

CONSTITUTION of CZECHOSLOVAKIA¹

July 11, 1960

DECLARATION

I. We, the working people of Czechoslovakia, solemnly declare:

The social order for which whole generations of our workers and other working people fought, and which they have had before them as an example since the victory of the Great October Socialist Revolution, has become a reality in our country, too, under the leadership of the Communist Party of Czechoslovakia.

Socialism has triumphed in our country!

We have entered a new stage in our history, and we are determined to go forward to new and still higher goals. While completing the socialist construction of our country, we are proceeding towards the construction of an advanced socialist society and gathering strength for the transition to communism.

We shall continue along this road hand in hand with our great ally, the fraternal Union of Soviet Socialist Republics, and all the other friendly countries of the world socialist system, of which our Republic is a firm part.

We desire to live in peace and friendship with all nations of the world and contribute to peaceful co-existence and to good relations among countries with different social systems. Through a consistently peaceful policy and through the comprehensive development of our country we shall help to convince all nations of the advantages of socialism, which alone can bring well-being for all mankind.

II. Fifteen years ago, in 1945, our working people, following their liberation by the heroic Soviet Army from the yoke of fascist occupation, decided in the light of their experience with a bourgeois republic to build up their newly-liberated country as a people's democracy whose objective

¹ *Constitution of the Czechoslovak Socialist Republic*, third edition, published in English by Orbis, Prague, 1964. Supplied by the Ministry of Foreign Affairs in April 1966. Ed.

would be to ensure peaceful development towards socialism. The Communist Party of Czechoslovakia, the proved vanguard of the working class, steeled in struggle under the bourgeois Republic and during the occupation, took its stand at the head of the Republic. The last major attempt of international and domestic reaction to reverse this development was defeated by the determined action of the working people in February, 1948.

Thus our working people first freed themselves from the shackles of foreign rule and then from capitalist exploitation and became masters of their country. In the last fifteen years they have, by their work and purposeful efforts, achieved successes in all fields of human endeavor which would be inconceivable under capitalism. The advantages of the socialist system have been demonstrated clearly and convincingly in this country, too.

The face of our country has undergone a fundamental transformation. Our economy is expanding as never before. Production is increasing from year to year and the living standard of all working people is constantly rising. There are no longer any exploiting classes, exploitation of man by man has been eliminated forever. There are no longer economic crises or unemployment. Education and culture are becoming the common property of all the working people.

The two nations, Czechs and Slovaks, which created the Czechoslovak Republic, live in fraternal harmony. By building socialism together they have made it possible for Slovakia rapidly to overcome its former backwardness and achieve an advanced level of industry and agriculture.

The Czechoslovak State, into which the working people led by the working class organized itself, has become a people's organization in the truest sense of the word—a socialist State.

In our country all the main tasks of the transition from capitalist to socialist society have already been solved. Emancipated human labor has become the basic factor throughout our society. It is now not only a duty but a matter of honor for every citizen. We are already practising the socialist principle:

“From each according to his ability,
to each according to his work.”

People's democracy, as a way to socialism, has fully proved its worth; it has led us to the victory of socialism.

III. All our efforts are now directed at creating the material and moral conditions for the transition of our society to communism.

While developing socialist statehood we shall perfect our socialist democracy by increasing the direct participation of the working people in the administration of the State and in the management of the economy, con-

solidating the political and moral unity of our society, safeguarding the defence of our country, cherishing the revolutionary achievements of the people and providing conditions for the development of all their creative abilities.

At a later stage, in which work becomes the primary necessity of life, it is our intention to expand the forces of production and multiply the wealth of society to such a degree that it will be possible to provide for all the growing requirements of society and for the full development of each of its members. It will then be possible to proceed to the realization of the highest principle of distribution—the principle of communism:

“From each according to his ability,
to each according to his needs.”

In order to consolidate the results achieved by the struggle and labor of our people, and at the same time to show our unbreakable will to advance to still higher objectives, we enact this day the following socialist Constitution of our Republic.

CHAPTER ONE

THE SOCIAL ORDER

Art. 1. (1) The Czechoslovak Socialist Republic is a socialist State founded on the firm alliance of the workers, farmers and intelligentsia, with the working class at its head.

(2) The Czechoslovak Socialist Republic is a unitary State of two fraternal nations possessing equal rights, the Czechs and the Slovaks.

(3) The Czechoslovak Socialist Republic is part of the world socialist system; it works for friendly relations with all nations and to ensure lasting peace throughout the world.

Art. 2. (1) All power in the Czechoslovak Socialist Republic shall belong to the working people.

(2) The working people shall exercise state power through representative bodies which are elected by them, controlled by them, and accountable to them.

(3) Representative bodies of the working people in the Czechoslovak Socialist Republic shall be: the National Assembly, the Slovak National Council, and national committees. The authority of other state organs shall be derived from them.

(4) Representative bodies and all other state organs shall rely in their activity on the initiative and direct participation of the working people and their organizations.

Art. 3. (1) The right to elect all representative bodies shall be universal, equal, direct and by secret ballot. Every citizen shall have the right to vote

on reaching the age of 18. Every citizen shall be eligible for election on reaching the age of 21.

(2) Members of representative bodies, deputies, shall maintain constant contact with their constituents, shall heed their suggestions, shall be accountable to them for their activity, and shall report to them on the activity of the body of which they are members.

(3) A member of any representative body may be recalled by his constituents at any time.

Art. 4. The guiding force in society and in the State is the vanguard of the working class, the Communist Party of Czechoslovakia, a voluntary militant alliance of the most active and most politically conscious citizens from the ranks of the workers, farmers and intelligentsia.

