

# **Constitution of the Republic of Karakalpakstan**

## **CONSTITUTION OF THE REPUBLIC OF KARAKALPAKSTAN**

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ADOPTED ON APRIL 9, 1993

AT THE SUPREME COUNCIL OF THE REPUBLIC OF KARAKALPAKSTAN

(Amendments were introduced on February 26, 1994 at the fifteenth session of the Supreme Council of the Republic of Karakalpakstan twelfth convocation, on October 31, 1995 at the fourth session and on December 15, 1997 at the thirteenth session of the Supreme Council of the Republic of Karakalpakstan first convocation, on November 12, 2003 at the twelfth session of the Supreme Council of the Republic of Karakalpakstan second convocation)

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## PREAMBLE

The people of the Republic of Karakalpakstan,  
solemnly declaring their adherence to human rights and principles of state sovereignty,  
aware of their ultimate responsibility to the present and the future generations,  
relying on historical experience in the development of Karakalpak statehood,  
affirming their commitment to the ideals of democracy and social justice,  
recognizing priority of the generally accepted norms of the international law,  
aspiring to a worthy life for the citizens of the Republic,  
setting forth the task of creating a humane and democratic rule of law,  
aiming to ensure civil peace and national accord,  
represented by their plenipotentiary deputies adopt the present Constitution of the  
Republic of Karakalpakstan.

## **PART ONE FUNDAMENTAL PRINCIPLES**

### **Chapter I STATE SOVEREIGNTY**

Article 1. Karakalpakstan is a sovereign democratic re-public and forms a part of the Republic of Uzbekistan. Both names of the state “the Republic of Karakalpakstan” and “Karakalpakstan” shall be equivalent.

Relationship between the Republic of Uzbekistan and the Republic of Karakalpakstan, within the framework of the Constitution of the Republic of Uzbekistan shall be regulated by treaties and agreements concluded by the Republic of Uzbekistan and the Republic of Karakalpakstan.

The Republic of Karakalpakstan shall have the right to secede from the Republic of Uzbekistan on the basis of a nation-wide referendum held by the people of Karakalpakstan.

Article 2. The state shall express the will of the people and serve their interests. State bodies and officials shall be accountable to the society and the citizens.

Article 3. The Republic of Karakalpakstan shall be independent in determining its administrative and territorial structure, shall define the system of state authority and administration, pursue its policy in accordance with the policy of the Republic of Uzbekistan.

The territory and state frontier of the Republic of Karakalpakstan shall be inviolable and indivisible.

Article 4. The state language of the Republic of Karakalpakstan shall be Karakalpak and Uzbek.

The Republic of Karakalpakstan shall ensure a respectful attitude towards the languages, customs and traditions of all nationalities and ethnic groups living on its territory and create the conditions necessary for their development.

Article 5. The Republic of Karakalpakstan shall have its state symbols — the flag, the emblem and the anthem sanctioned by the law.

Article 6. The capital of the Republic of Karakalpakstan is the city of Nukus.

## **Chapter II DEMOCRACY**

Article 7. The people are the sole source of state power.

State power in the Republic of Karakalpakstan shall be exercised in the interests of the people and solely by the bodies empowered therefore by the Constitution of the Republic of Karakalpakstan and the legislation passed on its basis.

Any seizure of powers belonging to state authority, suspension or termination of activity of the bodies of state authority contrary to the procedure prescribed by the Constitution as well as formation of any new or parallel structures of authority shall be regarded as unconstitutional and punishable by the law.

Article 8. All citizens of the Republic of Karakalpakstan, regardless of their nationality, constitute the people of Karakalpakstan.

Article 9. Major matters of public and state life shall be submitted for a nation-wide discussion and put to a direct vote of the people (a referendum). The procedure for

holding referendums shall be specified by the law.

Article 10. The Jokari Kenes of the Republic, elected by the people, shall have the exclusive right to act on behalf of the people of Karakalpakstan.

No section of society, political party, public association, movement or individual shall have the right to act on behalf of the people of the Republic of Karakalpakstan.

Article 11. The principle of the separation of power between the legislative, executive and judicial authorities shall underlie the system of state authority in the Republic of Karakalpakstan.

Article 12. In the Republic of Karakalpakstan public life shall develop on the basis of a diversity of political institutions, ideologies and opinions.

No ideology shall be granted the status of official state ideology.

Article 13. Democracy in the Republic of Karakalpakstan shall rest on the principles common to all mankind, according to which the ultimate value shall be the human being, his life, freedom, honour, dignity and other inalienable rights.

Democratic rights and freedoms shall be protected by the Constitution and laws.

Article 14. The state shall function on the principles of social justice and legality in the interests of the people and society.

### **Chapter III**

#### **SUPREMACY OF THE CONSTITUTION AND THE LAW**

Article 15. The Constitutions and laws of the Republic of Uzbekistan and the Republic of Karakalpakstan shall have absolute supremacy in the Republic of Karakalpakstan.

The state, its bodies, officials, public associations and citizens shall act in accordance with the Constitution and laws.

Article 16. None of the provisions of the present Constitution shall be interpreted in a way detrimental to the rights and interests of the Republic of Karakalpakstan.

None of laws or normative and legal acts shall run counter to the norms and principles established by the Constitution.

## **Chapter IV**

### **FOREIGN POLICY OF THE REPUBLIC OF KARAKALPAKSTAN**

Article 17. International scientific, cultural and foreign economical relations of the Republic of Karakalpakstan shall be realized in accordance with the legislations of the Republic of Uzbekistan and the Republic of Karakalpakstan.

## **PART TWO**

### **BASIC HUMAN AND CIVIL RIGHTS, FREEDOMS AND DUTIES**

## **Chapter V**

### **GENERAL PROVISIONS**

Article 18. All citizens of the Republic of Karakalpakstan shall have equal rights and freedoms and shall be equal before the law, without discrimination by sex, race, nationality, language, religion, social origin, convictions, individual and social status.

