construction of their self-management socialist community, and consistently to pursue a policy of peace and against aggression, war and aggressive pressure of any kind. In order to secure

their peaceful development and socialist construction, they are determined with all available forces and resources, through armed struggle and other forms of total national defence, to protect and defend their freedom, independence, sovereignty, territorial integrity and the socialist self-management order of the Socialist Federal Republic of Yugoslavia. For this purpose the working people and citizens and the nations and nationalities of Yugoslavia shall organize and build up a system of total national defence, as an inseparable part of the socialist self-management social system, aware that the defensive ability of society and the defensive preparedness of the country is the greater and possibility for aggression the smaller the more developed total national defence as a form and substance of the defensive organization of the social community is. The strengthening of the defensive ability of the country shall be component part of the policy of peace and international cooperation based on terms of equality.

Total national defence in the Socialist Federal Republic of Yugoslavia is an integrated system covering the organization, preparation and participation of the Federation, Republics, Autonomous Provinces, Communes, organizations of associated labour, local communities, self-managing communities of interest and other self-managing organizations and communities, socio-political and social organizations, working people and citizens in armed struggle and in all other forms of resistance, and in the performance of other duties concerning the defence of the country. In total national defence armed struggle shall be the decisive form of resisting aggression. The Armed Forces of the Socialist Federal Republic of Yugoslavia shall be the principle factors in armed struggle and shall

be a unified whole. The supreme administration and command of the Armed Forces shall ensure the unity and indivisibility of armed struggle.

VII

Proceeding from the conviction that peaceful coexistence and active cooperation among states and peoples, irrespective of differences in their social systems, are indispensable conditions for peace and social progress in the world, the Socialist Federal Republic of Yugoslavia shall base its international relations on the principles of respect for national sovereignty and equality, non-interference in the internal affairs of other countries, socialist internationalism, and settlement of international disputes by peaceful means. In its international relations the Socialist Federal Republic of Yugoslavia shall adhere to the principles of the United Nations Charter, fulfil its international commitments and take an active part in the activities of the international organizations to which it is affiliated.

In order to carry these principles into effect the Socialist Federal Republic of Yugoslavia shall strive:

for the establishment and development of all forms of international cooperation conducive to the consolidation of peace, the strengthening of mutual respect, equality and friendship among nations and states and their rapprochement; for the broadest and freest possible exchange of material and intellectual goods, for the freedom of mutual exchange of information and for the development of other relations contributory to the realization of common economic, cultural and other interests of

states, nations and people, especially to the development of democratic and socialist relations in international cooperation, and to socialist progress in general, to the overcoming of the bloc divisiveness of the world, to renunciation of the use of force or threat of force in international relations and to the attainment of general and complete disarmament;

for the right of every nation freely to determine and build up its own social and political system by ways and means of its own free choice;

for the right of nations to self-determination and national independence, and for their right to wage a liberation war to attain these aims;

for respect for the rights of national minorities, including the rights of members of Yugoslav nations living in other countries as national minorities;

for international support for peoples waging a just struggle for their national independence and liberation from imperialism, colonialism and all other forms of national oppression and subjugation;

for the development of such international cooperation as will ensure equality in economic relations in the world, sovereign exploitation of national natural resources, and the creation of conditions conducive to the accelerated development of underdeveloped countries;

for respect for generally accepted rules of international law.

In pressing for all-round political, economic and cultural cooperation with other nations and states, the Socialist Federal Republic of Yugoslavia, as a socialist community of nations, holds the view that this cooperation should contribute to the creation

of those democratic forms of linkage among states, nations and people, which suit the interests of nations and social progress, and is in this respect an open community.

All agencies, organizations and individuals shall be bound in international economic, political, cultural and other relations, and in their relations with agencies and organizations abroad, to abide by these principles of the foreign policy and international activity of the Socialist Federal Republic of Yugoslavia, and to strive for their realization.

VIII

The League of Communists of Yugoslavia, as the initiator and organizer of the National Liberation War and Socialist Revolution, and as the conscious champion of the aspirations and interests of the working class, has become, by the laws of historical development, the leading organized ideological and political force of the working class and of all working people in the creation of socialism and in the realization of solidarity among the working people and of brotherhood and unity among the nations and nationalities of Yugoslavia.

Under conditions of socialist democracy and social self-management, the League of Communists of Yugoslavia, with its guiding ideological and political action, shall be the prime mover and exponent of political activity aimed at safeguarding and further developing the socialist revolution and socialist social relations of self-management, and especially at the strengthening of socialist social and democratic consciousness, and shall be responsible therefore.

The Socialist Alliance of the Working People of Yugoslavia, created during the National Liberation War and Socialist Revolution as a voluntary and democratic front of the working people and citizens and all organized socialist forces, headed by the Communist Party, and further developed under conditions of a socialist society based on self-management, shall be the broadest base for socio-political activity in the socialist system of self-management.

In the Socialist Alliance of the Working People of Yugoslavia the working people and citizens, the League of Communists of Yugoslavia, as the leading ideological and political force, and other socio-political organizations and all organized socialist forces shall realize the political and actional unity of socialist forces and shall guide social development on the foundations of the power of and self-management by the working class and all working people, and for this purpose they shall:

discuss social questions and take political initiative in all fields of social life, adjust views, lay down political stands regarding the solution of these questions, the guidance of social development, the realization of the rights and interests of the working people and citizens, the realization of the equality of the nations and nationalities and the promotion of socialist self-management democratic relations, submit proposals for the solution of social questions, and issue guidelines to their delegates to the assemblies of socio-political communities;

draw up joint programmes for social activity and lay down common criteria for the election of delegations in the basic organizations of associated labour, local communities and other self-managing organizations and communities, and for the elec-

tion of delegates to the assemblies of the socio-political communities; ensure democratic proposition and determination of candidates for members of delegations in self-managing organizations and communities and candidates for delegates to the assemblies of the socio-political communities, and candidates for the performance of self-management, public and other social functions in the socio-political communities; consider general issues of cadre policy and the formation of cadres, and lay down criteria for the selection of cadres;

review the work of the organs of power and of the managing bodies of self-managing, organizations and communities and of the holders of self-management, public and other social functions, express their opinions and pass judgements and exercise social supervision over and criticism of their work, especially with regard to ensuring the publicity of and responsibility for their work;

create conditions for the all-round participation of young people and their organizations in social and political life;

make sure that the working people and citizens are kept informed, and ensure their influence on the social system of information and the realization of the role of the press and other media of public information and communication;

fight for humane relationships among people, for the development of socialist democratic consciousness and norms of socialist life, and to prevent practices which check the development of socialist self-management democratic social relations or are in any way harmful to them.

Within the framework of their rights and duties, the socio-political communities shall be obliged to secure material and other conditions for the realization of the constitutionally defined functions of

the Socialist Alliance of the Working People of Yugoslavia.

Workers organized on a voluntary basis in trade unions, as the broadest organizations of the working class, shall strive to: realize the constitutionally-defined status of the working class; achieve socialist self-management relations and the decisive role of the workers in the management of social reproduction; realize the interests and self-management and other rights of workers in all fields of work and life, ensure equality among workers in the pooling of labour and resources, the acquisition and distribution of income and the determination of common scales for distribution according to the results of labour; ensure self-management linkage and integration of various fields of social labour; further the development of the productive forces of society and the raising of labour productivity; guide self-management adjustment of individual, common and general social interests; take care of the education of workers and their training for the performance of self-management and other social functions; ensure democratic proposition and determination of candidates for delegates to managing bodies in organizations of associated labour and other self-managing organizations and communities, and of candidates for delegations in these organizations and communities, and for delegates to the assemblies of the socio-political communities; ensure the broadest possible participation of workers in the exercise of the functions of power and management of other social affairs; realize the interests of the working class in cadre policy; protect workers' rights; ensure workers social security, the development of their standard of living, and the development and strengthening of solidarity and the

raising of the class consciousness and responsibility among self-managers.

Trade unions shall initiate self-management agreements and social compacts and take direct part in their negotiation; they shall submit proposals to the managing bodies of self-managing organizations and communities, the assemblies of the socio-political communities and other state and social agencies concerning the solution of questions relating to the economic and social position of the working class.

IX

The socio-economic and political system and other relations laid down by the present Constitution are aimed at broadening conditions for the further development of socialist society, overcoming its contradictions, and achieving such social progress as will, on the basis of the all-round development of the productive forces, high labour productivity, affluence of products, and the all-round development of man as an emancipated personality, make possible the development of those social relations in which the Communist principle: "From each according to his abilities; to each according to his needs," shall be realized.

To this end bodies of self-management, state agencies, self-management organizations and communities, socio-political and other organizations, working people and citizens directly — are called upon through the entirety of their activities:

to expand and strengthen the economic foundations of society and the life of individuals by developing productive forces, raising the productivity

of labour and continually promoting socialist self-management relations;

to create conditions under which the socio-economic differences between intellectual and physical labour will gradually be transcended and under which human labour will tend to become an ever fuller expression of creative endeavour and of the human personality;

to expand and develop all forms of self-management and socialist self-management democracy, especially in those fields where the functions of political power predominate; to curb coercion and create conditions for its elimination; and to build up relations among people based on an awareness of common interests, on the socialist code of ethics, and man's free creative endeavour;

to contribute to the realization of human freedoms and rights, the humanization of the social environment and the human personality, the strengthening of solidarity and humaneness among people, and to respect for human dignity;

to develop all-round cooperation and rapprochement with all nations, in keeping with the progressive aspirations of mankind for the creation of a free community of all nations of the world.

X

By expressing the basic principles of a socialist society based on self-management and its progress, this section of the present Constitution shall be both the basis of and a directive for the interpretation of the constitution and laws, and for the action of all and everyone.

PART ONE

THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA

Article 1

The Socialist Federal Republic of Yugoslavia is a federal state having the form of a state community of voluntarily united nations and their Socialist Republics, and of the Socialist Autonomous Provinces of Vojvodina and Kosovo, which are constituent parts of the Socialist Republic of Serbia, based on the power of and self-management by the working class and all working people; it is at the same time a socialist self-management democratic community of working people and citizens and of nations and nationalities having equal rights.

Article 2

The Socialist Republics are states based on the consists of the Socialist Republic of Bosnia-Herzegovina, the Socialist Republic of Croatia, the Socialist Republic of Macedonia, the Socialist Repub-

lic of Montenegro, the Socialist Republic of Serbia, the Socialist Autonomous Province of Vojvodina and the Socialist Autonomous Province of Kosovo, which are constituent parts of the Socialist Republic of Serbia, and the Socialist Republic of Slovenia.

Article 3

The Socialist Republics are states based on the sovereignty of the people and the power of and self-management by the working class and all working people, and are socialist, self-managing democratic communities of the working people and citizens, and of nations and nationalities having equal rights.

Article 4

The Socialist Autonomous Provinces are autonomous socialist self-managing democratic socio-political communities based on the power of and self-management by the working class and all working people, in which the working people, nations and nationalities realize their sovereign rights, and when so specified by the Constitution of the Socialist Republic of Serbia in the common interests of the working people, nations and nationalities of that Republic as a whole, they do so also within the Republic.

Article 5

The territory of the Socialist Federal Republic of Yugoslavia is a single unified whole and consists of the territories of the Socialist Republics.

The territory of a Republic may not be altered without the consent of that Republic, and the ter-

ritory of an Autonomous province — without the consent of that Autonomous Province.

The frontiers of the Socialist Federal Republic of Yugoslavia may not be altered without the consent of that Autonomous Province.

The frontiers of the Socialist Federal Republic of Yugoslavia may not be altered without the consent of all Republics and Autonomous Provinces.

Boundaries between the Republics may only be altered on the basis of mutual agreement, and if the boundary of an Autonomous province is involved — also on the basis of the latter's agreement.

Article 6

The coat-of-arms of the Socialist Federal Republic of Yugoslavia is a field encircled by ears of wheat tied at the base by a blue band bearing the date 29 XI 1943. Between the tips of the ears is a five-pointed star. In the centre of the field are six torches set obliquely whose flames fuse into a single flame.

Article 7

The flag of the Socialist Federal Republic of Yugoslavia consists of three colours: blue, white and red, with a five-pointed red star in the centre. The ratio of the width to the length of the flag is one to two. The colours of the flag are set horizontally, in the following order from above: blue, white and red. Each colour occupies one third of the width of the flag. The star has a regular five-pointed form and a golden (yellow) border. The central point of the star coincides with the point in which the diagonals of the flag intersect. The top point of the star extends as far as the centre

of the blue band of the flag, the lower points of the star assuming their respective places in the red band.

Article 8

The Socialist Federal Republic of Yugoslavia has an anthem.

Article 9

The capital of the Socialist Federal Republic of Yugoslavia is Belgrade.

PART TWO
THE SOCIAL SYSTEM

Chapter I

THE SOCIO-ECONOMIC SYSTEM

**1. The Status of Man in Associated Labour,
and Social Property**

Article 10

The socialist socio-economic system of the Socialist Federal Republic of Yugoslavia shall be based on freely associated labour and socially-owned means of production, and on self-management by the working people in production and in the distribution of the social product in basic and other organizations of associated labour and in social reproduction as a whole.

Article 11

Man's economic and social status shall be determined by labour and the results of labour, on the basis of equal rights and responsibilities.

No one may gain any material or other benefits, directly or indirectly, by exploiting the labour of others.

No one may in any way make it impossible for a worker to decide or restrict him in deciding, on an equal footing with other workers on his labour and the conditions and results of his labour.

Article 12

The means of production and other means of associated labour, products generated by associated labour and income realized through associated labour, resources for the satisfaction of common and general social needs, natural resources and goods in common use shall be social property.

No one may acquire the right of ownership of social resources which are conditions of labour in basic and other organizations of associated labour or are the economic foundations for the realization of the functions of self-managing communities of interest or of other self-managing organizations and communities and of socio-political communities.

Social resources may not be used for the appropriation.

Article 13

Workers in associated labour working with socially-owned resources shall have the inalienable right to work with these resources to satisfy their personal and social needs and to manage, freely and on an equal footing with other workers in associated labour, their labour and the conditions and results thereof.

The rights, obligations and responsibilities concerning the disposal, utilization and management of social resources shall be regulated by the constitution and statute, in line with the nature and purpose of these resources.

Article 14

Exercising their right to work with socially-owned resources, all workers in associated labour working with socially-owned resources, shall be guaranteed the right in the basic organizations of associated labour in which they work and in any other forms of pooling of labour and resources, together and on equal footing with other workers, to manage the work and business of the organizations of associated labour and the affairs and resources in the totality of relations of social reproduction, to regulate mutual relations in labour, to decide on income realized through various forms of pooling of labour and resources, and to earn personal income.

Basic organizations of associated labour are the basic forms of associated labour in which the workers directly and on terms of equality realize their socio-economic and other self-management rights and decide on other questions concerning their socio-economic status.

Any act or conduct that violates these rights of the workers shall be unconstitutional.

Article 15

In exercising the right to work with social resources, workers in associated labour shall in their common and general social interest be mutually responsible for using these resources in a socially

and economically opportune manner, for constantly renewing, expanding and improving them, as the economic foundations of their own and of total social labour, and for fulfilling their working obligations conscientiously.

In the exercise of their right to work with social resources, workers in associated labour may not acquire material benefits or other advantages that are not based on their labour.

Article 16

Workers in organizations of associated labour active in the fields of education, science, culture, social welfare, and other social activities shall earn income through a free exchange of their labour for the labour of the working people whose needs and interests in these fields they serve.

Workers in such organizations of associated labour shall carry out this free exchange of labour directly with the working people whose needs and interest they serve, or through their organizations of associated labour and self-managing communities of interest, or within the framework of self-managing communities of interest.

Through a free exchange of labour workers in organizations of associated labour in social activities shall have the same socio-economic status as workers in organizations of associated labour in other activities.

The principles of free exchange of labour shall also apply to the earning of income by workers in organizations of associated labour in other activities in which the action of market laws cannot be a basis for the adjustment of work and needs, nor a basis for assessing the value of labour.

Article 17

Total income resulting from the joint labour of workers in a basic organization of associated labour and from total social labour, earned through various forms of the pooling of labour and resources on the basis of the action of market laws and of the conditions of income earning socially-determined on a self-management basis, shall be decided upon by workers in basic organizations of associated labour in conformity with their constitutional rights and responsibilities towards other workers in associated labour and toward the social community as a whole.

Basic organizations of associated labour shall distribute among themselves the entire income jointly realized through the pooling of labour and resources according to their contribution to the realization of this income, on the basis of criteria spelled out by them in self-management agreements.

Income realized in a basic organization of associated labour shall provide the economic foundations for the rights of the workers to decide on the conditions of their labour and the distribution of income, and to earn personal incomes.

Article 18

The part of income which is the result of work under exceptionally favourable natural conditions or which is the result of exceptional privileges on the market or of any other exceptional privileges in income earning, shall be used, in line with self-management agreements and statute, for the development of the organization of associated labour in which this income has been realized, or for the development of the economic foundations

of associated labour in the Commune, Republic or Autonomous Province concerned.

The administration of the part of income used for the development of the economic foundations of associated labour in the Commune, Republic or the Autonomous Province, shall be based on the principles of self-management.

Article 19

Workers in a basic organizations of associated labour shall allocate income to personal and collective consumption, the expansion of the economic foundations of associated labour, and the reserve fund.

Workers shall allocate to personal and collective consumption a part of income which is proportionate to their contribution to the realization of this income made through their labour and the investment of social resources representing workers' past labour.

Article 20

In line with the principle of distribution according to work performed and the rise in productivity of his own and total social labour, and in line with the principle of solidarity of workers in associated labour, every worker shall be entitled, from the income of his basic organization of associated labour, to a personal income for the satisfaction of his personal, common and general social needs, according to the results of his labour and his personal contribution made to the increase in the income of the basic organization with his current and past labour.

Article 21

Workers in a basic organization of associated labour shall lay down the fundamentals of and criteria for the allocation of resources for their personal incomes.

Workers in a basic organization of associated labour shall, together with workers in other organizations of associated labour, determine the common foundations of and criteria for the distribution of income and the allocation of resources for personal incomes.

Should the distribution of income or the allocation of resources for personal incomes disrupt relations corresponding to the principle of distribution according to work performed or upset the course of social reproduction, measures may be introduced by statute to ensure the equality of workers in the application of the principle of distribution according to work performed, or to prevent or eliminate disruption in social reproduction.

Article 22

Every worker in associated labour working with social resources shall be guaranteed the right to a personal income and other rights stemming from labour to an amount and volume that ensure his economic and social security.

The level of his guaranteed personal income and the volume of other guaranteed rights, and the manner of their realization, shall be determined by self-management agreements, social compacts and statute, depending on the general level of productivity of total social labour and on the general

conditions prevailing in the environment in which the worker lives.

Article 23

A temporary restriction on the use by workers in basic organizations of associated labour of a part of means of social reproduction, or an obligation to pool part of these means to finance specific indispensable needs of social reproduction may be introduced by statute, under conditions specified by the constitution. The obligatory pooling of part of the means of social reproduction may not lastingly deprive workers in basic organizations of associated labour of their rights concerning these means.

Article 24

Organizations of associated labour and social artificial persons shall be liable for their obligations with the social resources they manage.

Article 25

The rights of organizations of associated labour and other social artificial persons regarding real property, individual movables and other rights in social ownership may, against adequate compensation and by a procedure specified by statute, be appropriated or restricted only if this is required by statutorily-determined needs of spatial planning or the construction of projects of social significance, or by some other general interest specified by statute.

For rights to land or other natural resources thus appropriated the organization of associated labour or other social artificial person concerned shall

only be entitled to compensation for the labour and resources invested in this land or other natural resources. If the land or other natural resources concerned are conditions of labour, the organization of associated labour or other social artificial person shall be entitled to compensation which will ensure that these conditions do not deteriorate.

Article 26

Workers in a basic organization of associated labour which in its activity makes use of the resources of other organizations of associated labour, which are on that account entitled to a share in jointly earned income, must, within the framework of income thus earned, be ensured resources for their personal and collective consumption in line with the common foundations and criteria in force in organizations of associated labour, and also to resources for the expansion of the economic foundations of labour according to their contribution to the jointly earned income.

Criteria for determining the contribution to the jointly earned income shall be laid down by self-management agreements, in line with uniform principles concerning the pooling of resources, as spelled out by federal statute.

Organizations of associated labour which pool resources may not on this ground acquire any lasting right to a share in the income of the organization of associated labour which in its operations makes use of these resources.

The right to a share in jointly earned income on account of the pooling of resources shall cease when, in addition to an adequate share in the jointly earned income the organization of associated labour has also been returned the resources

through the pooling of which this right was acquired, or, when in conformity with the self-management agreement, the right to the restitution of resources has ceased to exist.

Article 27

Organizations of associated labour may, under conditions and within the limits laid down by federal statute, use resources of foreign persons for the conduct of their business.

Workers in organizations of associated labour which make use of resources invested by foreign persons shall have the same socio-economic and other self-management rights as workers in the organizations of associated labour which in their operations use resources of other domestic organizations of associated labour.

A foreign person who has invested resources in an organization of associated labour in the Socialist Federal Republic of Yugoslavia may share in the income of this organization only within the limits and under conditions prescribed for mutual relations among domestic organizations of associated labour.

The rights of foreign persons to resources invested in an organization of associated labour in the Socialist Federal Republic of Yugoslavia may not be restricted by statute or another enactment after the contract from which these rights stem has become legally valid.

Article 28

In order to expand the economic foundations of labour, organizations of associated labour may collect financial resources from citizens and en-

sure them in addition to the repayment of these resources, compensation for investment in the form of interest or other benefits determined by statute.

Article 29

Workers who in an organization of associated labour perform administrative-professional, auxiliary and similar activities of common interest to several organizations operating within it, and workers who perform such activities in an agricultural or other kind of cooperative, and also workers in an organization of a business association, bank or insurance community, shall form a work community. Workers in such a work community may organize themselves into an organization of associated labour under conditions specified by statute.

Workers who in an organization of associated labour perform other activities of common interest to several organizations operating within it, and workers who perform such activities on behalf of an agricultural or other kind of cooperative, shall form a work community if there are no constitutionally-determined conditions for them to organize themselves into a basic organization of associated labour.

Workers in such work communities shall be entitled to resources for their personal and collective consumption in line with the principle of distribution according to work performed and in line with the fundamentals and criteria applicable in organizations of associated labour, and also to other self-management rights of workers in organizations of associated labour in line with the nature of activities they perform and with the common interests for the purpose of which these work communities have been formed.

The mutual rights, obligations and responsibilities of workers in such work communities and of beneficiaries of their services shall be regulated by self-management agreements, and mutual relations among workers in such work communities shall be regulated by their self-management enactments in conformity with self-management agreements.

Article 30

Workers in work communities which perform activities on behalf of self-managing communities of interest and of other self-managing organizations and communities and their associations, socio-political organizations and other social organizations, associations of citizens and agencies of the socio-political communities, shall be entitled to resources for personal and collective consumption in line with the principle of distribution according to work performed and with socially-determined fundamentals and criteria applicable to organizations of associated labour. They shall also have other self-management rights in conformity with the nature of activities they perform and the social and political responsibility of the organizations, communities and agencies on whose behalf they perform these activities — for the purpose of realization of their functions and tasks.

The mutual rights, duties and responsibilities of workers in such work communities and organizations, communities and agencies on whose behalf they perform activities, shall be regulated by self-management agreements or by contract, in conformity with statute.

The rights, powers and responsibilities of organizations, communities and agencies may not be

transferred to the work communities which perform activities on their behalf.

The rights, obligations and responsibilities of workers in work communities of the agencies of socio-economic communities shall be regulated by statute, and when this is allowed by the nature of activity of the agency concerned — also by self-management agreements or by contracts entered into between the work communities and these agencies and by self-management enactments of the work communities.

Active military personnel and civil persons serving in the Armed Forces of the Socialist Federal Republic of Yugoslavia shall realize corresponding rights in conformity with federal statute, in line with the nature of activities and character of the Armed Forces.

Article 31

Working people who with their personal labour independently perform, as their occupation, an artistic or other cultural activity or a legal or other professional activity shall, in principle, have the same socio-economic status and basically the same rights and obligations as workers in organizations of associated labour.

Working people performing some of these activities may pool their labour and form temporary or lasting work communities, which shall basically have the same status as organizations of associated labour and in which the working people shall basically have the same rights and duties as workers in organization of associated labour.

Conditions under which these working people and their work communities realize their rights and fulfil their obligations, and the conditions under

which in performing these activities they may make use of and manage social resources, shall be specified by statute. The way in which these working people will cooperate with organizations of associated labour, and the manner of their participation in the creation of conditions for work in these organizations and in the use of the results of their labour expressed as jointly realized income, shall also be specified by statute.

Article 32

Workers in organizations of associated labour shall, in line with the principles of reciprocity and solidarity, jointly and on an equal footing ensure continuous improvement in the living conditions of workers by allocating and pooling resources for this purpose, and in other ways.

Organizations of associated labour and socio-political communities shall be bound, in conformity with the principles of reciprocity and solidarity, to provide economic and other kinds of assistance to organizations of associated labour which have run into exceptional economic difficulties, and to take measures for their financial rehabilitation, if this is in the common interest of the organizations of associated labour, or in the social interest.

An organization of associated labour, alone or in agreement with other organizations of associated labour, shall, in keeping with the principles of reciprocity and solidarity, ensure resources for the employment, retraining and the realization of the acquired rights of workers, if their work is no longer needed in their organization of associated labour, or if an organization operating within it has ceased to operate.

Until he has been ensured an appropriate job which corresponds to his abilities and qualifications, no worker may lose the status of worker in a basic organization of associated labour if, due to technological or other kinds of innovation which contribute to the rise in labour productivity or to a greater success of the organization, his work is no longer needed in this organization.

An obligation to pool resources for these purposes and for employment in general may be introduced by statute and conditions for using these resources regulated by it.

Article 33

Workers in associated labour shall contribute to the satisfaction of constitutionally-determined general social needs in the socio-political communities by paying taxes and other dues to these communities on the income of their basic organizations of associated labour and on their personal incomes, in line with the purpose or aims which the resources collected through such taxes and dues serve.

The obligation to pay taxes and other dues to the socio-political communities shall be determined in accordance with the ability of the economy to ensure, in line with the level of productivity of social labour as a whole and in conformity with the requirements of material and social development which correspond to the economy's possibilities and to the long-term interests of the development of the productive forces of society, the satisfaction of the personal and common needs of the workers and the requirements of expanded reproduction. These obligations shall be spelled out in accordance with the ability of organizations of associated labour to secure, in line with the general obligations of the

economy, the results of their labour and the business success achieved by them, the satisfaction of these needs.

These principles shall also apply if the socio-political communities with their enactments impose some temporary restriction on the use of resources managed by workers in organizations of associated labour or introduce an obligation to pool such resources.

2. Pooling of Labour and Means of Social Reproduction

Article 34

Workers in basic organizations of associated labour shall freely pool their labour and means of social reproduction in work organizations and in other forms of the pooling of labour and resources.

Mutual rights, obligations and responsibilities stemming from various forms of the pooling of labour and resources shall be regulated by workers in basic organizations of associated labour through self-management agreements in conformity with statute, ensuring within the totality of these relations the constitutionally-guaranteed rights of the workers.

Article 35

A work organization is an independent self-managing organization of workers linked in labour by common interests and organized in basic organizations of associated labour of which the work organization is composed, or of workers directly

linked together through the unity of the labour process.

A work organization may be founded by organizations of associated labour, self-managing communities of interest, local communities, socio-political communities and other social artificial persons.

A work organization may, under conditions and in the way specified by statute, be founded by working people with a view to realizing their right to work or to satisfying their needs with the products and services of the organization they are founding. A work organization may, in conformity with statute, also be founded by civil artificial persons.

Working people or civil artificial persons who have invested their resources in an organization of associated labour which they have founded, may in respect of this organization have, on account of these resources, only those rights which are vested in citizens from whom organizations of associated labour collect resources to expand the economic foundations of their labour.

It may be laid down by statute that working people and civil artificial persons may not found work organizations in charge of the performance of specific activities.

Work organizations shall have the same status and workers in them the same socio-economic and other self-managing rights and responsibilities, regardless of who has founded the work organization concerned.

Article 36

Workers in a unit of a work organization which makes up a working whole in which the results of their joint labour can be expressed in terms of

value within the work organization or on the market, and in which the workers can realize their socio-economic and other self-management rights, shall have the right and duty to organize such a unit of the work organization as a basic organization of associated labour.

Workers in a work organization which does not have conditions for its individual units to be organized as basic organizations of associated labour, shall in their work organization enjoy all rights vested in workers in basic organizations of associated labour.

Socio-economic and other self-management relations in a basic organization of associated labour shall be regulated by its by-laws and other self-management enactments, in line with the constitution and statute.

If in connection with the formation of a basic organization of associated labour a dispute has arisen, until the settlement of this dispute the rights, obligations and responsibilities which the workers had before the settlement of the dispute may not be changed against their will.

Article 37

Workers in a basic organization of associated labour shall have the right to have their basic organization split away from the work organization of which it is a part.

A basic organization of associated labour which thus splits off shall be bound, in agreement with other basic organizations of associated labour and the work organization as a whole, to regulate the way and terms of fulfilment of its obligations towards them which it undertook prior to the split, and to make good any losses caused by the split.

Workers may not split their basic organization of associated labour off from the work organization of which it is a part if this should, contrary to the general interest, lead to a major hindrance or prevention of work in other basic organizations making part of the work organization or in the work organization as a whole.

Article 38

Workers in basic organizations of associated labour may associate in various forms of composite organizations of associated labour, and basic organizations of associated labour and work organizations also in other forms of integration of organizations of associated labour in which they pursue specific common interests.