Art. 5. For the development of joint activities, for full and active participation in the life of society and the State, and to ensure the exercise of their rights, the working people form voluntary associations, particularly the Revolutionary Trade Union Movement, co-operative, youth, cultural, physical training and other organizations; some of the duties of the state organs shall gradually be transferred to these organizations of the people.

Art. 6. The National Front of Czechs and Slovaks, in which the people's organizations are associated, is the political expression of the alliance of the working people of town and country, led by the Communist Party of Czechoslovakia.

Art. 7. (1) The economic foundation of the Czechoslovak Socialist Republic shall be the socialist economic system, which excludes every form of exploitation of man by man.

(2) The socialist economic system, in which the means of production are socially owned and the entire national economy directed by plan, ensures, with the active co-operation of all citizens, a tremendous development of production and a continuous rise in the living standard of the working people.

(3) Labor in a socialist society is always labor for the benefit of the community, and at the same time for the benefit of the worker himself.

Art. 8. (1) Socialist ownership has two basic forms: state ownership, which is ownership by the people as a whole (national property), and co-operative ownership (property of people's co-operatives).

(2) National property is particularly: the mineral wealth and basic sources of power; the main areas of forests, rivers, natural therapeutic sources; means of industrial production, public transport and communications; banks and insurance institutions; broadcasting, television and motion picture enterprises, and the most important social institutions, such as health facilities, schools and scientific institutes.

(3) Land joined for the purpose of joint co-operative cultivation shall be in the joint use of unified agricultural co-operatives.

Art. 9. Within the limits of the socialist economic system small private

enterprises, based on the labor of the owner himself and excluding exploitation of another's labor power, shall be permitted.

Art. 10. (1) The citizen's personal ownership of consumer goods, particularly articles of personal and domestic use, family houses, as well as savings derived from labor, shall be inviolable.

(2) Inheritance of such personal property shall be guaranteed.

Art. 11. (1) The State shall establish economic organizations, particularly national enterprises, which shall, as independent legal persons, be entrusted with the administration of part of the national property.

(2) Unified agricultural co-operatives shall be voluntary associations of working farmers for joint socialist agricultural production. The State shall support their development in every way and shall effectively assist co-operative farmers to advance large-scale socialist agricultural production, making use of modern science and technology. The State shall support the development of other people's co-operatives in accordance with the interests of society.

(3) All economic activity of state and other socialist economic organizations is carried out in mutual harmony and directed according to the principle of democratic centralism. At the same time, the participation and enterprise of the working people and their organizations, particularly the Revolutionary Trade Union Movement, shall be exercised in full measure and systematically at all levels of management.

Art. 12. (1) The entire national economy shall be directed by the state plan for the development of the national economy, which shall be drawn up and implemented with the widest active participation of the working people.

(2) The plan for the development of the national economy and culture, usually worked out for a period of five years, shall be promulgated as law and shall be binding for that period as the basis of all planning activity by state organs and economic organizations.

(3) A state budget shall be drawn up each year in conformity with the state plan for the development of the national economy, and promulgated as law.

Art. 13. (1) Every organization and every citizen who is allotted any task connected with the fulfilment of the state plan for the development of the national economy shall exert every effort and show the utmost initiative to carry out this task with the maximum success.

(2) All economic organizations shall systematically create the material, technological and organizational conditions for their activity, in accordance with the long-term plans for the development of the national economy, in such a way that their planned tasks may be fulfilled.

Art. 14. (1) The State shall direct its entire policy, and particularly its economic policy, so that the all-round development of production on the basis of the continuous advance of science and technology and increasing

labor productivity shall secure the full development of socialist society and create the conditions for the gradual transition to communism. Particular attention shall be paid to eliminating the substantial differences between physical and mental labor and between town and country.

(2) The realization of these aims is made possible by fraternal co-operation between the Czechoslovak Socialist Republic and the Union of Soviet Socialist Republics and the other countries of the world socialist system. The Czechoslovak Socialist Republic shall systematically develop and strengthen this co-operation, which is based on mutual assistance and the international socialist division of labor.

Art. 15. (1) The State shall carry out an economic, health, social and cultural policy enabling the physical and mental capabilities of all the people to develop continuously together with the growth of production, the rise in the living standard, and the gradual reduction of working hours.

(2) The State shall make provision for the conservation of nature and the preservation of the beauties of the country so as to create an increasingly rich source of benefit to the people and suitable surroundings for the working people with a view to their health and their right to recreation.

Art. 16. (1) The entire cultural policy of Czechoslovakia, the development of all forms of education, schooling and instruction shall be directed in the spirit of the scientific world outlook, Marxism, Leninism, and closely linked to the life and work of the people.

(2) The State, together with the people's organizations, shall give all possible support to creative activity in science and art, shall endeavor to achieve an increasingly high educational level of the working people and their active participation in scientific and artistic work, and shall see to it that the results of this work serve all the people.

(3) The State and the people's organizations shall systematically endeavor to free the minds of the people from surviving influences of a society based on exploitation.

Art. 17. (1) All citizens and all state and people's organizations shall direct all their activity according to the legal order of the socialist State, and shall see to the full enforcement of socialist legality in the life of society.

(2) People's organizations, in fulfilling their purpose, shall guide citizens to uphold the law, to maintain working discipline and the rules of socialist conduct, and shall endeavor to forestall and prevent their violation.

Art. 18. (1) The central direction of society and the State in accordance with the principle of democratic centralism shall be effectively combined with the broad authority and responsibility of lower organs, drawing on the initiative and active participation of the working people.

(2) In conformity with the scientific world outlook, the results of scientific research shall be fully applied in the direction of the society of the working people and in planning its further development.

CHAPTER TWO

RIGHTS AND DUTIES OF CITIZENS

Art. 19. (1) In a society of the working people in which exploitation of man by man has been abolished, the advancement and interests of each member are in accord with the advancement and interests of the whole community. The rights, freedoms and duties of citizens shall therefore serve both the free and complete expression of the personality of the individual and the strengthening and growth of socialist society; they shall be broadened and deepened with its development.