Any privileges may be granted solely by the law and shall conform to the principles of social justice.

Article 19. Both the citizen of the Republic of Karakalpakstan and the state shall be bound by mutual rights and mutual responsibility. Citizens' rights and freedoms, established by the Constitution and laws, shall be inalienable; no one shall have the power to deny a citizen his rights and freedoms or to infringe on them except by the sentence of a court.

Article 20. The exercise of rights and freedoms by a citizen shall not encroach on the lawful interests, rights and freedoms of other citizens, the state or society.

## **Chapter VI CITIZENSHIP**

Article 21. According to the uniform citizenship established throughout the Republic of Uzbekistan, every citizen of the Republic of Karakalpakstan shall be a citizen of the Republic of Uzbekistan too.

The grounds and procedure for acquiring and forfeiting citizenship shall be defined by the Law of the Republic of Uzbekistan on Citizenship.

Foreign citizens and stateless persons, during their stay on the territory of the Republic of Karakalpakstan, shall be guaranteed the rights and freedoms in accordance with the norms of international law. They shall perform the duties established by the Constitution, laws of the Republic of Karakalpakstan and international agreements signed by the Republic of Uzbekistan.

## **Chapter VII**

### **PERSONAL RIGHTS AND FREEDOMS**

Article 22. The right to exist shall be the inalienable right of every human being. Encroachments on anyone's life shall be regarded as the gravest crime.

Article 23. Everyone shall have the right to freedom and inviolability of the person.

No one may be arrested or taken into custody except on lawful grounds.

Article 24. No one may be adjudged guilty of a crime except by sentence of a court and in conformity with the law. Such a person shall be guaranteed the right to legal defence during open court proceedings.

No one may be subject to torture, violence or any other cruel or humiliating treatment.

No one may be subject to any medical or scientific experiments without his consent.

Article 25. Everyone shall be entitled to protection against encroachments on his honour, dignity and interference in his private life and shall be guaranteed inviolability of the home.

No one may enter a home, carry out a search or an examination or violate the privacy of correspondence and tele-phone conversations, except on lawful grounds and in accordance with the procedure prescribed by the law.

Article 26. Any citizen of the Republic of Karakalpakstan being at the same time the citizen of the Republic of Uzbekistan shall have the right to freedom of movement in the territory of the Republic of Uzbekistan as well as a free entry to and exit from the Republic of Uzbekistan, except in the events specified by the law.

Article 27. Everyone shall be guaranteed freedom of thought, speech and convictions. Everyone shall have the right to seek, obtain and disseminate any information, except that which is directed against the existing constitutional system and in some other instances specified by the law.

Freedom of opinion and its expression may be restricted by the law, if any state or other secret is involved.

Article 28. All state bodies, public associations and officials in the Republic of Karakalpakstan shall allow any citizen access to documents, resolutions and other materials, relating to his rights and interests.

Article 29. Freedom of conscience shall be guaranteed to all. Everyone shall have the right to profess or not to profess any religion. Any compulsory imposition of religion shall be impermissible.

## **Chapter VIII**

### **POLITICAL RIGHTS**

Article 30. All citizens of the Republic of Karakalpakstan shall have the right to participate in the management and administration of public and state affairs, both directly and through their representatives. They may exercise this right by way of self-government, referendums and democratic formation of state bodies, also development and improvement of social control over activities of state bodies.

The order of accomplishment of social control over activities of state bodies is defined by law.

Article 31. All citizens shall have the right to engage in public life by holding rallies, meetings and demonstrations in accordance with the legislation of the Republic of Karakalpakstan. The bodies of authority shall have the right to suspend or ban such undertakings exclusively on the grounds of security.

Article 32. All citizens of the Republic of Karakalpakstan shall have the right to form trade unions, political parties and any other public associations and to participate in mass movements.

No one may infringe on the rights, freedoms and dignity of the individuals, constituting the minority opposition in political parties, public associations and mass movements as well as in representative bodies of authority.

Article 33. Everyone shall have the right, both individually and collectively, to submit applications and proposals and to lodge complaints with competent state bodies, institutions and public representatives.

Such applications, proposals and complaints shall be considered in accordance with the procedure and within the time-limit specified by the law.

## **Chapter IX**

### **ECONOMIC AND SOCIAL RIGHTS**

. Article 34. Everyone shall have the right to own property. The privacy of bank deposits and the right to inheritance shall be guaranteed by the law.



Article 35. Everyone shall have the right to work, including the right to choose their occupation. Every citizen shall be entitled to fair conditions of labour and protection against unemployment in accordance with the procedure prescribed by the law.

Any forced labour shall be prohibited, except as punishment under the sentence of a court or in some other instances specified by the law.

Article 36. Citizens working on hire shall be entitled to a paid rest. The number of working hours and the duration of paid leave shall be specified by the law.

Article 37. Everyone shall have the right to social security in old age, in the event of disability and loss of the bread-winner as well as in some other cases specified by the law.

Pensions, allowances and other kinds of welfare may not be lower than the officially fixed minimum subsistence wage.

Article 38. Everyone shall have the right to receive skilled medical care.

Article 39. Everyone shall have the right to education.

The state shall guarantee free secondary education. Schooling shall be under state supervision.

Article 40. Everyone shall be guaranteed freedom of scientific research and engineering work as well as the right to enjoy cultural benefits.

The state shall promote the cultural, scientific and technical development of society.

## **Chapter X**

### **GUARANTEES OF HUMAN RIGHTS AND FREEDOMS**

Article 41. The state shall safeguard the rights and freedoms of citizens proclaimed by the Constitution and laws.

Article 42. Everyone shall be entitled to legally defend his rights and freedoms and shall have the right to appeal any unlawful action of state bodies, officials and public associations.

Article 43. The rights of minors, the disabled and the elderly shall be protected by the state.

Article 44. Women and men shall have equal rights.

## **Chapter XI**

### **DUTIES OF CITIZENS**

Article 45. All citizens shall perform the duties established by the Constitution.

