

# THE CONSTITUTION OF AFGHANISTAN 1987

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DECREE OF THE PRESIDENT OF THE REPUBLIC OF AFGHANISTAN

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DECREE OF THE PRESIDENT OF THE REPUBLIC OF AFGHANISTAN NUMBER

KABUL CITY

DATE (UNDATED)

DECREE ON THE SIGNING AND PROCLAMATION OF THE CONSTITUTION OF THE REPUBLIC OF AFGHANISTAN.

THE LOYA JIRGA (GRAND ASSEMBLY) OF 8 AND 9 QAUS 1366 (29/30 NOVEMBER 1987) WHICH WAS HELD IN THE CITY OF KABUL ADOPTED THE CONSTITUTION OF THE REPUBLIC OF AFGHANISTAN AS THE MOST SIGNIFICANT NATIONAL LEGAL INSTRUMENT IN THIRTEEN CHAPTERS AND ONE HUNDRED FORTY NINE ARTICLES. IN CONFORMITY WITH THE AUTHORITY BESTOWED UPON THE CONSTITUTION OF THE REPUBLIC OF AFGHANISTAN WHICH HAS ENTERED INTO FORCE ON THE DAY OF ADOPTION, I HEREBY SIGN AND PROCLAIM THE CONSTITUTION OF THE REPUBLIC OF AFGHANISTAN FOR ENSURING PEACE AND TRANQUILITY, FULL IMPLEMENTATION OF THE POLICY OF NATIONAL RECONCILIATION, PROSPERITY OF THE PEOPLE AND PROGRESS OF BELOVED AFGHANISTAN.

DR NAJIBULLAH, PRESIDENT OF THE REPUBLIC OF AFGHANISTAN

IN THE NAME OF ALLAH, THE BENEFICENT, THE MERCIFUL

OUR BELOVED HOMELAND AFGHANISTAN HAS A PRIDEFUL HISTORY ENRICHED WITH THE HEROIC STRUGGLES OF OUR COURAGEOUS PEOPLE FOR FREEDOM, INDEPENDENCE, NATIONAL SOVEREIGNTY, DEMOCRACY AND SOCIAL PROGRESS. THE DEVELOPMENTS WHICH HAVE TAKEN PLACE IN THE COURSE OF RECENT YEARS HAVE PROVIDED FAVORABLE CONDITIONS FOR ATTAINING THE LOFTY OBJECTIVES OF THE PROGRESS OF THE HOMELAND AND PROSPERITY OF THE PEOPLE. IN THE PRESENT STAGE, THE PEOPLE'S DEMOCRATIC PARTY OF AFGHANISTAN, AS THE INITIATOR AND COORDINATOR OF THE POLICY OF NATIONAL RECONCILIATION, ACTIVELY CARRIES FORWARD TOGETHER WITH OTHER POLITICAL, NATIONAL AND DEMOCRATIC FORCES THIS HUMANITARIAN POLICY.

THEREFORE, IN ORDER TO: CONSOLIDATE THE INDEPENDENCE, NATIONAL SOVEREIGNTY AND DEFEND THE TERRITORIAL INTEGRITY OF THE COUNTRY; ACHIEVE RECONCILIATION AND STRENGTHEN NATIONAL UNITY KEEPING IN VIEW THE OBJECTIVE REALITIES, THE BEST TRADITIONS AND CUSTOMS OF THE PEOPLE; ENSURE SOCIAL JUSTICE AND EQUALITY; DEVELOP NATIONAL ECONOMY AND RAISE THE LIVING STANDARDS OF THE PEOPLE; RAISE THE ROLE AND PRESTIGE OF OUR BELOVED HOMELAND AFGHANISTAN IN THE INTERNATIONAL ARENA;

WE, THE REPRESENTATIVES OF THE PEOPLE OF AFGHANISTAN IN THE LOYA JIRGA, CONSCIOUS OF THE HISTORIC CHANGES THAT HAVE TAKEN PLACE IN OUR HOMELAND AND IN THE CONTEMPORARY WORLD, FOLLOWING THE TENETS OF THE SACRED RELIGION OF ISLAM, PRESERVING AND ENRICHING THE HERITAGE OF THE CONSTITUTIONAL MOVEMENT OF THE COUNTRY, RESPECTING THE UNITED NATIONS' CHARTER AND THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, ENDORSE THIS CONSTITUTION AS THE MOST IMPORTANT NATIONAL LEGAL INSTRUMENT ON 9.9.66 (29/30 NOVEMBER 1987) IN 13 CHAPTERS AND 149 ARTICLES.