Obligatory integration of specific kinds of organizations of associated labour in communities which, in the general interest, ensure the unity of the system of work in appropriate spheres may, under conditions specified by the constitution, be introduced by statute or by a decision of the socio-political community based on statutory authority.

Article 39

Organizations of associated labour, self-managing communities of interest and other social artificial persons may by self-management agreements found a bank as a special organization in charge of the conduct of credit and other bank activities, and pool in it, together with other persons, resources with a view to pursuing common interests regarding provision of funds for the performance, expansion and promotion of the activities of the

organizations of associated labour and other self-managing organizations and communities, and with a view to pursuing other common interests.

Social artificial persons with whose resources such a bank operates, shall manage the bank's business. The income realized by the bank, after operational costs have been covered and allocations made for the work community of the bank, shall be distributed among these artificial persons.

Social artificial persons shall have the right to manage specific affairs of the bank in the department of the bank which operates with their resources.

No socio-political community may found a bank nor manage the affairs of one.

Mutual relations among social artificial persons whose resources are used by the bank in its operations, the management of the bank and its business shall be regulated by the self-management agreement on the founding of the bank, its by-laws and statute.

Article 40

The business activities of financial organizations founded for operating savings accounts and the management of such organizations, and also the management of the operations of banks concerning savings accounts, shall be regulated by statute in line with the uniform principles of the credit system.

The rights of citizens to take part, on account of their savings accounts, in the management of operations of these financial organizations and to enjoy, in addition to stipulated interest, other benefits, shall be regulated by statute.

Article 41

Organizations of associated labour, self-managing communities of interest and other social artificial persons shall in organizations of associated labour which, besides other activities engage in banking and similar business, in principle, have the same rights in respect of this business as social artificial persons have in a bank which operates with their resources.

If internal banking or similar operations are organized in an organization of associated labour, these operations shall be governed by the principles applying to banking operations.

Article 42

Organizations of associated labour, self-managing communities of interest, socio-political communities and other social artificial persons may by self-management agreement found a community of life and property insurance for the same, related or different risks or losses, or for several different kinds of risk or loss, and may pool in it, together with other persons, on principles of reciprocity and solidarity, resources for life and property insurance and for the purpose of eliminating or lessening the unfavourable effects of such losses.

In an insurance community in which resources have been pooled for the purpose of life and property insurance against various kinds of risk or loss, insurees who pool resources to insure themselves against the same or related kinds of risk or loss shall form separate risk communities and shall pool resources in separate insurance funds covering these losses. Insurees in risk communities shall, in agreement with other insurees in the

same insurance community, lay down under what conditions the assets of the funds earmarked for the settlement of damages for one kind of loss may be used for the settlement of damages for another kind of loss.

Social artificial persons who pool resources in an insurance community or a risk community, shall manage the business of this community.

Mutual relations among social artificial persons who have pooled resources in an insurance community, the management of this community and its operations shall be regulated by the self-management agreement on the founding of the community, its by-laws or other self-management enactment, and by statute.

Citizens and civil artificial persons — insurees shall participate in the management of their respective insurance communities or risk communities, and shall have other rights in them in conformity with their by-laws and statute.

Article 43

Relations between organizations of associated labour engaged in the sale of goods and services and productive and other organizations with which they do business shall be based on the principles of cooperations and self-management pooling of labour and resources within the framework of this cooperation. These organizations shall, on a basis of equality, exercise a mutual influence on business and development policies, bear joint risks and joint responsibility for the expansion of the economic foundations of labour and the rise in labour productivity in production and trade, and shall share in the income earned through this coopera-

tion according to their contribution to the realization of this income.

Organizations of associated labour which engage in the export and import trade and operate on the principle of obligatory cooperation with productive and other organizations of associated labour on behalf of which they carry out export and import operations and which within the framework of this cooperation formulate a joint policy of production and/or other activities, and export-import policy, shall distribute income earned through this cooperation as their joint income, and shall jointly share the risk of their business and responsibility for promoting production and trade, in conformity with self-managing agreement or contract on this cooperation.

It shall be regulate by federal statute in which cases and under what conditions organizations of associated labour engaging in export-import, wholesale and retail trade and in other statutorily-defined trading activities shall be bound to pool their labour and resources with productive and other organizations of associated labour with which they do business. The manner and form of pooling labour and resources, the way of deciding on joint business operations, joint risk bearing and the determination of principles of distribution of jointly earned income shall be regulated by federal statute.

Organizations of associated labour engaged in the sale of consumer goods and services shall be bound, in the way specified by statute, to cooperate and conclude agreements with self-managing communities of interest, local communities and other communities and consumer organizations regarding affairs of common concern.

Article 44

Organizations of associated labour may carry out their activities and invest the means of social reproduction abroad, under conditions and within the limits laid down by federal statute.

Rights and resources acquired abroad on any ground by an organization of associated labour shall become a component part of the social resources managed by the workers of this organization.

Workers in an organization of associated labour operating abroad shall have the same rights, obligations and responsibilities as the workers of this organization working in Yugoslavia.

Article 45

Basic and other organizations of associated labour, their communities, and other forms of organizations of associated labour, banks, communities of life and property insurance, and other financial organizations shall be artificial persons vested with the rights, obligations and responsibilities, spelled out by the constitution, statute, self-management agreements on association or the enactments on their founding.

These organizations communities and associations and their rights, obligations and responsibilities shall be entered into a register.

Article 46

Against organizations of associated labour, their communities or other associations of these organizations in which the realization of workers' self-management rights has been substantially disrupted, or which do not fulfil their statutory obliga-

tions or have caused serious damage to social interests, temporary measures specified by statute may be taken under conditions and by a procedure provided for by statute. If this is necessary in order to prevent such practices, the realization of individual self-management rights of the workers and/or of organizations or associations and their bodies may be temporarily restricted by these measures.

Article 47

If a dispute arises in an organization of associated labour between workers in individual units of the organization, or between the workers and bodies of the organization, or the workers of the organization and an agency of a socio-political community, which it has not been possible to settle by regular proceedings, the workers shall have the right and duty to present their demands, stemming from the dispute through their trade union organization.

The competent trade union organization shall have the right and duty, on the request of workers, or on its own initiative, to institute proceedings for the settlement of the dispute and in these proceedings, together with the appropriate managing bodies of the organization of associated labour concerned, or with the agencies of the socio-political community concerned, to lay down the basic principles and criteria for the solution of the question that has caused the dispute.

Article 48

Organizations of associated labour and/or organizations of business associations which engage in economic activities may, under conditions and by

a procedure laid down by federal statute, be wound up if they do not fulfil statutory conditions for the performance of their activities, if for a prolonged time they are not able to renew the social resources with which they operate and to ensure the realization of the constitutionally-guaranteed rights of workers concerning their economic and social security, or if they are not in a position to fulfil other statutory or contractual obligations.

Organizations of associated labour which perform social activities may be wound up, under conditions and by a procedure specified by statute, if they do not meet the conditions spelled out by statute or if the conditions for the performance of their activities do not exist.

Article 49

It may be laid down by statute and a decision of the assembly of the socio-political community made on statutory authority that specific activities or affairs of organizations of associated labour which perform social activities shall be treated as being of special social interest; the mode of realization of this special social interest and the realization of workers' self-management rights in line with this interest may at the same time be regulated by this statute and decision.

If so required by a special social interest, the mode of realization of this interest in the activity of organizations of associated labour which carry out economic activities may be regulated by statute and a decision of the assembly of the socio-political community made on statutory authority, when these activities are an irreplaceable condition of the life and work of citizens or of the work of other organizations in a specific field.

Article 50

Organizations of associated labour which carry out economic activities and their business associations shall associate in chambers of economy or other general associations with a view jointly to promoting work and business, adjusting special, common and general social interests, reaching agreement on working and development plans and programmes and on the self-management regulation of socio-economic relations, initiating self-management agreements and social compacts, adopting legislation and formulating economic policy, and with a view to considering and resolving other questions of common concern.

In order to realize these aims, organizations of associated labour performing social activities may also form associations for individual activities or for individual spheres of work, as well as other general associations.

3. Self-Managing Communities of Interest

Article 51

Self-managing communities of interest shall be formed by working people, directly or through their self-managing organizations and communities, to satisfy their personal and common needs and interests and to adjust work in the spheres for which the communities of interest are being created to these needs and interests.

The rights, obligations and responsibilities in mutual relations in a self-managing community of interest shall be regulated by its founding self-

management agreement, by its by-laws, and by other self-management enactments.

To satisfy their needs and interests in self-managing communities of interest, working people shall pay contributions to these communities from their personal incomes and from the income of basic organizations of associated labour, in line with the purpose or aims for which these resources are to be used.

Article 52

Workers and other working people who in the fields of education, science, culture, health and social welfare realize, on the principles of reciprocity and solidarity, their personal and common needs and interests, and workers in organizations of associated labour which carry out activities in these fields, shall form self-managing communities of interest in which they shall freely exchange labour, pool labour and resources and shall jointly and on equal terms decide on the performance of these activities in line with common interests, shape the policy concerning the development and promotion of these activities, and realize other common interests.

Mutual relations in such self-managing communities of interest shall be regulated so as to secure the rights of the workers and other working people who have pooled resources in them to decide on these resources, and also the rights of the workers in organizations of associated labour which perform activities in the field for which a particular community of interest has been formed to realize through free exchange of labour the same socio-economic status as workers in other organizations of associated labour.

Self-managing communities of interest may also be formed on such foundations in other fields of social activity.

Article 53

In order to ensure their social security working people shall form self-managing communities of interest in the fields of pension and disability insurance and other forms of social security, in which they will pool resources for the purpose and determine, on the principles of reciprocity and solidarity and past labour, their common and individual obligations towards these communities and the common and individual rights they will realize in them.

Self-managing communities of interest may also be formed on such foundations in other fields in which through the pooling of resources into joint funds specific common interests will be realized on the principles of reciprocity and solidarity.

Article 54

Working people, directly or through their organizations of associated labour and other self-managing organizations and communities, shall form self-managing communities of interest in the housing sector, in which these organizations and communities shall pool resources for housing construction, formulate housing construction policy and programmes, and together with tenants manage residential buildings and dwellings in social ownership, and shall realize other common interests.

Federal legislation may provide for the formation of special communities of interest for housing construction and management of dwellings for the

needs of active military personnel and civilian persons serving in the Armed Forces of the Socialist Federal Republic of Yugoslavia, and also for the needs of workers and officials of federal agencies.

Article 55

In the fields of communal activities, power production, water management, transport and other activities in the sphere of material production, if the permanent performance of these activities is indispensable for the satisfaction of the needs of specific beneficiaries, self-managing communities of interest of organizations of associated labour in these fields and of beneficiaries of their products and services may be formed in which they will realize common interests specified by self-management agreement.

Article 56

In order to ensure the most direct possible realization of their self-management rights and interests, workers and other working people and their organizations of associated labour and other self-managing organizations and communities — members of a self-managing community of interest, shall have the right, within this community of interest, under conditions specified by the self-management agreement on the formation of the self-managing community of interest or by its by-laws, to organize themselves into a basic community or unit for a specific sphere or for the realization of specific common interests, and to realize in this basic community or unit their specific self-management rights and interests.

Self-managing communities of interest may combine into broader communities of interest and form federations and other association of communities of interest, and also set up other forms of mutual cooperation.

When a self-managing community of interest is being formed for an area wider than the territory of a Commune, communities may be set up for the territories of several Communes as parts of this self-managing community of interest.

Article 57

Self-managing communities of interests and basic communities and units making part of them, and also associations of self-managing communities of interest, shall be artificial persons with the rights, obligations and responsibilities vested in them under the constitution, statute, self-management agreement on the formation of the community of interest and/or association of communities of interest, and under their by-laws.

Article 58

The formation of a self-managing community of interest may be made compulsory by statute or by a decision of the Commune assembly based on statutory authority, or such a community may be so formed when the specific activities or affairs covered by such a community are of special social interest. In the same way principles may be laid down concerning its organization and mutual relations in it, and it may be made obligatory to pay a contribution to a community so formed.

Self-managing communities of interest must perform activities or affairs which, according to the

relevant statute or decision of the assembly of the socio-political community based on statutory authority, are defined as being of special social interest, in the way laid down in this statute or decision of the assembly of the socio-political community.

Article 59

If a self-managing community of interest which performs activities or affairs of special social interest does not take a decision on which the work of the community of interest essentially depends, the assembly of the socio-political community may, under conditions and by a procedure specified by statute, issue a ruling providing for a temporary solution of this question.

Temporary measures provided by statute may be taken against a self-managing community of interest in the same cases and under the same conditions as such measures may be taken against organizations of associated labour.

4. Resources of Socio-Political Organizations and of Other Social Organizations

Article 60

Socio-political organizations and other statutorily-defined social organizations may acquire resources and/or specific rights to resources and use these resources, as social, in the pursuit of their aims and dispose of them in conformity with the by-laws of these organizations and statute. Such organizations may, under conditions spelled out by statute, organize an economic or other

activity in line with their aims, and may share in income realized through such an activity for the pursuance of these aims.

5. The Socio-Economic Status and Association of Farmers

Article 61

Farmers and members of their households engaged in farming and working with resources subject to the right of ownership are guaranteed the right to realize the constitutionally-defined self-management status in socialist socio-economic relationships, to make use of the results achieved through their labour, to satisfy their personal and social needs and, on the basis of their contributions, to enjoy socialist security benefits in accordance with the principles of reciprocity and solidarity.

On the basis of their personal labour farmers shall, in principle, have the same status and basically the same rights as workers in associated labour working with social resources. Farmers shall also have corresponding rights and obligations with regard to the pooling of labour and resources, and also in trade relations on the market and in credit relations.

Article 62

Farmers may pool their labour and resources in agricultural cooperatives and in other forms of farmers' association, or pool them with organizations of associated labour.

Agricultural cooperatives shall, in principle, have the same status, rights, obligations and responsibilities as organizations of associated labour.

In respect of resources which they pool in agricultural cooperatives, farmers may retain the right of ownership or may establish the right to the restitution of the value of these resources and other rights on the ground of their pooling in conformity with the pooling contract and the by-laws of the cooperatives concerned.

Farmers who have pooled their labour and resources in an agricultural cooperative shall be entitled to part of the income earned by the cooperative, proportionately to how much they have contributed to the realization of this income with their own labour and the pooling of resources and/or through their joint work with the cooperative. The part of income which the cooperative has realized in excess of this amount shall, as social property, be allocated to the funds of the agricultural cooperative and shall be used for the expansion and promotion of its activities.

Article 63

By pooling their labour and means of labour freely and on terms of equality with workers in associated labour working with social resources, farmers shall expand the economic foundations of their labour and shall make use of the results of general economic and social development and on this basis more fully satisfy their personal and social needs and develop their working and other abilities.

Farmers who pool their labour and means of labour, directly or through agricultural cooperatives or other forms of association of farmers, with an organization of associated labour and lastingly cooperate with it, shall manage on an equal footing with the workers of this organization

common affairs and jointly decide on jointly earned income, and shall share in its distribution according to their contribution to the realization of this income, in conformity with the self-management agreement.

6. Independent Personal Labour with Resources in Citizens' Ownership

Article 64

The freedom of independent personal labour with means of labour in citizens' ownership shall be guaranteed, provided the performance of activities with personal labour corresponds to the mode, the economic basis and possibilities of personal labour, and provided it is not contrary to the principle of income earning according to work performed or to other foundations of the socialist social system.

Conditions for performing activities with independent personal labour with means of labour in citizens' ownership and property rights to these means of labour and to business premises used for the performance of activities with independent personal labour, shall be regulated by statute.

If so required by the social interest, it may be specified by statute which activities may not be performed by independent personal labour with means of labour in citizens' ownership.

Article 65

Working people who independently perform activities with their own personal labour and with resources in citizens' ownership may form a co-operative and in it, in accordance with the prin-

principles of equality, pool their labour and means of labour and jointly dispose of the income earned by the cooperative.

Cooperatives formed by working people who independently perform activities with personal labour in citizens' ownership, shall have the status, rights, obligations and responsibilities of an agricultural cooperative, and its members shall have the same status, rights, obligations and responsibilities of members of an agricultural cooperative.

Article 66

Working people who independently perform activities with their own personal labour with resources in citizens' ownership may, in conformity with contracts and statute, pool their labour and means of labour with organizations of associated labour in various forms of cooperation and other forms of business collaboration. Within the framework of this cooperation these working people shall share in the management of joint affairs, jointly decide on jointly earned income, and shall share in its distribution proportionately to their contribution to the realization of this income.

Article 67

A working man who independently performs activities with his personal labour using resources in citizens' ownership may, on a self-management basis, pool his labour and means of labour with the labour of other persons, within the framework of an organization of associated labour founded under contract.

A working man who has pooled his labour and resources with the labour of other people in such

a contractual organization of associated labour shall have the right to conduct, as manager, the business of the contractual organization and, together with other workers, to decide on its operation and development.

The manager and workers in a contractual organization of associated labour shall, on the basis of their labour, be entitled to resources for the satisfaction of their personal and common needs; the manager shall, on account of the resources which he has pooled, also be entitled to part of the income accruing to him in conformity with the principles applying to the pooling of labour and social resources in organizations of associated labour.

The part of income realized in a contractual organization of associated labour which is left after the allocation of resources for the satisfaction of the personal and common needs of the manager and workers and of the part of income accruing to the manager on account of the resource he has pooled in the organization, shall become social property. The workers, together with the manager, shall on the basis of their labour manage this part of income as social resources.

The terms and the mode of formation and operation of a contractual organization of associated labour, and its rights, obligations and responsibilities shall be regulated by statute, and the mutual rights, obligations and responsibilities of the manager and workers shall be regulated by contract in conformity with statute. The mode and terms of the pooling of resources, and the mode and terms of their withdrawal or the restitution of the resources invested by the manager in the

contractual organization, shall also be regulated by contract.

The manager of a contractual organization of associated labour shall be retain the right of ownership over, and other contractual rights regarding, the resources he has pooled in this organization. With the withdrawal or repayment of these resources, the rights the manager enjoys in the contractual organization in his capacity of manager shall be extinguished.

Article 68

It shall be regulated by statute in which activities, in line with their nature and social needs, and under what conditions a working man who independently performs activities with his personal labour and resources in citizens' ownership may, exceptionally and to a limited extent, without forming a contractual organization of associated labour, make use of the additional labour of other persons by employing them.

A working man and the workers he wishes to employ shall enter into an employment contract in conformity with the collective contract entered into between the relevant trade union and the appropriate chamber of economy or another association representing working people who independently perform activities with their personal labour and resources in citizens' ownership. Such collective contracts shall ensure these workers, in accordance with the rights of workers in associated labour, the right to resources for the satisfaction of personal and common needs and other rights which ensure their material and social security.

It may be regulated by statute that the part of income which is the result of the surplus-labour

of workers employed by a working man who independently performs an activity with his personal labour and resources in citizens' ownership, shall become social property and shall be used for development needs.

7. Social Planning

Article 69

Workers in basic and other organizations of associated labour and working people in self-managing communities of interest, local communities and other self-managing organizations and communities in which they manage the affairs and means of social reproduction, shall have the right and duty, by relying on scientific achievements and the appraisal of development possibilities based thereon and by taking into account economic laws, independently to adopt working and development plans and programmes for their organizations and communities, to adjust these plans and programmes both mutually and to the social plans of the socio political communities, and on this basis to ensure adjustment of relations in the totality of social reproduction and the guidance of material and social development as a whole, in line with common interests and aims laid down on a self-management basis.

Article 70

Working and development plans and programmes of basic organizations of associated labour and of the organizations of associated labour of which

they are part shall be adopted and implemented in relations of cooperation and mutual interdependence stemming from the pooling of labour and resources in these organizations in conformity with self-management agreements, provided that the workers in the basic organizations of associated labour are ensured the right to decide on the adoption of these plans and programmes.

Basic and other organizations of associated labour integrated in self-managing communities of interest or other self-managing organizations and communities, shall pass and implement their working and development plans and programmes in conformity with common interest and aims and/or in conformity with the joint plans and programmes laid down by mutual agreement within the framework of these self-managing organizations and communities.

Organizations of associated labour, self-managing communities of interest and other self-managing organizations and communities shall adjust their working and development plans and programmes to the plans and programmes of other self-managing organizations and communities with which they have specific common interests and aims which stem from their cooperation and mutual interdependence in social reproduction and which they determine on the basis of self-management agreements.

Mutual obligations laid down by mutual agreement by basic and other organizations of associated labour and other self-managing organizations and communities with a view to realizing a joint plan, may not be rescinded or changed during the period of time for which the plan has been adopted.

Article 71

Social plans of the socio-political communities shall be adopted on the basis of agreements on the common interests and aims of economic and social development in the Communes, municipal or regional communities, Autonomous Provinces, Republics and the Federation, and on the basis of the working and development plans and programmes of organizations of associated labour, self-managing communities of interest and other self-managing organizations and communities, and on the basis of jointly appraised development possibilities and conditions.

Social plans of the socio-political communities shall lay down common development policy and guidelines and frameworks for adoption of measures of economic policy and of administrative and organizational measures which ensure conditions for the fulfilment of these plans.

Article 72

Working and development plans of organizations of associated labour and other self-managing organizations and communities, and social plans of the socio-political communities may provide for investment or other aims and tasks, or steps may be taken to begin their implementation only on condition that financial and other necessary conditions for their fulfilment have been ensured in the way regulated by statute.

The fulfilment of special tasks aimed at attaining the targets spelled out by social plans may be laid down as obligatory for specific organizations of associated labour or other self-managing organizations and communities only in agreement with the

organization or community concerned. If the fulfilment of such tasks has been laid down as a joint obligation of several organizations or communities, or as an obligation of an agency of a socio-political community, these organizations and/or communities and agencies, shall by mutual agreement lay down their mutual rights and obligations and their joint and individual responsibility for the fulfilment of these obligations.

If the social plan lays down, on the basis of jointly determined interests and aims of development, that the fulfilment of specific tasks is indispensable for social reproduction, and if the organizations of associated labour or other self-managing organizations and communities have not been able to ensure by agreement resources and other necessary conditions for their fulfilment, an obligation to pool resources for the purpose can be introduced by legislation, in conformity with the constitution, and other measures prescribed for the purpose of fulfilment of these tasks.

Article 73

Statutes and other regulations and enactments which lay down obligations for the budgets and funds of the socio-political communities, may not be passed before the agency which wants to pass the relevant statute, regulation or enactment has established that resources for the fulfilment of these obligations have been secured.

Article 74

Workers in organizations of associated labour and working people in other self-managing organizations and communities and their bodies shall be

responsible for the fulfilment of the working and development plans of their organizations and communities, and of general aims and tasks laid down by the social plans of the socio-political communities, and shall be bound to take the necessary measures and action to achieve them.

Agencies of the socio-political communities shall be obliged by regulations they pass and the measures they take for the fulfilment of social plans to ensure general conditions for as harmonious and stable development as possible, and by means of these regulations and measures to adjust as much as possible the special interests and independent operation of organizations of associated labour and other self-managing organizations and communities to the common development interests and targets laid down by social plans.

8. The Social System of Information, Social Accountancy, Record Keeping and Statistics

Article 75

The social system of information shall ensure congruous recording, collection, processing and presentation of data and facts significant for recording, planning and guiding social development, and shall ensure accessibility of information of such data and facts.

Activities relating to the social system of information shall be of special social concern.

Article 76

Workers in organizations of associated labour and working people in other self-managing organizations and communities, bodies of these organi-

zations and communities, and agencies of the socio-political communities, shall be obliged to organize bookkeeping and record-keeping of facts important for the work and decision-making in these organizations and communities.

Organizations of associated labour and other self-managing organizations and communities, and the socio-political communities shall be bound to supply organizations in charge of bookkeeping, record-keeping and statistics with data of importance for the adjustment of relations in social reproduction and the guidance of development, and for the realization of the rights of working people in other self-managing organizations and communities to be kept informed of facts and relations of common and general concern.

Article 77

Record-keeping and informative-analytical affairs concerning the use of social resources, supervision of the accuracy of data concerning the use of these resources, supervision of the legality of their use, and supervision of the fulfilment of obligations of organizations of associated labour and other self-managing organizations and communities and of the socio-political communities, and other statutorily-defined activities of social accountancy, shall be carried out by the Social Accountancy Service. This service shall also be in charge of affairs concerning payments traffic in the country.

The Social Accountancy Service shall supply organizations of associated labour and other social artificial persons with data on the basis of which working people and bodies of self-management

workers' supervision will be able to have an insight into the economic situation and financial and economic operations of their own and other organizations and communities.

The Social Accountancy Service shall be independent in its work.

The Social Accountance Service shall operate in conformity with statute and other rules and shall, within the framework of its rights and duties, be responsible for their implementation.

9. The Law of Property Relations

Article 78

Citizens shall be guaranteed the right of ownership of movable property used for personal consumption or for the satisfaction of their cultural and other personal needs.

Citizens may own residential houses and dwellings for their personal and family needs. Residential houses and dwellings and movables which serve personal needs and which are subject to the right of ownership may be used a means for earning income only in the way and under conditions spelled out by statute.

Article 79

The limits and conditions under which associations of citizens and other civil artificial persons may have the right of ownership of real property and of movables which serve for the satisfaction of the common interests of their members and for the fulfilment of aims for which they have been

founded, and conditions under which they can use them, shall be regulated by statute.

Article 80

Farmers shall be guaranteed the right of ownership of arable agricultural land up to a maximum of ten hectares per household.

It may be provided by statute that in hilly and mountainous regions the area of arable agricultural land owned by farmers may exceed ten hectares per household.

It shall be specified by statute within what limits and under what conditions farmers may own other land, and within what limits and under what conditions other citizens may own agricultural and other kinds of land.

Conditions and limits within which the right to own forests and woodland may be acquired shall be spelled out by statute.

Article 81

There may be no ownership right to land in cities and localities of an urban character, nor in other areas envisaged for housing and other complex construction, proclaimed as such by the Commune in conformity with the conditions and pursuant to a procedure laid down by statute.

The conditions for and the mode and time of termination of the right of ownership of land over which an ownership right existed before the decision of the Commune, and compensation for such land, shall be spelled out by statute. The mode of and conditions for the utilization of such land shall be determined by the Commune in conformity with statute.

Article 82

Real property subject to the right of ownership may be expropriated against equitable compensation, or this right may be restricted if so required by the general interest determined in conformity with statute.

The basic principles and criteria for deciding equitable compensation shall be regulated by statute. These basic principles and criteria may not be determined in a way which would through their application result in a serious deterioration of the living and working conditions which the owner of expropriated real property had before on account of the use of this real property.

Equitable compensation shall not include any increase in the value of real property resulting directly or indirectly from investment of social resources.

Article 83

The right of ownership by citizens and civil artificial persons shall be realized in conformity with the nature and purpose of real property and/or movables in their ownership, and in conformity with the social interest, as spelled out by statute.

Conditions for the sale of land and other kinds of real property subject to the right of ownership shall be regulated by statute.

Article 84

The right of ownership of objects of special cultural value may be restricted on the basis of statute, if so required by the general interest.

10. Goods of General Interest

Article 85

Land, forests, waters, watercourses, the sea and seashore, ores and other natural resources, goods in general use, also real property and other objects of special cultural and historic significance shall, as goods of general interest, enjoy special protection and shall be used under conditions and in the way specified by statute.

Article 86

All land, forests, waters and watercourses, the sea and seashore, ores and other natural resources must be used in conformity with statutorily-defined general conditions which ensure their rational utilization and other general interests.

The mode of management of forests, woodland and ore deposits, and the mode of exploitation of forests, woodland and ores shall be laid down by statute.

11. Conservation and Improvement of the Human Environment

Article 87

Working people and citizens, organizations of associated labour, socio-political communities, local communities and other self-managing organizations and communities shall have the right and duty to assure conditions for the conservation and improvement of the natural and man-made values of the human environment, and to prevent or eliminate harmful consequences of air, soil, water or noise pollution and the like, which endanger these values and imperil the health and lives of people.

Chapter II

THE FOUNDATIONS OF THE SOCIO-POLITICAL SYSTEM

1. The Status of Working People in the Socio-Political System

Article 88

Power and management of other social affairs shall be vested in the working class and all working people.

The working class and all working people shall exercise power and management of other social affairs, organized in organizations of associated labour, other self-managing organizations and communities, and in class and other socio-political and social organizations.

Article 89

Working people shall exercise power and management of other social affairs through decision-making at assemblies, through referenda and other forms of personal expression of views in basic organizations of associated labour and local communities, self-managing communities of interest and other self-managing organizations and communities, through delegates in managing bodies of these organizations and communities, through self-management agreements and social compacts, through delegations and delegates to the assemblies of the socio-political communities, and by guiding and supervising the work of bodies responsible to the assemblies.

Article 90

Working people shall organize themselves on a self-management basis in organizations of associated labour, local communities, self-managing communities of interest and other self-managing organizations and communities, and shall specify which common interests, rights and duties they shall realize in them.

The common interests and functions of power and management of other social affairs which the working people, nations and nationalities will realize in the socio-political communities, shall be spelled out by the constitution and statute.

Article 91

The organization and management of organizations of associated labour, local communities, self-managing communities of interest and other self-managing organizations and communities must be regulated so as to enable the working people in each phase of the process of labour and in each unit of their organizations or communities, to decide on questions concerning their labour and other interests, to realize their self-management rights and common interests, and to exercise supervision over the execution of decisions and over the work of all bodies and services of these organizations and communities.

Article 92

The functions of power and management of other social affairs in the socio-political communities shall be discharged by their assemblies and by agencies responsible to them.

Judicial functions shall be performed by regular courts of law as organs of state power, and by self-management courts.

Protection of constitutionality shall be vested in the constitutional courts.

Article 93

The assemblies of the socio-political communities and agencies responsible to them shall discharge their functions on the basis and within the framework of the constitution, by-laws and statutes.