Article 46. All citizens shall be obliged to observe the Constitution, laws and to respect the rights, freedoms, honour and dignity of others.

Article 47. It shall be the duty of every citizen to protect the historical, spiritual and cultural heritage of the people of Karakalpakstan.

Cultural monuments shall have protection by the state.

Article 48. All citizens shall protect the environment.

Article 49. All citizens shall be obliged to pay taxes and local fees established by the law.

Article 50. Defence of the Republic of Uzbekistan and the Republic of Karakalpakstan shall be the duty of every citizen of the Republic of Karakalpakstan. Citizens will be obliged to perform military or alternative service in accordance with the procedure prescribed by the law.

## **PART THREE**

### **SOCIETY AND THE INDIVIDUAL**

## **Chapter XII**

### **THE ECONOMIC FOUNDATION OF THE SOCIETY**

Article 51. The economy of the Republic of Karakal-pakistan evolving towards market relations shall be based on various forms of ownership. The state shall guarantee free-dom of economic activity, entrepreneurship and labour with due regard for the priority of consumers' rights as well as equality and legal protection of all forms of ownership.

Private property, along with the other types of property, shall be inviolable and protected by the state. An owner may be deprived of his property solely in the cases and in accordance with the procedure prescribed by the law.

Article 52. An owner shall possess, use and dispose of his property. The use of any property must not be harmful to the ecological environment or infringe on the rights and legally protected interests of citizens, juridical entities and the state.

Article 53. The land, its minerals, fauna and flora as well as other mineral resources shall constitute the national wealth and shall be rationally used and protected by the state.

## **Chapter XIII**

### **PUBLIC ASSOCIATIONS**

Article 54. Trade unions, political parties and scientific societies as well as women's, veterans' and youth leagues, professional associations, mass movements and other organizations registered in accordance with the procedure pre-scribed by the law, shall have the status of public associations in the Republic of Karakalpakstan.

Article 55. The formation and functioning of political parties and public associations aiming to do the following shall be prohibited: changing the existing constitutional system by force; coming out against the sovereignty, territorial integrity and security of the Republic as well as the constitutional rights and freedoms of its citizens; advocating war and social, national, racial and religious hostility and encroaching on health and morality of the people as well as of any armed associations and political parties based on national or religious principles.

All secret societies and associations shall be banned.

Article 56. The state shall safeguard the rights and lawful interests of public associations and provide them with equal, legal possibilities for participating in public life.

Interference by state bodies and officials in the activity of public associations as well as interference by public associations in the activity of state bodies and officials shall be impermissible.

Article 57. Trade unions shall express and protect the socio-economic rights and interests of the working people. Membership in trade unions shall be on a voluntary basis.

Article 58. Political parties shall express the political will of various sections and groups of the population and through their democratically elected representatives shall participate in the formation of state authority. Political parties shall submit public reports on their financial sources to the Jokari Kenes or its plenipotentiary body in a prescribed manner.

Article 59. Religious organizations and associations shall be separated from the state and equal before the law. The state shall not interfere with the activity of religious associations.

Article 60. Public associations may be dissolved, banned or subject to restricted activity solely by the sentence of a court.

## **Chapter XIV**

### **FAMILY**

Article 61. The family is the primary unit of society and shall have the right to state and societal protection.

Marriage shall be based on the willing consent and equality of both parties.

Article 62. Parents shall be obliged to support and care for their children until the latter are of age.

The state and society shall support, care for and educate orphaned children as well as children deprived of parental guardianship and encourage charity in their favour.

Article 63. All children shall be equal before the law re-gardless of their origin and the civic status of their parents.

Motherhood and childhood shall be protected by the state.

Article 64. Able-bodied children who are of age shall be obliged to care for their parents.

## **Chapter XV**

### **MASS MEDIA**

Article 65. The mass media shall be free and act in ac-cordance with the law. It shall bear responsibility for trust-worthiness of information in a prescribed manner.

Censorship shall be impermissible.

## **PART FOUR**

### **ADMINISTRATIVE AND TERRITORIAL STRUCTURE**

## **Chapter XVI**

### **ADMINISTRATIVE AND TERRITORIAL STRUCTURE OF THE REPUBLIC OF KARAKALPAKSTAN**

Article 66. The Republic of Karakalpakstan shall consist of districts, cities, settlements and auls (villages).

Article 67. Formation and annulment of districts and ci-ties as well as any alteration of theirs boundaries shall be sanctioned by the Jokari Kenes of the Republic of Karakal-pakstan.

## **PART FIVE**

# **ORGANIZATION OF STATE AUTHORITY**

## **Chapter XVII**

### **THE JOKARI KENES OF THE REPUBLIC OF KARAKALPAKSTAN**

Article 68. The highest state representative body is the Jokari Kenes (the Supreme Council) of the Republic of Karakalpakstan. This body shall exercise legislative power.

Article 69. The Jokari Kenes of the Republic of Karakalpakstan shall consist of 65 deputies, elected by territorial constituencies on a multiparty basis for a term of five years.

All citizens of the Republic of Uzbekistan who have reached the age of 25 by election day, shall be eligible for election to the Jokari Kenes of the Republic of Karakalpakstan.

Requirements to candidates for the deputies shall be determined by the law.