CHAPTER ONE

FOUNDATIONS OF THE POLITICAL SYSTEM

ARTICLE ONE:

THE REPUBLIC OF AFGHANISTAN IS AN INDEPENDENT UNITARY AND INDIVISIBLE STATE HAVING SOVEREIGNTY OVER THE WHOLE OF ITS TERRITORY. THE NATIONAL SOVEREIGNTY IN THE REPUBLIC OF AFGHANISTAN RESTS WITH THE PEOPLE. THE PEOPLE EXERCISE NATIONAL SOVEREIGNTY THROUGH LOYA JIRGA, NATIONAL ASSEMBLY AND LOCAL COUNCILS.

ARTICLE TWO:

THE SACRED RELIGION OF ISLAM IS THE RELIGION OF AFGHANISTAN. IN THE REPUBLIC OF AFGHANISTAN NO LAW SHALL RUN COUNTER TO THE PRINCIPLES OF THE SACRED RELIGION OF ISLAM AND OTHER VALUES ENSHRINED IN THIS CONSTITUTION.

ARTICLE THREE:

THE REPUBLIC OF AFGHANISTAN IS A NONALIGNED COUNTRY WHICH DOES NOT JOIN ANY MILITARY BLOC AND DOES NOT ALLOW ESTABLISHMENT OF FOREIGN MILITARY BASES ON ITS TERRITORY.

ARTICLE FOUR:

THE DEFENSE OF INDEPENDENCE, NATIONAL SOVEREIGNTY AND TERRITORIAL INTEGRITY IS ONE OF THE FUNDAMENTAL DUTIES OF THE STATE. THE STATE ENSURES THE SECURITY AND DEFENSE CAPABILITY OF THE COUNTRY AND EQUIPS THE ARMED FORCES.

ARTICLE FIVE: IN THE REPUBLIC OF AFGHANISTAN, POLITICAL PARTIES ARE ALLOWED TO BE FORMED, PROVIDED THEIR PROGRAMS, RULES AND ACTIVITIES ARE NOT OPPOSED TO THE PROVISIONS OF THIS CONSTITUTION AND THE LAWS OF THE COUNTRY. A PARTY FORMED IN ACCORDANCE WITH THE PROVISIONS OF THE LAW CANNOT BE DISSOLVED WITHOUT LEGAL CAUSE.

ARTICLE SIX:

THE NATIONAL FRONT OF THE REPUBLIC OF AFGHANISTAN, AS THE BROADEST, SOCIOPOLITICAL ORGANIZATION, UNITES POLITICAL PARTIES, SOCIAL ORGANIZATIONS AND INDIVIDUAL MEMBERS ENROLLED IN THEIR RANKS FOR ENSURING THEIR ACTIVE PARTICIPATION IN THE SOCIAL, POLITICAL AND CIVIC SPHERES ON THE BASIS OF A COMMON PROGRAM.

ARTICLE SEVEN:

TRADE UNIONS AND SOCIAL ORGANIZATIONS ARE ALLOWED TO BE FORMED IN THE REPUBLIC OF AFGHANISTAN IN ACCORDANCE WITH THE LAW. THE STATE ASSISTS IN PROMOTING THE ROLE OF TRADE UNIONS, PEASANTS' COOPERATIVES, YOUTH, WOMEN'S AND OTHER SOCIAL ORGANIZATIONS IN ALL SPHERES

OF SOCIAL, POLITICAL, ECONOMIC AND CULTURAL LIFE OF THE COUNTRY AND ENSURES THE COOPERATION AND MUTUAL RELATIONS OF STATE ORGANS WITH THEM.

ARTICLE EIGHT:

PASHTU AND DARI ARE OFFICIAL LANGUAGES AMONG THE NATIONAL LANGUAGES OF THE COUNTRY.