In respect of organizations of associated labour and other self-managing organizations and communities, state agencies shall only exercise those rights with which they are vested on the basis of the constitution.

Article 94

No one shall exercise self-management, public or other functions or public authority unless he has, in conformity with the constitution, statute and by-laws, been vested with these by the working people or the assembly of the competent socio-political community.

Article 95

All bodies and organizations and other holders of self-management, public or other social functions shall perform their functions on the basis and within the framework of the constitution, statute and by-laws, and on the basis of powers vested in them, and shall be responsible for the performance of these functions.

All holders of self-management, public or other social functions shall in the performance of their functions be subject to social control.

Every elected or nominated holder of self-management, public or other social functions shall be personally responsible for their exercise and may be recalled or relieved of office. He shall have the right to resign and to give a statement of reasons.

The kinds of and conditions for responsibility of the holders of self-management, public or other social functions, and the procedure for the realization of responsibility of the holders of these functions shall be laid down by statute and self-management enactments.

Article 96

A worker elected or nominated to a self-management, public or other social function the exercise of which makes it necessary for him temporarily to give up work in his organization of associated labour or work community, shall have the right, upon the termination of his function, to return to the same organization of associated labour and work community, respectively, and to take up his earlier job or another job which corresponds to his abilities and qualifications.

Article 97

The work of state agencies and of managing bodies of organizations of associated labour and other self-managing organizations and communities and of the agencies of the socio-political organizations and associations shall be public.

The mode of ensuring the public character of work shall be regulated by statute and self-management enactments.

Affairs and data which are considered to be secret and may not be made public shall be specified by statute and self-management enactments.

The principle of publicity may not be contrary to the security and defence interests of the country or to other social interests specified by statute.

2. Self-Management in Organizations of Associated Labour

Article 98

A worker in a basic or other organization of associated labour shall realize self-management, on terms of equality and mutual responsibility with other workers in the organization, through decision-making at workers' assemblies, through referenda and other forms of personal expression of views, through delegates in workers' councils elected and recalled by him together with other workers in the organization, and through supervision of the execution of decisions and the performance of work of the bodies and services of this organization.

Workers shall have the right, for the purpose of realization of their self-management rights, to be regularly kept informed of the business, economic and financial operations of their organizations, the realization and distribution of income and the use of resources in them, and of other questions of interest for decision-making and supervision in the organizations.

Article 99

Basic and other organizations of associated labour shall set up workers' councils to take charge of the management of the work and business of these organizations, or managing bodies which in status and function correspond to a workers' council.

Basic organizations of associated labour with a small number of workers shall not set up workers' councils.

Specific executive functions in basic and other organizations of associated labour may be entrusted to the executive bodies of the workers' councils.

Organizations of associated labour which in pooling labour and resources are not organized as separate organizations may set up a joint body for the conduct of affairs of common interest.

Article 100

In exercising the functions of management of work and business of an organization of associated labour, the workers' council shall draw up draft by-laws and pass other enactments, formulate business policy, enact working and development plans and programmes, take measures for the implementation of business policy and working and development plans and programmes, elect, nominate and relieve of office executive bodies, individual business executives and business boards⁹ or their members, ensure that the workers are kept informed, and shall conduct other affairs as specified by self-management agreements, by-laws and other self-management enactments of their respective organizations.

Decisions of the workers' council of a work organization or a composite organization of associated labour concerning the achievement of the inalienable rights of the workers in the basic organizations of associated labour, shall be made in agreement with each of these organizations in the way specified by the self-management agreement on association.

Article 101

The workers' council of an organization of associated labour shall consist of delegates of workers in all phases of the labour process in this basic organization.

The composition of the workers' council of a basic organization of associated labour must correspond to the social composition of the work community of the basic organization of associated labour.

The workers' council of a work organization or a composite organization of associated labour shall be made up of delegates of the workers in the basic organizations of associated labour elected directly in the way and by a procedure specified by the self-management agreement on association. Each basic organization of associated labour of a work organization must be represented in the workers' council of this work organization.

The delegates shall work in accordance with guidelines issued by workers or the workers' council of the basic organization of associated labour which has elected them, and shall be responsible to them for their work.

The rights and obligations of the delegates and their responsibility to the workers or managing bodies of the basic and other organizations of

associated labour shall be laid down by the by-laws of these organizations and the self-management agreements on association.

Article 102

The mode of election of, and the conditions and mode of recall or relieving of office of the workers' council and the executive body in an organization of associated labour shall be specified by the self-management agreement on association, or the by-laws of the organization, and by statute.

Members of a workers' council or executive body may not be elected for a term of more than two years.

No one may be elected to the same workers' council or executive body for more than two consecutive terms.

A worker who as an individual business executive or member of the business board is responsible to the workers' council may not be elected to it, nor may a worker who independently performs other managerial functions specified by the by-laws and statute.

Article 103

In every organization of associated labour there shall be a business board and/or an individual business executive in charge of the business of the organization of associated labour, the organization and adjustment of the labour process, and the execution of decisions of the workers' council and its executive body.

Every organization of associated labour shall be represented by an individual business executive or by the chairman of the business board, unless

otherwise specified by the by-laws or other enactments of this organization.

The business board and the individual business executive shall be independent in their work and shall be responsible to the workers and the workers' council of their organization of associated labour.

The individual business executive and/or the chairman of the business board shall also be responsible to the social community for the legality of work and the fulfilment of the statutorily-established obligations of their organization of associated labour. The individual business executive and/or the chairman of the business board shall have the right and duty to stay, in conformity with statute, the execution of enactments of the workers' council and other bodies of their organization of associated labour, if they consider that these enactments are contrary to the law, and to inform thereof the competent agency of the socio-political community.

Article 104

The individual business executive and members of the business board in an organization of associated labour shall be nominated and relieved of office by the workers' council.

Individual business executives shall be nominated on the basis of public competition, on the proposal of a competition commission. In basic organizations of associated labour specified by statute and in other organizations of associated labour the competition commission shall be composed of a statutorily-specified number of representatives of the organizations of associated labour and the trade union organizations concerned, and

of representatives of the social community nominated or elected in conformity with statute.

Conditions for and the mode of formation of a business board and the conditions for and the mode of nomination of the members of this board may be regulated by statute.

The tenure of an individual business executive and of members of a business board shall not last longer than four years. After the expiration of their tenure they may be renominated to the same function by the same procedure.

It shall be specified by statute under what conditions a business board or an individual business executive may be relieved of office before the expiration of the term for which they have been nominated. A proposal for relieving of office of a business board or an individual business executive may also be made by the assembly of the competent Commune or another socio-political community and by the relevant trade union organization.

Special conditions for and the mode of nomination and relief of office, and the special rights and duties of business boards and individual business executives in organizations of associated labour in charge of activities or affairs of special social concern, may be laid down by statute.

Article 105

Self-management agreements on association in a work organization or a composite organization of associated labour shall contain provisions on: joint affairs, coordination of the labour process, adjustment of working and development plans and programmes, pooling of resources and their purpose; composition, election and province of work

of joint bodies of management and their executive organs, the business board and individual business executive of the work organization or composite organization and their responsibilities; rights, obligation and responsibilities of work communities which are in charge of affairs of common interest for associated organizations; mutual relations among basic and other organizations of associated labour and their rights, obligations and responsibilities in legal matters; conditions for the splitting off of individual basic organizations from a work organization, or of basic and work organizations form a composite organization. Such self-management agreements shall also contain other provisions concerning the joint work and business of composite organizations and the realization of workers' self-management rights in them.

A self-management agreement on association in a work organization or a composite organization of associated labour shall be concluded in agreement with the majority of all workers in each basic organization.

Article 106

All organizations of associated labour shall have by-laws.

The by-laws of a basic organization of associated labour shall be passed, on the proposal of the workers' council, by a majority vote of all workers in the basic organization.

The by-laws of a work organization or a composite organization of associated labour shall be passed, on the proposal of its workers' council, by a majority vote of all workers in each of these organizations.

The by-laws and other self-management enactments of organizations of associated labour may not be contrary to the self-management agreements on association.

Article 107

To achieve and safeguard their self-management rights, workers in basic and other organizations of associated labour shall have the right and duty to exercise self-management workers' supervision directly, through their organization's managing bodies, and through special bodies of self-management workers' supervision.

Bodies of self-management workers' supervision shall exercise supervision regarding: implementation of the by-laws and other self-management enactments of their organizations, implementation of self-management agreements and social compacts, execution of the decisions of workers, managing and executive bodies, business boards and individual business executives of the organizations and compliance of these enactments and decisions with the self-management rights, duties and interests of the workers; execution of the working and self-management duties of the workers, bodies and services of the organizations; responsible and socially and economically opportune utilization of social resources and their desposal; application of the principle of income distribution according to work performed in the distribution of income and the allocation of resources for personal incomes; realization and safeguard of workers' rights in mutual labour relationships; keeping workers informed on questions of concern for decision-making and supervision in their organizations, and regard-

ing the realization of other self-management rights, duties and interests of the workers.

Bodies of self-management workers' supervision shall have the right and duty to report occurrences noted in their organizations, together with their opinion thereon, to the workers, bodies and services in the organizations in which the occurrences have been noted, and to the bodies of these organizations responsible for their elimination, and also to cooperate with social supervisory and control bodies.

The composition, election and recall of bodies of self-management workers' supervision and their rights, duties and responsibilities shall be specified by the by-laws and other self-management enactments of the organizations concerned, in conformity with statute.

Article 108

Every worker shall be personally responsible for the conscientious exercise of his self-management functions.

Members of the workers' council of an organization of associated labour shall be personally and materially responsible for decisions which, despite a warning by the competent agency, they have taken outside the framework of their powers. Delegates in the workers' council of a work organization or a composite organization of associated labour shall be responsible to the workers and the workers' council of the basic organization which have elected them as delegates.

Members of a collective executive body, individual business executives, and members of a business board shall be responsible for their work to the workers' council which has elected or nomi-

nated them, and to the workers of the organization of associated labour in which they perform their functions. They shall be personally responsible for their decisions and for the execution of decisions of the workers' council and of the workers, and also for keeping the workers' council and workers truthfully, timely and fully informed. They shall also bear material responsibility for any harm caused by the execution of decisions taken on the basis of their proposals, if in making these proposals they concealed facts or consciously gave untruthful information to the workers' council or the workers.

Business boards and individual business executives shall, within the framework of their rights and duties, also be responsible for the business results of their organizations, and for the organization and adjustment of the labour process in their organizations.

The responsibility of members of collective executive bodies, individual business executives and members of business boards shall be determined according to their influence of the making and implementation of decisions.

Material and other kinds of responsibility and conditions for responsibility shall be regulated by statute and by self-management enactments of the organizations of associated labour concerned.

Article 109

Provisions on the realization of self-management in organization of associated labour shall also apply to workers in work communities set up for the conduct of affairs of common interest to several organizations of associated labour, in line with the nature of these affairs and the common inte-

rests of the workers for whose sake these work communities have been formed.

3. Self-Management in Self-Managing Communities of Interest

Article 110

A self-management agreement on the formation of a self-managing community of interest and its by-laws shall regulate affairs of common concern to the members of the community, the mode of decision-making regarding these affairs, the province of work, powers and responsibilities of the assembly and other bodies of the community of interest, and other questions of common concern to the working people and self-managing organizations and communities organized in the community of interest.

The by-laws of a self-managing community of interest shall be adopted in conformity with the self-management agreement on its formation.

It may be provided by statute that the founding self-management agreement and the by-laws of a self-managing community of interest in charge of affairs of special social concern must be confirmed by the competent agency of the socio-political community concerned.

Article 111

Affairs of a self-managing community of interest shall be managed by its assembly. The assembly shall be made up of delegates elected and recalled by the working people and organizations of associated labour and other self-managing organi-

zations and communities, as members of this community of interest.

Delegates to the assembly shall work in accordance with guidelines issued by the members of the self-managing community of interest who have elected them and to whom they shall be responsible for their work.

In a self-managing community of interest formed by the working people and their organizations and communities with a view to satisfying their needs and interests, and workers in organizations of associated labour that perform activities in the field for which the community of interest is being organized, the assembly shall be organized so as to enable these working people and their organizations and communities to decide, on an equal footing, on their mutual rights, obligations and responsibilities.

The assembly may entrust specific functions to its executive bodies which shall be responsible to it for their work.

Article 112

A self-management agreement on the formation of a self-managing community of interest and other enactments of the community shall lay down the direct responsibility to the members of the community of the managing bodies of the community of interest and of delegates in these bodies, the mode of exercise of supervision by the members of the community of interest over the work of the managing bodies and the professional services, and the mode of keeping the members of the community of interest informed of the work of these bodies and services and of questions

considered and dealt with in the community of interest.

Article 113

When under the provisions of the constitution or the by-laws of the socio-political community concerned the working people take part through the assemblies of the communities of interest in decision-making concerning questions falling within the competence of the assemblies of the socio-political communities, these working people shall organize themselves within the framework of the community of interest, or shall integrate their communities of interest so that they can take part in decision-making on these questions in the assembly of the socio-political community.

4. Self-Management in Local Communities

Article 114

It shall be the right and duty of the working people in a settlement, part of a settlement or several interconnected settlements to organize themselves into a local community with a view to realizing specific common interests and needs.

Working people and citizens in a local community shall decide on the realization of their common interests and on the satisfaction, on the basis of solidarity, of their common needs in the fields of: physical improvement of their settlement, housing, communal activities, child care and social security, education, culture, physical culture, consumer protection, the conservation and improvement of the human environment, national de-

fence, social self-protection, and in other spheres of life and work.

To realize their common interests and needs, the working people and citizens, organized in a local community, shall through self-management agreements and in other ways establish links with organizations of associated labour, self-managing communities of interest and other self-managing organizations and communities, within or outside the territory of their local community, which have an interest in, and the duty to take part in the satisfaction of, these interests and needs.

The working people and citizens in a local community shall take part in the conduct of social affairs and in decision-making on questions of common interest in the Commune and the broader socio-political communities.

The mode of and procedure for forming a local community shall be laid down by the by-laws of the Commune.

The principles governing the procedure for forming local communities may be determined by statute.

Article 115

The by-laws of a local community shall be passed by the working people and citizens of the local community.

The rights and duties of a local community, its organization, its bodies, its relations with organizations of associated labour and other self-managing organizations and communities, and other questions of concern for the work of the local community and the life of the working people in it,

shall be laid down by the by-laws of the local community.

Local communities shall have the status of an artificial person.

5. The Commune

Article 116

The Commune is a self-managing community and the basic socio-political community based on the power of and self-management by the working class and all working people.

In the Commune the working people and citizens shall create and ensure conditions for their life and work, direct social development, realize and adjust their interests, satisfy their common needs, exercise power, and manage other social affairs.

The functions of power and management of other social affairs, with the exception of those which under the constitution are exercised in the broader socio-political communities, shall be exercised in the Commune.

In realizing their common interests, rights and duties in the Commune, the working people and citizens shall make decisions organized in basic organizations of associated labour, local communities, self-managing communities of interest, other basic self-managing organizations and communities, other forms of self-management integration, and in socio-political organizations, through self-management agreements and social compacts and through their delegations and delegates to the Commune assembly and other bodies of self-management.

Article 117

The rights and duties of the Commune shall be laid down by the constitution and the Commune by-laws.

Citizens in the Commune shall in particular: create and develop material and other conditions of life and work, and conditions for the self-management satisfaction of the economic, welfare, cultural and other common needs of the working people and citizens; direct and adjust economic and social development and regulate relations of direct concern to the working people and citizens in the Commune; organize the conduct of affairs of common and general social interest and set up bodies of self-management and organs of power for the conduct of these affairs; ensure direct enforcement of statutes, unless their enforcement has under statute been placed within the competence of agencies of the broader socio-political communities; ensure the realization and safeguard of the freedoms, rights and duties of man and the citizen; ensure the realization of equality of the nations and nationalities; ensure the rule of law and the safety of life and property; regulate the use of land and of goods in general use; regulate and organize national defence; regulate relations in the field of housing and communal activities; regulate and assure the conservation and improvement of the human environment; organize and ensure social self-protection, and organize and ensure social control.

Article 118

In order to satisfy common needs in the Commune, workers in basic organizations of associated labour and other working people and citizens in

local communities, self-managing communities of interest and other self-managing organizations and communities, and in the Commune as a whole, shall by referenda and other forms of personal expression of views and by self-management agreements and social compacts decide on the pooling of resources and their utilization.

Within the framework of the statutorily-established system of sources and kinds of taxes, duty stamps and other dues, the working people in the Commune shall independently decide on the volume and mode of financing general social needs in the Commune.

Article 119

Communes may cooperate with one another voluntarily and on principles of solidarity; they may pool resources and form joint bodies, organizations and services for the conduct of affairs of common interest and the satisfaction of common needs, and may associate in urban and regional communities.

The constitution may make it obligatory for Communes to associate in urban or regional communities, as special socio-political communities to which specific affairs falling within the competence of the Republics, Autonomous Provinces or Communes will be transferred.

Communes in towns shall associate, in conformity with the constitution, in urban communities as special socio-political communities to which the Communes may, in their common interest, entrust specific rights and duties. Specific affairs falling within the competence of the Republics and/or Autonomous Provinces may be transferred to such communities.

6. Self-Management Agreements and Social Compacts

Article 120

By means of self-management agreements and social compacts workers and other working people shall, on a self-management basis, regulate their mutual relationships, adjust interests and regulate relations of broader social significance.

Article 121

By means of self-management agreements workers in basic and other organizations of associated labour and working people in local communities, self-managing communities of interest and other self-managing organizations and communities shall, within the framework of their self-management rights: adjust their interests concerning the social division of labour and social reproduction, pool labour and resources and regulate mutual relations in conjunction with the pooling of labour and resources; form work and other organizations of associated labour, banks, business and other communities; lay down the fundamentals of and criteria for the distribution of income and the allocation of resources for personal incomes; spell out mutual rights, obligations and responsibilities and measures for their realization, and regulate other relations of common concern.

Self-management agreements shall on behalf of the parties thereto be concluded by their authorized bodies.

A self-management agreement relating to the realization of the inalienable rights of the workers shall be considered accepted by a basic organiza-

tion of associated labour or another self-managing organization or community, if it has been approved by the majority of the workers or working people of this organization or community.

Article 122

Trade unions shall have the right to initiate and propose the conclusion of self-management agreements and may institute proceedings for the revision of a self-management agreement already concluded, if they consider that it infringes the self-management rights of workers and socio-economic relations laid down by the constitution.

The trade union organization designated by the trade union by-laws shall also take part in the proceedings for the conclusion of a self-management agreement whose purpose is to regulate mutual relations among workers in labour or to lay down the fundamentals of and criteria for the distribution of income and the allocation of resources for personal income, and shall also sign such an agreement. If the trade union organization refuses to sign such a self-management agreement, the organization of associated labour shall be authorized to apply this self-managing agreement and the trade union organization may institute proceedings before a court of associated labour.

Article 123

A basic organization of associated labour and any other self-managing organization or community which considers that its rights or interests based on statute have been infringed by a self-management agreement entered into by other organizations of associated labour or by other self-

managing organizations and communities, may institute proceedings for the reconsideration of that particular self-management agreement.

Article 124

Organizations of associated labour, chambers and other general associations, self-managing communities of interest, other self-managing organizations and communities, agencies of the socio-political communities, trade unions and other socio-political organizations and social organizations shall, by means of social compacts, ensure and adjust self-management regulation of socio-economic and other relations of broader common concern to the parties to the compacts, or of general social concern.

Social compacts shall on behalf of the parties thereto be concluded by their authorized bodies.

Article 125

The assemblies of the socio-political communities shall stimulate the conclusion of self-management agreements and social compacts and may make it obligatory for specific self-managing organizations and communities to conduct proceedings for the conclusion of self-management agreements or social compacts.

Article 126

Self-management agreements and social compacts shall be binding on the parties that have concluded or acceded to them.

Article 127

Self-management agreements and social compacts shall lay down measures for their implemen-

tation, and specify the material and social responsibility of the parties thereto, and specify the mode of and conditions for their revision.

Self-management agreements and social compacts may provide for arbitration or other means of settlement of disputes that may arise in the course of implementation of the agreements and/or compacts.

Article 128

Parties to self-management agreements and social compacts shall be equal in their conclusion.

Proceedings for the conclusion of self-management agreements and social compacts shall be public.

7. Social Protection of Self-Management Rights and Social Property

Article 129

The self-management rights of the working people and social property shall enjoy special social protection.

Social protection of the self-management rights of the working people shall be ensured by the assemblies of the socio-political communities and agencies responsible to them, by courts of law, constitutional courts, public prosecutors and social attorneys of self-management.

The forms and mode of realization of social protection of the self-management rights of the working people and of social property shall be regulated by the constitution and statute.

Article 130

If in an organization of associated labour or another self-managing organization or community, self-management relations have become essentially disrupted, or if serious harm has been caused to social interests, or if an organization or community does not fulfil its statutorily-established obligations, the assembly of the socio-political community shall have the right, under conditions and by a procedure specified by statute, to dissolve the workers' council or another corresponding managing body of the organization of associated labour, and to call for new elections for the members of this body; to dissolve in this organization of associated labour, self-managing organization or community its executive bodies and to recall the business boards, the individual business executive and workers holding executive posts; to nominate provisional bodies having statutorily-defined rights and duties; temporarily to restrict the realization of certain self-management rights of the working people and managing bodies, and to take other measures, as spelled out by statute.

The assembly of the socio-political community may, in conformity with statute, stay the execution of decisions, other enactments and acts which violate the self-management rights of the working people or cause damage to social property. If the assembly stays the execution of such enactments or acts, it must institute proceedings before the competent court.

Article 131

Social attorneys of self-management, as independent agents of the social community, shall take measures and use legal means and exercise other

statutorily defined rights and duties to ensure social protection of the self-management rights of working people and of social property.

Social attorneys of self-management shall institute proceedings before the assembly of the socio-political communities, the constitutional courts or regular courts for the protection of the self-management rights of working people and of social property, or proceedings for the rescission or annulment of decisions and other acts which violate self-management and social property.

Social attorneys of self-management shall institute proceedings for the protection of the self-management rights of working people and of social property on their own initiative or on the initiative of workers, organizations of associated labour and other self-management organizations and communities, trade unions and other socio-political organizations, state agencies and citizens.

State agencies and bodies of self-managing organizations and communities shall be bound, on the request of the social attorney of self-management, to supply him with data and information of concern for the performance of his function.

8. The Assembly System

Article 132

The assembly is a body of social self-management and the supreme organ of power within the framework of the rights and duties of its socio-political community.

The formation, organization and competence of the assemblies of the socio-political communities and of agencies responsible to them shall be regu-

lated by the constitution, by-laws and statute, on the basis of uniform principles laid down by the present Constitution.

The composition, organization and competence of the Assembly of the Socialist Federal Republic of Yugoslavia and of agencies: responsible to it at federal level shall be laid down by the present Constitution.

Article 133

Working people in basic self-managing organizations and communities and in socio-political organizations shall form delegations for the purpose of direct exercise of their rights, duties and responsibilities and of organized participation in the performance of the functions of the assemblies of the socio-political communities.

Delegations in self-managing organizations and communities shall be formed by:

(1) Working people in basic organizations of associated labour and work communities in charge of affairs of common concern to several basic organizations of associated labour;

(2) working people who work in agriculture, crafts and similar activities with means of labour subject to the right of ownership, together with workers with whom they have pooled their labour and means of labour and who are organized in communities and other statutorily-defined forms of association;

(3) working people in the work communities of state agencies, socio-political organizations and in other work communities which are not constituted as organizations of associated labour, and active military personnel and civil persons serving in the Armed Forces of the Socialist Federal Re-

public of Yugoslavia, in the way specified by the constitution and statute;

(4) working people and citizens in local communities.

Students and pupils shall take part in the formation of delegations in organizations of associated labour under conditions and in the way specified by statute.

Delegations shall also be formed by working people who permanently work in a unit of a basic organization of associated labour which does not operate on the territory of the Commune in which this organization has its head office.

In basic organizations of associated labour or work communities with a small number of working people, all working people shall perform the functions of the delegation.

In socio-political organizations the function of the delegations shall be performed by their elected bodies specified by their by-laws or other decisions.

Article 134

Members of delegations shall be elected by the working people in basic self-managing organizations and communities from among members of these organizations and communities by direct and secret ballot.

Basic self-managing organizations and communities shall in their by-laws, in conformity with statute, specify the number of members and the composition of their delegations, and the mode of election and recall of the delegations.

The composition of delegations must be such as to ensure adequate representations of workers in all phases of the labour process and to correspond

to the social composition of the basic self-managing organization or community concerned.

Members of delegations shall be elected for a term of four years.

Workers who according to the present Constitution may not be members of the workers' council or of another corresponding managing body may not be elected to the delegation of their basic organization of associated labour.

No one may be elected member of a delegation of the same self-managing organization or community for more than two consecutive terms.

Article 135

Candidates for members of delegations of basic self-managing organizations and communities shall be proposed and determined by the working people in these organizations and communities in the Socialist Alliance of the Working People, notably in its organizations, or in trade union organizations.

The procedure for the nomination of candidates shall be conducted by the Socialist Alliance of the Working People or trade union organizations.

Organizations of the Socialist Alliance of the Working People and trade unions shall have the right and duty, in cooperation with other sociopolitical organizations, to ensure such a democratic procedure for the nomination of candidates as will enable the working people freely to express their will in the proposition and determination of candidates.

The procedure for the nomination of candidates for delegations of military personnel and civil persons serving in the Armed Forces of the Socialist Federal Republic of Yugoslavia shall be conducted by bodies specified by federal statute. Other

questions relating to the election and work of these delegations may also be specially regulated by federal statute, in conformity with the principles laid down by the present Constitution and with the nature of the activities and organization of the Armed Forces.

Article 136

If during the term of the assembly of a socio-political community a new basic self-managing organization or community has been formed, the mode of inclusion of its delegation into the performance of functions of the assembly of the socio-political community shall be regulated by statute.

Article 137

In keeping with the interests of and guidelines by basic self-managing organizations and communities, and taking into account the interests of other self-managing organizations and communities and general social interests and needs, the delegations shall formulate basic stands for the delegates to follow in the work of the assemblies and in their participation in decision-making.

Delegations shall be bound to keep the basic self-managing organizations or communities informed of their own work and the work of the delegates in the assemblies, and shall be responsible to these organizations or communities for their work.

Delegations shall cooperate with delegations from other self-managing organizations and communities in seeking, by mutual agreement, common solutions to questions falling within the competence

of the assemblies, and in finding solutions, by mutual agreement, to other questions of common concern.

Article 138

One or more delegations from self-managing organizations and communities, linked by work or other joint interests or by interests in a socio-political community, or delegates from these organizations and communities to the Commune assemblies shall send delegates elected from among members of their delegations to the appropriate chambers of the assemblies of the socio-political communities in the way specified by the constitution, by-laws and statute.

The number of delegates from self-managing organizations or communities shall be determined proportionally to the number of the working people in these organizations or communities. This principle can be deviated from and other criteria applied in order to ensure adequate representation of specific spheres of social labour and/or territorial regions.

Article 139

Delegates to the assemblies of the socio-political communities shall be delegated by workers and other working people and citizens organized in socio-political organizations, associated in the Socialist Alliance of the Working People, or as members of the organizations of the Socialist Alliance of the Working People.

Within the framework of the Socialist Alliance of the Working People, socio-political organizations shall by mutual agreement draw up a list of can-

didates for delegates to the assemblies of the socio-political communities from among members of their delegations.

Working people and citizens shall elect these delegates to the Commune assembly by direct, universal and secrete vote, on the basis of a list of candidates.

Delegates to the assemblies of the broader socio-political assemblies shall be elected by the councils of delegates of socio-political organizations in the Commune assemblies by secret ballot from a list of candidates.

Article 140

No one who has been elected delegate for a term of four years may for more than two consecutive terms be delegate in the same assembly.

The function of a delegate to an assembly shall be incompatible with other statutorily-defined functions in the agencies of the same socio-political community.

Article 141

In taking stands on questions being decided in the assembly, the delegates shall act in conformity with the guidelines received from their self-managing organizations and communities and with the basic stands of the delegations or of socio-political organizations which have delegated them, and in conformity with the common and general social interests and needs; they shall be independent in their options and voting.

Delegates shall be bound to keep the delegations and basic self-managing organizations and communities or socio-political organizations which have

elected them informed on the work of the assemblies and on their own work, and shall be responsible to them for their work.

Article 142

Delegations and each of their members, and individual delegates to the assemblies may be recalled.

The recall of delegations or delegates shall, in principle, be carried out in the way and by the procedure applicable to the election of delegations and delegates.

Delegations and each of their members, and individual delegates to the assemblies shall have the right to resign.

Article 143

An assembly shall, within the scope of the rights and duties of its socio-political community: formulate policy and decide on the basic questions of significance for political, economic, welfare and cultural life and social development; pass social plans, budgets, regulations and other enactments; consider questions of common concern to the organizations of associated labour and other self-managing organizations and communities and adjust their relations and interests; initiate and take part in the conclusion of social compacts; discuss questions concerning national defence, security and social self-protection; consider the state of and general problems concerning constitutionality, legality and the judiciary, and organize and exercise social control; lay down basic principles concerning the organization and competence of the agencies of

socio-political communities; set up administrative agencies; elect, nominate and relieve of office specific officials of these agencies, and judges; ensure the execution of established policy, regulations and other enactments; formulate the policy of implementation of regulations and other enactments and the obligations of agencies and organizations in connection with the execution of these regulations and enactments; exercise political control over the work of executive bodies, administrative agencies and holders of self-managing, public and other social functions responsible to the assembly, and direct the work of these bodies and agencies with its guidelines.