Article 70. The exclusive powers of the Jokari Kenes of the Republic of Karakalpakstan shall include:

- 1) adoption and amending of the Constitution of the Republic of Karakalpakstan;
- 2) adoption and amending of laws of the Republic of Karakalpakstan, introduction of amendments, interpretation of laws of the Republic of Karakalpakstan;
- 3) adoption of state strategic programs on economic and social development;
- 4) election of the Chairman and Vice-Chairman of the Jokari Kenes of the Republic of Karakalpakstan;
- 5) formation of the Presidium of the Jokari Kenes of the Republic of Karakalpakstan;
- 6) appointment and removal of the Chairman of the Council of Ministers upon the nomination of the Chairman of the Jokari Kenes of the Republic of Karakalpakstan in concordance with the President of the Republic of Uzbekistan;

- 7) appointment and removal of the Vice-Chairmen of the Council of Ministers of the Republic of Karakalpakstan and members of the Council of Ministers of the Republic of Karakalpakstan, formation and annulment of ministries, state committees and other bodies of state authority of the Republic of Karakalpakstan;
- 8) election of the Constitutional Supervision Committee of the Republic of Karakalpakstan, the Supreme Court of the Republic of Karakalpakstan, the Economic Court of the Republic of Karakalpakstan;
- 9) appointment and removal of the judges of the city and district courts;
- 10) appointment and removal of the Procurator of the Republic of Karakalpakstan upon the nomination of the Pre-sidium of the Jokari Kenes of the Republic of Karakalpakstan in concordance with the Procurator-General of the Republic of Uzbekistan;
- 11) appointment and dismissal of the Chairman of the State Committee for the Protection of Nature of the Republic of Karakalpakstan;
- 12) suspension and cancellation of resolutions issued by local Councils of People's Deputies;
- 13) legislative regulation of problems of the administrative and territorial structure;
- 14) determination of the system and powers of the republican and local bodies of state authority;
- 15) approval of the State budget of the Republic of Karakalpakstan handed by the Council of Ministers of the Republic of Karakalpakstan and control over its execution;
- 16) institution of state awards and honorary titles of the Republic of Karakalpakstan;
- 17) scheduling elections to the Jokari Kenes of the Republic of Karakalpakstan and local representative bodies; formation of the Central Election Committee;
- 18) introduction of proposals to the Constitutional Court of the Republic of Uzbekistan about constitutionality of acts issued by highest bodies of state authority and administration of the Republic of Uzbekistan;
- 19) execution of parliament control and other powers defined by the present Constitution.

Article 71. Activity procedure of the Jokari Kenes of the Republic of Karakalpakstan shall be realized in a prescribed manner according to the Constitution and Regulations of the Jokari Kenes of the Republic of Karakalpakstan.

Article 72. A session of the Jokari Kenes of the Republic of Karakalpakstan shall be legally qualified if it is attended by at least 2/3 of the total number of the deputies.

Article 73. The Chairman and Vice-Chairmen of the Council of Ministers of the Republic of Karakalpakstan, the ministers, the Chairmen of the State Committees, the leaders of other bodies of state administration, the Chairman of the Constitutional Supervision Committee, the Chairman of the Supreme Court, the Chairman of the Economic Court, the Procurator of the Republic of Karakalpakstan shall have the right to attend the sessions of the Jokari Kenes of the Republic of Karakalpakstan.

Article 74. Upon completion of its term, the Jokari Kenes of the Republic of Karakalpakstan shall retain its powers until the newly-elected Jokari Kenes of the Republic of Karakalpakstan is convened.

The first session of the newly-elected Jokari Kenes of the Republic of Karakalpakstan shall be convened by the Central Electoral Committee within two months after elections.

Article 75. The right to initiate legislation in the Jokari Kenes of the Republic of Karakalpakstan shall be vested in the deputies of the Jokari Kenes of the Republic of Karakalpakstan, the Council of Ministers of the Republic of Karakalpakstan, the Constitutional Supervision Committee, the Supreme Court, the Economic Court, the Procurator of the Republic of Karakalpakstan.

Article 76. The Jokari Kenes of the Republic of Karakalpakstan shall pass laws, decisions and other acts. Any law shall be adopted when it is passed by a majority of the total voting power of the deputies of the Jokari Kenes of the Republic of Karakalpakstan.

Promulgation of laws and other normative acts shall be a compulsory condition for their enforcement.

Article 77. The Jokari Kenes of the Republic of Karakalpakstan shall form committees and commissions by the number of the deputies in order to prepare bills, conduct preliminary review of matters to be submitted to the Jokari Kenes of the Republic of Karakalpakstan and control the execution of laws and other decisions passed by the Jokari Kenes of the Republic of Karakalpakstan.

The Jokari Kenes of the Republic of Karakalpakstan, in the event of necessity, shall form deputies', auditing and other commissions which shall function on a permanent or



temporary basis.

Powers and activity procedure of the committees and commissions of the Jokari Kenes of the Republic of Kara-kalpakstan shall be determined by the law.

Article 78. The expenses of the deputies connected with their work for the Jokari Kenes of the Republic of Karakal-pakistan shall be reimbursed in a prescribed manner. The deputies working for the Jokari Kenes of the Republic of Ka-rakalpakstan on a permanent basis may neither hold any other paid posts nor be engaged in commercial activity du-ring their term of office.

Article 79. The deputy of the Jokari Kenes of the Repub-lic of Karakalpakstan shall have the right of immunity. They may not be prosecuted, arrested or incur a court-imposed administrative penalty without the sanction of the Jokari Ke-nes of the Republic of Karakalpakstan.

## **Chapter XVIII**

### **THE CHAIRMAN OF THE JOKARI KENES OF THE REPUBLIC OF KARAKALPAKSTAN**

Article 80. The Chairman of the Jokari Kenes of the Re-public of Karakalpakstan is the head of the Republic of Karakalpakstan and the highest official of the Repub-lic of Karakalpakstan.

The Chairman of the Jokari Kenes of the Republic of Karakalpakstan shall be elected by Jokari Kenes of the Republic of Karakalpakstan with the concurrence of the President of the Republic of Uzbekistan from deputies of the Jokari Kenes of the Republic of Karakalpakstan by secret ballot for a term of power of the Jokari Kenes of the Republic of Ka-rakalpakstan.