ARTICLE NINE:

THE STATE EMBLEM OF THE REPUBLIC OF AFGHANISTAN CONSISTS OF A RISING SUN, ADYTUM AND PULPIT WITH A GREEN BACKGROUND, ENSCONCED IN TWO SHEAVES OF WHEAT, A WHEEL AND WITH A TRICOLOR RIBBON IN BLACK, RED AND GREEN.

ARTICLE TEN:

THE STATE FLAG OF THE REPUBLIC OF AFGHANISTAN IS A TRICOLOR DIVIDED INTO THREE HORIZONTAL EQUAL PARTS IN BLACK, RED AND GREEN STRIPES; THE EMBLEM SHALL BE, PLACED ON BOTH SIDES OF THE UPPER QUARTER OF THE FLAG CLOSE TO THE MAST. THE LENGTH OF THE FLAG SHALL BE DOUBLE ITS WIDTH.

ARTICLE ELEVEN:

THE CAPITAL OF THE REPUBLIC OF AFGHANISTAN IS KABUL.

ARTICLE TWELVE:

THE NATIONAL ANTHEM OF THE REPUBLIC OF AFGHANISTAN SHALL BE APPROVED BY THE HOUSE OF REPRESENTATIVES.

CHAPTER TWO

FOUNDATIONS OF THE SOCIOECONOMIC SYSTEM

ARTICLE THIRTEEN:

THE REPUBLIC OF AFGHANISTAN IS A MULTI-NATIONAL COUNTRY. THE STATE SHALL FOLLOW THE POLICY OF ALL ROUND GROWTH, UNDERSTANDING, FRIENDSHIP AND COOPERATION BETWEEN ALL NATIONALITIES, CLANS AND TRIBES OF THE COUNTRY FOR ENSURING POLITICAL, ECONOMIC, SOCIAL AND CULTURAL EQUALITY AND RAPID GROWTH AND DEVELOPMENT OF REGIONS WHICH ARE SOCIALLY, ECONOMICALLY AND CULTURALLY BACKWARD. THE STATE SHALL GRADUALLY PREPARE THE GROUNDS FOR THE CREATION OF ADMINISTRATIVE UNITS BASED ON NATIONAL CHARACTERISTICS.

ARTICLE FOURTEEN:

THE STATE SHALL ADOPT NECESSARY MEASURES FOR THE GROWTH OF CULTURE, LANGUAGE AND LITERATURE OF THE PEOPLE OF AFGHANISTAN AS WELL AS PRESERVE AND DEVELOP THE WORTHY CULTURAL, TRADITIONAL, LINGUISTIC, LITERARY AND FOLKLORIC LEGACY OF ALL NATIONALITIES, CLANS AND TRIBES.

ARTICLE FIFTEEN:

IN THE REPUBLIC OF AFGHANISTAN FAMILY CONSTITUTES THE BASIC UNIT OF THE SOCIETY. THE STATE SHALL ADOPT NECESSARY MEASURES FOR ENSURING THE HEALTH OF MOTHER AND CHILD AND FOR THE UPBRINGING OF CHILDREN.

ARTICLE SIXTEEN:

THE STATE PERMANENTLY TAKES CARE OF THE YOUNG GENERATION AND PROVIDES NECESSARY OPPORTUNITIES FOR THEIR EDUCATION, EMPLOYMENT, RECREATION, REST, SPIRITUAL AND PHYSICAL GROWTH AND SHALL HELP THE BLOSSOMING OF THE TALENTS OF THE YOUTH.

ARTICLE SEVENTEEN:

THE STATE SHALL PROMOTE CONSTRUCTION TO PROVIDE STATE AND COOPERATIVE HOUSING AND HELP IN THE CONSTRUCTION OF PRIVATE HOUSES.

ARTICLE EIGHTEEN:

THE STATE SHALL IMPLEMENT THE ECONOMIC POLICY AIMED AT MOBILIZATION AND UTILIZATION OF THE COUNTRY'S RESOURCES FOR REMOVING BACKWARDNESS, RAISING THE LIVING STANDARDS OF THE PEOPLE AND DEVELOPMENT OF SOCIOECONOMIC STRUCTURE OF THE SOCIETY. TOWARDS THIS END, THE STATE SHALL FORMULATE AND PUT INTO PRACTICE SOCIOECONOMIC DEVELOPMENT PLANS.