Article 144

Every assembly shall form a chamber of associated labour, as the chamber of delegates of working people in organizations of associated labour and other self-managing organizations and communities of labour; a chamber of local communities, as the chamber of delegates of the working people and citizens in the local communities, or a chamber of Communes, as the chamber of delegates of the working people and citizens in the Communes; and a socio-political chamber, as the chamber of delegates of the working people and citizens organized in socio-political organizations.

Article 145

The province of work and the mode of decision-making of the assemblies of the socio-political communities shall be specified by the constitution and by-laws.

The province of work of the chambers shall be regulated so as to enable the chamber of associated labour to decide questions of concern to workers and other working people in social labour, and the chamber of local communities or the chamber of Communes to decide questions of concern to the working people and citizens in the local communities or the Communes, and to enable the socio-political chamber to decide on questions concerning the realization, development and safeguard of the socialist system of self-management established by the constitution.

The assembly chambers shall decide on questions falling within the competence of their assemblies independently, on an equal footing, or at joint sessions of all assembly chambers.

The assemblies of self-managing communities of interest concerned with education, science, culture, or health and social welfare shall decide, on an equal footing, together with the competent chambers of the socio-political community, on questions concerning those spheres which fall within the competence of the assembly of the appropriate socio-political community. These or other specific decision-making rights in the assemblies of the socio-political communities may by the constitution and the by-laws of the socio-political communities also be vested in the assemblies of other self-managing communities of interest.

No decision calling for the allocation of part of income for common and general social needs or concerning the purpose and volume of resources earmarked for such needs may be taken if it has not been approved by the relevant chamber of associated labour.

Article 146

The assembly of a socio-political community may call a referendum to enable working people to express their views in advance on individual questions falling within the assembly's competence, or to endorse statutes, regulations and other enactments. Decisions taken through referenda shall be binding.

Article 147

The Republics and Autonomous Provinces shall form a presidency of the Republic and Autonomous Province respectively, which shall represent the Republic or Autonomous Province and exercise other rights and duties, as spelled out by the constitution.

Article 148

Every socio-political community shall form an executive council as the executive body of the assembly.

The executive council shall be responsible to the assembly for the state of the socio-political community, the implementation of policy, the enforcement of the regulations and other enactments of the assembly, and the guidance and adjustment of the work of administrative agencies.

Article 149

The assemblies of the socio-political communities shall form administrative agencies.

Administrative agencies shall implement established policy and enforce laws, regulations and other enactments of the assemblies and the execu-

tive councils, carry into effect the guidelines of the assemblies, be responsible for the situation in the fields for which they have been formed, follow the state of affairs in specific fields and take initiative for the solutions of questions in these fields, decide on administrative matters, exercise administrative supervision and conduct other administrative affairs, prepare regulations and other enactments, and perform other professional work on behalf of the assemblies of the socio-political communities and their executive councils.

Administrative agencies shall be independent within the framework of their powers, and shall be responsible for their work to their assemblies and the executive councils.

Administrative agencies shall through their work ensure efficient realization of the rights and interests of the working people and citizens, organizations of associated labour, and other self-managing organizations and communities.

Administrative agencies shall cooperate with another, with the administrative agencies of other socio-political communities, and with organizations of associated labour and other self-managing organizations and communities in matters of concern to these organizations and communities, and shall keep themselves mutually informed.

Article 150

Relations among administrative agencies of individual socio-political communities shall be based on the rights and duties laid down by the constitution, the by-laws of the socio-political communities, and statute.

The rights and duties of republican and provincial administrative agencies regarding the enforce-

ment of statutes and other regulations and enactments, supervision of the enforcement of these regulations and enactments, and their rights and duties vis-à-vis Commune administrative agencies in the enforcement of these regulations and enactments, shall be laid down by the constitution and statute.

Article 151

Elected and nominated officials shall be elected or nominated for a term of four years.

Members of the presidencies of the socio-political communities, and presidents of the executive councils may not be elected for more than two consecutive terms.

Members of the executive councils, officials in charge of administrative agencies, and other officials and holders of self-management, public and other social functions, as specified by the constitution and statute, may be elected or nominated for two consecutive terms, and, exceptionally, by a special procedure laid down by the constitution, for one more term.

Article 152

Organizations of associated labour and other self-managing organizations and communities, social organizations, citizens' associations and other organizations may be vested by statute or a decision of the commune assembly based on statutory authority with the right to regulate by their acts in the sphere of their activity, specific relations of broader concern, in individual matters to rule on specific rights and obligations, and to exercise other public powers.

The way public authority vested in individual organizations and communities can be exercised, and the rights of the assemblies and other agencies of the socio-political communities regarding the issuance of guidelines to these organizations and communities and the exercise of supervision in connection with the performance of public powers, may be specified by statute or a decision of the communal assembly based on statutory authority.

Chapter III

THE FREEDOMS, RIGHTS AND DUTIES OF MAN AND THE CITIZEN

Article 153

The freedom and rights of man and the citizen, spelled out by the present Constitution, shall be realized through solidarity among people and through the fulfilment of duties and responsibilities of everyone towards all and of all towards everyone.

The freedoms of man and the citizen shall only be restricted by the equal freedoms and rights of others and by the constitutionally-specified interests of the socialist community.

Each shall be bound to respect the freedoms and rights of others and shall be responsible therefor.

Article 154

Citizens shall be equal in their rights and duties regardless of nationality, race, sex, language, religion, education or social status.

All shall be equal before the law.

Article 155

Working people and citizens shall have the inalienable right to self-management which enables each individual to decide on his personal and common interests in an organization of associated labour, local community, self-managing community of interest or other self-managing organization or community and socio-political community, and in all other forms of their self-management integration and mutual linkage.

Each individual shall be responsible for self-management decision-making and the implementation of decisions.

Article 156

All citizens who have reached the age of eighteen years shall have the right to elect and be elected members of delegations in basic self-managing organizations and communities, and to elect and be elected delegates to the assemblies of the socio-political communities.

Workers in organizations of associated labour, and working people in all forms of pooling of labour, resources and interests, regardless of age, shall have the right to elect and be elected to delegations to the assemblies of the socio-political communities and to elect delegates to the assemblies of these communities.

Workers in organizations of associated labour and working people in all forms of pooling of labour, resources and interests shall, regardless of age, have the right to elect and be elected members of, or delegates in, managing bodies of these organizations.

Article 157

Citizens shall have the right to submit petitions and proposals to the bodies and agencies of the socio-political communities and other competent bodies and organizations, to receive an answer thereto, and to take political and other kinds of initiative of general concern.

Article 158

Everyone shall be bound conscientiously and in the interest of socialist society based on self-management to exercise self-management, public and other social functions vested in him.

Article 159

The right to work shall be guaranteed.

Rights acquired on account of labour shall be inalienable.

All those who manage or dispose of social resources, and socio-political communities shall be bound to create increasing favourable conditions for the realization of the right to work.

The social community shall create conditions for the vocational rehabilitation of citizens who are not fully able to work, and also conditions for their adequate employment.

The right to relief during temporary unemployment shall be guaranteed, subject to conditions spelled out by statute.

A worker may be dismissed from his job against his will only under conditions and in the way specified by statute.

Whoever will not work, although he is fit for work, shall not enjoy the rights and protection due to him on account of labour.

Article 160

Freedom to work is guaranteed.

Everyone shall be free to choose his occupation and job.

Every citizen shall have access, on equal terms, to every job and every function in society.

Forced labour is prohibited.

Article 161

Working people shall have the right to such working conditions as ensure their physical and moral integrity and security.

Article 162

Workers shall be entitled to limited working hours.

Workers shall not work more than 42 hours a week. In certain activities and in certain cases it may be provided by statute that the working time can, for a limited period, exceed 42 hours a week, if so required by the nature of work or exceptional circumstances.

Conditions for still shorter working hours may be laid down by statute.

Workers shall be entitled to daily and weekly rest and to an annual holiday with pay of not less than eighteen working days.

Workers shall have the right to health and other kinds of care and personal security in work.

Young people, women and disabled persons shall enjoy special care.

Article 163

The right of workers to social security shall be ensured through obligatory insurance based on the

principles of reciprocity and solidarity and past labour, in self-managing communities of interest, on the basis of contributions collected from workers' personal incomes and contributions collected from income of organizations of associated labour, or contributions collected on resources of other organizations or communities in which they work. On the basis of this insurance the workers shall have, in conformity with statute, the right to health care and other benefits in the case of illness, childbirth benefits, benefits in the case of diminution or loss of working capacity, unemployment and old age, and other social security benefits, and for their dependents — the right to health care, survivors' pensions, and other social security benefits.

Social security benefits for working people and citizens who are not covered by the compulsory social insurance scheme shall be regulated by statute on the principles of reciprocity and solidarity.

Article 164

Citizens shall be guaranteed the right to acquire a tenancy title to a dwelling in social ownership, which ensures him permanent occupancy, under conditions specified by statute, of a socially-owned dwelling for the satisfaction of his personal and family housing needs.

The right of citizens to a dwelling subject to the right of ownership shall be regulated by statute.

Article 165

Primary education lasting at least eight years shall be obligatory.

Economic and other conditions for the opening and operation of schools and other institutions for

the education of citizens and the promotion of their activities shall be ensured through self-managing communities of interest, on the principles of reciprocity and solidarity among working people, organizations of associated labour and other self-managing organizations and communities and socio-political communities, in conformity with statute.

Citizens shall be entitled, under equal conditions specified by statute, to acquire knowledge and vocational training at all levels of education, in all kinds of schools and other institutions of education.

Article 166

Freedom of thought and option shall be guaranteed.

Article 167

Freedom of the press and other media of information and public expression, freedom of association, freedom of speech and public expression, freedom of gathering and public assembly, shall be guaranteed.

Citizens shall have the right to express and publish their opinions through the media of information.

Citizens, organizations and citizens' associations may, under conditions specified by statute, publish newspapers and other publications and disseminate information through other media of information.

Article 168

Citizens shall be guaranteed the right to be kept informed of developments in the country and in the world which are of concern for their life and work, and of questions of concern to the community.

The press, radio and television and other media of information shall be bound to inform the public truthfully and objectively, and to make public the opinions and information of bodies, organizations and citizens which are of concern to the public.

The right shall be guaranteed to cause correction of published information that has violated the rights and interests of an individual, organization or body.

Article 169

Scientific, scholarly and artistic creation shall be free.

Authors of scientific, scholarly and artistic works and of scientific discoveries and technical inventions shall have moral and material rights to their achievements. The rights of creators to their works may not be used in a way contrary to society's interest in new scientific achievements and technical inventions being applied.

The volume, duration, restriction, termination and protection of the rights of creators to their works, and the rights of the organizations of associated labour in which these works were created as a result of the pooling of labour and resources, shall be laid down by statute.

Article 170

Citizens shall be guaranteed the right to opt for a nation or nationality and to express their national culture, and also the right to the free use of their language and alphabet.

No citizen shall be obliged to state to which nation or nationality he belongs, nor to opt for any one of the nations or nationalities.

Propagating or practicing national inequality, and any incitement of national, racial or religious hatred and intolerance shall be unconstitutional and punishable.

Article 171

Members of nationalities shall, in conformity with the constitution and statute, have the right to use their language and alphabet in the exercise of their rights and duties, and in proceedings before state agencies and organizations exercising public powers.

Members of the nations and nationalities of Yugoslavia shall, on the territory of each Republic and/or Autonomous Province, have the right to instruction in their own language in conformity with statute.

Article 172

The defence of the country shall be the inviolable and inalienable right and the supreme duty and honour of every citizen.

Article 173

Citizens shall have the right and duty to take part in social self-protection.

Article 174 Religion

Profession of religion shall be free and shall be an individual's private affair.

Religious communities shall be separate from the state and shall be free to conduct their religious affairs and religious services.

Religious communities may found religious schools for the training of the clergy only.

Abuse of religion and religious activities for political purposes shall be unconstitutional.

The social community may provide financial help to religious communities.

Religious communities may have the right to own real property within the limits determined by statute.

Article 175

A man's life shall be inviolable.

Exceptionally, capital punishment may be provided by federal statute for the most serious forms of grave criminal offence.

Article 176

The inviolability of the integrity of the human personality, personal and family life and of other human rights shall be guaranteed.

Any extortion of a confession or statement shall be forbidden and punishable.

Article 177

Man's freedom shall be inviolable.

No one may be deprived of liberty except in cases and by the procedure specified by statute.

Deprivation of liberty may last only as long as there are statutory grounds for it.

Any unlawful deprivation of liberty shall be punishable.

Article 178

A person for whom there are grounds for suspicion that he has committed a criminal offence may be detained and held in detention only when this is indispensable for the conduct of criminal pro-

ceedings or for reasons of public safety. Detention shall be ordered by a court of law; only exceptionally, under conditions spelled out by statute, may detention be ordered by another statutorily-empowered authority — for no longer than three days.

A written order with a statement of grounds must be served on a person detained at the moment of detention or not later than 24 hours thereafter. The person detained may lodge an appeal against this order, which must be decided by the court within 48 hours.

The duration of detention shall be kept within the shortest necessary period of time.

Detention ordered by a court of first instance may not last more than three months. Exceptionally, the Supreme Court may extend this time-limit for another three months. If upon the expiry of these time-limits no charge sheet has been filed, the prisoner shall be released.

Article 179

Respect for the human personality and human dignity shall be guaranteed in criminal proceedings and in any other proceedings in the case of deprivation or restriction of liberty, and during the enforcement of a penalty.

Article 180

Every person shall be entitled to equal protection of his rights in proceedings before a court of law, state agencies and other bodies and organizations which decide on his rights, obligations and interests.

Everyone shall be guaranteed the right to appeal or another legal remedy against decisions of courts

of law, state agencies and other bodies and organizations which decide on his rights or interests founded on statute.

Legal aid shall be provided through the Bar, as an independent social service, and through other forms of legal assistance.

Article 181

No one shall be punished for any act which before its commission was not defined as a punishable offence by statute or a legal provision based on statute, or for which no penalty was threatened.

Criminal offences and criminal-law sanctions may only be established by statute.

Sanctions for criminal offences shall be imposed by the competent court in proceedings regulated by statute.

No one may be considered guilty of a criminal offence until so proven by a final judgement of a court of law.

Any person who has been unjustifiably convicted of a criminal offence or who has been deprived of liberty without cause shall be entitled to rehabilitation and compensation for damage by society, and to other statutorily established rights.

Article 182

The right to defend oneself against charges shall be guaranteed.

No one accessible to the court or another agency authorized to conduct proceedings may be sentenced without prior examination in the form specified by statute, or without being afforded an opportunity to defend himself.

In criminal proceedings the accused shall be entitled to retain a defence counsel who shall be

enabled, in conformity with statute, to defend and protect the rights and interests of the accused. Statutory provisions shall regulate when the accused must have a defence counsel.

Article 183

Citizens shall be guaranteed freedom of movement and abode.

Restriction of freedom of movement or abode may be provided for by law, but only in order to ensure the conduct of criminal proceedings, to prevent the spread of contagious diseases or protect public order, or when so required by the defence interests of the country.

Article 184

Homes shall be inviolable.

No one may enter without a warrant any dwelling or other premises of others or search them against the will of their tenant.

The person whose dwelling or other premises are being searched or a member of his family or his representative shall have the right to be present during the search.

A search may only be carried out in the presence of two witnesses.

Subject to conditions spelled out by statute, a person in a official capacity may enter a dwelling or premises of others without a warrant from the competent authority and carry out a search in the absence of witnesses, if this is indispensable for the immediate arrest of the perpetrator of a criminal offence, to protect the safety of life and property, or if it appears obvious that evidence in criminal proceedings could not be secured otherwise.

Any illegal entry into and search of a dwelling or premises of others shall be prohibited and punishable.

Article 185

Secrecy of mail and of other means of communication shall be inviolable.

Provisions to depart from the principle of inviolability of secrecy of mail and of other means of communication, pursuant to an order by a competent authority, may only be made by statute if this is indispensable for the conduct of criminal proceedings or for the security of the country.

Article 186

Everyone shall be entitled to health care.

Cases in which uninsured citizens are entitled to health care from social resources shall be spelled out by statute.

Article 187

Veterans, disabled veterans and survivors of fallen veterans shall be guaranteed rights which ensure their social security, and special rights as spelled out by statute.

Disabled veterans shall be entitled to vocational rehabilitation, disability benefits and other forms of care.

Article 188

Mothers and children shall enjoy special social care.

Minors deprived of parental care and other persons unable to take care of themselves and to take

care of their rights and interests shall enjoy special social care.

Article 189

Citizens who are not able to work and have no necessary means of support, shall be entitled to assistance by the social community.

Article 190

The family shall enjoy social protection. Marriage and marital and family legal relations shall be regulated by statute.

A marriage shall be validly contracted before a competent agency by free consent of the prospective spouses.

Parents shall have the right and duty to raise and educate their children. Children shall be bound to care for their parents in need of assistance.

Children born out of wedlock shall have the same rights and duties as children born in wedlock.

Article 191

It is a human right freely to decide on family planning.

This right may only be restricted for reasons of health.

Article 192

Man shall have the right to a healthy environment.

Conditions for the realization of this right shall be ensured by the social community.

Article 193

Anyone who utilizes land, water or other natural goods shall be bound to do so in a way which ensures conditions for man's work and life in a healthy environment.

Everyone shall be bound to preserve nature and its goods, natural landmarks and rarities, and cultural monuments.

Article 194

The right of inheritance shall be guaranteed.

Inheritance shall be regulated by statute.

No one may retain ownership of real property and the means of labour on grounds of inheritance in excess of the limits laid down by the constitution or statute.

Inheritance of the property of a person who enjoyed social or other kinds of assistance from the social community may be restricted by statute.

Article 195

Everyone shall be bound to contribute, under equal conditions and proportionately to his economic possibilities, to the satisfaction of general social needs.

Article 196

Everyone shall be bound to help other persons in danger and on the basis of solidarity to participate with others in combating any general danger.

Article 197

Everyone shall be bound to abide by the constitution and law.

Conditions under which failure to discharge duties established by the constitution and statute is punishable shall be spelled out by statute.

Article 198

Any arbitrary act which violates or restricts the rights of man shall be unconstitutional and punishable regardless of who has committed the act.

No one shall use coercion or restrict the right of another, except in cases and in proceedings regulated by statute.

Article 199

Everyone shall be entitled to damages for any loss caused to him in connection with the performance of an office or other activity of state agencies and/or organizations in charge of affairs of public concern, through any illegal or wrongful activity by an individual or body in charge of such an office or activity.

The damages shall be paid by the socio-political community or organization in which this office or activity is performed. The party wronged shall also be entitled, in conformity with statute, to claim damages directly from the tort-feasor for the loss he has caused.

Article 200

Every citizen of the Socialist Federal Republic of Yugoslavia when abroad shall enjoy the protection of the Socialist Federal Republic of Yugoslavia.

No citizens of the Socialist Federal Republic of Yugoslavia may be deprived of citizenship, banished or extradited.

A citizen of the Socialist Federal Republic of Yugoslavia who is absent from the country and who also has another citizenship, may exceptionally, upon authority of federal statute, be deprived of the citizenship of the Socialist Federal Republic of Yugoslavia, only if by his activities he causes harm to the international and other interests of Yugoslavia, or if he refuses to perform his citizen's duties.

Article 201

Aliens in Yugoslavia shall enjoy the freedoms and rights of man spelled out by the present Constitution, and shall have other rights and duties specified by statute and international treaties.

Article 202

Foreign citizens and stateless persons who are persecuted for supporting democratic views and movements, social and national emancipation, the freedoms and rights of the human personality or the freedom of scientific and artistic creative endeavour, shall be guaranteed the right of asylum.

Article 203

The freedoms and rights guaranteed by the present Constitution may not be restricted.

No one may use the freedoms and rights established by the present Constitution in order to disrupt the foundations of the socialist self-management democratic order established by the pre-

sent Constitution, to endanger the independence of the country, violate the freedoms and rights of man and the citizen guaranteed by the present Constitution, endanger peace and equality in international cooperation, stir up national, racial or religious hatred or intolerance or abet the commission of criminal offences, nor may these freedoms be used in a way which offends public morals. It shall be specified by statute in what cases and under what conditions the use of these freedoms in a way contrary to the present Constitution will entail a restriction or a ban on their use.

These freedoms and rights shall be realized and duties performed pursuant to the present Constitution. The mode of realization of individual freedoms and rights may only be regulated by statute, and this only when so provided by the present Constitution, or when this is indispensable for their realization.

The freedoms and rights guaranteed by the present Constitution shall enjoy judicial protection.

Chapter IV

CONSTITUTIONALITY AND LEGALITY

Article 204

The protection of constitutionality and legality shall be ensured in order to realize the socio-economic and political relations laid down by the constitution and statute, and to protect the freedoms of man and the citizen, self-management, social property, the self-management and other rights of organizations of associated labour and

other self-managing organizations and communities and socio-political communities.

Article 205

Protection of constitutionality and legality shall be the responsibility of the courts of law, agencies of the socio-political communities, organizations of associated labour and other self-managing organizations and communities, and of those exercising self-management, public and other social functions.

Constitutional courts shall ensure constitutionality and legality in accordance with the constitution.

Working people and citizens shall have the right and duty to initiate proceedings for the protection of constitutionality and legality.

Article 206

Republican constitutions and the provincial constitutions may not be contrary to the S. F. R. Y. Constitution.

All statutes and other regulations and enactments passed by agencies and organizations of the socio-political communities, and self-management enactments of organizations of associated labour and other self-managing organizations and communities, must be in conformity with the S. F. R. Y. Constitution.

Article 207

All regulations and other enactments passed by federal agencies must be in conformity with federal statute.

Republican and provincial statutes and other regulations and enactments passed by agencies of the socio-political communities, and self-management enactments may not be contrary to federal statute.

If a republican or provincial statute is contrary to federal statute, it will be temporarily applied pending a decision by the constitutional court, and if federal agencies are responsible for their enforcement, the federal statute concerned shall apply.

If an agency which has jurisdiction over individual matters deems that a statute, other regulation or enactment or self-management enactment is not in accord with federal statute, or that it is contrary to federal statute, it shall be bound to institute proceedings before the constitutional court.

Article 208

Statutes and other regulations and enactments shall be promulgated before coming into force.

Self-management enactments may not be applied before they have been promulgated in an appropriate way.

Article 209

Federal statutes and other federal regulations and enactments shall enter into force not earlier than eight days from the day of promulgation.

Only for especially justified reasons may it be regulated that a federal statute, regulation or other enactment shall enter into force within a period shorter than eight days from the day of promulgation, or on the day of promulgation.

Article 210

International treaties shall be applied as of the day they enter into force, unless otherwise specified by the instrument of ratification or by an agreement concluded on the authority of the competent agency.

International treaties which have been promulgated shall be directly applied by the courts.

Article 211

No statute, other regulation or enactment passed by agencies of the socio-political communities may be applied retroactively.

Retroactive application of particular provisions of a statute may only be provided by this particular statute, if this is required by the general interest.

Punishable acts shall be determined and penalties for them imposed according to the statute or other regulation which was in force at the time of their commission, unless the new statute or regulation is more favourable for the perpetrator.

Article 212

All individual acts and measures of administrative and other state agencies in charge of executive and administrative affairs, and individual acts of organizations of associated labour and other self-managing organizations and communities adopted in the exercise of public functions, must be based on statute or other lawfully adopted regulation.

Article 213

State agencies, organizations of associated labour and other self-managing organizations and com-

munities which exercise public powers may in individual cases rule on rights and obligations or, in conformity with statute, apply coercive or restrictive measures, only in proceedings regulated by statute in which all the parties concerned have the opportunity to defend their rights and interests, and file an appeal against decisions rendered or have recourse to same other avenue of relief provide by statute.

Administrative agencies may issue binding orders to individual self-managing organizations and communities regarding their work only when expressly authorized by statute so to do, and only in accordance with the procedure specified by statute.

Article 214

Ignorance of the language in which proceedings are conducted shall not be an obstacle to the defence and the realization of the rights and justified interests of citizens and organizations.

Every person shall have the right to use his own language in proceedings before a court of law or before other state agencies, organizations of associated labour and other self-managing organizations and communities which in exercising public powers decide on a citizen's rights and obligations, and to be informed in his own language of the facts in the course of the proceedings.

Article 215

An appeal may be filed with the competent authority against decisions and other acts of law courts, administrative and other state agencies, and against such acts of self-managing organizations and communities vested with public powers, rendered in first instance proceedings.

Exceptionally, the right of appeal may in certain cases be ruled out by statute if protection of rights and the rule of law are ensured in some other way.

Article 216

The legality of final individual acts by which state agencies or self-managing organizations and communities vested with public powers rule on rights and obligations shall be decided on by courts of law through administrative litigation if no other avenue of judicial relief is provided for by statute.

Only exceptionally may administrative litigation be ruled out by statute in specific kinds of administrative disputes.

Chapter V

COURTS AND THE OFFICE OF PUBLIC PROSECUTOR

Article 217

Justice shall be administered within a unified system of power of and self-management by the working class and all working people by regular courts as agencies of state power, and by self-management courts.

Article 218

Courts shall protect the freedoms and rights of citizens and the self-management status of the working people and self-managing organizations and communities, and shall ensure constitutionality and legality.

Article 219

Courts shall be independent in the performance of their judicial functions, and shall administer justice in accordance with the constitution, statute and self-management enactments.

Article 220

Regular courts shall be established by statute.

The jurisdiction, composition and organization of regular courts and proceedings before these courts shall be laid down by statute.

Article 221

Regular courts shall decide disputes involving: basic personal relations, the rights and obligations of citizens, and the rights and obligations of the socio-political communities; impose punishments and other measures on perpetrators of criminal offences and other punishable acts specified by statute; decide on the legality of individual acts of state agencies and organizations in charge of public powers; decide disputes concerning property and labour relations, if the settlement of such disputes has not been vested in self-management courts, and shall decide on other relations when so provided by statute.

Criminal offences committed by military personnel and certain criminal offences committed by other persons relating to the national defence and security of the country, and other legal matters relating to disputes in connection with service in the Yugoslav People's Army shall be decided upon by military courts.

Article 222

Regular courts shall review and study social relationships and occurrences of interest for the discharge of their functions, and shall submit to the assemblies of the appropriate socio-political communities and other state agencies and self-managing organizations and communities proposals for the prevention of socially-dangerous and harmful practices and for the strengthening of legality, social responsibility and socialist morals.

Within the ambit of their jurisdiction regular courts shall have the right and duty to keep the assemblies of the appropriate socio-political community informed on matters concerning the application of laws and on the work of the courts, and military courts — the S.F.R.Y. Presidency or the President of the Republic in his capacity of Supreme Commander-in-Chief.

Article 223

Self-management courts shall be established by a self-management act or by the agreement of the parties, in conformity with the constitution and statute. For specific disputes self-management courts may also be established by statute.

The jurisdiction, composition and organization of self-management courts, and proceedings before such courts shall be regulated by statute or the founding act of the court, in conformity with statute.

Article 224

Self-management courts shall decide specific kinds of disputes, as laid down by the constitution and statute, arising out of socio-economic and

other self-management relations, and also disputes entrusted to them by working people in organizations of associated labour, self-managing communities of interest and other self-managing organizations and communities, which disputes arise out of mutual relations which they independently regulate, or which stem from rights of which they freely dispose, unless it is specified by statute that certain kinds of disputes must be decided by regular courts.

Citizens may by mutual agreement entrust the settlement of individual disputes concerning the rights they may freely dispose of to conciliation councils or to arbitration tribunals or to other self-management courts, unless otherwise specified by statute.

Article 225

Self-management courts shall be established as courts of associated labour, arbitration tribunals, conciliation councils, chosen arbitration courts, and other kinds of self-management courts.

Article 226

Courts of associated labour shall decide on: the existence of conditions for forming basic organizations of associated labour and work communities; requests for the protection of the right to work with social resources and of other self-management rights, for the protection of social property; disputes concerning the formation and splitting off of basic organizations of associated labour, and fusions, mergers and division of organizations of associated labour; conclusion and implementation of self-management agreements on association

and mutual relations in associated labour; and other kinds of dispute arising out of socio-economic and other self-management relations, as specified by statute.

The principles concerning the formation, jurisdiction and composition of courts of associated labour and proceedings before these courts, shall be laid down by federal statute.

Article 227

Court hearings shall be open.

Cases in which the public may be barred from judicial hearings in order to safeguard secrets, to protect public morals, the interests of minors, or other special interests of the social community, shall be spelled out by statute.

Article 228

Courts shall sit in panels.

It may be provided by statute that certain kinds of cases shall be considered by a single judge.

Article 229

Justice shall be administered by judges and by working people and citizens acting as judges, lay-assessors or jurors, in the way determined by statute or by the founding act of the court concerned.

It may be provided by statute that in certain courts only judges shall administer justice in specific matters.

Article 230

Judges and citizens who take part in the administration of justice in regular courts shall be elected

and relieved of office by the assembly of the competent socio-political community.

Judges of regular courts shall be elected and relieved of office in a way, under conditions and by a procedure which shall ensure professional expertise and moral-political capabilities for the exercise of judicial functions, and assure judicial independence in the administration of justice.

Judges and citizens who take part in the administration of justice in regular courts shall be elected for a specific period of time and may be re-elected.

Judges, citizens and working people who take part in the administration of justice in self-management courts shall be elected, nominated and relieved of office in the way regulated by statute.

Article 231

No one who takes part in the administration of justice may be called to account for an opinion given in the process of judicial decision-making, nor may he be detained in the proceedings instituted because of a criminal offence he has committed in the performance of his judicial duties, without the approval of the competent assembly of the socio-political community.

Article 232

A judge may not hold an office or carry out an activity incompatible with the judicial function.

Article 233

Appeals or other legal remedies against court decisions may only be decided by competent courts.

When and under what conditions a legal remedy will be allowed against decisions of a self-management court shall be specified by statute or the founding act of the court.

Conditions under which decisions of a self-management court may be disputed before a regular court, and the enforcement of such decisions shall be regulated by statute.