Article 81. The Chairman of the Jokari Kenes of the Re-public of Karakalpakstan shall:

- 1) ensure interaction between the highest bodies of legis-lative and executive authorities of the Republic of Karakal-pakistan;
- 2) present to the Jokari Kenes of the Republic of Kara-kalpakstan reports on the domestic situation and other prob-blems;

- 3) organize the enforcement of laws and other decisions passed by the Oliy Majlis of the Republic of Uzbekistan, decrees and other acts of the President of the Republic of Uzbekistan, organize the control over the execution of laws and the decisions of the Jokari Kenes of the Republic of Karakalpakstan;
- 4) propose for election to the Jokari Kenes of the Republic of Karakalpakstan the candidates for the posts of the Vice-Chairman of the Jokari Kenes, the chairmen of the committees and commissions of the Jokari Kenes of the Republic of Karakalpakstan;
- 5) in concordance with the President of the Republic of Uzbekistan, propose for election to the Jokari Kenes of the Republic of Karakalpakstan the candidate for the post of the Chairman of the Council of Ministers of the Republic of Karakalpakstan;
- 6) appoint and dismiss khakims (heads of administrations) of districts and cities with subsequent confirmation by relevant Councils of Peoples Deputies;
- 7) in concordance with the Presidium of the Jokari Kenes, propose to the Jokari Kenes of the Republic of Karakalpakstan the candidates for election to the post of the Chairman of the Constitutional Supervision Committee and its members;
- 8) in concordance with the President of the Republic of Uzbekistan propose to the Jokari Kenes of the Republic of Karakalpakstan candidates for election to the posts of the Chairman and judges of Supreme Court on civil cases of the Republic of Karakalpakstan, the Chairman and judges of Supreme Court on criminal cases of the Republic of Karakalpakstan, the Chairman and judges of the Economic Court of the Jokari Kenes of the Republic of Karakalpakstan and also the district or city judges;
- 9) in concordance with the Presidium of the Jokari Kenes, propose to the Jokari Kenes of the Republic of Karakalpakstan the candidates for election to the post of the Chairman of the State Committee for the Protection of Nature of the Republic of Karakalpakstan;
- 10) conduct preliminary review of matters to be submitted to the Jokari Kenes of the Republic of Karakalpakstan; convene the session of the Jokari Kenes; form proposals together with the chairmen of committees and commissions to its agenda;

11) organize the work of the Jokari Kenes of the Republic of Karakalpakstan and its Presidium; conduct the sessions; sign laws of the Republic of Karakalpakstan and other acts adopted by the Jokari Kenes of the Republic of Karakalpakstan and its Presidium; direct and co-ordinate the committees and commissions of the Jokari Kenes of the Republic of Karakalpakstan;

12) recommend to state awards and honorary titles of the Republic of Karakalpakstan;

13) intercede for citizens convicted by courts;

14) organize nation-wide discussion of bills and other main questions belonging to the state life;

15) realize other powers prescribed by the present legislation.

The Chairman of the Jokari Kenes of the Republic of Karakalpakstan shall have the right to put questions within his competence before the Presidium of the Jokari Kenes of the Republic of Karakalpakstan.

Article 82. The Chairman of the Jokari Kenes of the Republic of Karakalpakstan shall issue enactments on questions within his competence.

Article 83. In cases of deterioration of the Constitution and laws by the Chairman of the Jokari Kenes of the Republic of Karakalpakstan, he may be recalled before completion of his term of office by the decision of the Jokari Kenes of the Republic of Karakalpakstan approved by more than 2/3 of the deputies of it. This procedure shall be initiated by 1/3 of the deputies of the Jokari Kenes of the Republic of Karakalpakstan considering the conclusion of the Constitutional Supervision Committee of the Republic of Karakalpakstan.

The Chairman of the Jokari Kenes of the Republic of Karakalpakstan may lay down his power by his personal application and also if he for reasons of health, confirmed by the certificate of State Medical Commission formed by the Jokari Kenes of the Republic of Karakalpakstan, fails to perform his duties. The decision of resignation of the Chairman of the Jokari Kenes of the Republic of Karakalpakstan shall be adopted by a majority of votes of all deputies of the Jokari Kenes of the Republic of Karakalpakstan.

In this case the election of new Chairman of the Jokari Kenes of the Republic of Karakalpakstan shall be held within ten days.

## **Chapter XIX**

### **THE PRESIDIUM OF THE JOKARI KENES OF THE REPUBLIC OF KARAKALPAKSTAN**

Article 84. The Presidium of the Jokari Kenes of the Re-public of Karakalpakstan shall be formed in order to orga-nize the work of the Jokari Kenes of the Republic of Kara-kalpakstan and carry out other powers.

The Presidium of the Jokari Kenes of the Republic of Ka-rakalpakstan shall consist of the Chairman and Vice-Chaiman of the Jokari Kenes, chairmen of committees and commissions of the Jokari Kenes, leaders of party groups in the Jokari Ke-nes of the Republic of Karakalpakstan.

Article 85. The Presidium of the Jokari Kenes of the Re-public of Karakalpakstan shall:

- 1) review suggestions on agenda and work procedure of the session of the Jokari Kenes;
- 2) hear the reports of committees and commissions of the Jokari Kenes about carried out works and informations about fulfillments of laws of the Republic of Karakalpakstan and decisions of the Jokari Kenes;
- 3) organize the planning of bill works;
- 4) conduct preliminary review of bills and other documents after the proposal of the Chairman of the Jokari Kenes.
- 5) analyze the proposals and notes of the deputies in the session of the Jokari Kenes and accept relevant decisions on them;
- 6) reward with state awards and honorary titles of the Republic of Karakalpakstan;

7) within periods of sessions of the Jokari Kenes of the Republic of Karakalpakstan, after the nomination of the Chairman of the Council of Ministers of the Republic of Karakalpakstan, appoint and dismiss the Vice-Chairmen of the Council of Ministers of the Republic of Karakalpakstan and members of the Council of Ministers of the Republic of Karakalpakstan; set up and dissolve ministries, state committees and other bodies of state administration of the Republic of Karakalpakstan; perform the decision about these matters with subsequent confirmation by the Jokari Kenes of the Republic of Karakalpakstan;

8) propose to the Jokari Kenes of the Republic of Karakalpakstan, in concordance with the Procurator-General of the Republic of Uzbekistan, a candidate for election to the post of the Procurator of the Republic of Karakalpakstan;

9) in the period of sessions give its consent to institute proceedings against the deputy of the Jokari Kenes in case and procedure established by the law and also annul the labour contract by the initiative of the employer;

10) consider other matters about work of the Jokari Kenes and effective exercising of powers by deputies.