ARTICLE NINETEEN:

IN THE REPUBLIC OF AFGHANISTAN, STATE, MIXED, COOPERATIVE, RELIGIOUS TRUST, AND PRIVATE PROPERTY AS WELL AS PROPERTIES OF POLITICAL AND SOCIAL ORGANIZATIONS EXIST. THE STATE PROTECTS ALL FORMS OF LAWFUL PROPERTIES.

ARTICLE TWENTY:

MINERAL RESOURCES, FORESTS, PASTURES AND OTHER NATIONAL WEALTH, BASIC ENERGY RESOURCES, HISTORIC RELICS, BANKS, INSURANCE INSTITUTIONS, MEANS OF COMMUNICATION, RADIO, TELEVISION, MAJOR

DAMS, PORTS, MAIN MEANS OF PRODUCTION IN HEAVY INDUSTRY, TRANSPORT WAYS AND AIR TRANSPORT SHALL BE STATE PROPERTY. THE STATE SHALL DEVELOP AND STRENGTHEN THE STATE SECTOR OF THE ECONOMY.

ARTICLE TWENTY ONE:

THE STATE SHALL ASSIST STRENGTHENING AND EXPANSION OF COOPERATIVES AND SHALL ENCOURAGE THE VOLUNTARY PARTICIPATION OF THE PEOPLE TO THIS END.

ARTICLE TWENTY TWO:

THE STATE ENCOURAGES AND PROTECTS THE ACTIVITY OF INDIVIDUAL CRAFTSMEN AND THEIR VOLUNTARY PARTICIPATION IN TRADE UNIONS AND COOPERATIVES AND RENDERS AROUND ASSISTANCE FOR UPGRADING THEIR PROFESSIONAL SKILL, ENSURING MEANS OF LABOR AND THE SUPPLY OF RAW MATERIALS TO THEM AND SALE OF THEIR OUTPUT.

ARTICLE TWENTY THREE:

THE STATE GUARANTEES THE RIGHT OF OWNERSHIP OF LAND OF THE PEASANTS AND OTHER LAND OWNERS IN ACCORDANCE WITH THE LAW. THE STATE SHALL ADOPT NECESSARY MEASURES FOR THE REALIZATION OF DEMOCRATIC CHANGES IN AGRICULTURE KEEPING IN VIEW THE INTERESTS OF PEASANTS AND OTHER LAND OWNERS. THE STATE ENCOURAGES THE ESTABLISHMENT OF BIG AGRICULTURAL AND MECHANIZED STATE, MIXED AND PRIVATE FARMS AND HELPS THE RECLAMATION OF VIRGIN LANDS:

ARTICLE TWENTY FOUR:

THE STATE GUARANTEES BY LAW THE USE OF PASTURES BY NOMADS AND LIVESTOCK BREEDERS. THE STATE SHALL ASSIST IN THE CREATION OF FAVORABLE CONDITIONS FOR THE GROWTH OF ANIMAL HUSBANDRY, SALE OF LIVESTOCK PRODUCTS AND IMPROVEMENT OF ECONOMIC, SOCIAL AND LIVING STANDARDS OF NOMADS AND LIVESTOCK BREEDERS.

ARTICLE TWENTY FIVE:

THE STATE SHALL GUARANTEE THE SECURITY OF PRIVATE INVESTMENT FOR THE GROWTH OF NATIONAL ECONOMY AND PROTECT AND ENCOURAGE THE PARTICIPATION OF NATIONAL CAPITAL HOLDERS IN THE DEVELOPMENT OF INDUSTRY, COMMERCE, CONSTRUCTION, TRANSPORT AGRICULTURE AND SERVICES IN ACCORDANCE WITH THE LAW. THE STATE SHALL EXPAND AROUND AND BENEFICIAL RELATIONS WITH PRIVATE ENTREPRENEURS AND PROTECT THE PRIVATE SECTOR AGAINST THE COMPETITION OF FOREIGN CAPITAL. THE STATE SHALL TAKE INTO ACCOUNT THE INTERESTS OF PRIVATE SECTOR, IN ACCORDANCE WITH LAW, WHILE WORKING OUT THE FINANCIAL, CREDIT, CUSTOMS AND PRICE POLICIES.