(2) In a society of the working people the individual can fully develop his capabilities and assert his true interests only by active participation in the development of society as a whole, and particularly by undertaking an appropriate share of social work. Therefore, work in the interests of the community shall be a primary duty and the right to work a primary right of every citizen.

Art. 20. (1) All citizens shall have equal rights and equal duties.

(2) The equality of all citizens without regard to nationality and race shall be guaranteed.

(3) Men and women shall have equal status in the family, at work and in public activity.

(4) The society of the working people shall ensure the equality of all citizens by creating equal possibilities and equal opportunities in all fields of public life.

Art. 21. (1) All citizens shall have the right to work and to remuneration for work done according to its quantity, quality and social importance.

(2) The right to work and to remuneration for work done is secured by the entire socialist economic system, which does not experience economic crises or unemployment and guarantees a continuous rise in the real value of remuneration.

(3) The State shall follow a policy which, as production and productivity increase, will permit the gradual reduction of working hours without reduction in wages.

Art. 22. (1) All working people shall have the right to leisure after work

(2) This right shall be secured by the legal regulation of working hours and paid holidays, as well as by the attention paid by the State and people's organizations to ensuring the most fruitful use of the free time of the working people for recreation and for cultural life.

Art. 23. (1) All working people shall have the right to the protection of their health and to medical care, and to material security in old age and when incapable of work.

(2) The State and people's organizations shall secure these rights by the prevention of disease, the whole health system, the provision of medica

and social facilities, by continuous expansion of free medical services and by the organization of safety measures at work, by health insurance and pension security.

Art. 24. (1) All citizens shall have the right to education.

(2) This right shall be secured by compulsory free basic school education for all children up to the age of 15 years, and by a system of free education which shall to an increasing extent provide complete secondary education, general or specialized, and university-level education. The organization of courses for employed persons, free specialized training in industrial enterprises and agricultural co-operatives and the cultural and educational activities undertaken by the State and the people's organizations shall serve further to advance the level of education.

(3) All education and schooling shall be based on the scientific world outlook and on close ties between school and the life and work of the people.

Art. 25. The State shall ensure citizens of Hungarian, Ukrainian and Polish nationality every opportunity and all means for education in their mother tongue and for their cultural development.

Art. 26. (1) Motherhood, marriage and the family shall be protected by the State.

(2) The State and society shall ensure that the family provides a sound foundation for the development of young people. Large families shall be granted special relief and assistance by the State.

(3) Society shall ensure to all children and youth every opportunity for full physical and mental development. This development shall be secured through the care provided by the family, the State and the people's organizations, and by the special adjustment of working conditions for young people.

Art. 27. The equal status of women in the family, at work and in public life shall be secured by special adjustment of working conditions and special health care during pregnancy and maternity, as well as by the development of facilities and services which will enable women fully to participate in the life of society.

Art. 28. (1) Freedom of expression in all fields of public life, in particular freedom of speech and of the press, consistent with the interests of the working people, shall be guaranteed to all citizens. These freedoms shall enable citizens to further the development of their personalities and their creative efforts, and to take an active part in the administration of the State and in the economic and cultural development of the country. For this purpose freedom of assembly, and freedom to hold public parades and demonstrations shall be guaranteed.

(2) These freedoms shall be secured by making publishing houses and printing presses, public buildings, halls, assembly grounds, as well as broadcasting, television and other facilities available to the working people and their organizations.

Art. 29. Citizens and organizations shall have the right to submit their proposals, suggestions and complaints to representative bodies and to other state organs; it shall be the duty of state organs to take responsible and prompt action.

Art. 30. (1) Inviolability of the person shall be guaranteed. No one shall be prosecuted except in cases authorized by law and by due process of law. No one shall be taken into custody except in cases prescribed by law and on the basis of a decision of the court or the Procurator.

(2) Offenders can be punished only by due process of law.

Art. 31. Inviolability of the home, the privacy of the mails and all other forms of communication, as well as freedom of domicile shall be guaranteed.

Art. 32. (1) Freedom of confession shall be guaranteed. Every one shall have the right to profess any religious faith or to be without religious conviction, and to practise his religious beliefs in so far as this does not contravene the law.

(2) Religious faith or conviction shall not constitute grounds for anyone to refuse to fulfil the civic duties laid upon him by law.

Art. 33. The Czechoslovak Socialist Republic shall grant the right of asylum to citizens of a foreign state persecuted for defending the interests of the working people, for participating in the national liberation movement, for scientific or artistic work, or for activity in defence of peace.

Art. 34. Citizens shall be in duty bound to uphold the Constitution and other laws, and in all their actions to pay heed to the interests of the socialist State and the society of the working people.

Art. 35. Citizens shall be in duty bound to protect and strengthen socialist ownership as the inviolable foundation of the socialist social order and the source of the welfare of the working people, the wealth and strength of the country.

Art. 36. Citizens shall be in duty bound to discharge the public functions entrusted to them by the working people conscientiously and honestly, and to consider their fulfilment in the interests of society as a matter of honour.

Art. 37. (1) The defence of the country and its socialist social order shall be the supreme duty and a matter of honor for every citizen.

(2) Citizens shall be in duty bound to serve in the Armed Forces as prescribed by law.

Art. 38. An essential part of the duty of every citizen shall be respect for rights of his fellow citizens and the careful observance of the rules of socialist conduct.

CHAPTER THREE

THE NATIONAL ASSEMBLY

Art. 39. (1) The National Assembly shall be the supreme organ of state power in the Czechoslovak Socialist Republic. It shall be the sole state-wide legislative body.