The Presidium of the Jokari Kenes of the Republic of Karakalpakstan within its competence shall issue enactments to be published in a prescribed manner.

## **Chapter XX**

### **THE COUNCIL OF MINISTERS OF THE REPUBLIC OF KARAKALPAKSTAN**

Article 86. The Council of Ministers of the Republic of Karakalpakstan — the Government of the Republic of Karakalpakstan — is the highest executive and administrative body of state authority of the Republic of Karakalpakstan.

Article 87. The Council of Ministers of the Republic of Karakalpakstan shall be formed by the Jokari Kenes of the Republic of Karakalpakstan.

The Council of Ministers of the Republic of Karakalpakstan shall provide guidance for the economic, social and cultural development. It should also be responsible for the execution of laws of the Republic of Uzbekistan and other decisions of the Oliy Majlis of the Republic of Uzbekistan as well as of the decrees, ordinances and other enactments issued by the President of the Republic of Uzbekistan, the decrees and enactments of the Cabinet of Ministers of the Republic of Uzbekistan, laws of the Republic of

Karakal-pakistan and other decisions of the Jokari Kenes of the Re-public of Karakalpakstan, the enactments of the Presidium of the Jokari Kenes of the Republic of Karakalpakstan.

The Council of Ministers of the Republic of Karakal-pakistan shall suspend, decline acts of bodies of state admi-nistration as well as of the khakims of the districts and cities of the Republic of Karakalpakstan.

Article 88. The Council of Ministers of the Republic of Karakalpakstan shall be headed by the Chairman appointed by the Jokari Kenes of the Republic of Karakalpakstan. He shall be nominated by the Chairman of the Jokari Kenes in concordance with the President of the Republic of Uzbe-kistan.

The Chairman of the Council of Ministers of the Republic of Karakalpakstan according to his post shall be a member of the Cabinet of Ministers of the Republic of Uzbekistan.

The Chairman of the Council of Ministers of the Repub-lic of Karakalpakstan shall:

- 1) provide guidance for the activity procedure of the Go-vernment and take all measures for effective exercising of its powers;
- 2) nominate to the Jokari Kenes of the Republic of Ka-rakalpakstan, as for the period between sessions — to the Presidium of the Jokari Kenes of the Republic of Karakal-pakistan the candidates to be appointed to and relieved of the post of Vice-Chairmen of the Council of Ministers of the Republic of Karakalpakstan and members of the Council of Ministers of the Republic of Karakalpakstan;
- 3) distribute duties among the Vice-Chairmen with con-secutive confirmation of them in the Presidium of the Coun-cil of Ministers;
- 4) make to the Jokari Kenes of the Republic of Karakal-pakistan, as for the period between sessions — to the Presi-dium of the Jokari Kenes of the Republic of Karakalpakstan proposals about formation and abolition of ministries, state committees and other bodies of state administration of the Republic of Karakalpakstan;
- 5) nominate to the Chairman of the Jokari Kenes of the Republic of Karakalpakstan the candidates to be appointed to and dismissed of the post of khakims of the districts and cities and their deputies;
- 6) preside on the sessions of the Council of Ministers and its Presidium;

7) ensure collegiate work of the Council of Ministers;

8) make a decision on some questions of state and economic administration not obligatory to be considered on the session of the Council of Ministers and its Presidium;

9) render other powers within his competence prescribed by the law.

Article 89. The Council of Ministers of the Republic of Karakalpakstan shall be responsible and accountable to the Jokari Kenes of the Republic of Karakalpakstan.

The Council of Ministers of the Republic of Karakalpakstan at least once a year shall render an account about its work before the Jokari Kenes of the Republic of Karakalpakstan.

The Council of Ministers of the Republic of Karakalpakstan shall render its resignation to the newly-elected Jokari Kenes of the Republic of Karakalpakstan.

Article 90. The Council of Ministers of the Republic of Karakalpakstan according to and for execution of laws of the Republic of Uzbekistan and other decisions of the Oliy Majlis of the Republic of Uzbekistan, decrees, enactments and ordinances of the President of the Republic of Uzbekistan, enactments and ordinances of the Cabinet of Ministers of the Republic of Uzbekistan, laws of the Republic of Karakalpakstan and other decisions of the Jokari Kenes of the Republic of Karakalpakstan, enactments of the Presidium of the Jokari Kenes of the Republic of Karakalpakstan shall issue enactments and ordinances obligatory to be binding on all territory of the Republic of Karakalpakstan.

Article 91. Competence of the Council of Ministers of the Republic of Karakalpakstan, its procedure, relations of the Council of Ministers of the Republic of Karakalpakstan to other state bodies of the Republic of Karakalpakstan shall be defined by the law of the Republic of Karakalpakstan.

## **Chapter XXI**

### **FUNDAMENTAL PRINCIPLES OF LOCAL BODIES OF STATE AUTHORITY**

Article 92. The Councils of People's Deputies led by khakims shall be the representative bodies of authority in districts and cities (except in cities subordinate to district centres). They shall act upon all matters within their competence in accordance with the interests of the state and citizens.

Article 93. The local authorities shall:

- ensure the observance of laws, maintain law and order and ensure security of citizens;
- direct the economic, social and cultural development within their territories;
- form and implement the local budget, determine the local taxes and fees and form non-budget funds;
- direct the municipal economy;
- protect the environment;
- ensure the registration of civil status acts;
- pass normative acts and exercise other powers in conformity with the Constitution and the legislation of the Republic of Karakalpakstan.