ARTICLE TWENTYSIX:

IN THE REPUBLIC OF AFGHANISTAN DOMESTIC AND FOREIGN TRADE ARE REGULATED BY THE STATE, OBSERVING THE PEOPLE'S INTERESTS. TOWARDS THIS END, THE STATE ENCOURAGES THE ACTIVITY OF NATIONAL CAPITAL HOLDERS IN THE EXPANSION OF EXPORT AND IMPORT OF GOODS AND DEVELOPMENT OF WHOLESALE AND RETAIL TRADE, AND, UNDERTAKES THE FIXING AND CONTROLLING OF PRICES. THE STATE SHALL ENCOURAGE THE AUGMENTATION OF PRODUCTION AND RAISING OF THE QUALITY OF EXPORT GOODS AND PROTECTS THEM AGAINST THE COMPETITION OF FOREIGN CAPITAL AND MONOPOLIES.

ARTICLE TWENTY SEVEN:

FOR THE GROWTH OF THE NATIONAL ECONOMY, THE STATE PERMITS FOREIGN INVESTMENT IN THE REPUBLIC OF AFGHANISTAN AND REGULATES IT IN ACCORDANCE WITH THE LAW.

ARTICLE TWENTY EIGHT:

IN THE REPUBLIC OF AFGHANISTAN, NO FOREIGN CITIZEN SHALL ENJOY THE RIGHT TO OWN REAL ESTATE SUBJECT TO THE APPROVAL OF THE GOVERNMENT, REAL ESTATE MAY BE SOLD TO DIPLOMATIC MISSIONS AND FOREIGN GOVERNMENTS ON A RECIPROCAL BASIS AND ALSO TO INTERNATIONAL ORGANIZATIONS IN WHICH THE REPUBLIC OF AFGHANISTAN IS A MEMBER.

ARTICLE TWENTY NINE:

THE HEREDITARY RIGHT TO PROPERTY SHALL BE GUARANTEED BY LAW ON THE BASIS OF ISLAMIC SHARIAT.

ARTICLE THIRTY:

EXPROPRIATION IS ALLOWED ONLY IN PUBLIC INTEREST AND AGAINST JUST AND PRIOR COMPENSATION IN ACCORDANCE WITH THE LAW. CONFISCATION OF PROPERTY IS NOT ALLOWED WITHOUT THE SANCTION OF THE LAW AND THE RULING OF A COURT.

ARTICLE THIRTY ONE: IN THE REPUBLIC OF AFGHANISTAN, THE CRITERIA, RATES AND TYPES OF TAXES AND DUTIES SHALL BE DETERMINED ON THE BASIS OF LAW AND SOCIAL JUSTICE.

ARTICLE THIRTY TWO:

THE STATE SHALL ADOPT AND IMPLEMENT NECESSARY MEASURES FOR THE PROTECTION OF NATURE, NATURAL WEALTH AND REASONABLE UTILIZATION OF NATURAL RESOURCES, IMPROVEMENT OF LIVING ENVIRONMENT, PREVENTION OF POLLUTION OF WATER AND AIR, AND CONSERVATION AND SURVIVAL OF ANIMALS AND PLANTS.

## CHAPTER THREE

### CITIZENSHIP, BASIC RIGHTS, FREEDOMS AND DUTIES OF CITIZENS

#### ARTICLE THIRTY THREE:

THE CITIZENSHIP OF THE REPUBLIC OF AFGHANISTAN IS EQUAL AND UNIFORM TO ALL CITIZENS. ACQUISITION AND LOSS OF CITIZENSHIP AND OTHER MATTERS RELATED TO IT ARE REGULATED BY LAW. EVERY INDIVIDUAL HAVING CITIZENSHIP OF THE REPUBLIC OF AFGHANISTAN IN ACCORDANCE WITH THE LAW SHALL BE CALLED AN AFGHAN.

#### ARTICLE THIRTY FOUR:

NO CITIZENS OF THE REPUBLIC OF AFGHANISTAN SHALL BE EXILED INSIDE OR OUTSIDE THE COUNTRY.

#### ARTICLE THIRTY FIVE:

NO CITIZEN OF THE REPUBLIC OF AFGHANISTAN SHALL BE EXTRADITED, TO A FOREIGN STATE.