(2) The National Assembly shall consist of 300 deputies, who shall be elected by the people, shall be accountable to the people, and may be recalled by the people.

(3) The National Assembly shall be elected for a term of four years.

(4) Provisions regarding the exercise of the right to elect and be elected to the National Assembly and the manner in which the election and recall of deputies shall be conducted, shall be prescribed by law.

The Competence of the National Assembly

Art. 40. (1) The National Assembly shall discuss and decide on fundamental questions of the home and foreign policy of the State.

(2) All the activity of the National Assembly and the work of its organs and deputies shall be directed towards fulfilling the tasks of the socialist State.

Art. 41. (1) The National Assembly shall enact the Constitution and other laws, and shall supervise their implementation. It shall in particular approve the long-term plans for the development of the national economy and the state budget, investigate their fulfilment, and discuss the reports of the Government on the fulfilment of annual plans and the state financial account.

(2) The National Assembly shall see to it that the Constitution is upheld. It may annul a law of the Slovak National Council, an order or decision of the Government and a generally binding order of a regional national committee if they contravene the Constitution or another law.

Art. 42. The National Assembly shall approve international political treaties, economic treaties of a general nature and such treaties as require implementation by legislation.

Art. 43. (1) The National Assembly shall elect the President of the Republic. The President of the Republic shall be responsible to it for the discharge of his office.

(2) The President of the Republic shall have the right to speak in the National Assembly whenever he requests it.

Art. 44. (1) After being appointed by the President of the Republic, the Government shall present its program to the National Assembly and ask for its approval.

(2) The National Assembly shall supervise and control the activities of

the Government and its members. The Government, and its members as well, shall be accountable for their activities to the National Assembly, which shall debate their statements of policy and reports.

(3) The National Assembly may propose to the President of the Republic recall of the Government or of its individual members.

Art. 45. (1) The National Assembly shall be entitled to question the Premier and the other members of the Government regarding matters within their competence. The Premier and the other members of the Government shall be required to answer the questions of deputies.

(2) A member of the Government shall be required to appear in person at a meeting of the National Assembly, of the Presidium or of a committee at the request of the National Assembly, the Presidium, or any of its committees.

(3) The Premier and other members of the Government shall be entitled to take part in meetings of the National Assembly, its Presidium, or any of its committees, and shall have the right to speak if they so request.

Art. 46. (1) The National Assembly shall elect the Supreme Court and may recall its members.

(2) The Procurator General shall be responsible to the National Assembly for the exercise of his office. The National Assembly may propose to the President of the Republic that he recall the Procurator General.

(3) The National Assembly shall discuss reports of the Supreme Court and the Procurator General on the state of socialist legality.

Art. 47. The National Assembly shall enact laws establishing ministries and other central organs.

Art. 48. The National Assembly, as the supreme representative body in the Republic, shall consider the suggestions of the national committees, discuss their activities, draw general conclusions from their experience and pass measures to improve their structure and methods of work.

Art. 49. The National Assembly shall have the power to declare war in case of an attack on the Czechoslovak Socialist Republic or in fulfilment of international treaty obligations concerning joint defence against aggression.

Sessions of the National Assembly

Art. 50. (1) The President of the Republic shall convene the National Assembly at least twice a year. The National Assembly must be convened if at least one third of the deputies request it.

(2) The President of the Republic shall prorogue the session of the National Assembly.

Art. 51. (1) A majority of the deputies to the National Assembly shall constitute a quorum.

(2) Enactments of the National Assembly shall require a straight majority vote of deputies present.

(3) Adoption or amendment of the Constitution, a declaration of war, changes in the state boundaries and election of the President shall require a three-fifths majority of all the deputies.

(4) The meetings of the National Assembly shall as a rule be public.

(5) The principles of work of the National Assembly shall be laid down in the National Assembly Rules of Procedure and Work.

Laws

Art. 52. (1) Bills may be introduced by deputies of the National Assembly, its committees and its Presidium, the President of the Republic, the Government and the Slovak National Council.

(2) Laws shall be signed by the President of the Republic, the Chairman of the National Assembly and the Premier.

(3) A law shall take effect only when promulgated in the manner prescribed by law. Laws shall be promulgated by the Presidium of the National Assembly within 14 days after their adoption.

Committees of the National Assembly

Art. 53. (1) The National Assembly shall establish committees for the principal sectors of state and social activity as its working and initiatory organs.

(2) The National Assembly shall elect the chairman and the other members of its committees and shall have the power to recall them at any time.

(3) The committees of the National Assembly shall supervise and discuss the fulfilment of economic and cultural tasks and make recommendations for the activity of state organs.

Art. 54. (1) The committees of the National Assembly shall rely in their activities on the co-operation of the working people and their organizations.

(2) The committees shall have the right to invite members of the Government and representatives of other state organs to their meetings and request from them information and reports.

(3) The committees shall invite scientists, innovators, technicians and other leading workers in economic and cultural life to participate in their work.

Deputies of the National Assembly

Art. 55. The National Assembly shall verify the validity of the election of its deputies. It shall do so on the recommendation of the Mandates Committee, which it shall elect.

Art. 56. A deputy of the National Assembly shall take the following oath at the first meeting of the National Assembly which he attends:

"I swear on my honor and conscience to be loyal to the Czechoslovak Socialist Republic and to the cause of socialism. I will respect the will and the interests of the people, uphold the Constitution and the other laws of the Republic and work for their implementation."

Art. 57. (1) It shall be the duty of a deputy of the National Assembly to work in his constituency, maintain constant contact with his constituents, heed their suggestions and account to them regularly for his activity. A deputy shall co-operate with the national committees in his constituency and help them to fulfil their tasks.

(2) It shall be the duty of a deputy of the National Assembly to take an active part and show initiative in the work of the National Assembly. As a general rule it shall be the duty of every deputy to serve on one of the committees of the National Assembly.