Article 234

Court decisions shall be valid and enforceable throughout the entire territory of the Socialist Federal Republic of Yugoslavia.

Article 235

The Office of Public Prosecutor is an independent state agency which shall be in charge of the prosecution of criminal and other statutorily-defined punishable acts and which, in addition, shall take specific statutory measures for the protection of interests of the social community, and use avenues of legal relief with a view to protecting constitutionality and legality.

The Office of Public Prosecutor shall discharge its functions on the basis of the constitution and law, in conformity with the policy formulated by enactments of the assemblies of the socio-political communities.

The Office of Public Prosecutor shall have the right and duty to keep the assemblies of the appropriate socio-political communities informed on the application of laws, and on its work.

Article 236

The Office of Military Prosecutor shall prosecute criminal offences which fall within the jurisdiction

of military courts, take specific measures for the protection of interests of the social community, and use avenues of legal relief with a view to protecting constitutionality and legality in the way specified by federal statute.

Chapter VI

NATIONAL DEFENCE

Article 237

It shall be the inviolable and inalienable right and duty of the nations and nationalities of Yugoslavia, working people and citizens to protect and defend the independence, sovereignty, territorial integrity and the social system of the Socialist Federal Republic of Yugoslavia established by the S.F.R.Y. Constitution.

Article 238

No one shall have the right to acknowledge or sign an act of capitulation, nor to accept or recognize the occupation of the Federal Socialist Republic of Yugoslavia or of any of its individual parts. No one shall have the right to prevent citizens of the Socialist Federal Republic of Yugoslavia from fighting against an enemy who has attacked the country. Such acts shall be unconstitutional and punishable as high treason.

High treason is the gravest crime against the people and shall be punished as a serious criminal offence.

Article 239

The rights and duties of the Federation and its agencies in national defence are regulated by the present Constitution.

It shall be the right and duty of the Communes, Autonomous Provinces and the Republics and other socio-political communities, in line with the system of national defence, each on its own territory, to regulate and organize national defence and to direct territorial defence, civil defence and other preparations for the defence of the country, and, in the event of an attack upon the country, to organize and direct total national resistance.

Organizations of associated labour and other self-managing organizations and communities shall exercise their right and duty to defend the country in conformity with statute and the plans and decisions of the socio-political communities, ensure resources for national defence, and carry out other duties concerning national defence. These organizations and communities shall be responsible for the execution of these duties.

Article 240

The Armed Forces of the Socialist Federal Republic of Yugoslavia shall protect the independence, sovereignty, territorial integrity and the social system of the Socialist Federal Republic of Yugoslavia established by the present Constitution.

The Armed Forces of the Socialist Federal Republic of Yugoslavia shall make a unified whole and shall consist of the Yugoslav People's Army, as the common armed force of all the nations and nationalities and of all working people and citizens, and of territorial defence, as the broadest form of organized total national armed resistance.

Any citizen who with arms or in some other way takes part in resistance against an aggressor shall be a member of the Armed Forces of the Socialist Federal Republic of Yugoslavia.

Article 241

Military service shall be the duty of all citizens.

Article 242

As regards the composition of the officer corps and promotion to senior commanding and directing posts in the Yugoslav People's Army, the principle of the most proportional representation of the Republics and Autonomous Provinces shall be applied.

Article 243

The equality of the languages and alphabets of the nations and nationalities of Yugoslavia shall be ensured in the Armed Forces of the Socialist Federal Republic of Yugoslavia, in conformity with the S. F. R. Y. Constitution.

In matters of command and military training in the Yugoslav People's Army, one of the languages of the nations of Yugoslavia may be used, and in parts of the country — the languages of the nations and nationalities, in conformity with federal statute.

PART THREE

Relations in the Federation and the Rights and Duties of the Federation

Chapter I

RELATIONS IN THE FEDERATION

Article 244

In the Socialist Federal Republic of Yugoslavia, the nations, nationalities, working people and citizens shall realize and ensure sovereignty, equality, national freedom, independence, territorial integrity, security, social self-protection, the defence of the country, the international position of the country and its relations with other states and international organizations, the system of socialist socio-economic relations based on self-management, the unity of the political system, the basic democratic freedoms and rights of man and the citizen, the solidarity and social security of the working

people and citizens and the unity of the Yugoslav market, and shall adjust common economic and social development and their other common interests.

These common interests shall be realized through:

- federal agencies, with participation on terms of equality and responsibility of the Republics and Autonomous Provinces in these agencies and in the formulation and execution of federal policy;

- federal agencies and organizations on the basis of decisions of or agreement by the Republics and Autonomous Provinces;

- direct cooperation and agreement among the Republics, Autonomous Provinces, Communes and other socio-political communities;

- self-management agreements, social compacts and association of organizations of associated labour and other self-managing organizations and communities;

- the activity of socio-political and other organizations and associations of citizens;

- free and all-round activities of citizens.

The S. F. R. Y. Constitution lays down which rights and duties concerning the realization of common interests shall be exercised by the Federation through federal agencies, and which by the republican and provincial assemblies through their delegations to the S. F. R. Y. Assembly and by direct decision-making, in the way specified by the present Constitution.

Article 245

The nations and nationalities of the Socialist Federal Republic of Yugoslavia shall have equal rights.

Article 246

The languages of the nations and nationalities and their alphabets shall be equal throughout the territory of Yugoslavia. In the Socialist Federal Republic of Yugoslavia the languages of the nations shall be officially used, and the languages of the nationalities shall be used in conformity with the present Constitution and federal statute.

The realization of the equality of languages and alphabets of the nations and nationalities regarding their official use in areas populated by individual nationalities shall be ensured and the way of and conditions for its realization regulated by statute, the by-laws of the socio-political communities, and by self-management enactments of organizations of associated labour and other self-managing organizations and communities.

Article 247

In order to ensure that its right to express its nationality and culture shall be realized, each nationality shall be guaranteed the right freely to use its language and alphabet, to develop its culture and for this purpose to set up organizations and enjoy other constitutionally-established rights.

Article 248

In addition to the constitutional rights which they enjoy in other socio-political communities, the nationalities shall also realize their sovereign rights in the Communes as the basic self-managing and socio-political communities.

Article 249

Yugoslav citizens shall have a single citizenship — that of the Socialist Federal Republic of Yugoslavia.

Every citizen of a republic shall simultaneously be a citizen of the Socialist Federal Republic of Yugoslavia.

Citizens of a republic shall on the territory of another republic have the same rights and duties as the citizens of that republic.

Article 250

Decisions, documents and individual acts issued by state agencies and authorized organizations in one republic or autonomous province shall be equally valid in other Republics and Autonomous Provinces.

Article 251

The working people, nations and nationalities of Yugoslavia shall realize their economic interests within a unified Yugoslav market.

Working people and organizations of associated labour shall on the unified Yugoslav market enjoy equal rights in the performance of activities and income earning, on the basis of the action of market laws and social guidance of economic and social development and the adjustment of market relations.

Socio-political communities shall be responsible for securing the unity of the Yugoslav market.

Proceeding from the open character of the Yugoslav market, organizations of associated labour and socio-political communities shall, in order to realize common interests based on equal eco-

conomic relations, enter into and develop economic cooperation with other countries in line with established policy and existing regulations.

Any act or conduct which disrupts the unity of the Yugoslav market shall be unconstitutional.

Article 252

The unity of the Yugoslav market shall be based on:

— the free movement and pooling of labour and the means of reproduction, and the free exchange of goods and services, scientific achievements and technical know-how throughout the entire territory of the Socialist Federal Republic of Yugoslavia;

— a uniform currency, a uniform monetary and foreign exchange system, and uniform foundations of the credit system, common monetary and foreign exchange policy and common principles of credit policy;

— a uniform system of and a common policy concerning economic relations with other countries, a uniform tariff system and a common tariff policy;

— free formation and association of organizations of associated labour and their freedom to operate throughout the entire territory of the Socialist Federal Republic of Yugoslavia;

— free operation on the market and conclusion of self-management agreements and social compacts regarding the promotion of production and trade and the integration of social labour;

— guidance of economic and social development and the adjustment of market relations through social planning based on self-management foundations.

Conditions under which goods and services are exchanged in internal trade may be laid down by statute.

The sale of goods and services which are in commerce on the entire territory of the Socialist Federal Republic of Yugoslavia may only be restricted by federal statute.

Conditions for the exchange of goods and services and conditions for business operations by organizations of associated labour in relations with other countries shall be regulated by federal statute.

Article 253

Citizens shall enjoy freedom of employment throughout the entire territory of the Socialist Federal Republic of Yugoslavia under the same conditions as obtain in the place of employment.

Rights stemming from labour which affect the realization of social security benefits and other similar rights shall be recognized throughout the entire territory of the Socialist Federal Republic of Yugoslavia, regardless of the socio-political communities in which they are acquired.

Conditions under which citizens may go abroad for the purpose of employment and performance of economic and other activities may be spelled out by federal statute.

The rights, duties and obligations of citizens who perform an activity abroad or are employed abroad shall be regulated by statute.

Article 254

Organizations of associated labour and their Communities and associations shall operate freely

and on terms of equality throughout the entire territory of the Socialist Federal Republic of Yugoslavia, in conformity with regulations in force in their place of operation.

Any regulation or other act or conduct by which organizations of associated labour or working people from the territories of other Republics of Autonomous Provinces, and thereby also other Republics and Autonomous Provinces, are placed in an unequal position, shall be unconstitutional.

Article 255

Any combining of organizations of associated labour and any other activity or conduct by organizations of state agencies aimed at preventing free movement and pooling of labour and resources and free exchange of goods and services, or at establishing monopolistic positions on the unified Yugoslav market through which material and other advantages that are not based on labour are acquired and unequal relations in business created, or which disrupt other economic and social relations determined by the constitution, shall be prohibited.

Article 256

If through an act pertaining to the formulation or implementation of common economic policy a federal agency has disrupted the equality of organizations of associated labour in income earning and in the use of the results of labour, or it has disrupted the equality of the Republics and Autonomous Provinces on the unified Yugoslav market, the federal agency shall simultaneously with the formulation of common economic policy and/or the

enactment of measures for its implementation, fix and ensure compensation as a component part of measures of common economic policy for the planning period concerned.

Article 257

Social plans of Yugoslavia shall be based on compacts concluded by working people, organizations of associated labour, self-managing communities of interest and other self-managing organizations and communities, and on agreements reached among the Republics and Autonomous Provinces on economic policy of common concern.

On the basis of plans and working and development possibilities and conditions of organizations of associated labour and other self-managing organizations and communities, and on the basis of the development plans and development possibilities and conditions of the Republics and Autonomous Provinces and the development of the social community as a whole, and taking into account the international economic relations and international commitments of the Socialist Federal Republic of Yugoslavia, and common interests adjusted on this basis, social plans of Yugoslavia shall lay down a common economic policy and, in conformity with it, direct social reproduction on the basis of socialist socio-economic relations grounded in self-management.

Social plans of Yugoslavia shall also lay down guidelines and frameworks for measures of economic policy and other measures, whose enactment, in conformity with the rights and duties spelled out by the present Constitution, falls within the competence of federal agencies and/or agencies of the Republics and Autonomous Provinces, in order

to ensure conditions for the realization of adjusted mutual interests of associated labour and of the common interests of the Republics and Autonomous Provinces within the unified Yugoslav market.

Article 258

A special federal fund for crediting accelerated development in economically insufficiently developed Republics and Autonomous Provinces shall be set up.

The economically insufficiently developed Republics and Autonomous Provinces shall be determined, and permanent sources for financing the fund, special conditions for extending credits from its assets and the mode of operation of the fund shall be regulated by federal statute.

Compulsory loans may be floated by federal agencies for the needs of the federal fund for crediting accelerated development in economically insufficiently developed Republics and Autonomous Provinces.

The Republics and Autonomous Provinces which are not able with their own resources to finance social and other services in the Republic or Autonomous Province, shall be ensured the necessary resources by the Federation under conditions spelled out by federal statute.

Article 259

The monetary system and the foundations of the credit system shall be uniform.

Payments traffic shall be effected according to uniform principles.

All those who use social resources shall effect payments, conduct other affairs associated with

payments traffic, and shall deposit money in the way specified by federal statute.

Article 260

The National Bank of Yugoslavia, the National Banks of the Republics and the National Banks of the Autonomous Provinces are institutions of the uniform monetary system responsible for the execution of common currency issue policy, as laid down by the S. F. R. Y. Assembly.

The National Bank of Yugoslavia shall issue bank-notes and coins. In conformity with common currency issue policy, the National Bank of Yugoslavia shall control the volume of money in circulation and, together with the National Banks of the Republics and the National Banks of the Autonomous Provinces, take measures for the implementation of this policy.

The National Banks of the Republics and the National Banks of the Autonomous Provinces shall, within the framework of common currency issue policy, also take other measures necessary for the implementation of the credit policy of the Republics and Autonomous Provinces respectively.

No one shall be placed in an unequal position in respect of the performance of activities and income earning as a result of measures for the implementation of joint currency issue policy.

Article 261

The National Bank of Yugoslavia, the National Banks of the Republics and the National Banks of the Autonomous Provinces shall, within the framework of their rights and duties, be responsible for the stability of the currency, general payment

liquidity in Yugoslavia and abroad, and for the implementation of jointly formulated monetary-credit policy.

The National Bank of Yugoslavia, the National Banks of the Republics and the National Banks of the Autonomous Provinces shall independently apply measures for the realization of the targets and tasks of monetary-credit and foreign exchange policy, as laid down by federal statute. Commercial banks and other financial organizations shall be bound to abide by decisions made by the National Bank of Yugoslavia, the National Banks of the Republics and the National Banks of the Autonomous Provinces with a view to ensuring the realization of this policy.

Article 262

The National Bank of Yugoslavia, the National Banks of the Republics and the National Banks of the Autonomous Provinces shall operate deposit accounts of the socio-political communities and shall be authorized, on behalf of the socio-political communities and on their account, to perform other banking affairs, if so specified by the constitution.

The National Bank of Yugoslavia shall act as a depository of federal resources, conduct credit and other banking business for the needs of the Yugoslav People's Army and for the needs of national defence, as laid down by federal statute, and shall carry out other statutorily specified credit and banking operations on account of the Federation.

The National Bank of Yugoslavia, the National Banks of the Republics and the National Banks of the Autonomous Provinces shall not engage in other activities of commercial banks.

Article 263

The status of the National Bank of Yugoslavia and uniform monetary operations of the National Banks of the Republics and Autonomous Provinces shall be regulated by federal statute.

The operations of the National Bank of Yugoslavia concerning the execution of common currency issue, monetary-credit and foreign exchange policy shall be managed by the Board of Governors. In managing these operations the Board of Governors shall make decisions and take measures, and shall be responsible for their implementation.

The Board of Governors shall be composed of the Governor of the National Bank of Yugoslavia, the governors of the National Banks of the Republics and the governors of the National Banks of the Autonomous Provinces.

Article 264

The system, sources and kinds of taxes, duty stamps and other dues shall be regulated by statute.

All kinds of revenues realized through the taxation of the sale of goods and services which are in commerce throughout the entire territory of the Socialist Federal Republic of Yugoslavia, and the mode and rate of this taxation shall be defined by federal statute, except for goods and services whose mode and rate of taxation are on the authority of federal statute fixed by other socio-political communities.

An exemption from the payment of taxes and other dues on the resources, facilities and installations serving exclusively for national defence and state security purposes may be provided by federal statute.

Article 265

The Republics and Autonomous Provinces shall cooperate in the pursuance of tax policy and shall through compacts adjust the basic principles of tax policy and the tax system whenever it is necessary to ensure the unity and stability of the Yugoslav market.

In order to prevent and eliminate disruptions on the market, federal agencies shall have the right and duty to propose to the Republics and Autonomous Provinces in conformity with mutual compacts to decrease or increase taxes and contributions fixed by the socio-political communities, temporarily to postpone the spending of part of the revenue of the socio-political communities, and to lay down common foundations of the tax policy of the Republics and/or Autonomous Provinces. Non-existence of compacts shall not prevent the Republics and Autonomous Provinces from passing regulations and other enactments in the sphere of tax policy and the tax system within the framework of their rights and obligations.

Article 266

Taxes and contributions payable on the income of basic organizations of associated labour shall be paid according to the regulations of, and in favour of, the socio-political communities on whose territory the basic organizations regularly perform their activities, or according to the decisions of, and in favour of, the self-managing communities of interest which satisfy the needs and interests of, or render services to, the basic organizations of associated labour for which contributions are paid to these self-managing communities of interest.

The resources which as part of a bank's income are distributed among basic organizations of associated labour and other social artificial persons shall be taxed as the income of these persons in accordance with the regulations of, and in favour of, the socio-political communities to which the tax on the income of these persons is paid.

Taxes and contributions levied on the personal incomes and revenues of workers and citizens, with the exception of taxes on property and revenue from property, shall be paid, in conformity with federal statute, according to the regulations of, and in favour of, the socio-political communities on whose territory the workers or citizens concerned live, or according to the decisions of, and in favour of, the self-managing communities of interests which satisfy the needs and interests of, or render services to, the workers and citizens and members of their families.

Article 267

When this is indispensable in order to prevent or eliminate any major disruption in the economy, or when this is required by the interests of national defence or other extraordinary needs of the country, federal statutes may:

— lay down the limits within which socio-political communities may fix their revenue deriving from the income of organizations of associated labour and from the sale of goods and services;

— make it obligatory for organizations of associated labour, self-managing communities of interest and other self-managing organizations and communities, and socio-political communities to form reserve social resources;

— impose a temporary ban on the use of part of the social means of consumption and of part of social resources earmarked for financing expanded reproduction by organizations of associated labour, self-managing communities of interest and other self-managing organizations and communities, and socio-political communities;

— regulate the mode of use of the budgetary surpluses of the socio-political communities, and of the surplus revenue of self-managing communities of interest deriving from statutory obligations.

Article 268

In exercising the rights and duties laid down by the present Constitution, federal agencies shall formulate policy and pass federal statutes and other regulations and enactments.

In the spheres regulated by federal statutes, the Republics and Autonomous Provinces may pass statutes within the framework of their rights and duties.

If in areas to be regulated by Federal statute no such statute has been passed, the Republics and/or Autonomous Provinces may pass their own statutes if this is in the interests of the realization of their rights and duties.

Article 269

Federal statutes and other regulations and enactments shall be promulgated in the Official Gazette of the Socialist Federal Republic of Yugoslavia in authentical texts in the languages of the nations of Yugoslavia specified by the republican constitutions.

Federal statutes and other regulations and enactments shall be promulgated in the Official Gazette

of the Socialist Federal Republic of Yugoslavia as authentic texts in the languages of the Albanian and Hungarian nationalities also.

Article 270

Federal statutes and other regulations and enactments shall be binding throughout the entire territory of the Socialist Federal Republic of Yugoslavia, unless their application is restricted by these statutes, regulations or enactments to a narrower territory.

Article 271

International treaties which entail the enactment of new or amendments to existing republican and/or provincial statutes, or which entail special obligations for one or more Republics and/or Autonomous Provinces, shall be concluded in agreement with the competent republican and/or provincial agencies. The procedure for the conclusion of such international treaties shall be regulated by federal statute, in agreement with the republican and provincial assemblies.

In cooperating with agencies and organizations of other states and with international agencies and organizations, the Republics and Autonomous Provinces shall keep within the established foreign policy of the Socialist Federal Republic of Yugoslavia and international treaties.

In cooperating with appropriate foreign agencies and organizations, international organizations and territorial units of foreign states, Communes, organizations of associated labour and other organizations and communities shall keep within the established foreign policy of the Socialist Federal Republic of Yugoslavia and international treaties.

The principle of the equality of languages of the nations of Yugoslavia, and analogously the principle of the equality of languages of the nations and nationalities, shall be applied in international communication.

When international treaties are drawn up in the languages of the signatory countries, the languages of the nations of Yugoslavia shall be equally used.

Article 272

In exercising the rights and duties of the Federation, federal agencies shall within their province of work be responsible for the state in the relevant spheres of social life, for the initiation of policy and federal statutes, other regulations and enactment, for the enforcement of federal statutes and other regulations and enactments, and for reviewing the implementation of policy and the enforcement of these regulations and enactments.

Article 273

Federal statutes and other regulations and enactments shall be enforced by republican and provincial agencies which shall be responsible for their enforcement, unless it is provided by the present Constitution that such statutes and other regulations and enactments shall be directly enforced by federal agencies and that they shall be responsible for their enforcement.

Republican and provincial agencies shall pass regulations concerning the enforcement of those federal statutes and other regulations and enactments for whose enforcement they are responsible. In these spheres federal agencies may, if explicitly authorized by a federal statute and within the lim-

its specified by this statute, pass regulations concerning technical measures and record-keeping, and other regulations concerning the enforcement of federal statutes which ensure, in the interests of the country as a whole, uniform enforcement of these statutes.

In line with the responsibility of republican and provincial agencies for the enforcement of federal statutes and other regulations and enactments, relations between federal agencies and republican and provincial agencies in the enforcement of such statutes, other regulations and enactments shall be based on mutual cooperation, transmission of information, consultation and agreement.

If republican and provincial agencies do not enforce federal statutes and other regulations and enactments for whose enforcement they are responsible, the Federal Executive Council shall warn the Republican and/or Provincial Executive Councils thereof, and shall request them to take appropriate measures to ensure the enforcement of federal statutes, other regulations and enactments.

Article 274

Federal agencies shall be responsible for the enforcement of federal statutes and other regulations and enactments in the spheres in which, under the provisions of the present Constitution, the Federation ensures through federal agencies the enforcement of federal statutes and other regulations and enactments.

These federal statutes and other regulations and enactments shall be directly enforced by federal agencies; they shall be enforced by republican and provincial agencies when so specified by federal statute.

In cases when federal agencies directly enforce federal statutes and other regulations and enactments, they may be empowered by federal statute to set up regional agencies and organizational units to conduct specific administrative affairs falling within the competence of federal agencies in the spheres of international relations, national defence, tariffs, foreign exchange and market inspection, supervision of the export and import of goods and service, supervision of weights and measures and precious metals, civil aviation safety and radio communications.

Within the scope of the powers laid down by the present Constitution, federal agencies shall pass regulations concerning the enforcement of federal statutes and other regulations and enactments for whose enforcement they are responsible. In these spheres republican and provincial agencies may pass regulations concerning the enforcement of federal statutes and other regulations and enactments provided they are especially authorized so to do by federal statute.

When under the provisions of the present Constitution federal agencies regulate matters concerning national defence, state security and international relations, federal agencies shall pass regulations concerning the enforcement of federal statutes, unless it is specified by federal statute that such regulations shall be passed by republican and or provincial agencies.

Article 275

When administrative agencies in the Republics and Autonomous Provinces directly enforce federal statutes, regulations and other enactments and international treaties for whose enforcement feder-

al administrative agencies are responsible, the federal administrative agencies may be empowered by federal statute to:

— issue to competent republican and provincial administrative agencies binding instructions for the conduct of affairs for which they are authorized by federal statutes, other regulations and enactments;

— carry out supervisory work in line with the powers specified by federal statute;

— in cases when a republican or provincial administrative agency has failed to perform a specific administrative act, and the non-execution of this act may cause serious harmful consequences, to perform this act and to notify the Federal Executive Council thereof. The Federal Executive Council shall inform thereof the Republican and/or Provincial Assembly concerned for the purpose of eliminating the cause for which it was necessary for the federal agency to perform this particular administrative act.

Republican and provincial administrative agencies shall be bound, in conformity with federal statute, to keep federal administrative agencies informed on the enforcement of federal statutes and other regulations and enactments and international treaties for the enforcement of which federal administrative agencies are responsible.

Article 276

The Executive Councils of the Republics and Autonomous Provinces may raise before the Federal Executive Council the question of enforcement of a federal statute, regulation or other enactment passed by the Chamber of Republics and Provin-

ces of the S. F. R. Y. Assembly, if they consider that federal administrative agencies are not enforcing this statute, regulation or enactment, or are not doing so in conformity with established policy.

Article 277

If a dispute arises between federal administrative agencies and republican and/or provincial administrative agencies regarding the fulfilment of the obligation of administrative agencies in the Republics and/or Autonomous Provinces to enforce a federal statute, other regulation or enactment, the Federal Executive Council or the Executive Council of the Republic and/or Autonomous Province concerned shall inform the S. F. R. Y. Assembly thereof.

The S. F. R. Y. Assembly shall decide the controversial issue and rule on the obligation to enforce the federal statutes, regulation or other enactment involved.

Article 278

Federal administrative agencies shall communicate with administrative agencies in Communes through appropriate republican and/or provincial administrative agencies.

In affairs concerning national service and military mobilization of people and material resources, and in affairs concerning the protection of the rights and interests of Yugoslav citizens abroad, federal administrative agencies may, in conformity with federal statute, also directly communicate with administrative agencies in Communes.

Article .279

All revenues and expenditures of the Federation shall be determined by the Federal Budget.

Federal revenues shall include tariffs and other original revenues fixed by federal statute, and contributions by the Republics and Autonomous Provinces fixed in conformity with the principle of equality and mutual responsibility of the Republics and Autonomous Provinces for financing federal functions. It may be provided by federal statute that revenues from tariffs be not entered into the Federal Budget but should be used for the needs of the economy.

The total volume of expenditures in the Federal Budget shall be fixed in agreement with the Assemblies of the Republics and autonomous Provinces in line with the common economic policy for the year for which the Budget is being passed. Within the framework of total expenditure resources shall be assured in the Federal Budget for financing the functions and obligations of the Federation spelled out by federal statutes and other enactments, and resources for the necessary federal reserves. Resources for financing national defence shall be ensured in the Federal Budget according to the medium-term plan for the development, buildup and outfitting of the Yugoslav People's Army drawn up in line with the Social Plan of Yugoslavia.

The statutes, other regulations and enactments of the S.F.R.Y. Assembly and of other federal agencies which create obligations for the Federal Budget may not be passed until the Assembly Chamber competent for the adoption of the Budget has determined that resources for the fulfilment of these obligations have been secured.

The Federation may set up funds or contract credits and other obligations beyond the limits of the total expenditure provided for by the Federal Budget only when so authorized by the present Constitution or when the formation of funds or the contracting of obligations has been agreed upon by the Republics and Autonomous Provinces.

For the needs of national defence and state security arising out of exceptional circumstances, the S.F.R.Y. Assembly may, on the proposal of the S.F.R.Y. Presidency, independently determine sources of finance or contract credits or other obligations to meet these needs, if these needs cannot be met from the Federal Budget or federal budgetary reserves.

Chapter II

THE RIGHTS AND DUTIES OF THE FEDERATION

Article 280

The Socialist Federal Republic of Yugoslavia shall be represented by the federal agencies specified by the present Constitution.

Article 281

The Federation shall through its agencies:

(1) ensure the independence and territorial integrity of the Socialist Federal Republic of Yugoslavia and protect its sovereignty in international relations; decide on war and peace;

(2) ensure the system of socialist self-management socio-economic relations and uniform foundations of the political system;

(3) regulate those basic rights of workers in associated labour which ensure their status, as laid down by the present Constitution, in self-management and socio-economic relations and the basic rights and obligations of organizations of associated labour, self-managing communities of interest, other self-managing organizations and communities, and socio-political communities regarding socially-owned resources; regulate the basic rights of working people concerning their social security and solidarity; lay down principles concerning the status, rights and duties of the Social Attorney of Self-Management;

(4) regulate: the fundamentals of the law of contract (general provisions), and other relations concerning the law of obligation in the field of sale of goods and services; basic relations concerning the law of property; basic relations which ensure the unity of the Yugoslav market; basic law of property relations and other substantive law relations in the fields of maritime shipping, inland and air navigation ;copyright ;

(5) regulate the fundamentals of the system of social planning and adopt social plans of Yugoslavia; lay down the fundamentals of the preparation of the economy and the public services for functioning in wartime; regulate the monetary system; determine the legal media of exchange and currency issue policy and ensure its implementation; regulate payments traffic at home and in external payments, the formation of money and foreign exchange reserves and their use when this is of concern for the country as a whole; regulate the fundamentals of the credit and banking system and credit and other forms of investment by nationals abroad and by aliens in Yugoslavia, and enact rules pertaining to the enforcement of federal

statutes in this field, when in the interests of the country as a whole it is so specified by federal statute; regulate the fundamentals of the system of life and property insurance; regulate and ensure a system of measures aimed at preventing the disruption of the unity of the Yugoslav market; regulate the system of social price control and ensure direct price control for goods and services of concern to the country as a whole; regulate and ensure federal commodity reserves to meet the country's needs in the event of war and other kinds of emergency, and to secure the stability of the market in the event of major disruptions on the market; regulate and ensure measures of protection against monopolies and unfair competition; regulate and implement measures for the restriction of the market and of the free sale of goods and services of concern to the country as a whole in the event of natural catastrophes or shortages of goods indispensable for the needs of the economy and the life of citizens, and when this is required by national defence interests; regulate the system of external trade and foreign exchange and other economic operations with other countries and ensure the enforcement of federal statutes in these spheres; regulate the customs system, customs tariffs and measures of non-tariff protection and ensure their implementation; regulate conditions for the opening and operation of duty-free zones; regulate and ensure crediting of accelerated development in economically insufficiently developed Republics and Autonomous Provinces; determine and ensure revenues accruing to the Federation under the present Constitution; regulate the fundamentals of the social system of information and the status of, and the fundamentals of, the functioning of the

Social Accountancy Service; regulate the fundamentals of the legal status and operation of organizations of associated labour and of organizations of business associations in the unified economic area of Yugoslavia; regulate the integration of organizations of associated labour and their associations in the Chamber of Economy for the territory of the Socialist Federal Republic of Yugoslavia; regulate obligatory association organizations of associated labour into communities when so required by the technological unity of the system in individual spheres and when this is in the interests of the country as a whole; regulate conditions under which citizens may go abroad to perform economic and other activities or for the purpose of employment, and ensure the protection of citizens of the Socialist Federal Republic of Yugoslavia working abroad.