#### ARTICLE THIRTY SIX:

THE CITIZENS OF THE REPUBLIC OF AFGHANISTAN LIVING ABROAD ENJOY THE PROTECTION OF THE STATE. THE STATE SHALL DEFEND THEIR RIGHTS AND LEGAL INTERESTS, STRENGTHEN THE RELATIONS OF AFGHANS LIVING ABROAD WITH THE COUNTRY, AND HELP THEIR RETURN TO THE HOMELAND.

#### ARTICLE THIRTY SEVEN:

THE REPUBLIC OF AFGHANISTAN GUARANTEES, ACCORDING TO THE LAW, THE RIGHTS AND FREEDOMS OF FOREIGN CITIZENS AND INDIVIDUALS RESIDING IN AFGHANISTAN WITHOUT CITIZENSHIP. THEY ARE BOUND TO OBEY THE CONSTITUTION AND OTHER LAWS OF THE REPUBLIC OF AFGHANISTAN.

#### ARTICLE THIRTY EIGHT:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN, BOTH MEN AND WOMEN HAVE EQUAL RIGHTS AND DUTIES BEFORE THE LAW, IRRESPECTIVE OF THEIR NATIONAL, RACIAL, LINGUISTIC, TRIBAL EDUCATIONAL AND SOCIAL STATUS, RELIGIOUS CREED POLITICAL CONVICTION, OCCUPATION, KINSHIP, WEALTH, AND RESIDENCE. DESIGNATION OF ANY ILLEGAL PRIVILEGE OR DISCRIMINATION AGAINST RIGHTS AND DUTIES OF CITIZENS ARE FORBIDDEN.

#### ARTICLE THIRTY NINE:



THE RIGHT TO LIFE IS THE NATURAL RIGHT OF EVERY HUMAN BEING. NO PERSON SHALL BE DEPRIVED OF THIS RIGHT UNLESS BY LAW.

ARTICLE FORTY:

IN THE REPUBLIC OF AFGHANISTAN, THE FREEDOM TO PERFORM RELIGIOUS RITES IS GUARANTEED TO ALL MUSLIMS. FOLLOWERS OF OTHER RELIGIONS ARE FREE TO PERFORM THEIR RELIGIOUS RITES. NO INDIVIDUAL HAS THE RIGHT TO ABUSE RELIGION FOR ANTI-NATIONAL AND ANTI-PEOPLE PROPAGANDA PURPOSES CREATION OF ENMITY AND COMMISSION OF OTHER DEEDS CONTRARY TO THE INTERESTS OF THE REPUBLIC OF AFGHANISTAN.

ARTICLE FORTY ONE:

LIBERTY IS THE NATURAL RIGHT OF EVERY HUMAN BEING. THIS RIGHT IS UNLIMITED, EXCEPT IN SO FAR AS IT HARMS THE FREEDOM OF OTHERS AND PUBLIC INTERESTS AS DEFINED BY LAW. LIBERTY AND HUMAN DIGNITY ARE INVIOABLE AND THE STATE RESPECTS AND PROTECTS THEM. INNOCENCE IS THE ORIGINAL STATE AND THE ACCUSED IS PRESUMED INNOCENT UNLESS FOUND GUILTY BY A FINAL VERDICT OF A COURT OF LAW. NO ACT IS CONSIDERED A CRIME, EXCEPT AS PRESCRIBED BY LAW. NO PERSON SHALL BE ACCUSED OF COMMITTING A CRIME UNLESS IN ACCORDANCE WITH THE PROVISIONS OF THE LAW. NO PERSON CAN BE ARRESTED OR DETAINED, EXCEPT IN ACCORDANCE WITH THE LAW. NO PERSON CAN BE PUNISHED UNLESS BY A VERDICT OF A COURT IN ACCORDANCE WITH THE PROVISIONS OF LAW AND IN PROPORTION TO THE CRIME COMMITTED. CRIME IS A PERSONAL DEED; NO OTHER PERSON SHALL BE PUNISHED FOR ITS COMMISSION. THE ACCUSED HAS THE RIGHT TO DEFEND HIMSELF PERSONALLY OR THROUGH AN ADVOCATE.