Art. 58. No penal or disciplinary proceedings shall be instituted against a deputy, nor can he be taken into custody, without the assent of the National Assembly.

The Presidium of the National Assembly

Art. 59. (1) The National Assembly shall elect a Presidium of 30 from the deputies. The Presidium shall consist of the Chairman of the National Assembly, the Vice-Chairmen, the chairmen of the committees, and other members.

(2) The Presidium shall be elected for the entire electoral term of the National Assembly. It shall remain in office after the expiration of the electoral term until a new National Assembly has elected its Presidium.

(3) The Presidium of the National Assembly and its members shall be accountable for their activity to the National Assembly. The National Assembly shall have the power to recall the Presidium and its members at any time.

(4) Decisions of the Presidium of the National Assembly shall require an absolute majority of all its members.

Art. 60. (1) The Presidium shall direct the work of the National Assembly.

(2) At a time when the National Assembly is not in session because it has been adjourned or because its electoral term has expired, the Presidium shall exercise the competence of the National Assembly. It shall not, how-

ever, be competent to elect the President of the Republic or to amend the the Constitution. It may make a decision regarding a declaration of war only if the convening of the National Assembly is prevented by exceptional circumstances; such a decision shall require the approval of three fifths of all members of the Presidium. Measures of the Presidium of the National Assembly resulting from the exercise of this competence must be approved at the next session of the National Assembly, otherwise they shall become null and void. Measures which require legislation shall take the form of legal measures of the Presidium and shall be signed by the President of the Republic, the Chairman of the National Assembly and the Premier; they shall be promulgated in the same manner als laws.

(3) At a time when the Government is discharging the office of President of the Republic, the Presidium of the National Assembly shall be competent to appoint and recall the Government and its members and invest in them the direction of ministries and other central organs.

(4) The Presidium of the National Assembly shall order elections to the National Assembly and general elections to representative bodies.

CHAPTER FOUR

THE PRESIDENT OF THE REPUBLIC

Art. 61. (1) At the head of the State shall be the President of the Republic, elected by the National Assembly as the representative of state power.

(2) The President shall be accountable to the National Assembly for the discharge of his office.

Art. 62. (1) The President of the Republic shall:

1. represent the State in foreign relations, negotiate and ratify international treaties. The negotiation of international treaties and agreements which do not require approval of the National Assembly may be delegated by the President to the Government or, with its approval, to its individual members;
2. receive and accredit envoys;
3. summon and prorogue sessions of the National Assembly;
4. sign laws of the National Assembly and legal measures of its Presidium;
5. have the right to submit to the National Assembly reports on the state of the Republic and on important political questions, recommend necessary measures, and be present at meetings of the National Assembly;
6. appoint and recall the Premier and the other members of the Government and entrust them with the direction of ministries and other central organs;
7. have the right to be present and to take the chair at meetings of the

Government, to request reports from the Government and its individual members, and to discuss with the Government or its members matters requiring action;

8. appoint high state officials in cases laid down by law; appoint and promote generals;

9. award decorations unless he authorizes another organ to do so;

10. have the right to proclaim an amnesty, to grant a pardon or mitigate a sentence imposed by a criminal court and order the cancellation or suspension of criminal proceedings;

11. be the Commander-in-Chief of the Armed Forces;

12. proclaim a state of war on the recommendation of the Government and declare war in pursuance of a decision of the National Assembly if Czechoslovakia is attacked or in fulfilment of international treaty obligations concerning joint defence against aggression.

(2) The President of the Republic shall also exercise authority which is not explicitly reserved to him in the Constitution if the law so provides.

Art. 63. (1) Any citizen of the State who is eligible for election to the National Assembly may be elected President of the Republic. A candidate shall be declared elected if he receives three fifths of the votes of all the deputies of the National Assembly.

(2) The President of the Republic shall be elected for a term of five years. He shall assume his function by taking the oath of office.

(3) The President of the Republic may not at the same time be a deputy of the National Assembly, the Slovak National Council, or of a national committee or a member of the Government.

(4) If a deputy or a member of the Government is elected President of the Republic he shall cease to exercise his previous office from the day of his election. His mandate or membership in the Government shall lapse on the day on which he takes the oath of office.

Art. 64. The President of the Republic shall take the following oath before the National Assembly: "I swear upon my honor and conscience to be loyal to the Czechoslovak Socialist Republic and the cause of socialism. I will discharge my duties in accordance with the will of the people and in the interests of the people. I will cherish the welfare of the Republic and abide by the Constitution and the other laws of the socialist State."

Art. 65. If the office of the President of the Republic has been vacated and a new President has not yet been elected and has not taken the oath of office, or if the President is unable to exercise his function for serious reasons, the exercise of his function shall fall to the Government. The Government shall have the authority in such an event to delegate some of the powers of the President to the Premier; the supreme command of the Armed Forces shall, during this time, pass to the Premier.

CHAPTER FIVE

THE GOVERNMENT

Art. 66. (1) The Government shall be the supreme executive organ of state power in the Czechoslovak Socialist Republic.

(2) The Government and its members are accountable for the exercise of their office to the National Assembly.

Art. 67. The Government shall consist of the Premier, the Vice-Premiers, and the ministers.

Art. 68. The Government shall organize and ensure fulfilment of the economic and cultural tasks of socialist construction, the raising of the standard of living of the working people, strengthening of the country's security, and pursuance of a peaceful foreign policy.