(6) regulate the fundamentals of the system of national defence and ensure their implementation; regulate the basic rights and duties of working people and citizens, organizations of associated labour and other self-managing organizations and communities, socio-political and other social organizations in the sphere of national defence; regulate the basic rights and duties of the socio-political communities in the realization of the system of national defence; regulate special rights and obligations of organizations of associated labour and other self-managing organizations and communities regarding priority production and rendering of services for the needs of national defence and manufacture of arms and military equipment; regulate adjustment of regional and town plans and construction of capital projects for the defence needs of the country; lay down the fundamentals of plans and preparatory measures

for the defence of the country; proclaim mobilization; regulate the administration and command of the Armed Forces of the Socialist Federal Republic of Yugoslavia and exercise supreme command over the Armed Forces; regulate and organize the Yugoslav People's Army, administer it and exercise command over it; regulate the management and use of social resources utilized by the Yugoslav People's Army and for its needs; regulate citizens' national service and care for the families of persons doing national service; regulate matters concerning the status and other problems of persons serving in the Yugoslav People's Army and of military personnel; regulate the special rights and duties of military personnel in connection with their service in the Armed Forces; regulate and ensure military education and scientific research for the needs of the Armed Forces; regulate and organize military courts and the office of military prosecutor; regulate and ensure social security and care for military personnel and military insured and their dependents; regulate and ensure the basic rights of veterans, disabled veterans and survivors of fallen veterans;

(7) formulate the foreign policy of the Socialist Federal Republic of Yugoslavia and ensure its implementation; maintain political, economic and other relations with other states and international organizations; promote and stimulate cooperation with the developing countries and ensure resources for the development of economic cooperation with these countries and for the realization of solidarity with liberation movements; conclude, ratify and ensure the enforcement of international treaties; ensure the fulfilment of international commitments of the Socialist Federal Republic of Yugoslavia; protect citizens of the Socialist Federal Republic

of Yugoslavia and their interests and the interests of domestic artificial persons abroad; regulate matters concerning the realization of international relations; and regulate the organization and work of the federal foreign affairs services;

(8) regulate the fundamentals of the system of protection of the order established by the present Constitution (state security); ensure the activity of the state security service indispensable for the realization of responsibilities of federal agencies, as specified by the present Constitution, and adjust the work of agencies in charge of statute security;

(9) regulate the citizenship of the socialist Federal Republic of Yugoslavia; determine the basic data for registers of births, marriages and deaths and identity cards; determine public holidays and decorations of the Socialist Federal Republic of Yugoslavia; determine the anthem of the Socialist Federal Republic of Yugoslavia; regulate the use of the seal, coat-of-arms and flag of the Socialist Federal Republic of Yugoslavia;

(10) regulate the supervision of exports and imports of goods and services and their crossing the state border; the status, stay and protection of aliens in Yugoslavia; protection of life and health of people from contagious diseases endangering the country as a whole; marketing of medicinals; protection of animals from contagious diseases and protection of plants from disease and pest endangering the country as a whole; marketing of animal and plant protection preparations and supervision of transfer of animals and plants across the state border; imports and distribution of foreign printed matter and other media of public information and communication and enforcement of relevant federal statutes when in the interests of the country as a whole it is so specified by federal statute; regu-

late the system of rules pertaining to territorial seas when they concern the international relations of the Socialist Federal Republic of Yugoslavia, the defence and security of the country and the unity of the Yugoslav market, and the mode of exercise of Yugoslavia's rights within the continental shelf and on open seas; regulate supervision of passenger traffic across the state border; regulate the legal status of foreign artificial persons in Yugoslavia; regulate the status of representatives of foreign states and foreign and international organizations; regulate representation of and agency for foreign economic and other organizations; regulate conservation and improvement of the human environment of concern to the country as a whole and to the international community; regulate the sale and transport of explosives and radioactive and other dangerous substances and transport of inflammable liquids and gasses, when this is in the interests of the country as a whole; regulate the sale of poisons and manufacture and sale of narcotics; regulate the fundamentals of the system of water exploitation of concern to two or more Republics or Autonomous Republics; regulate the status of foreign information agencies and representatives of foreign media of information; impose restrictions or bans on the freedom of use of printed matter and other media of information and communication which are directed against the fundamentals of the socialist democratic order established by the present Constitution, or which endanger the independence of the country, peace or international cooperation on terms of equality; determine elements of cartographic data of significance for the defence and security of the country and for general use in cartographic publications; regulate the status and power of the Yugoslav Red

Cross and other organizations which perform public functions on the basis of federal statutes and international treaties; regulate the marking and tending of the cemeteries and graves of members of the Allied armies and other foreign armies on the territory of the Socialist Federal Republic of Yugoslavia;

(11) regulate and ensure air navigation safety; regulate the fundamentals of safety in other fields of traffic; regulate matters relating to navigable waterways subject to international or inter-state navigation rules, and ensure the enforcement of federal regulations in this sphere when, in the country as a whole, it is so specified by federal statute; regulate matters concerning the system of communications of significance for the security of the country and the technological unity of the system of communications; regulate international communications and radio communications and ensure the enforcement of federal regulations pertaining to international communications and radio communications, when, in the interest of the country as a whole, so specified by federal statute;

(12) regulate general conditions and principles concerning the imposition of sanctions for criminal offences and economic violations,¹⁰ the system of sanctions, conditions for the extinguishment and expungement of sanctions and general rules on the application of educational and punitive measures applicable to minors (the General Part of the Criminal Code and the Economic Violations Code); define criminal offences against the foundations of the socialist self-management social order of Yugoslavia and the security of the country, against humanity and international law, against the reputation of the Socialist Federal Republic of Yugoslavia, its agencies and representatives, against the

reputation of foreign states and agencies and against the reputation of their heads and representatives respectively, against the official duty of official persons in federal agencies, against the Armed Forces, and also criminal offences and economic violations which disrupt the unity of the Yugoslav market or violate federal regulations; define responsibility and sanctions for administrative violations which infringe federal regulations; regulate administrative violations proceedings conducted by federal agencies; regulate the general administrative procedure; regulate the code of criminal procedure and other court procedures, with the exception of special procedures in the fields in which social relations are regulated by the Republic and/or Autonomous Provinces with their own rules; regulate amnesty and pardon for criminal offences defined by federal statute;

(13) regulate the system of weights and measures and ensure supervision of weights and measures and of precious metals; regulate protection of inventions, technical innovations, trade marks, quality marks, marks of the origin of products, samples and models, and standards, technical norms and quality standards for products and services, and ensure the enforcement of relevant federal regulations when this is in the interests of the country as a whole, so specified by federal statute;

(14) regulate and organize collection, recording and processing of statistical and other data on the state in individual sectors of social life, demographic data, data on economic and other developments, and other data of concern to the country as a whole;

(15) regulate matters concerning settlement of conflicts of law between republican and/or provincial Autonomous Provinces (conflict rules), and

jurisdictional disputes between republican and/or provincial agencies of different Republics; regulate matters concerning conflicts between domestic laws and legal rules of other countries;

(16) regulate and ensure: the organization, competence and the mode of work of federal agencies, and material and other relations among federal agencies; elections for federal agencies; the rights and duties of federal agencies with regard to socially-owned resources used by them; the status, organization and mode of work of institutions and schools founded by the Federation for the conduct of affairs of concern for the realization of the functions of the Federation and relations between federal agencies and these institutions and schools; the rights, duties and responsibilities of workers stemming from labour and work in federal agencies and institutions and schools founded by the Federation;

(17) protect constitutionality as established by the present Constitution and legality in conformity with the present Constitution;

(18) exercise other rights and duties as laid down by the present Constitution.

When so specified by the present Constitution, federal agencies shall exercise these rights and duties on the basis of decision of and/or in agreement with republican and provincial agencies, in the way specified by the present Constitution.

PART FOUR

**THE ORGANIZATION OF THE
FEDERATION**

Chapter I

**THE ASSEMBLY OF THE SOCIALIST
FEDERAL REPUBLIC OF YUGOSLAVIA**

1. Status and Competence

Article 282

The Assembly of the Socialist Federal Republic of Yugoslavia is a body of social self-management and the supreme organ of power within the framework of federal rights and duties.

The S. F. R. Y. Assembly shall exercise its powers and duties on the basis and within the framework of the present Constitution and federal statutes.

Article 283

The S. F. R. Y. Assembly shall:

(1) decide on amendments to the S. F. R. Y. Constitution;

(2) discuss and lay down the fundamentals of the internal and foreign policy of the S. F. R. Y; pass federal statutes and other regulations and enactments;

(3) adopt the Social Plan of Yugoslavia, the Federal Budget and the Federal Annual Balance Sheet;

(4) decide on alterations of the boundaries of the Socialist Federal Republic of Yugoslavia;

(5) decide on war and peace; ratify international treaties pertaining to political and military cooperation, and international treaties entailing the passage of new statutes or amendments to existing ones.

(6) formulate the policy of enforcement of federal statutes, other regulations and enactments, and lay down obligations of federal agencies in conjunction with the enforcement of these regulations and enactments;

(7) elect the President of the Republic and proclaim the election of the S. F. R. Y. Presidency;

(8) elect and relieve of office the President and members of the Federal Executive Council;

(9) elect and relieve of office the President and judges of the Constitutional Court of Yugoslavia and of the Federal Court; nominate and relieve of office the Federal Social Attorney of Self-Management; nominate and relieve of office federal secretaries, the Federal Public Prosecutor and other officials of federal agencies and members of collective bodies specified by the present Constitution and federal statute;

(10) exercise political supervision over the work of the Federal Executive Council and federal administrative agencies; exercise social control;

(11) discharge other affairs specified by the present Constitution.

2. The Chambers and Their Province of Work

Article 284

The rights and duties of the S. F. R. Y. Assembly shall be exercised by the Federal Chamber and the Chamber of Republics and Provinces in accordance with the provisions of the present Constitution.

The Federal Chamber shall be composed of delegates of self-managing organizations and communities and socio-political organizations in the Republics and Autonomous Provinces.

The Chamber of Republics and Provinces shall be composed of delegations of the Assemblies of the Republics and the Assemblies of the Autonomous Provinces.

Article 285

The Federal Chamber shall:

(1) decide on amendments to the S. F. R. Y. Constitution;

(2) lay down the fundamentals of the internal and foreign policy of the Socialist Federal Republic of Yugoslavia;

(3) pass federal statutes, with the exception of federal statutes which are passed by the Chamber of Republics and Provinces; issue authentic interpretations of federal statutes passed by it;

(4) formulate the policy of enforcement of federal statutes and other regulations and enactments

passed by it, and lay down obligations of federal agencies in conjunction with the enforcement of these regulations and enactments;

(5) adopt the Federal Budget and the Federal Annual Balance Sheet;

(6) decide on alterations of the boundaries of the Socialist Federal Republic of Yugoslavia;

(7) decide on war and peace;

(8) ratify international treaties pertaining to political and military cooperation and international treaties entailing the passage of new statutes or amendments to existing ones passed by it;

(9) lay down the fundamentals of the organization of federal agencies and their competence;

(10) discuss, within the framework of its province of work, reports of the Federal Executive Council and federal administrative agencies, exercise political supervision over the work of these agencies, and issue guidelines for their work;

(11) review opinions and proposals of the Constitutional Court of Yugoslavia concerning the protection of constitutionality and legality by this court;

(12) review reports of the Federal Court and of the Federal Public Prosecutor on the application of federal statutes, on general judicial problems, and on the work of the Federal Court and the Federal Public Prosecutor;

(13) discuss reports, opinions and proposals of the Federal Social Attorney of Self-Management;

(14) grant amnesty for criminal offences defined by federal statute;

(15) verify the credentials of, and decide on, credential-immunity questions concerning delegates to the Chamber;

(16) adopt Rules of Procedure concerning its own work;

(17) discharge other affairs falling within the competence of the S. F. R. Y. Assembly which do not come within the province of work of the Chamber of Republics and Provinces, or which it does not discharge on an equal footing together with that Chamber.

Article 286

The Chamber of Republics and Provinces shall ensure the adjustment of stands of the Assemblies of the Republics and the Assemblies of the Autonomous Provinces in spheres in which it passes federal statutes and other enactments on the basis of agreement with these Assemblies.

The Assemblies of the Republics and the Assemblies of the Autonomous Provinces shall in agreement with the Chamber of Republics and Provinces:

- (1) adopt the Social Plan of Yugoslavia;
- (2) formulate policy and pass federal statutes regulating relations in the fields of the monetary system and currency issue, the foreign exchange system, external trade, credit and other economic relations with other countries; formation of money and foreign exchange reserves and their use, when this is of concern to the country as a whole; tariff and non-tariff protection; social price control for products and services; crediting accelerated development in economically insufficiently developed Republics and Autonomous Provinces; determination of revenues of the socio-political communities realized through the taxation of the sale of goods and products; the system and sources of funds for financing the Federation; determination of measures of restriction of the market and the freedom of

sale of goods and services and measures providing a basis for compensation and the mode and form of compensation; association of organizations of associated labour performing economic activities and of their associations in the Chamber of Economy for the entire territory of the Socialist Federal Republic of Yugoslavia, and obligatory association of organizations of associated labour in communities; issue authentic interpretations of federal statutes passed by it;

(3) determine the total volume of expenditure of the Federal Budget for every year;

(4) decide on the formation of funds of, and contraction of obligation by, the Federation, except in cases when under the provisions of the present Constitution federal agencies are authorized independently to form funds and contract obligations on behalf of the Federation;

(5) ratify international treaties entailing the passage of new statutes or amendments to existing ones passed by it;

(6) pass Rules of Procedure concerning its own work.

The Chamber of Republics and Provinces shall independently:

(1) pass laws on temporary measures when so provided by the present Constitution;

(2) determine, on the proposal of the S. F. R. Y. Presidency the sources and volume of finance and decide on the contraction of credits and other obligations for the needs of national defence and state security arising out of extraordinary circumstances.

(3) review, within the scope of its province of work, reports by the Federal Executive Council and federal administrative agencies, exercise political supervision over the work of these agencies

and through provision of guidelines direct their work;

(4) formulate the policy of enforcement of federal statutes, other regulations and enactments passed by it, and lay down obligations for federal agencies in conjunction with the enforcement of these regulations and enactments;

(5) carry out verification of credentials of and decide on credential-immunity questions concerning delegates to the Chamber.

Article 287

The Federal Chamber and the Chamber of Republics and Provinces may take decisions, pass declarations and resolutions and issue recommendations on questions falling within their province of work.

Article 288

Acting on terms of equality, the Federal Chamber and the Chamber of Republics and Provinces shall:

(1) elect and relieve of office the President and the Vice-President or Vice-Presidents of the S. F. R. Y. Assembly;

(2) elect and relieve of office the President and members of the Federal Executive Council; nominate and relieve of office federal secretaries and other officials in the federal agencies and other officials and members of collective bodies in federal agencies, as specified by the present Constitution and federal statute;

(3) elect and relieve of office the President and judges of the Constitutional Court of Yugoslavia and the Federal Court; nominate and relieve of

office the Federal Social Attorney of Self-Management; nominate and relieve of office the Federal Public Prosecutor;

(4) elect and relieve of office members of the Council of the Federation;

(5) ratify international treaties entailing the passage of new republican and provincial statutes or amendments to existing ones;

(6) decide on the extension of the mandate of delegates to the S. F. R. Y. Assembly;

(7) pass Rules of Procedure pertaining to the joint work of the Chambers of the S. F. R. Y. Assembly and to their joint working bodies, and regulate the organization and work of the services of the S. F. R. Y. Assembly.

Article 289

A proposal for the election, nomination or relief of office of federal officials shall be adopted if it has been passed by both Chambers. If a proposal has not been adopted by one of the Chambers, the authorized proposer shall introduce a new motion.

Article 290

A bill on the ratification of an international treaty, decisions on the extension of the mandate of delegates, the Rules of Procedure pertaining to the joint work of the Chambers of the S. F. R. Y. Assembly and decisions on the organization and work of the services of the S. F. R. Y. Assembly shall be adopted if they have been passed in an identical text by both Chambers. If a bill on the ratification, decision or the Rules of Procedure

has not been passed in an identical text by both Chambers, the controversial act shall be taken off the agenda of the Chambers and may be again placed on it at two more consecutive sessions of the Chambers.

If even after that the controversial act has not been adopted by both Chambers, it shall be considered that the decision on the extension of the mandate of delegates has not been taken, the passage of the bill on the ratification of the international treaty concerned shall be adjourned for three months, and pending the adoption of the Rules of Procedure pertaining to the joint work of the Chambers of the S. F. R. Y. Assembly, the Rules of Procedure adopted in the text passed by the Federal Chamber shall be applied.

3. The Composition and Mode of Election of the Chambers

Article 291

The Federal Chamber shall be composed of thirty delegates of self-managing organizations and communities and socio-political organizations from each Republic, and of twenty delegates from each Autonomous Province.

The nominating procedure shall be carried out by the Socialist Alliance of the Working People.

Candidates for delegates to the Federal Chamber shall be proposed by delegations of basic self-managing organizations and communities from among members of the delegations of these organizations and communities, and also by socio-political com-

munities, within the framework of the Socialist Alliance of the Working People, from among members of their delegations.

The list of candidates for delegates to the Federal Chamber shall be drawn up by the nominating conference of the Socialist Alliance of the Working People of the Republics and Autonomous Provinces.

Delegates to the Federal Chamber shall be elected, on the basis of a list of candidates, by the Commune Assemblies on the territories of the Republics and the Autonomous Provinces, by secret ballot.

The election and recall of delegates of the Federal Chamber shall be regulated by federal statute.

The nominating procedure for the election of delegates of the Federal Chamber to posts of delegates whose tenure has ended before the expiry of their terms shall be regulated by federal statute.

Article 292

The Chamber of Republics and Provinces shall be composed of twelve delegates of each Republican Assembly and eight delegates of each Provincial Assembly.

The delegations to the Chamber of Republics and Provinces shall be elected and recalled by secret ballot by all Chambers of the Assemblies of the respective Republics and of the Assemblies of the respective Autonomous Provinces sitting in joint session.

Delegates elected to the Chamber of Republics and Provinces shall retain their tenure in the assemblies to which they have been elected.

4. The Mode of Work and Decision-Making in the Chambers

Article 293

Every delegate and working body in the Federal Chamber shall have the right to introduce bills for federal statutes and drafts of other regulations and enactments falling within the province of work of the Chamber.

Article 294

The Federal Chamber shall decide by a majority vote at sessions attended by a majority of delegates, unless a special majority is required by the present Constitution.

If a bill, draft regulation or draft enactment or any other issue concerning the general interests of a Republic or Autonomous Province, or the equality of the nations and nationalities is on the agenda of the Federal Chamber, and if so requested by the majority of delegates from one Republic or Autonomous Province, resort shall be made to a special procedure to consider and adopt such a bill, draft enactment or issue, as laid down by the Federal Chamber Rules of Procedure.

Article 295

The Chamber of Republics and Provinces shall reach decisions at sessions attended by all delegations of the Assemblies of the Republics and the Assemblies of the Autonomous Provinces and in the presence of the majority of delegates to the Chamber.

Questions which must be voted upon in agreement with the Assemblies of the Republics and the

Assemblies of the Autonomous Provinces shall be decided by individual delegations. A decision shall be considered as taken if it has received the vote from all delegations to the Chamber.

The Chamber shall pass laws on temporary measures by a two-thirds majority vote of all delegates to the Chamber.

On other issues falling within its province of work, and on questions which it decides upon, on equal terms, together with the Federal Chamber, the Chamber of Republics and Provinces shall decide by a majority vote of all delegates present in the Chamber.

Article 296

In taking stands and expressing their views on questions which are decided upon by the Chamber of Republics and Provinces, delegations of the Assemblies of the Republics and the Assemblies of the Autonomous Provinces shall represent the stands of their respective Assemblies.

Delegations of the Assemblies of the Republics and the Assemblies of the Autonomous Provinces shall keep their respective Assemblies informed of the work of the Chamber of Republics and Provinces respectively, of their own work relating to the questions being considered by this Chamber and of the stands of other delegations on these questions, and shall take part in the formulation of stands of the Assemblies of the Republics and the Assemblies of the Autonomous Provinces.

Article 297

The Federal Chamber shall set up working bodies to prepare and consider bills, draft regulations

and other draft enactments, review the execution of policy and the enforcement of statutes, other regulations and enactments passed by it, and study and discuss other questions falling within the province of work of the Chamber.

The Chamber of Republics and Provinces shall set up working bodies for the adjustment of stands in the preparation of statutes, other regulations and enactments and for the consideration of other questions falling within the province of work of the Chamber. The working bodies shall be formed from among delegates to the Chamber in conformity with the principle of equal representation of the Republics and appropriate representation of the Autonomous Provinces. Representatives of the Federal Executive Council shall also take part in the work of the working bodies set up for the purpose of adjustment of stands concerning the preparation of statutes and other enactments.

The Chambers of the S. F. R. Y. Assembly shall set up a joint commission for elections and nominations, and may also set up other joint bodies to consider questions of common concern.

The Rules of Procedure of the Chambers and the Rules of Procedure pertaining to the joint work of the Chambers of the S. F. R. Y. Assembly may authorize the working bodies of the Chambers and the joint working bodies of the S. F. R. Y. Assembly to conduct surveys and to demand from state agencies and self-managing organizations and communities the necessary information, data and documents, and other powers for the purpose of performance of their work. These working bodies may not have any investigative or other judicial functions.

5. Adoption of Enactments in the Chamber of Republics and Provinces in Agreement with the Assemblies of the Republics and Autonomous Provinces

Article 298

The right to introduce bills and other draft enactments falling within the province of work of the Chamber of Republics and Provinces which must be adopted in agreement with the Assemblies of the Republics and the Assemblies of the Autonomous Provinces shall be vested with every delegation to, and working body of, the Chamber, the Assemblies of the Republics and the Assemblies of the Autonomous Provinces, and in the Federal Executive Council.

Article 299

On the basis of agreement by the Assemblies of the Republics and the Assemblies of the Autonomous Provinces, and on the basis of the adjustment of views in the Chamber regarding individual motions and the observations of these Assemblies on bills and other draft enactments, the Chamber of Republics and Provinces shall adopt the bills or other draft enactments on the agenda.

Article 300

When the Chamber of Republics and Provinces has adopted a bill or other draft enactment, it shall refer it to the Assemblies of the Republics and the Assemblies of the Autonomous Provinces, which shall decide whether or not to endorse the bill or draft enactment as a whole.

The Assemblies of the Republics and the Assemblies of the Autonomous Provinces may in discussing a bill or draft enactment empower their delegations to the Chamber of Republics and Provinces to endorse, on behalf of their respective Assemblies, the bill or other draft enactment as a whole.

Article 301

If no agreement by the Assemblies of the Republics and the Assemblies of the Autonomous Provinces has been reached on a bill or other draft enactment which the Chamber of Republics and Provinces must adopt in agreement with these Assemblies, the Federal Executive Council shall propose to the S. F. R. Y. Presidency to pass a law on temporary measures, if it considers that the solution of specific questions on which no agreement with the Assemblies of the Republics and the Assemblies of the Autonomous Provinces has been reached is indispensable to prevent or eliminate major disruptions on the market, or that the non-settlement of these questions might result in serious harm for the social community, might endanger national defence interests, or might result in unequal economic relations between the Republics and the Autonomous Provinces, or if it considers that this would render impossible the fulfilment of obligations towards insufficiently developed Republics and Autonomous Provinces, or the fulfilment of the commitments of the Socialist Federal Republic of Yugoslavia towards other countries and international organizations.

If the S. F. R. Y. Presidency finds that the temporary measures proposed by the Federal Executive Council are indispensable, the Federal Execu-

tive Council shall pass the bill on the temporary measures and refer it to the S. F. R. Y. Assembly.

Article 302

If a bill on temporary measures has not been passed in the Chamber of Republics and Provinces by a two-thirds majority vote of all delegates to the Chamber, the S. F. R. Y. Presidency may proclaim that this bill, in the text adopted by the majority of all delegates to the Chamber, be applied pending the final passage of the bill, in accordance with the provisions of the present Constitution.

Article 303

A law on temporary measures shall remain in force until the bill has been finally passed in the Chamber of Republics and Provinces in agreement with the Assemblies of the Republics and the Assemblies of the Autonomous Provinces, but not later than one year after its passage.

If before the expiry of the law on temporary measures the Chamber of the Republics and Provinces has not passed the bill in agreement with the Assemblies of the Republics and the Assemblies of the Autonomous Provinces, the procedure for the adoption of the bill on temporary measures shall be repeated.

Article 304

If by the day the Federal Budget must be adopted no agreement by the Assemblies of the Republics and the Assemblies of the Autonomous Provinces has been reached in respect of the total volume of resources for financing the Federation,

the needs of the Federation shall be temporarily financed on the basis of the Budget of the preceding year.

6. The Rights and Duties of the Delegates and Delegations

Article 305

Every delegate to the Chamber of the S. F. R. Y. Assembly and every delegation to the Chamber of Republics and Provinces shall have the right, within the province of work of the Chamber, to initiate issues, put questions to the Federal Executive Council and officials heading federal administrative agencies, demand information, propose to the Chamber to request reports on the work of these agencies, demand professional assistance, and to obtain information necessary for the performance of his functions.

At least ten delegates to the Federal Chamber and each delegation to the Chamber of Republics and Provinces may introduce an interpellation in the Chamber for the discussion of specific political questions in connection with the work of the Federal Executive Council.

Article 306

Delegates to the S. F. R. Y. Assembly shall enjoy immunity.

No delegate may be called to account criminally, detained or punished for an opinion expressed or a vote cast in the Chamber of which he is a member, or in the S. F. R. Y. Assembly.

No delegate may be detained without approval thereof by the Chamber of which he is a member,

nor may criminal proceedings be instituted against him if he invokes parliamentary immunity.

A delegate may be detained without approval of the Chamber of which he is a member only if he has been caught in the act of committing a criminal offence which carries a penalty of more than five years of strict imprisonment. In such an event the state agency which has detained the delegate shall be bound to notify thereof the President of the Chamber, who shall refer the matter to the Chamber to decide whether the proceedings should be continued or the arrest warrant should remain in force.

The Chamber may decide to apply immunity to a delegate who has not invoked it, if this is necessary for the performance of his functions.

If the Chamber is not in session, approval of detention or for the continuation of criminal proceedings shall be given and the question of application of the immunity of the delegate decided by the Credentials-Immunity Commission of the Chamber, pending subsequent confirmation by the Chamber.

Article 307

The tenure of delegates to the Chambers of the S. F. R. Y. Assembly shall last four years.

Elections for delegates to the Chambers of the S. F. R. Y. Assembly must be held not later than fifteen days before the expiry of the election period of the delegates whose term is expiring.

Elections for delegates shall be called by the President of the S. F. R. Y. Assembly.

From the day of the call for election to the day of the election of delegates to the Chambers of the S. F. R. Y. Assembly not less than one month and not more than two months may expire.

The function of the delegates whose tenure expires ceases with the day of the verification of the credentials of new delegates.

Article 308

The Chambers of the S. F. R. Y. Assembly may, under extraordinary circumstances, decide to extend the tenure of delegates to the S. F. R. Y. Assembly for the time this situation lasts. The election of new delegates shall be held immediately after the circumstances because of which the tenure of the delegates has been extended have ceased to exist.

In the event of a state of war, the tenure of delegates to the S. F. R. Y. Assembly shall be extended for the period this state lasts.

7. The Election and Powers of Officials of the S. F. R. Y. Assembly

Article 309

The S. F. R. Y. Assembly shall have a President and one or more Vice-Presidents, who shall be elected from among delegates to the S. F. R. Y. Assembly.

The President shall represent the S. F. R. Y. Assembly, convene joint sessions of the Chambers of the S. F. R. Y. Assembly, preside over them, and sign ordinances on the promulgation of statutes and decisions and other enactments adopted on terms of equality at joint sessions of the Chambers of the S. F. R. Y. Assembly.

The President of the S. F. R. Y. Assembly, together with the Vice-Presidents of the Assembly

and the Presidents of the Chambers, shall consider questions concerning the adjustment and programming of the work of the Chambers and of the working bodies in the S. F. R. Y. Assembly, and questions concerning Assembly procedures, and shall promote cooperation between the S. F. R. Y. Assembly and other agencies and organizations in the Federation, Republics and the Autonomous Provinces, and the Parliaments of foreign countries.

Article 310

Each Chamber of the S. F. R. Y. Assembly shall have a President and a Vice-President. The President of a Chamber shall convene the sessions of the Chamber, preside over them, and sign decisions and other enactments adopted by the Chamber.

Article 311

The President of the S. F. R. Y. Assembly and the Presidents of the Chambers shall convene sessions of the S. F. R. Y. Assembly and of the Chambers, respectively, on their own initiative or on the request of the President of the Republic, the S. F. R. Y. Presidency, or the Federal Executive Council. The President of the Chamber of Republics and Provinces shall also convene sessions of the Chamber on the request of a delegation to the Chamber, and the President of the Federal Chamber — on the request of a specific number of delegates determined by the Federal Chamber Rules of Procedure.

Article 312

The President and the Vice-Presidents of the S. F. R. Y. Assembly and the President of the Chambers shall be elected for a term of four years.

The Presidents and Vice-Presidents of the S. F. R. Y. Assembly and the Presidents of the Chambers may not be elected to the same office for more than two consecutive times.

C h a p t e r I I

THE PRESIDENCY OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA

Article 313

The S. F. R. Y. Presidency shall represent the Socialist Federal Republic of Yugoslavia at home and abroad, and shall have other rights and duties as laid down by the present Constitution.