Article 94. The local authorities shall enforce laws of the Republic of Uzbekistan and other decisions of the Oliy Majlis of the Republic of Uzbekistan, decrees, enactments and ordinances of the President of the Republic of Uzbekistan, enactments and ordinances of the Cabinet of the Ministers of the Republic of Uzbekistan, laws of the Republic of Karakalpakstan and other decisions of the Jokari Kenes of the Republic of Karakalpakstan, enactments of the Presidium of the Jokari Kenes of the Republic of Karakalpakstan, enactments and ordinances of the Council of Ministers of the Republic of Karakalpakstan and shall participate in the discussion on republican and local matters.

The decisions of the higher bodies about matters within their competencies shall be binding on the subordinate bodies.

The term of office of the Council of People's Deputies and khakims is five years.

Article 95. The khakims of districts and cities shall serve as heads of both representative and executive authorities in their respective territories.



Article 96. The khakims of the districts and cities and their deputies shall be appointed and dismissed upon the nomination of the Chair-man of the Council of Ministers of the Republic of Karakalpakstan by the Chairman of the Jokari Kenes of the Re-public of Karakalpakstan with subsequent confirmation by the appropriate Council of People's Deputies. Khakims of cities subordinate to district centres shall be appointed or dismissed by khakim of the region with subsequent confirmation by the regional Council of Peoples Deputies.

Article 97. The khakim of the district and city shall exer-cise his powers in accordance with the principle of one-man-management and shall bear personal responsibility for the decisions and the work of the bodies he leads.

The khakim of the region and district propose a report on important questions of social-economic development of region, district to the appropriate Council of People's Deputies, and by Council of People's Deputies are made appropriate decisions.

Organization of the work and the powers of khakims and local Councils of People's Deputies as well as procedure of elections to local Councils of People's Deputies shall be specified by the law.

Article 98. The khakim shall make decisions within his vested powers which are binding on all enterprises, institu-tions, organi-zations, associations, officials and citizens in the rele-vant territory.

Article 99. Residents of settlements, auls (villages) as well as of makan-keneses, makhallyas (residential neighbour-hoods) of cities shall decide all local matters at general mee-tings. These local governing bodies shall elect the aksakal (the Chairman) and his advisers for a term of 2,5 years.

The procedure for elections, organization of the work and the powers of self-governing bodies shall be specified by the law.

## **Chapter XXII**

### **JUDICIAL AUTHORITY OF THE REPUBLIC OF KARAKALPAKSTAN**

Article 100. The judicial authority in the Republic of Karakalpakstan shall function independently from the legislative and executive branches, political parties and public organizations.

Article 101. The judicial system in the Republic of Karakalpakstan shall consist of the Supreme Court of the Republic of Karakalpakstan on Civil Affairs, the Supreme Court of the Republic of Karakalpakstan on Criminal Affairs, the Economic Court of the Republic of Karakalpakstan, interdistrict, district and city courts. These courts shall be elected for a term of five years.

Organization and procedure for the operation of the courts shall be specified by the law.

Formation of extraordinary court shall be inadmissible.

Article 102. The Supreme Court of the Republic of Karakalpakstan on Civil Affairs shall be the highest judicial body of civil legal procedure. It shall have the right to supervise the interdistrict courts.

Article 103. The Supreme Court of the Republic of Karakalpakstan on Criminal Affairs shall be the highest judicial body of criminal and administrative legal procedure. It shall have the right to supervise the district and city courts on criminal affairs.

Article 104. Any economic and management disputes that may arise between entrepreneurs, enterprises, institutions and organizations based on different forms of ownership, shall be settled by the Economic Court of the Republic of Karakalpakstan within its competence.

Article 105. Judges shall be independent and subject solely to the law. Any interference in the work of judges during administering the law shall be inadmissible and punishable by the law.

The immunity of judges shall be guaranteed by the law.

Judges may not be senators, deputies of the representative bodies.

Judges may not belong to any political parties, movements or hold any other paid posts except scientific and pedagogical works.

Before the completion of his term of office, a judge may be removed from his post only on grounds specified by the law.

Article 106. Legal proceedings in all courts shall be open to the public. Hearings in closed session shall be allowed only in cases prescribed by the law.

Article 107. All court verdicts shall be binding on state bodies, public associations, enterprises, institutions, organizations, officials and citizens.

Article 108. All legal proceedings in the Republic of Karakalpakstan shall be conducted in Karakalpak, Uzbek or in the language spoken by the majority of the people in the locality. Any person, participating in court proceedings who doesn't know the language in which they are being conducted, shall have the right to be fully acquainted with the materials of the case, to have the services of an interpreter during the proceedings and to address the court in his native language.

Article 109. Any defendant shall have the right to defence.

The right to legal assistance shall be guaranteed at any stage of the investigation and judicial proceedings. Legal assistance to citizens, enterprises, institutions and organizations shall be given by the College of Barristers. Organizations and procedure of the College of Barristers shall be specified by the law.

## **Chapter XXIII**

### **ELECTORAL SYSTEM**

Article 110. All citizens of the Republic of Karakalpakstan shall have the right to vote and be elected. Every citizen shall have only one vote. The right to vote, equality and expression of free will are guaranteed by the law.

Elections to Jokari Kenes of the Republic of Karakalpakstan, representative bodies of city state of regions, districts shall be elected after completion of their constitutional representative term — on the third decade of December, on Sunday. The elections shall be held on the basis of universal, equal and direct suffrage by secret ballot. All citizens of the Republic of Karakalpakstan under the age of 18 shall be eligible to vote.

Citizens who have been legally certified as insane as well as persons in prison may neither vote nor be eligible for election. Any other direct or indirect infringement on the citizen's voting rights shall be inadmissible.

A citizen of the Republic of Karakalpakstan may not si-multaneously be elected to more than two representative bodies.

The electoral procedure shall be specified by the law.

For the organization and elections to Jokari Kenes of the Republic of Karakalpakstan and referendum of the Republic of Karakalpakstan the central election committee of the Republic of Karakalpakstan is formed by Jokari Kenes, where the fundamental principles of activity are independence, legality, collective nature, publicity and justice.