To this end it shall, specifically,

1. unify, direct and control the activities of the ministries and other central organs of state administration;
2. direct and control the work of the national committees;
3. prepare long-term plans for the development of the national economy and the state budget and ensure and control their fulfilment; it shall set forth annual plans necessary for the carrying out of the long-term plans for development of the national economy and submit reports to the National Assembly on their fulfilment;
4. ensure observance of the laws and the maintenance of state discipline, the protection of the rights of citizens and the interests of the State;
5. issue decisions and orders on the basis of laws and for their implementation, and supervise their execution;
6. have the right to introduce bills in the National Assembly and drafts of legal measures to the Presidium of the National Assembly;
7. appoint state officials and heads of economic organizations where provided by law and propose officials who are appointed by the President of the Republic.

Art. 69. Members of the Government shall take the following oath administered by the President: "I swear upon my honor and conscience to be loyal to the Czechoslovak Socialist Republic and to the cause of socialism. I will perform my duties in accordance with the will of the people and in the interests of the people. I will abide by the Constitution and other laws and work for their implementation."

Art. 70. (1) The National Assembly may propose that the President of the Republic recall the Government or any of its members. In such an event the President of the Republic shall recall the Government or the member concerned.

(2) The Government and its members shall fulfil their tasks in close co-operation with the National Assembly and its organs.

Art. 71. After being appointed by the President of the Republic, the Government shall present its program to the National Assembly and ask for its approval.

Art. 72. Ministries and other central organs of state administration may on the basis of laws and government orders and in pursuance of them issue generally binding legal regulations.

CHAPTER SIX

THE SLOVAK NATIONAL COUNCIL

Art. 73. (1) The Slovak National Council shall be the national organ of state power and administration in Slovakia.

(2) The Slovak National Council shall be composed of deputies of the Slovak National Council, who shall be elected by the people of Slovakia, shall be accountable to the people and may be recalled by the people.

(3) The Slovak National Council shall be elected for a term of four years.

(4) The number of deputies of the Slovak National Council, provisions regarding the exercise of the right to elect and be elected to the Slovak National Council and the manner in which the election and recall of deputies shall be conducted shall be prescribed by law of the Slovak National Council.

(5) The seat of the Slovak National Council shall be Bratislava.

Competence of the Slovak National Council

Art. 74. The Slovak National Council shall have the competence to:

(a) enact, in conformity with state-wide legislation, laws of the Slovak National Council concerning matters of a national or regional nature where special legislation is required to ensure the full economic and cultural development of Slovakia;

(b) enact laws of the Slovak National Council where empowered to do so by law of the National Assembly;

(c) participate in the drawing up of the state plan for the development of the national economy and discuss, within the limits of the state plan, the overall economic and cultural development of Slovakia;

(d) discuss and approve the budget of the Slovak National Council, of its organs and of institutions in Slovakia under its immediate jurisdiction;

(e) introduce bills in the National Assembly;

(f) exercise control within the limits of its own authority;

(g) ensure, in the spirit of equality, favorable conditions for the full development of the life of citizens of Hungarian and Ukrainian nationality;

(h) elect a Presidium and from its members commissioners of the Slovak National Council;

(i) discuss reports of the Presidium, of the commissions, and of commissioners of the Slovak National Council.

Sessions of the Slovak National Council

Art. 75. (1) The Presidium of the Slovak National Council shall convene the Slovak National Council at least twice a year. The Slovak National Council must be convened if at least one third of the deputies request it.

(2) The Presidium of the Slovak National Council shall prorogue the session of the Slovak National Council.

Art. 76. (1) A majority of the deputies of the Slovak National Council shall constitute a quorum. Enactments shall require a straight majority vote of deputies present.

(2) Meetings of the Slovak National Council shall, as a rule, be public.

(3) The fundamental rules of procedure of the Slovak National Council shall be set forth in the Slovak National Council Rules of Procedure and Work.

Laws of the Slovak National Council

Art. 77. (1) Bills of the Slovak National Council may be introduced by deputies, commissions, and the Presidium of the Slovak National Council.

(2) Laws shall be signed by the Chairman of the Slovak National Council.

(3) A law shall take effect only when promulgated in the manner prescribed by law of the Slovak National Council. Laws shall be promulgated by the Presidium of the Slovak National Council within 14 days after their adoption.

Commissions of the Slovak National Council

Art. 78. (1) The Slovak National Council shall establish commissions for the particular sectors of its activities as its initiatory, controlling and executive organs.

(2) Commissions of the Slovak National Council shall supervise the carrying out of tasks evolving from the economic and cultural development of Slovakia, discuss them and make decisions concerning them, help to execute them and submit their decisions and recommendations to the Slovak National Council and its Presidium.

(3) Commissions of the Slovak National Council shall rely in their activities on the co-operation of the working people and their organizations.

(4) Members of the commissions of the Slovak National Council shall be elected by the Slovak National Council from among its deputies and from the ranks of political, economic, cultural and other workers in Slovakia.

The Slovak National Council shall as a rule elect commissioners of the Slovak National Council to be chairmen of commissions.

Deputies of the Slovak National Council

Art. 79. The Slovak National Council shall verify the validity of the election of its deputies. It shall do so on the recommendation of the Mandates Commission which it shall elect.

Art. 80. A deputy of the Slovak National Council shall take the following oath at the first meeting of the Slovak National Council which he attends:

"I swear on my honor and conscience to be loyal to the Czechoslovak Socialist Republic, the cause of socialism and the heritage of the Slovak National Uprising. I will respect the will and interests of the people, uphold the Constitution and the other laws of the Republic, and work for their implementation."

Art. 81. (1) It shall be the duty of a deputy of the Slovak National Council to work in his constituency, maintain constant contact with his constituents, heed their suggestions and account to them regularly for his activity. He shall co-operate with the national committees in his constituency and help them to fulfil their tasks.

(2) It shall be the duty of a deputy of the Slovak National Council to take an active part in the work of the Slovak National Council and its organs. As a general rule it shall be the duty of every deputy to serve on one of the commissions of the Slovak National Council.