Within the framework of its rights and duties, and in order to realize the equality of the nations and nationalities, the S. F. R. Y. Presidency shall work to achieve adjustment of the common interests of the Republics and Autonomous Provinces, in conformity with their responsibility concerning the realization of federal rights and duties.

The S. F. R. Y. Presidency is the supreme body in charge of the administration and command of the Armed Forces of the Socialist Federal Republic of Yugoslavia in war and peace.

The S. F. R. Y. Presidency shall consider foreign policy and the safeguard of the order established by the present Constitution (state security), and

shall take stands to provide initiative for adopting measures and adjusting the activities of competent agencies in the execution of established policy in these spheres.

Article 314

The S. F. R. Y. Presidency shall have the right to propose to the S. F. R. Y. Assembly the adoption of internal and foreign policy and the passage of laws and other enactments.

Article 315

Within the framework of its rights and duties the S. F. R. Y. Presidency shall:

(1) propose to the S. F. R. Y. Assembly a candidate for the President of the Federal Executive Council;

(2) announce the decision of the S. F. R. Y. Assembly on the election of the Federal Executive Council;

(3) promulgate federal statutes by ordinances;

(4) propose the election of the President and judges of the Constitutional Court of Yugoslavia;

(5) appoint and recall by ordinances ambassadors and envoys of the Socialist Federal Republic of Yugoslavia, receive letters of credence and letters of recall from foreign diplomatic representatives accredited to it, and issue instruments of ratification of international treaties;

(6) appoint, promote and relieve of duty generals and admirals and other army officers, as specified by federal statute; appoint and relieve of office the presidents, judges and lay-assessors of military courts, and military public prosecutors;

(7) propose the election and relief of office of members of the Council of the Federation;

(8) confer decorations of the Socialist Federal Republic of Yugoslavia;

(9) grant pardon, in accordance with federal statute, for criminal offences defined by federal statutes;

(10) adopt Rules of Procedure concerning its work.

Article 316

In matters concerning total national defence, the S. F. R. Y. Presidency shall lay down the fundamentals of plans and preparatory measures for the defence of the country, issue guidelines for taking measures for alerting and mobilizing the country's potential and forces for defence purposes and for the adjustment of plans and measures of the socio-political communities, organizations of associated labour and other self-managing organizations and communities, determine the existence of an immediate danger of war, order general or partial mobilization and, if the S. F. R. Y. Assembly is not in a position to meet, proclaim a state of war.

The S. F. R. Y. Presidency shall draw up a plan for the use of the Armed Forces of the Socialist Federal Republic of Yugoslavia in the event of war, and shall order the use of Armed Forces in peace-time.

The S. F. R. Y. Presidency may transfer specific affairs concerning the administration and command of the Armed Forces of the Socialist Federal Republic of Yugoslavia to the federal secretary of national defence. The federal secretary of national defence shall be responsible to the S. F. R. Y. Pres-

idency for the conduct of affairs transferred to him.

For the purpose of reviewing the implementation of established policy concerning the administration and command of the Armed Forces of the Socialist Federal Republic of Yugoslavia, the S. F. R. Y. Presidency may give instructions to delegates to the Federal Secretariat of National Defence and to other higher commands of the S. F. R. Y. Armed Forces.

Article 317

During a state of war or in the event of an immediate danger of war, the S. F. R. Y. Presidency may, on its own initiative or at the instance of the Federal Executive Council, pass decrees with the force of law on questions falling within the competence of the S. F. R. Y. Assembly. The S. F. R. Y. Presidency shall submit these decrees to the S. F. R. Y. Assembly for approval as soon as this is in a position to meet.

Individual provisions of the present Constitution relating to the adoption of statutes, other regulations and enactments and the taking of measures by federal agencies in agreement with the competent agencies of the Republics and Autonomous Provinces, and to individual freedoms, rights and duties of man and the citizen and the rights of self-managing organizations and communities, or to the composition and powers of executive and administrative agencies, may during a state of war exceptionally be suspended by a decree with the force of law for the duration of this state and if so required by the country's defence interests.

Article 318

The S. F. R. Y. Presidency shall keep the S. F. R. Y. Assembly informed on the state and problems of internal and foreign policy, and may propose to the S. F. R. Y. Assembly to discuss individual questions and take decisions.

The S. F. R. Y. Assembly may request the S. F. R. Y. Presidency to present its views on individual questions falling within the competence of the Presidency which are of concern for the work of the S. F. R. Y. Assembly.

Article 319

If the competent Chamber of the S. F. R. Y. Assembly fails to endorse a proposal of the S. F. R. Y. Presidency regarding the formulation of internal and foreign policy, or a motion for the passage of a bill, draft regulation or other draft enactment whose adoption the S. F. R. Y. Presidency deems to be indispensable, or if it fails to endorse a motion of the S. F. R. Y. Presidency to adjourn debate on the passage of a bill or other draft enactment, the competent Chamber of the S. F. R. Y. Assembly and the S. F. R. Y. Presidency shall by mutual agreement determine a procedure for the consideration of the controversial issue and shall fix a time-limit for the reconciliation of views thereon. This time-limit may not exceed six months.

If even after the time-limit fixed no agreement has been reached regarding the formulation of internal and foreign policy, or regarding the motion for the passage or adjournment of passage of the bill or draft enactment in question, the controversial item shall be taken off the agenda of the Competent Chamber of the S. F. R. Y. Assembly and

shall be again placed on the agenda if so requested by the S. F. R. Y. Presidency, or if the competent Chamber of the S. F. R. Y. Assembly so decides on its own initiative.

If even after a fresh debate no agreement is reached within a period of three months, the competent Chamber of the S. F. R. Y. Assembly shall be dissolved and the tenure of the S. F. R. Y. Presidency shall be terminated.

Elections for the competent Chamber of the S. F. R. Y. Assembly shall be called within fifteen days from the day of its dissolution, and the election of a new S. F. R. Y. Presidency shall be held within fifteen days from the day of the constitution of the newly-elected Chamber of the S. F. R. Y. Assembly.

The outgoing S. F. R. Y. Presidency shall remain in office until the election of a new S. F. R. Y. Presidency.

Article 320

The S. F. R. Y. Presidency shall have the right to take stands on the implementation of policy and the enforcement of statutes and other enactments of the S. F. R. Y. Assembly, and to request the Federal Executive Council to take measures conducive to the implementation of policy and the enforcement of statutes and other enactments of the Assembly.

The S. F. R. Y. Presidency may call a sitting of the Federal Executive Council and place specific items on the agenda of this sitting.

The S. F. R. Y. Presidency shall have the right to stay, before their promulgation, the enforcement of regulations of general political significance passed by the Federal Executive Council.

If the S. F. R. Y. Presidency stays the enforcement of a regulation of the Federal Executive Council, it shall refer the controversial issue to the competent Chamber of the S. F. R. Y. Assembly for decision.

In exercising its rights and duties, the S. F. R. Y. Presidency may introduce in the S. F. R. Y. Assembly a motion of confidence in the Federal Executive Council.

Article 321

The S. F. R. Y. Presidency shall be composed of a member from each Republic and Autonomous Province, elected by secret ballot by the Assemblies of the Republics and the Assemblies of the Autonomous Provinces, respectively, at a joint session of all Chambers of the Assemblies, and of the President of the League of Communists of Yugoslavia by virtue of his office.

Article 322

Sitting in joint session of its Chambers, the S. F. R. Y. Assembly shall announce the result of the election and make known the composition of the S. F. R. Y. Presidency.

Each member of the S. F. R. Y. Presidency shall make a formal declaration at a joint session of both Chambers of the S. F. R. Y. Assembly.

After making the formal declaration, the S. F. R. Y. Presidency shall be constituted and shall assume its duties.

Article 323

Members of the S. F. R. Y. Presidency shall enjoy immunity. Provisions pertaining to the im-

munity of delegates to the S. F. R. Y. Assembly shall analogously apply to the immunity of the members of the S. F. R. Y. Presidency.

Matters concerning the immunity of its members shall be decided upon by the S. F. R. Y. Presidency.

Article 324

Members of the S. F. R. Y. Presidency shall be elected for a term of five years.

No one may be elected member of the S. F. R. Y. Presidency for more than two consecutive terms.

Members of the S. F. R. Y. Presidency shall be elected thirty days before the expiry of the term of the outgoing members of the Presidency.

If a member of the S. F. R. Y. Presidency is prevented for a prolonged period from performing his functions, he shall in his work be deputized for by the President of the Presidency of his Republic or the President of the Presidency of his Autonomous Province as the case may be.

If the tenure of a member of the S. F. R. Y. Presidency has been terminated before the expiry of the term for which he was elected, the tenure of the newly-elected member of the S. F. R. Y. Presidency shall last until the expiry of the tenure of the member of the Presidency whose term has been terminated.

If the tenure of a member of the S. F. R. Y. Presidency has been terminated before the term for which he was elected, his function shall be terminated on the day he is relieved of office in the Assembly of his Republic or the Assembly of his Autonomous Province, and his function as member of the S. F. R. Y. Presidency shall until the announcement in the S. F. R. Y. Assembly of

the election of a new member be discharged by the President of the Presidency of his Republic or the President of the Presidency of the Autonomous Province concerned, as the case may be. The newly-elected member of the S. F. R. Y. Presidency shall assume his duty on the day of the announcement of his election in the S. F. R. Y. Assembly.

Article 325

In the event of an immediate danger of war or a state of war, the term of the members of the S. F. R. Y. Presidency shall be extended until conditions have been created for the election of new members of the S. F. R. Y. Presidency.

Article 326

A member of the S. F. R. Y. Presidency may not concurrently hold any other self-managing, public or other social function, except functions in socio-political organizations, nor may he carry out any professional activity.

Article 327

The Presidency of the S. F. R. Y. shall elect a President and a Vice-President from among its members for a term of one year, according to a schedule laid down by the Presidency Rules of Procedure.

The S. F. R. Y. Presidency shall announce and make public the election of the President and Vice-President of the S. F. R. Y. Presidency.

During a state of war, the S. F. R. Y. Presidency may decide to extend the term of the President of the S. F. R. Y. Presidency or to elect, before the

expiry of his term, another Presidency member to be President of the S. F. R. Y. Presidency.

Article 328

The President of the S. F. R. Y. Presidency shall, on behalf of the S. F. R. Y. Presidency, represent the Socialist Federal Republic of Yugoslavia, represent the S. F. R. Y. Presidency, convene and preside over the meetings of the S. F. R. Y. Presidency, sign acts adopted by the S. F. R. Y. Presidency, ensure the implementation of acts and conclusions of the S. F. R. Y. Presidency, issue instruments of ratification of international treaties and receive letters of credence from foreign diplomatic representatives accredited to the S. F. R. Y. Presidency.

The President of the S. F. R. Y. Presidency shall, on behalf of the S. F. R. Y. Presidency, be in charge of the command of the Armed Forces of the Socialist Federal Republic of Yugoslavia, in conformity with the present Constitution and federal statute.

The President of the S. F. R. Y. Presidency shall be Chairman of the Council of National Defence.

During a state of war, in the event of an immediate danger of war and in other similar kinds of emergency when the S. F. R. Y. Presidency is not able to meet, the President of the S. F. R. Y. Presidency shall, on behalf of the S. F. R. Y. Presidency, exercise specific rights and duties, as authorized by the S. F. R. Y. Presidency.

During his absence or prolonged inability to perform his office, the President of the S. F. R. Y. Presidency shall be deputized for by the Vice-President, who may represent him in the conduct of affairs entrusted to him by the President.

With the termination of the office of President of the Republic, the S. F. R. Y. Presidency shall exercise all rights and duties vested in it under the present Constitution, and the Vice-President of the S. F. R. Y. Presidency shall become President of the S. F. R. Y. Presidency until the expiry of the term for which he was elected Vice-President.

Article 329

The S. F. R. Y. Presidency shall exercise its rights and duties on the basis of and within the framework of the present Constitution and federal statutes, and shall be responsible therefor.

Article 330

The S. F. R. Y. Presidency shall work on the basis of adjustment of views of its members.

The S. F. R. Y. Presidency shall make decisions in the way determined by the Rules of Procedure of the S. F. R. Y. Presidency.

Article 331

The S. F. R. Y. Presidency shall have a Council for National Defence.

The S. F. R. Y. Presidency may also set up other councils or other working bodies required for its work.

The composition, organization and province of work of the Council for National Defence, and the composition and province of work of other working bodies of the S. F. R. Y. Presidency vested with the independent conduct of specific affairs within the framework of the rights and duties of the Presidency, shall be spelled out by federal statute.

Article 332

The S. F. R. Y. Presidency may convene the Council of the Federation to consider issues of general policy.

The S. F. R. Y. Presidency may entrust individual members of the Council of the Federation with the execution of specific tasks.

Members of the Council of the Federation shall be elected, on the proposal of the Presidency of the S. F. R. Y., from among socio-political workers and other public figures.

Chapter III

THE PRESIDENT OF THE REPUBLIC

Article 333

In view of the historic role of Josip Broz Tito in the National Liberation War and the Socialist Revolution, in the creation and development of the Socialist Federal Republic of Yugoslavia, the development of Yugoslav socialist self-management society, the achievement of the brotherhood and unity of the nations and nationalities of Yugoslavia, the consolidation of the independence of the country and of its position in international relations and in the struggle for peace in the world, and in line with the expressed will of the working people and citizens, nations and nationalities of Yugoslavia, —

the S. F. R. Y. Assembly may, on the proposal of the Assemblies of the Republics and the Assemblies of the Autonomous Provinces, elect Josip Broz Tito President of the Republic for an unlimited term of office.

Article 334

The President of the Republic shall be elected at a joint session of the Chambers of the S. F. R. Y. Assembly by a majority vote of delegates present, by secret ballot.

After the election, the President of the Republic shall make a formal declaration before a joint session of the Chambers of the S. F. R. Y. Assembly.

Article 335

The President of the Republic shall represent the Socialist Federal Republic of Yugoslavia at home and abroad.

The President of the Republic shall be President of the S. F. R. Y. Presidency.

The President of the Republic shall be Commander-in-Chief of the Armed Forces of the Socialist Federal Republic of Yugoslavia.

The President of the Republic shall preside over the Council for National Defence.

Article 336

The President of the Republic shall exercise his rights and duties on the basis and within the framework of the present Constitution and federal statutes.

Article 337

The President of the Republic shall:

- (1) promulgate federal statutes by ordinances;
- (2) promulgate the decision of the S. F. R. Y. Assembly on the election of the Federal Executive Council;

(3) appoint and recall by ordinances ambassadors and envoys of the Socialist Federal Republic of Yugoslavia, receive letters of credence and letters of recall from foreign diplomatic representatives accredited to him, issue instruments of ratification of international treaties;

(4) confer decorations of the Socialist Federal Republic of Yugoslavia;

(5) determine the existence of an immediate danger of war, order general or partial mobilization, and proclaim a state of war if the S. F. R. Y. Assembly and the S. F. R. Y. Presidency are not in a position to meet;

(6) form appropriate services to conduct affairs falling within his province of work.

Article 338

During a state of war or in the event of an immediate danger of war, if the S. F. R. Y. Presidency is not in a position to meet, the President of the Republic shall pass decrees with the force of law on questions falling within the competence of the S. F. R. Y. Assembly. The President of the Republic shall submit these decrees to the S. F. R. Y. Assembly for approval as soon as it is in a position to meet.

Article 339

The President of the Republic shall keep the S. F. R. Y. Assembly informed on internal and foreign policy, and may propose to the S. F. R. Y. Assembly discussion of individual questions and decisions to be taken.

Article 340

The President of the Republic may call a meeting of the Federal Executive Council and place specific items on the agenda of the Council. The President of the Republic shall preside over the meetings of the Council which he attends.

Article 341

The President of the Republic may convene the Council of the Federation to consider issues of general policy.

The President of the Republic may vest individual members of the Council of the Federation with the execution of specific tasks.

Article 342

As the Commander-in-Chief of the Armed Forces of the Socialist Federal Republic of Yugoslavia, the President of the Republic shall:

(1) direct and command the Armed Forces of the Socialist Federal Republic of Yugoslavia and determine the fundamentals of plans and preparatory measures for the defence of the country;

(2) determine a plan for the use of the Armed Forces of the Socialist Federal Republic of Yugoslavia in the event of war, and order the use of Armed Forces in peace-time;

(3) appoint, promote and relieve of duty generals and admirals and other officers, as specified by federal statute.

(4) appoint and relieve of office the Presidents, judges and lay-assessors of military courts, and military public prosecutors.

Article 343

The President of the Republic may transfer specific affairs concerning the direction and command of the Armed Forces of the Socialist Federal Republic of Yugoslavia to the federal secretary of national defence. The federal secretary of national defence shall be responsible to the President of the Republic for affairs transferred to him.

Article 344

The President of the Republic may convene joint sessions of the S. F. R. Y. Presidency and the Federal Executive Council and shall preside over such sessions.

Article 345

The President of the Republic may vest the Vice-President of the S. F. R. Y. Presidency with the conduct of specific affairs falling within the President's province of work.

Chapter IV

THE FEDERAL EXECUTIVE COUNCIL

1. The Status and Competence

Article 346

The Federal Executive Council shall be the executive body of the S. F. R. Y. Assembly.

The Federal Executive Council shall, within the framework of the rights and duties of the Federa-

tion, be responsible to the S. F. R. Y. Assembly for the state in all spheres of social life, for the execution of policy and the enforcement of federal statutes and other regulations and enactments of the S. F. R. Y. Assembly, and for the guidance and adjustment of the work of federal administrative agencies.

The Federal Executive Council shall exercise its rights and duties on the basis and within the framework of the present Constitution and federal statutes.

Article 347

The Federal Executive Council shall:

(1) review the state and realization of the policy of the S. F. R. Y. Assembly and propose to the Assembly formulation of internal and foreign policy;

(2) introduce federal bills, draft regulations and other draft enactments and have the right to express its opinion on bills, draft regulations and other draft enactments introduced in the S. F. R. Y. Assembly by other authorized proposers;

(3) lay down draft social plans of Yugoslavia;

(4) introduce proposals for the determination of the total volume of expenditure of the Federal Budget, adopt drafts of the Federal Budget and of the Federation's Annual Balance Sheet;

(5) pass decrees, make decisions and adopt other regulations regarding the enforcement of federal statutes, other regulations and enactments of the S. F. R. Y. Assembly;

(6) ensure the execution of policy and the enforcement of statutes, other regulations and enactments of the S. F. R. Y. Assembly;

(7) ensure the execution of the country's defence policy and the implementation of preparations for defence, within the framework of the rights and duties spelled out by the present Constitution and federal statutes;

(8) ratify international treaties whose ratification does not fall within the competence of the S. F. R. Y. Assembly;

(9) adjust and direct the work of federal administrative agencies with a view to ensuring the execution of policy and the enforcement of statutes, other regulations and enactments of the S. F. R. Y. Assembly; supervise the work of federal administrative agencies and rescind regulations of federal administrative agencies which are contrary to a federal statute, other regulation or enactment of the S. F. R. Y. Assembly or to a regulation passed by the Council for the implementation of a federal statute, other regulation or enactment, and may, under conditions specified by federal statute, annul regulations passed by these agencies;

(10) lay down general principles concerning the internal organization of federal administrative agencies; open diplomatic and consular missions of the Socialist Federal Republic of Yugoslavia abroad; set up professional and other services for its own needs and joint services for the needs of federal administrative agencies; appoint and relieve of duty officials as specified by federal statute;

(11) adopt Rules of Procedure concerning its own work;

(12) conduct other affairs specified by the present Constitution.

2. The Composition and Election

Article 348

The Federal Executive Council shall consist of a President, Council members elected in conformity with the principle of equal representation of the Republics and corresponding representation of the Autonomous Provinces, and of federal secretaries and other officials in charge of federal administrative agencies and federal organizations specified by federal statute.

The President of the Federal Executive Council shall be elected by the Chambers of the S. F. R. Y. Assembly on the proposal of the S. F. R. Y. Presidency, and members of the Council — on the proposal of the candidate for the President of the Council, on the basis of the opinion of the Elections and Appointments Commission of the S. F. R. Y. Assembly.

A new Federal Executive Council shall be elected after the constitution of each newly-elected Chamber of the S. F. R. Y. Assembly.

In nominating federal secretaries and other officials who are in charge of federal administrative agencies and federal organizations and are members of the Federal Executive Council, national composition shall be taken into account.

The President and members of the Federal Executive Council elected from among delegates to the S. F. R. Y. Assembly shall cease to be members of the S. F. R. Y. Assembly.

The Federal Executive Council shall have one or more Vice-Presidents, who shall be elected from among the Council members.

Article 349

The President and members of the Federal Executive Council shall be elected for a term of four years.

No one may be elected to the office of President of the Federal Executive Council for more than two consecutive terms.

Members of the Federal Executive Council may be elected for two consecutive terms, and exceptionally, by a special procedure laid down by federal statute, for one more term.

The President of the Federal Executive Council shall have the right to propose to the S. F. R. Y. Assembly to relieve of office individual members of the Council, and to elect new members.

The resignation by, or relief of office of, the President of the Federal Council shall entail the resignation or dissolution of the entire Council.

Article 350

Members of the Federal Executive Council shall enjoy the same immunity as delegates to the S. F. R. Y. Assembly.

Matters concerning the immunity of members of the Federal Executive Council shall be decided by the Council.

Article 351

Every member of the Federal Executive Council shall have the right to propose discussion of individual questions falling within the competence of the Council, to initiate preparation of statutes, other regulations and enactments whose proposition falls within the competence of the Council, and of other regulations and acts which the Coun-

cil is empowered to adopt, and also to propose to the Council to adopt stands of principle and to issue guidelines concerning the work of federal administrative agencies.

Members of the Federal Executive Council shall have the right and duty, in conformity with the Council's stands, to represent the Council in the S. F. R. Y. Assembly.

Members of the Federal Executive Council may resign.

3. The Mode of Work and Adoption of Enactments in the Federal Executive Council

Article 352

The President of the Federal Executive Council shall call meetings of the Council on his own initiative or on the request of the President of the Republic, the S. F. R. Y. Presidency, or on the request of at least five Council Members.

The President of the Federal Executive Council shall represent the Council, call Council meetings and preside over them, sign regulations and other enactments adopted by the Council and ensure their implementation, ensure the application of the Council's Rules of Procedure and the realization of cooperation between the Council and other agencies and organizations.

Article 353

The Federal Executive Council shall also make decisions on questions falling within its competence.

The Federal Executive Council shall decide by a majority vote of all Council members present at meetings.

Article 354

In introducing bills and other draft enactments to the competent Chamber of the S. F. R. Y. Assembly which must be adopted in agreement with the competent republican and provincial agencies, the Federal Executive Council shall cooperate with the Executive Councils of the Republics and Autonomous Provinces.

Article 355

The Federal Executive Council shall, in agreement with the competent republican and provincial agencies, adopt regulations concerning the enforcement of statutes and other enactments whose passage falls within the competence of the Chamber of Republics and Provinces, if these statutes and other enactments provide for the adjustment of views.

It shall be deemed that the competent republican and provincial agencies have given their agreement if they have expressed their approval of the draft regulation concerning the enforcement of a particular statute, or other enactment of the S. F. R. Y. Assembly, or if they have not opposed its adoption.

Article 356

If the Federal Executive Council has not reached agreement with the competent republican and provincial agencies regarding a draft regulation concerning the enforcement of a statute, or another enactment whose adoption falls within its competence, the Council shall propose to the S. F. R. Y.

Presidency to pass an ordinance on temporary measures if it considers that the solution of the specific questions on which no agreement has been reached is indispensable to prevent or eliminate major disruptions on the market, or that the failure to solve these questions might cause serious harm to the social community, or that national defence interests might be jeopardized, or that unequal economic relations among the Republics and the Autonomous Provinces might be created, or if it considers that the commitments towards insufficiently developed Republics and Autonomous Provinces or the commitments of the Socialist Federal Republic of Yugoslavia towards other countries and international organizations could not be fulfilled.

If the S. F. R. Y. Presidency agrees with the need to pass an ordinance on temporary measures and with the reasons for its passage, the Federal Executive Council shall pass such an ordinance.

The Federal Executive Council shall pass on ordinance on temporary measures falling within its competence by a majority vote of all Council members.

An ordinance on temporary measures shall remain in force until on the basis of views adjusted with the competent republican and provincial agencies the question regulated with this ordinance has been settled, but for not longer than one year from the day of passage of the ordinance on temporary measures.

Article 357

In order to ensure the participation of the competent republican and provincial agencies in the adoption of regulations concerning the enforce-

ment of statutes and other enactments of the S. F. R. Y. Assembly which must be adopted in agreement with these agencies, the Federal Executive Council and the competent republican and provincial agencies shall by mutual agreement set up inter-republican committees for individual spheres.

Inter-republican committees shall be set up according to the principle of equal representation of the Republics and corresponding representation of the Autonomous Provinces. Members of inter-republican committees shall be delegated by the competent republican and provincial agencies.

Chairmen of inter-republican committees shall be nominated by the Federal Executive Council, from among its own members.

4. Relations between the Federal Executive Council and the S. F. R. Y. Assembly and the Responsibility of the Council

Article 358

The Federal Executive Council shall be bound to keep the Chambers of the S. F. R. Y. Assembly informed of its work.

The Federal Executive Council may propose to the S. F. R. Y. Assembly that debate on a bill, draft regulation or draft enactment of the S. F. R. Y. Assembly should be adjourned or that a joint commission made up of members of the competent Chamber of the S. F. R. Y. Assembly and of members of the Federal Executive Council should be formed to debate a specific question, or that a

meeting of the competent Chamber of the Assembly should be called so that the Council can state its stand.

Article 359

The Federal Executive Council shall be responsible for its work to both Chambers of the S. F. R. Y. Assembly in those spheres which fall within the respective provinces of work of the Chambers.

The Federal Executive Council may hand in a collective resignation to the Chambers of the S. F. R. Y. Assembly.

If it considers that it is not able to ensure the execution of established policy and the enforcement of a statute, other regulation or enactment of the S. F. R. Y. Assembly whose passage is being proposed, or the implementation of the stands of, or measures proposed by, the S. F. R. Y. Presidency, or that it cannot assume responsibility for the discharge of its function unless the federal statute, other regulation or enactment whose passage is being proposed is passed, the Federal Executive Council may ask for a vote of confidence.

If the Federal Executive Council hands in a collective resignation or the S. F. R. Y. Assembly passes a vote of no confidence in it, and in other cases when the function of the Council has been terminated, the Council shall remain in office until the election of a new Council.

Article 360

The Federal Chamber may, on the proposal of at least ten delegates to the Chamber, and so may

the Chamber of Republics and Provinces on the proposal of a delegation to this Chamber, introduce a motion of no confidence in the Federal Executive Council.

A motion of no-confidence in the Federal Executive Council shall be debated upon in the Chambers of the S. F. R. Y. Assembly.

Article 361

The competent Chamber of the S. F. R. Y. Assembly may set aside or annul any regulation of the Federal Executive Council which is contrary to the present Constitution, a federal statute or another regulation or enactment adopted by the Chamber.

If the S. F. R. Y. Presidency has stayed the enforcement of a regulation of the Federal Executive Council of general political significance, the controversial issue shall be decided upon by the competent Chamber of the S. F. R. Y. Assembly.

Article 362

Members of the Federal Executive Council and officials in federal administrative agencies and federal organizations shall be responsible for the execution of policy and the enforcement of statutes, other regulations and enactments exclusively to federal agencies, and in the performance of their function may not receive directives or orders from the agencies and officials of other socio-political communities, nor may they follow such directives and/or orders.

Chapter V

FEDERAL ADMINISTRATIVE AGENCIES

Article 363

Federal secretariats shall be set up to conduct administrative affairs in specific areas, within the framework of the rights and duties of the Federation.

Federal secretariats shall be set up and their province of work determined by federal statute.

Other federal administrative agencies and federal organizations in charge of specific administrative, professional and other affairs falling within the framework of the rights and duties of the Federation, and schools, scientific and other institutions in charge of affairs important for the realization of federal functions, may also be set up.

The status, rights and duties of federal organizations in charge of specific administrative, professional and other affairs falling within the framework of the rights and duties of the Federation, and their responsibility to the S. F. R. Y. Assembly and the Federal Executive Council, shall be regulated by federal statute.

Professional and other services may be established for the needs of federal agencies.

Article 364

Federal administrative agencies and federal organizations shall independently conduct affairs falling within their competence on the basis of, and within the limits set up by, the present Constitution and federal statutes.

In discharging affairs falling within their competence, federal administrative agencies and feder-

al organizations shall abide by federal statutes and other regulations and enactments, the guidelines of the S. F. R. Y. Assembly, and the stands of principle and guidelines of the Federal Executive Council.

Federal administrative agencies and federal organizations shall be bound to ensure the enforcement of federal statutes and other federal regulations and enactments for whose enforcement they are responsible.

In enforcing federal statutes and other regulations and enactments, federal administrative agencies and federal organizations shall have the right to exercise supervision in conformity with powers vested in them by federal statute.

Article 365

Officials in charge of federal administrative agencies and federal organizations may adopt internal rules, issue orders and directives concerning the enforcement of federal statute, other regulations and enactments of the S. F. R. Y. Assembly, and regulations passed by the Federal Executive Council, if so authorized by these regulations and/or enactments.

Article 366

Officials in charge of federal administrative agencies and federal organizations and other officials nominated by the S. F. R. Y. Assembly shall be nominated for a term of four years.

Officials in charge of federal administrative agencies and federal organizations and other officials who are nominated by the S. F. R. Y. Assem-

bly, may be nominated for two consecutive terms and, exceptionally, by a procedure laid down by federal statute for one more term.