The central election committee of the Republic of Karakalpakstan carries out the activity on a constant basis and is guided by the Constitution of the Republic of Karakalpakstan, laws on elections and a referendum of the Republic of Karakalpakstan and other acts.

Members of the central election committee of the Republic of Karakalpakstan are elected by Jokari Kenes of the Republic of Karakalpakstan under the recommendation of regional and district Council of People's Deputies.

The chairman of the central election committee of the Republic of the Karakalpakstan is elected from among its members on representation of Chairman of Jokari Kenes of the Republic of Karakalpakstan at commission session.

## **Chapter XXIV**

### **THE CONSTITUTIONAL SUPERVISION**

Article 111. The Constitutional supervision in the Republic of Karakalpakstan shall be exercised by the Constitutional Supervision Committee of the Republic of Karakalpakstan.

The Constitutional Supervision Committee of the Republic of Karakalpakstan shall be elected from political and legal scholars and shall consist of the Chairman, the Vice-Chairman and members of the Committee. The term of office of elected persons to the Constitutional Supervision Committee of the Republic of Karakalpakstan is five years.

The Chairman and the Vice-Chairman and members of the Constitutional Supervision Committee of the Republic of Karakalpakstan shall have no right to serve simultaneously as a deputy.

The persons elected to the Constitutional Supervision Committee of the Republic of Karakalpakstan shall have no rights to be members of the bodies which acts supervised by the Committee.

The persons elected to the Constitutional Supervision Committee of the Republic of Karakalpakstan shall be independent in their work and subject solely to the Constitution of the Republic of Karakalpakstan.

Article 112. The Constitutional Supervision Committee shall:

- 1) on the instruction of the Jokari Kenes of the Republic of Karakalpakstan judge the constitutionality of the bills of the Republic of Karakalpakstan and other acts passed to the Jokari Kenes of the Republic of Karakalpakstan to be considered;
- 2) by deputies' 1/5 voting power and the proposals of the Chairman of the Jokari Kenes of the Republic of Karakalpakstan pass to the Jokari Kenes of the Republic of Karakalpakstan its conclusion about constitutionality of laws of the Republic of Karakalpakstan and other enactments adopted by the Jokari Kenes of the Republic of Karakalpakstan;
- 3) on the instruction of the Jokari Kenes of the Republic of Karakalpakstan pass the conclusion about constitutionality and correspondence to laws of the Republic of Karakalpakstan of enactments of the Presidium and ordinances of the Chairman of the Jokari Kenes of the Republic of Karakalpakstan;
- 4) on the instruction of the Jokari Kenes of the Republic of Karakalpakstan, by the proposal of the Chairman of the Jokari Kenes of the Republic of Karakalpakstan and by deputies' 1/5 voting power pass to the Jokari Kenes of the Republic of Karakalpakstan its conclusion about constitutionality and correspondence to laws of the Republic of Karakalpakstan of enactments and ordinances of the Council of Ministers of the Republic of Karakalpakstan.

The Constitutional Supervision Committee of the Republic of Karakalpakstan also on its initiative shall have the right to pass its conclusion about constitutionality and correspondence to laws of the Republic of Karakalpakstan of enactments issued by the highest bodies of state authority and administration of the Republic of Karakalpakstan.

The conclusion of the Committee may be declined solely by the decision of the Jokari Kenes of the Republic of Karakalpakstan confirmed by a majority of 2/3 of its total voting power.

Organization and procedure of the Constitutional Supervision Committee of the Republic of Karakalpakstan shall be specified by the Law on the Constitutional Supervision Committee of the Republic of Karakalpakstan.

## **Chapter XXV**

### **PROCURATOR'S OFFICE**

Article 113. The Procurator of the Republic of Karakalpakstan and procurators subordinate to him shall supervise the strict and uniform observance of laws in the territory of the Republic of Karakalpakstan.

Article 114. The Procurator of the Republic of Karakalpakstan shall be appointed and relieved of his post by the Jokari Kenes of the Republic of Karakalpakstan and subject to confirmation by the Procurator-General of the Republic of Uzbekistan.

Upon the nomination of Procurator of the Republic of Karakalpakstan the procurators of districts and cities shall be appointed and dismissed by the Procurator-General of the Republic of Uzbekistan.

The term of office shall be 5 years for the Procurator of the Republic of Karakalpakstan and procurators of districts and cities.

Article 115. The agencies of the Procurator's Office of the Republic of Karakalpakstan shall exercise their powers independently of any state bodies, public associations and officials and shall be subject solely to the law.

While in office procurators shall suspend their membership in political parties and any other public associations pursuing political goals.

Organization, powers and procedure for the agencies of the Procurator's Office shall be specified by the law.

Article 116. On the territory of the Republic of Karakalpakstan it shall be prohibited to set up and run any private, cooperative or other non-governmental agencies or their branches, independently conducting any operational work, investigations, inquires or any other functions connected with combatting crime.

The law-enforcement agencies may enlist the assistance of public associations and citizens to safeguard law and order as well as the rights and freedoms of citizens.

## **Chapter XXVI**

### **FINANCE AND BUDGET**

Article 117. The state budget of the Republic of Karakalpakstan shall consist of the republican and local budgets.

Article 118. Differentiation of incomes and expenses of the state budget of the Republic of Karakalpakstan between republican and local budgets shall be defined by legislation of the Republic of Karakalpakstan.

## **part six**

### **PROCEDURE FOR AMENDING THE CONSTITUTION**

Article 119. The Constitution of the Republic of Karakalpakstan shall be amended by laws, passed by at least 2/3 of the deputies of the Jokari Kenes of the Republic of Karakalpakstan or by the referendum of the Republic of Karakalpakstan.

Article 120. The Jokari Kenes of the Republic of Karakalpakstan may pass a law altering or amending the Constitution within six months of submission of the relevant proposal. Should the Jokari Kenes of the Republic of Karakalpakstan decline the amendment into the Constitution, a repeated proposal may not be submitted for one year.