(3) A deputy of the Slovak National Council may also be a deputy of the National Assembly.

Art. 82. Penal or disciplinary proceedings shall not be instituted against a deputy of the Slovak National Council, nor can he be taken into custody, without the assent of the Slovak National Council.

The Presidium of the Slovak National Council

Art. 83. (1) The Presidium of the Slovak National Council shall have 16 members. It shall consist of the Chairman of the Slovak National Council, the Vice-Chairmen and other members.

(2) The Presidium of the Slovak National Council shall be elected by the Slovak National Council from among its members for the entire electoral term. The Presidium shall remain in office after the expiration of the electoral term until a new Slovak National Council has elected its Presidium.

(3) The Presidium of the Slovak National Council and its members shall be accountable for their activity to the Slovak National Council. The

Slovak National Council shall have the power to recall the Presidium and its members at any time.

(4) A member of the Presidium of the Slovak National Council may also be a member of the Government.

Art. 84 (1) The Presidium shall be the executive organ of the Slovak National Council within the limits of the latter's authority. It shall ensure the implementation of laws and shall particularly see to the balanced fulfilment of the tasks of the state economic plan in Slovakia in complete conformity with the plan.

(2) The Presidium of the Slovak National Council shall direct and co-ordinate the work of the commissions and the commissioners of the Slovak National Council, discuss their reports and prepare recommendations for the sessions of the Slovak National Council.

(3) The Presidium of the Slovak National Council shall issue decisions and orders on the basis of laws of the Slovak National Council and in pursuance of them.

(4) The Presidium of the Slovak National Council shall appoint and propose state officials for Slovakia within limits set by the Government.

Art. 85. (1) The Slovak National Council shall elect commissioners of the Slovak National Council from among the members of the Presidium of the Slovak National Council. The Council shall have the power to recall a commissioner of the Slovak National Council at any time.

(2) Commissioners of the Slovak National Council shall hold office in those branches of the state administration laid down by law.

(3) Commissioners shall discharge the tasks entrusted to them within the limits of the authority of the Slovak National Council. They shall discharge other tasks connected with the economic and cultural life of Slovakia within limits set by the Government.

CHAPTER SEVEN

THE NATIONAL COMMITTEES

Art. 86. (1) The national committees—the broadest organization of the working people—are the organs of state power and administration in the regions, districts and localities.

(2) The national committees shall be composed of deputies who shall be elected by the people, shall be accountable to the people and may be recalled by the people.

(3) The national committees shall be elected for a term of four years.

(4) Provisions regarding the exercise of the right to elect and be elected to the national committees and the manner in which the election and recall of deputies shall be conducted shall be prescribed by law.

Art. 87. (1) The national committees shall rely in all their work on the

constant and active participation of the working people of their area. In this way they shall gain the fullest co-operation of the working people in the administration of the State, draw on their experience and learn from it.

(2) The national committees shall work closely with other organizations of the working people, rely on their co-operation and help them fulfil their tasks.

Art. 88. (1) The national committees and their deputies shall be accountable to their constituents for their activities.

(2) It shall be the duty of a deputy of a national committee to work in his constituency, maintain constant contact with his constituents, take their advice, heed their suggestions, account to them for his activity and report to them on the work of the national committee.

(3) It shall be the duty of a deputy of a national committee to take an active part in the work of the national committee and to work in one of its commissions.

(4) A deputy of a national committee shall take the following oath at the first meeting of the national committee which he attends:

"I swear on my honor and conscience to be loyal to the Czechoslovak Socialist Republic and to the cause of socialism. I shall respect the will and the interests of the people, uphold the Constitution and the laws of the Republic and work for their implementation."

Art. 89. The national committees shall, with the broadest participation of the citizens,

- direct, organize and ensure in a planned manner the development of their area as regards economic affairs, culture, health and social services; their primary responsibilities shall include satisfaction of the material and cultural requirements of the working people to a continuously-increasing degree; to this end they shall establish economic institutions and cultural, health and social institutions and direct their work;

- ensure the protection of socialist ownership and all the achievements of the working people, the maintenance of socialist order in society, see that the rules of socialist conduct are upheld, and strengthen the defence potential of the Republic;

- ensure the implementation of laws and see to their observance, ensure the protection and realization of the rights and the assertion of the true interests of the working people and of socialist organizations.

Art. 90. (1) The national committees shall be guided in their work by the state plan for the development of the national economy. They shall take part in drafting and carrying it out. They shall draw up the plan of development for their areas in accordance with and on the basis of the state plan.

(2) They shall have at their disposal the necessary material and financial resources to carry out the planned tasks and shall employ them as responsible managers.

(3) The basis of the financial management of the national committees shall be their budgets, which they shall draft and which shall be part of the state budget.

Art. 91. National committees shall be regional, district, and municipal or local in localities. In Prague there shall be the National Committee of the City of Prague, for the districts of Prague and in certain other cities there shall be district national committees.

Art. 92. The authority and responsibility of the national committees at the various levels shall be laid down so that they may, most effectively and with the broadest possible participation of the working people, ensure the economic and cultural advancement and satisfy the requirements of the citizens of their areas.

Art. 93. (1) The national committees shall combine in their work the fulfilment of the state-wide tasks with satisfaction of the special needs of their areas and the interests of their citizens.

(2) The national committees shall be guided by the principle that the interests of all the people of the Czechoslovak Socialist Republic stand above sectional and local interests, and shall in all their activity educate citizens for the politically-conscious and voluntary fulfilment of their responsibilities towards society and the State.

Art. 94. In the exercise of their functions, the national committees may issue generally binding orders for their respective districts.

Art. 95. (1) National committees shall establish a council, commissions and other organs and direct their work.