Article 367

Officials in charge of federal administrative agencies and federal organizations, who are nominated by the S. F. R. Y. Assembly, shall be responsible to the S. F. R. Y. Assembly and the Federal Executive Council for their own work, for the work of the agencies or organizations headed by them, and for the state in their respective branch of life of the community within the scope of the province of work of the agencies and organizations headed by them.

Officials in federal administrative agencies and federal organizations who are nominated by the S. F. R. Y. Assembly shall be responsible for their work to the S. F. R. Y. Assembly and the Federal Executive Council.

Article 368

Officials in charge of federal administrative agencies and federal organizations shall be bound to keep the S. F. R. Y. Assembly and the Federal Executive Council informed of the state in the respective spheres of administration and of the work of the agencies and organizations headed by them.

These officials shall be bound to provide the Chambers of the S. F. R. Y. Assembly and the Federal Executive Council on their request, with information and explanations concerning questions falling within the province of work of the respective agencies and organizations headed by them.

They shall also be obliged to give answers to questions put by delegates and delegations to the Chambers of the S. F. R. Y. Assembly.

Chapter VI

THE FEDERAL COURT, THE OFFICE OF FEDERAL PUBLIC PROSECUTOR AND THE OFFICE OF SOCIAL ATTORNEY OF SELF-MANAGEMENT THE CONSTITUTIONAL COURT

Article 369

The Federal Court shall:

(1) decide, under conditions and in the way laid down by federal statute, in last instance or in connection with extraordinary legal remedies, disputes arising out of unconstitutional or unlawful individual acts and deeds by which organizations of associated labour or working people on the territory of other Republics or Autonomous Provinces, and thereby also the Republic or Autonomous Province concerned, are placed in an unequal position on the unified Yugoslav market, including also damages disputes for losses caused thereby;

(2) decide property disputes between Republic and/or Autonomous Provinces and between the Federation and the Republics and/or Autonomous Provinces;

(3) decide on the legality of finally-binding administrative act of federal agencies, unless otherwise specified by federal statute;

(4) decide on extraordinary legal remedies if so specified by federal statute;

(5) review in last instance sentences passed by courts of law in the Republics and Autonomous Provinces, and sentences passed by military courts, if a death penalty for a criminal offence defined by federal statute has been passed;

(6) rule on jurisdictional conflicts between courts from the territories of two or more Republics and Autonomous Provinces, and between military and other courts;

(7) discharge other affairs placed within its jurisdiction by federal statute, within the framework of the rights and duties of the Federation.

Article 370

The President and judges of the Federal Court shall be elected and relieved of office by the S. F. R. Y. Assembly.

The composition and the number of judges of the Federal Court shall be determined according to the principle of parity representation of all Republics and corresponding representation of the Autonomous Provinces, according to the principles in force for other federal agencies.

Article 371

The Federal Court, the Republican Supreme Courts, the Provincial Supreme Courts and the corresponding military courts shall, through their delegates, jointly take stands of principles on questions of concern for the application of federal statutes, as provided for by federal statute.

Article 372

The function of the Office of Public Prosecutor shall be discharged by the Federal Public Prose-

ctor, within the framework of the rights and duties of the Federation.

The Federal Public Prosecutor shall be nominated and relieved of office by the S. F. R. Y. Assembly.

Article 373

The Federal Public Prosecutor shall take recourse to legal remedies for which he is authorized in matters falling within the jurisdiction of the Federal Court, and shall discharge other affairs specified by federal statute.

The Federal Public Prosecutor may issue binding directives to the Republican and/or Provincial Public Prosecutor and may take charge of criminal prosecution in cases in which the Federation defines criminal offences falling within the competence of the Republican and Provincial Offices of Public Prosecutor. The Federal Public Prosecutor may issue binding directives to the republican and provincial public prosecutors, and may institute prosecution in matters relating to economic violations defined by federal statute, if this prosecution falls within the framework of responsibility of federal agencies.

Article 374

The function of the Social Attorney of Self-Management shall, within the framework of federal rights and duties, be carried out by the Federal Social Attorney of Self-Management.

The Federal Social Attorney of Self-Management shall be nominated and relieved of duty by the S. F. R. Y. Assembly.

**THE CONSTITUTIONAL COURT OF
YUGOSLAVIA**

Article 375

The Constitutional Court of Yugoslavia shall:

(1) decide on the conformity of statutes to the Constitution of the Socialist Federal Republic of Yugoslavia;

(2) decide whether or not a republican or provincial statute is contrary to federal statute;

(3) decide on the conformity of the regulations and other enactments of federal agencies with the S. F. R. Y. Constitution and federal statute;

(4) decide whether individual regulations or other enactments of the agencies of the socio-political communities and self-management enactments are in accord with the S. F. R. Y. Constitution or contrary to federal statutes whose enforcement falls within the competence of federal agencies;

(5) decide disputes involving rights and duties between the Federation and the Republics and/or Autonomous Provinces, between the Republics, between the Republics and the Autonomous Provinces, and between other socio-political communities from the territories of different Republics, if no jurisdiction of another court has been provided by statute for the settlement of such disputes;

(6) decide jurisdictional disputes between the Republican and/or Provincial Constitutional Courts, between courts and federal agencies, between federal agencies and republican and/or provincial agencies, between courts and other state agencies from the territories of two or more Re-

publics, or from the territories of the Republics and Autonomous Provinces.

The Constitutional Court of Yugoslavia may assess the constitutionality of statutes and the constitutionality and legality of regulations and enactments of the agencies of socio-political communities and of self-management enactments which have ceased to be valid, if not more than one year has expired between the cessation of their validity and the institution of proceedings.

Article 376

The Constitutional Court of Yugoslavia shall review developments of interest for the realization of constitutionality and legality, keep the S. F. R. Y. Assembly informed of the state and problems of the realization of constitutionality and legality, and shall submit to the S. F. R. Y. Assembly its opinions and proposals regarding the enactment of amendment of statutes and the taking of other measures aimed at ensuring constitutionality and legality and the protection of self-management rights and other freedoms and rights of citizens and self-managing organizations and communities.

Article 377

If the Constitutional Court of Yugoslavia finds that a competent agency has not passed an ordinance concerning the enforcement of the provisions of the S. F. R. Y. Constitution, federal statutes or other federal regulations and enactments, and it should have passed such an ordinance, the Court shall inform the S. F. R. Y. Assembly thereof.

Article 378

The Constitutional Court of Yugoslavia shall advise the S. F. R. Y. Assembly whether or not the constitution of a Republic or the constitution of an Autonomous Province is contrary to the S. F. R. Y. Constitution.

Article 379

The Constitutional Court of Yugoslavia may in the course of the proceedings, before rendering the final ruling, stay the execution of an individual act or deed undertaken on the basis of statute, another regulation or enactment of an agency of a socio-political community, or of a self-management enactment whose constitutionality or legality it is in the process of assessing, if their execution could result in irreparably harmful consequences.

Article 380

The work of the Constitutional Court of Yugoslavia shall be public.

Article 381

The Constitutional Court of Yugoslavia shall consist of a President and thirteen judges elected by the S. F. R. Y. Assembly. Members of the Constitutional Court of Yugoslavia shall be elected according to the following formula: two from each Republic and one from each Autonomous Province.

The President and judges of the Constitutional Court of Yugoslavia shall be elected for a term of eight years and may not be re-elected to the

office of President or judges of the Constitutional Court of Yugoslavia.

The President and judges of the Constitutional Court may not concurrently perform functions in state agencies or self-managing bodies.

The President and judges of the Constitutional Court of Yugoslavia shall enjoy the same immunity as delegates to the S. F. R. Y. Assembly.

Article 382

The President and judges of the Constitutional Court of Yugoslavia may be relieved of office before the expiry of their term only on their own request; if they have been convicted of a criminal offence and sentenced to a term of imprisonment; or have become permanently unable to perform their functions.

The reasons for relieving of office the President and/or judges of the Constitutional Court of Yugoslavia before the expiry of their term shall be determined by the Constitutional Court, which shall inform the S. F. R. Y. Assembly thereof.

If the President or a judge of the Constitutional Court of Yugoslavia requests to be relieved of office and the S. F. R. Y. Assembly has not decided this request within a period of three months from the day of submission of the request, the Constitutional Court shall, on the request of the President or judge of the Court, note that his office in the Constitutional Court has been terminated and shall inform the Assembly thereof.

The Constitutional Court of Yugoslavia may decide that the President or a judge of the Court against whom criminal proceedings have been instituted may not perform his functions in the

Constitutional Court as long as the Proceedings are in course.

Article 383

Before assuming office the President and judges of the Constitutional Court of Yugoslavia shall make a formal declaration before the S. F. R. Y. Presidency.

Article 384

If the Constitutional Court of Yugoslavia finds that a federal, republican or provincial statute is not in conformity with the S. F. R. Y. Constitution, or that a republican or provincial statute is contrary to federal statute, it shall render a ruling thereon and submit it to the competent assembly.

The competent assembly shall be obliged, within six months of service of the ruling of the Constitutional Court of Yugoslavia, to bring this statute into accord with the S. F. R. Y. Constitution or to remove what is contradictory between the republican or provincial statute and federal statute.

On the request of the competent assembly, the Constitutional Court of Yugoslavia may extend the time-limit for bringing a disputed statute into accord for a maximum of six months.

If the competent assembly fails within the specific time-limit to bring the statute into accord with the S. F. R. Y. Constitution or to remove what is contradictory between the republican or provincial statute and federal statute, the provisions of the statute which are not in conformity with the S. F. R. Y. Constitution, or the provisions of the republican or provincial statute which are contrary

to federal statute, shall cease to be valid, which the Constitutional Court of Yugoslavia shall announce by a ruling.

Article 385

If the Constitutional Court of Yugoslavia finds that a regulation other than statute, or an enactment of an agency of a socio-political community, or a self-management enactment, does not conform to the S. F. R. Y. Constitution or that it is contrary to federal statute, or that a regulation or other enactment of a federal agency is not in accord with federal statute, it shall annul or set aside this regulation or enactment, or those of their provisions which are not in conformity with the S. F. R. Y. Constitution or federal statute, or which are contrary to federal statute.

Article 386

Statutes which have been ruled to be no longer valid, and other regulations and enactments of the agencies of socio-political communities which have been annulled or set aside, shall not be applied to relations which came into being before the promulgation of the ruling of the Constitutional Court of Yugoslavia, unless they had been settled by then by a finally-binding decision.

Regulations and other enactments adopted for the purpose of enforcement of regulations or self-management enactments which may no longer be applied, shall not be applied as of the day of announcement of the ruling of the Constitutional Court of Yugoslavia, if according to the ruling these regulations and enactments are contrary to the S. F. R. Y. Constitution and federal statute.

The enforcement of finally-binding individual acts passed on the basis of regulations which may no longer be applied may not be allowed or carried into effect, and if their enforcement has already started, it shall be stayed.

Article 387

Anyone may initiate institution of proceedings for the assessment of constitutionality and legality.

Proceedings before the Constitutional Court of Yugoslavia may be instituted by:

(1) the S. F. R. Y. Assembly, the Republican Assemblies, the Provincial Assemblies, and the assemblies of other socio-political communities;

(2) the S. F. R. Y. Presidency; the Presidencies of the Republics and the Presidencies of the Autonomous Provinces;

(3) the Federal Executive Council, the Republican Executive Councils or the Provincial Executive Councils, except for assessing the constitutionality and legality of regulations adopted by the respective socio-political communities;

(4) the Republican Constitutional Courts and the Provincial Constitutional Courts;

(5) a court of law if a question of constitutionality or legality comes up in proceedings before this court;

(6) the federal, republican or provincial public prosecutors or corresponding military prosecutors, if the question of constitutionality and legality comes up in the course of the work of the public prosecutor concerned;

(7) social attorneys of self-management;

(8) organizations of associated labour, local communities, self-managing communities of interest or any other self-managing organization or com-

munity, if their rights established by the S. F. R. Y. Constitution or federal Statute have been violated;

(9) federal, republican or provincial secretaries or other officials in charge of federal, republican or provincial administrative agencies, or federal, republican or provincial agencies, each within its province of work, except in matters concerning the assessment of the constitutionality of statutes, discord between republican or provincial statutes and federal statute, and concerning the assessment of the constitutionality and legality of regulations of the executive councils of the socio-political communities whose agencies they are;

(10) any agency which is under the constitution and statute authorized to stay the execution of regulations or other enactments of the agencies of socio-political communities and self-management enactments which are not in accord with the S. F. R. Y. Constitution;

(11) the Social Accountancy Service at federal, republican and provincial level.

The Constitutional Court of Yugoslavia may also, on its own initiative, institute proceedings for assessing constitutionality and legality.

Article 388

Anyone whose right has been violated by a final or finally-binding individual act adopted on the basis of statute, other regulation or enactment of an agency of a socio-political community, or by a self-management enactment which pursuant to the ruling of the Constitutional Court of Yugoslavia is not in accord with the S. F. R. Y. Constitution or federal statute, or is contrary to federal statute, shall have the right to request the competent agency to revise this individual act.

A proposal for the revision of a final or a finally-binding individual act adopted on the basis of statute, other regulation, enactment of an agency of a socio-political community, or a self-management enactment which pursuant to the ruling of the Constitutional Court of Yugoslavia is not in accord with the S. F. R. Y. Constitution, or which is contrary to federal statute, may be submitted within six months from the day of announcement of the ruling in the Official Gazette of the Socialist Federal Republic of Yugoslavia, provided not more than one year has passed from the day of service of the individual act or the rendering of the ruling of the Court.

If a court rejects by a finally-binding ruling to apply a regulation or an enactment of an agency of a socio-political community or a self-management enactment owing to its not being in accord with the S. F. R. Y. Constitution, or federal statute, or owing to its being contrary to federal statute, and the Constitutional Court of Yugoslavia rules that this discord or contradiction does not exist, anyone whose right has been infringed may demand that the finally-binding ruling of the court be revised within a time-limit of one year from the day of announcement of the ruling of the Constitutional Court of Yugoslavia.

If it has been established that by revising an individual act the consequences of the application of a regulation or other enactment which is not in accord with the S. F. R. Y. Constitution or federal statute, or which is contrary to federal statute, may not be redressed, the Constitutional Court of Yugoslavia may rule that these consequences be redressed through the restitution to the previous condition, settlement of damages, or in some other way.

Article 389

If proceedings have been instituted for the assessment of the constitutionality and legality of a regulation or other enactment of an agency of a socio-political community or of a self-management enactment which is claimed to be simultaneously contrary to the S. F. R. Y. Constitution or federal statute and the republican constitution or to the provincial constitution, or republican or provincial statute, its constitutionality and legality shall be reviewed by the republican and provincial constitutional courts, respectively, which shall only assess the conformity of this regulation or enactment to the republican constitution or the provincial constitution, or to the republican, provincial or federal statute whose enforcement falls within the competence of agencies in the Republics and Autonomous Provinces.

If the republican or the provincial constitutional court rules that a regulation or enactment conforms to the republican constitution and the provincial constitution, respectively, or to the federal statute whose enforcement falls within the competence of agencies in the Republics and Autonomous Provinces, it shall refer the case to the Constitutional Court of Yugoslavia to assess the conformity of the regulation or enactment with the S. F. R. Y. Constitution, or to assess whether or not the regulation or enactment is contrary to the federal statute whose enforcement falls within the competence of federal agencies.

Article 390

State agencies, organizations of associated labour and other self-managing organizations and com-

munities, and holders of self-management, public and other social functions, shall be bound to supply the Constitutional Court of Yugoslavia, on its request, with data and information needed in the work of the Constitutional Court, and, on the order of the Constitutional Court, to perform acts of concern for the conduct of proceedings.

Article 391

The Constitutional Court of Yugoslavia shall render decisions and rulings by a majority vote of all members of the Constitutional Court.

Members of the Constitutional Court of Yugoslavia who have expressed a separate opinion shall have the right to submit this opinion to the Court in writing with a statement of reasons.

Article 392

As a rule, the Constitutional Court of Yugoslavia shall decide cases at open hearings.

Article 393

When in the course of proceedings a statute, other regulation or enactment of an agency of a socio-political community or a self-management enactment has been brought into accord with the S. F. R. Y. Constitution or federal statute, but the consequences of the unconstitutionality or illegality have not been eliminated, the Constitutional Court of Yugoslavia may rule that the statute, other regulation or enactment concerned was not in conformity with the S. F. R. Y. Constitution or federal statute, or that it was contrary to federal

statute. Such a ruling of the Constitutional Court of Yugoslavia shall have the same legal effect as a ruling establishing that a statute has ceased to be valid or another regulation or enactment has been set aside or annulled.

Article 394

Decisions of the Constitutional Court of Yugoslavia shall be binding and enforceable.

If necessary, the enforcement of rulings of the Constitutional Court of Yugoslavia shall be ensured by the Federal Executive Council.

The Constitutional Court of Yugoslavia may request that measures be taken against the responsible person for non-execution of a ruling of the Constitutional Court of Yugoslavia.

Article 395

Rulings of the Constitutional Court of Yugoslavia shall be published in the Official Gazette of the Socialist Federal Republic of Yugoslavia, and in the Official Gazette which had published the statute, other regulation or enactment of an agency of a socio-political community on which the Constitutional Court of Yugoslavia has ruled, or in the way in which the self-management enactment on which the court has ruled was published.

Article 396

Proceedings before the Constitutional Court of Yugoslavia and the organization of the Constitutional Court shall be regulated by the Constitutional Court of Yugoslavia.

Chapter VIII

THE FORMAL DECLARATION

Article 397

On assuming office, the President of the Republic, the President and members of the S. F. R. Y. Presidency, and the President and members of the Constitutional Court of Yugoslavia shall make a formal declaration.

The text of the declaration shall read:

»I hereby declare that I will fight for the protection of the sovereignty, independence and integrity of the country and the achievement of power by the working class and all working people, that I shall strive for the achievement of brotherhood and unity and for the equality of the nations and nationalities, for the development of socialist self-management society and for the realization of the common interests of the working people and citizens of the socialist Federal Republic of Yugoslavia, and that I will abide by the S. F. R. Y. Constitution and federal statutes and will perform my duty conscientiously and in a responsible way.«

The President and Vice-Presidents of the S. F. R. Y. Assembly and the Presidents of the Chambers, of the S. F. R. Y. Assembly, the President and members of the Federal Executive Council, the President and judges of the Federal Court, federal secretaries and other federal officials who are elected or nominated by the S. F. R. Y. Assembly shall on assuming office make a formal declaration as laid down by the S. F. R. Y. Assembly.

PART FIVE

AMENDING THE CONSTITUTION OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA

Article 398

Amendments to the S. F. R. Y Constitution shall be decided upon by the Federal Chamber of the S. F. R. Y. Assembly, in agreement with the Assemblies of all Republics and Autonomous Provinces; if an amendment to the S. F. R. Y. Constitution only concerns the status of the Republics and mutual relations between the Federation and the Republics, it shall be decided upon by the Federal Chamber of the S. F. R. Y. Assembly in agreement with the Assemblies of all Republics.

Article 399

A motion to initiate proceedings for amending the S. F. R. Y. Constitution may be introduced by at least thirty delegates to the Federal Chamber, the S. F. R. Y. Presidency, the Assembly of a Re-

public, the Assembly of an Autonomous Province, and the Federal Executive Council.

Article 400

A motion to initiate proceedings for amending the S. F. R. Y. Constitution shall be decided upon by the Federal Chamber of the S. F. R. Y. Assembly.

The Federal Chamber may decide to initiate proceedings for amending the S. F. R. Y. Constitution if the motion for the initiation of amendment proceedings has been agreed upon by the Assemblies of all Republics and Autonomous Provinces and the Assemblies of all Republics respectively.

Article 401

Draft amendments to the S. F. R. Y. Constitution shall be drawn up by the Federal Chamber of the S. F. R. Y. Assembly, which shall refer them to the Assemblies of all Republics and Autonomous Provinces for opinion, and shall submit them to public discussion.

Draft amendments to the S. F. R. Y. Constitution shall be debated upon by the Assemblies of all Republics and Autonomous Provinces, which shall give their opinions thereon.

When the opinions of the Assemblies of all Republics and Autonomous Provinces have been obtained and public discussion conducted, the Federal Chamber shall draw up a motion for the amendment of the S. F. R. Y. Constitution and take a vote thereon.

An amendment to the S. F. R. Y. Constitution shall be deemed passed in the Federal Chamber if

it has received a two-thirds majority vote from all delegates to the Chamber.

If an amendment to the S. F. R. Y. Constitution has not been adopted in the Federal Chamber, a motion for the same amendment to the S. F. R. Y. Constitution may not be introduced again before the expiry of one year from the day the motion was rejected.

Article 402

An amendment to the S. F. R. Y. Constitution shall be deemed passed when the text adopted by the Federal Chamber of the S. F. R. Y. Assembly has been agreed to by the Assemblies of all Republics and Autonomous Provinces and the Assemblies of all Republics respectively.

If the Assembly of one or more Republics or the Assembly of either of the Autonomous Provinces has not agreed with the text of the motion for the amendment of the S. F. R. Y. Constitution passed by the Federal Chamber, the motion for the amendment of the S. F. R. Y. Constitution on which no agreement has been reached may not be placed on the agenda before the expiry of one year from the day the Federal Chamber ruled that no agreement had been reached.

Article 403

Once adopted, amendments to the S. F. R. Y. Constitution shall be promulgated by the Federal Chamber of the S. F. R. Y. Assembly.

PART SIX

**TRANSITIONAL AND CONCLUDING
PROVISIONS**

Article 404

The term »constitution« used in the present Constitution is understood to mean the provisions of the S. F. R. Y. Constitution, the republican constitutions and the provincial constitutions.

In the present Constitution the term »self-management enactment« is understood to mean social compacts, self-management agreements which regulate in a general way self-management relations, and other enactments of organizations of associated labour and other self-managing organizations and communities.

Article 405

A special constitutional law shall be passed for the implementation of the present Constitution and to ensure transition to its application.

The constitutional law pertaining to the implementation of S. F. R. Y. Constitution shall be

passed, on the proposal of the Chamber of Nationalities, by all Chambers of the Federal Assembly. The draft of the constitutional law shall be adopted by a two-thirds majority vote in each Chamber according to the provisions of paragraph 5, sections 4 to 8 of Constitutional Amendment XII.

The draft constitutional law pertaining to the implementation of the S. F. R. Y. Constitution shall be promulgated and shall come into force simultaneously with the S. F. R. Y. Constitution.

Article 406

The present Constitution shall come into force on the day of promulgation.

EXPLANATION OF SOME EXPRESSIONS AND NOTIONS USED IN THE S.F.R.Y. CONSTITUTION

Delegates

— are members of delegations (collective representatives), elected by the working people in basic self-managing organizations, local communities and socio-political organizations. Delegations take part, in an organized way, in the performance of the functions of the assemblies of socio-political communities and for this purpose they elect from among their members delegates to the assemblies of the Communes, provinces, republics and the Federation. Delegates are bound to take stands in accordance with what was previously decided by the delegation or the assembly which has elected them.

Delegational system

— is the groundwork upon which assemblies (communal, provincial, republican and federal) are constituted on the basis of collective delegations

of work organizations, local communities and socio-political organizations. The delegation system ensures the direct presence of the working people in the assemblies, makes impossible political outvoting of one category of the population by another, and ensures functional linkage of short- and long-term interests of individual sections of society and of society as a whole. The delegational system is an institutionally new and special kind of link between self-management and government. It is the universal principle underlying the entire socio-political system of Yugoslavia.

Social organizations

— are bodies of persons organized with a view to pursuing their interests, performing specific social affairs and developing various activities of general social interest (welfare-humanitarian, cultural, scientific, technical, tourist, sports, and other similar organizations).

Social compacts

— are self-management enactments concluded on an equal basis by organizations of associated labour, chambers of economy, government agencies and socio-political organizations under which the parties thereto ensure the regulation of socio-economic and other relations of a broad interest. Their purpose is to replace the state's role in the resolution of social contradictions and the realization of cooperation and solidarity in the economic and other spheres of life. Social compacts have the character of law. Parties to a social compact determine by it measures for its implementation and define their material and social responsibility for the execution of jointly undertaken obligations.

Social attorney of self-management

— is an independent agent of the social community whose duty is to take appropriate measures and legal action to ensure social protection of the self-management rights of working people and social property, and is for the purpose vested with other statutorily-defined rights and duties.

Socio-political organizations

— are political bodies of working people organized on a programmatic, socialistically-oriented platform (the League of Communists of Yugoslavia, the Socialist Alliance of the Working People of Yugoslavia, the Federation of Trade Unions, the War Veterans Federations, the Youth League).

Socio-political communities

— are all territorial communities in which working people and citizens exercise the constitutionally-defined functions of power and management of other social affairs (Federation, republics, autonomous provinces, communes and big cities having the status of special socio-political communities).

Cooperation in agriculture

— means the pooling of labour and means of production by private farmers (directly or through agricultural cooperatives) with organizations of associated labour, i. e. with agricultural estates, factory-farms or factories processing agricultural products.

Local communities

— are self-managing territorial units concerned with questions of local significance. In rural areas such communities are established for one or sever-

al villages, and in urban areas for individual sections of a city. They do not perform any function of public power and in this sense they differ from socio-political communities (communes, autonomous provinces, republics, Federation).

Past labour

— is an economic category which represents materialized or objectified labour and ensures in practice economic and social security for workers, or rather, their right to share in the benefits of increased productivity achieved through the accumulation of the results of their labour over many years.

Nationality

— is a term used for members of nations whose native countries border on Yugoslavia, and for members of other nations living permanently in Yugoslavia. The Constitution lays down the principle of equality of the nations and nationalities living in Yugoslavia.

Organs of self-management workers' supervision

— are special bodies in organizations of associated labour whose duty is to exercise workers' supervision aimed at realizing and safeguarding workers' self-management rights.

Organization of associated labour

— is a generic term for those economic and non-economic organizations which carry out their activities with socially-owned resources and are organized on a self-management basis. This is in fact what was earlier referred to as an "enterprise" (for the economic sector) and an "institution" (for the non-economic sector).

Basic organization of associated labour

— is a component part of an organization of associated labour which makes up a technologically rounded whole, an independent economic and self-managing unit which can have the character of a legal entity. (Basic organizations of associated labour were earlier referred to as work units, plants or independent departments in non-economic organizations).

The right to work with social resources

— is an individual, inalienable and constitutionally-guaranteed right of every worker in Yugoslavia to work in associated labour with socially-owned resources in order to satisfy his personal and social needs, and to manage, freely and on an equal footing with other workers in associated labour, the conditions and results of his labour.

Self-managing communities of interest

— are communities formed by working people directly or through their self-managing organizations and communities for the purpose of satisfaction of specific common needs. Their aim is to link the interests of those who render specific public services with those who use these services. Under the Constitution, the assemblies of self-managing communities of interest in the spheres of education, science, culture, health and welfare are authorized to decide, together and on an equal footing with the competent assemblies of the socio-political communities (communes, provinces, republics), on matters falling within these spheres. There are also communities of interests in the fields of housing construction, power production, water management, transport, etc.

Self-managing organizations and communities

— are organizations of associated labour, organizations of business associations, banks, insurance communities, agricultural and other cooperatives, contractual organizations of associated labour, self-managing communities of interests, local communities, and work communities performing affairs for state and other agencies and organizations.

Self-management agreements

— are self-management enactments adopted on terms of equality by workers in work organizations and working people in local communities, communities of interest and other self-managing organizations with a view to regulating and adjusting their interests (a more rational division of labour, pooling of resources for the pursuance of common aims, regulation of mutual relations in this cooperation, etc.). In this way the regulative and intermediary role of the state concerning relations among working people is diminished. A self-management agreement is only binding on those who have signed or acceded to it.

Self-management courts

— are courts of associated labour, arbitration tribunals, conciliation councils, chosen arbitration courts and other forms of self-management courts. They have in principle the same status as regular courts and are independent in the performance of judicial functions. They administer justice on the basis of the Constitution, statute and self-management enactments, and are elected from among working people and citizens from the relevant environments.

Composite organizations of associated labour

— are a form of organization of associated labour established through the merger of several work organizations or basic organizations of associated labour operating within them (for example: railways, postal and telecommunication services, industrial and other integrated works, etc.).

Socially-owned resources

— are resources used in production and other resources of associated labour, products of associated labour, income generated by associated labour, means for the satisfaction of common social needs, natural resources and goods in general use. These resources are managed by workers who operate them, in accordance with the Constitution and statute.

Tenant's rights

— is the right of a citizen to permanent occupancy of a socially-owned dwelling under conditions laid down by statute.

Associated labour

— is a Yugoslav economic and legal category denoting economic and non-economic activities performed with socially-owned resources and organized on the principles of self-management.

Associations of citizens

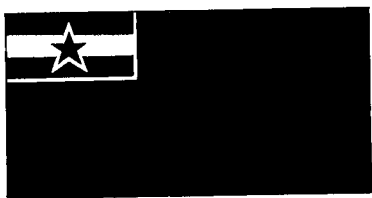
— are bodies of citizens organized for the pursuance of joint interests or hobbies (professional associations, various clubs pursuing activities motivated by their hobbies or recreational wishes — philatelists', hunters', bee-keepers', amateur photographers', choral societies, etc.).

Contractual organizations of associated labour

— are a specific form of organization of associated labour in which working people (e.g. craftsmen) independently perform activities with their own means of production (in private ownership) and which pool their labour and means of labour with other persons on a self-management basis. A contractual organization of associated labour is a transitional phase from individual work with private means of production to collective labour with social means of production.



SFR JUGOSLAVIJA



SR BOSNA IN HERCEGOVINA



SR CRNA GORA

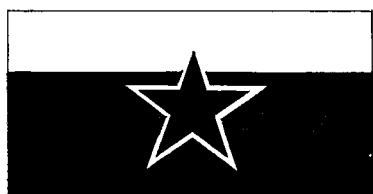


SR HRVATSKA





SR MAKEDONIJA



SR SLOVENIJA



SR SRBIJA