(2) The council shall, under the direction of the national committee, direct and co-ordinate the work of the other organs of the national committee and its organizations and institutions. The council shall be elected by the national committee from among its members for the whole term of office. The council and its members shall be accountable to the national committee, which may recall the council or its individual members at any time.

(3) The commissions shall be the initiatory, controlling and executive organs of the national committee for individual fields or branches of its activity. They shall be furnished with the necessary authority to this end. The commissions, to which a national committee shall elect its members and other citizens, shall systematically intensify the participation of the working people in the activity of the national committee. The commissions shall be accountable to the national committee and its council.

Art. 96. (1) National committees of superior levels shall guide and direct the work of national committees of subordinate levels. In so doing they shall respect the authority and responsibility of the latter. They shall rely on their initiative and experience and carry out their tasks in constant co-operation with them.

(2) National committees shall be guided in their activity by the laws

and orders and the decisions of the Government, as well as the decisions and directives of higher state organs; decisions of national committees of a subordinate level which conflict with these may be annulled by a national committee of a superior level or by the Government.

CHAPTER EIGHT

THE COURTS AND THE OFFICE OF THE PROCURATOR

Art. 97. (1) The courts and the office of the Procurator shall protect the socialist State, its social order and the rights and true interests of its citizens and of the organizations of the working people.

(2) The courts and the Procurator's office shall in all their activity educate citizens to be loyal to their country and the cause of socialism, to abide by the laws and the rules of socialist conduct, and honorably to fulfil their duties towards the State and society.

The Courts

Art. 98. (1) The execution of justice in the Czechoslovak Socialist Republic shall be vested in elected and independent people's courts.

(2) The courts shall be the Supreme Court, regional courts, district courts, military courts and local people's courts.

Art. 99. (1) The Supreme Court shall be the highest court; it shall supervise the judicial activities of all other courts. Judges of the Supreme Court shall be elected by the National Assembly.

(2) Judges of the regional courts shall be elected by regional national committees.

(3) Judges of the district courts shall be elected by citizens by universal, direct, equal vote and by secret ballot.

(4) The Supreme Court, regional and district courts shall be elected for a term of four years.

(5) Military courts shall be elected under special regulations.

Art. 100. (1) The courts shall, as a rule, make decisions through benches.

(2) Benches of the Supreme Court, regional, district and military courts shall be composed both of judges who carry out their function as a profession and of judges who carry it out in addition to their regular employment. Both categories of judges are equal in making decisions.

Art. 101. (1) To ensure increased participation of the working people in the work of the judiciary, local people's courts shall be elected in the localities and at places of work.

(2) Local people's courts shall contribute to the consolidation of socialist legality, to the safeguarding of social order and the rules of socialist conduct.

(3) The extent of the jurisdiction of the local people's courts, the manner of their instalment, their electoral term and the principles of their organization and proceedings shall be prescribed by law.

Art. 102. Judges shall be independent in the discharge of their office and shall be bound solely by the legal order of the socialist State. They shall be in duty bound to act in accordance with the laws and other legal regulations and to interpret them in the spirit of socialist legality.

(2) Judges shall be in duty bound to submit reports on the activities of the courts of which they are members to their electors or to the representative body that has elected them. Judges may be recalled by their electors or by the representative body that has elected them; the conditions for and manner of recall of judges shall be prescribed by law.

Art. 103. (1) The courts shall proceed so that the true facts of the case shall be determined and shall base their judgements on these findings.

(2) All court proceedings shall in principle be oral and public. The public may be excluded only in cases prescribed by law.

(3) The accused shall be guaranteed the right of defence.

(4) Judgements shall be pronounced in the name of the Republic and shall always be pronounced in public.

The Office of the Procurator

Art. 104. The supervision of the precise fulfilment and observance of the laws and other legal regulations by ministries and other organs of state administration, national committees, courts, economic and other organizations and by individual citizens, shall rest with the office of the Procurator, headed by the Procurator General.

Art. 105. (1) The Procurator General shall be appointed and recalled by the President of the Republic.

(2) The Procurator General shall be accountable to the National Assembly.

Art. 106. The organs of the Procurator's office shall be subordinated to the Procurator General only and shall discharge their functions independently of local organs. In all their activities they shall rely on the initiative of the working people and their organizations.

CHAPTER NINE

GENERAL AND CONCLUDING PROVISIONS

Art. 107. (1) The territory of the Czechoslovak Socialist Republic shall constitute a single and indivisible whole.

(2) The state frontiers may be altered by constitutional law only.

(3) The territorial organization of Czechoslovakia shall be determined

with a view to the economic, political, social and cultural needs of the whole of society, so as to aid its further development in every way and ensure the widest possible participation of the working people in the administration of the State and the direction of economic and cultural construction.

Art. 108. Conditions for the acquisition and loss of state citizenship shall be prescribed by law.

Art. 109. The capital of the Czechoslovak Socialist Republic shall be Prague.

Art. 110. (1) The state emblem of the Czechoslovak Socialist Republic shall consist of a red escutcheon in the form of a Hussite shield with a five-pointed star in the upper part, with a white, two-tailed lion bearing a red shield on its chest showing a blue outline of Kriváň Mountain and a golden fire of freedom. The emblem is outlined in gold.

(2) The flag of the Czechoslovak Socialist Republic shall consist of a lower red field and an upper white field, with a blue wedge between them extending from the hoist to the centre of the flag.

(3) Details of the state emblem and state flag and their proper display shall be enacted by law.

Art. 111. (1) The Constitution may be amended by constitutional law only.

(2) Laws and other legal regulations may not contravene the Constitution. Interpretation and application of all legal regulations must be in conformity with the Constitution.

Art. 112. (1) The Constitution shall take effect from the day of enactment by the National Assembly.

(2) As from that day the previous Constitution and all previous constitutional laws which amended and supplemented it shall cease to have effect.