ARTICLE FORTY TWO:

IN THE REPUBLIC OF AFGHANISTAN PUNISHMENT INCOMPATIBLE WITH HUMAN DIGNITY; TORTURE AND EXCRUCIATION ARE PROHIBITED. OBTAINING CONFESSION, TESTIMONY OR STATEMENT FROM AN ACCUSED OR ANY OTHER PERSON BY COMPULSION OR THREAT IS PROHIBITED. STATEMENTS OR TESTIMONY TAKEN FROM AN ACCUSED OR OTHER PERSON BY MEANS OF COMPULSION SHALL NOT BE VALID. A PUBLIC SERVANT WHO TORTURES AN ACCUSED OR ANY OTHER PERSON FOR OBTAINING STATEMENTS, TESTIMONY OR CONFESSION, OR WHO ISSUES ORDERS FOR TORTURE, SHALL BE PUNISHED IN ACCORDANCE WITH THE LAW. ACTING ON THE ORDERS OF SUPERIORS IN THE COMMISSION OF UNLAWFUL DEEDS CANNOT BE THE GROUND FOR THE PLEA OF INNOCENCE.

ARTICLE FORTY THREE:

INDEBTEDNESS CANNOT BE THE CAUSE OF DEPRIVATION OF A PERSON'S LIBERTY. THE WAYS AND MEANS OF RECOVERING DEBTS SHALL BE REGULATED BY THE LAW.

ARTICLE FORTY FOUR:

IN THE REPUBLIC OF AFGHANISTAN, THE INVIOABILITY OF RESIDENCE IS GUARANTEED. NO PERSON, INCLUDING A STATE REPRESENTATIVE CAN ENTER OR SEARCH A RESIDENCE WITHOUT THE PERMISSION OF THE RESIDENT AND EXCEPT IN CIRCUMSTANCES AND UNDER PROCEDURES PRESCRIBED BY THE LAW.

ARTICLE FORTY FIVE:

IN THE REPUBLIC OF AFGHANISTAN, CONFIDENTIALITY OF CORRESPONDENCE, TELEPHONE CONVERSATIONS, TELEGRAMS AND OTHER COMMUNICATIONS IS GUARANTEED. NO ONE, INCLUDING A STATE REPRESENTATIVE, SHALL INTERCEPT TELEPHONE CONVERSATIONS, TELEGRAPHIC COMMUNICATIONS AND OTHER COMMUNICATIONS EXCEPT UNDER THE PROVISIONS OF THE LAW.

ARTICLE FORTY SIX:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN WHO SUFFER IN THE PERFORMANCE OF THEIR DUTIES UNLAWFUL DAMAGE BY STATE ORGANS, SOCIAL ORGANIZATIONS AND RESPONSIBLE OFFICIALS ARE ENTITLED TO COMPENSATION, CONDITIONS AND PROCEDURES OF WHICH SHALL BE REGULATED BY LAW.

ARTICLE FORTY SEVEN:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN ARE ENTITLED TO TAKE PART IN SOCIOPOLITICAL LIFE AND THE ADMINISTRATION OF THE STATE, DIRECTLY OR THROUGH THEIR REPRESENTATIVES.

ARTICLE FORTY EIGHT:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN HAVE THE RIGHT TO ELECT OR BE ELECTED. CONDITIONS AND PROCEDURES OF EXERCISING THIS RIGHT SHALL BE REGULATED BY LAW.

ARTICLE FORTY NINE:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN ENJOY THE RIGHT OF FREEDOM OF THOUGHT AND EXPRESSION. CITIZENS CAN EXERCISE THIS RIGHT OPENLY, IN SPEECH AND IN WRITING, IN ACCORDANCE WITH THE PROVISIONS OF THE LAW. PRE CENSORSHIP OF THE PRESS IS NOT ALLOWED.

ARTICLE FIFTY:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN HAVE THE RIGHT TO ASSEMBLY, PEACEFUL DEMONSTRATION AND STRIKE, IN ACCORDANCE WITH THE PROVISIONS OF THE LAW.

ARTICLE FIFTY ONE:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN ENJOY THE RIGHT TO PETITION, CRITICIZE AND MAKE SUGGESTIONS, EITHER INDIVIDUALLY OR COLLECTIVELY. STATE ORGANS, SOCIAL ORGANIZATIONS AND RESPONSIBLE OFFICIALS ARE BOUND TO CONSIDER THE PETITIONS, CRITICISMS AND PROPOSALS AND TAKE NECESSARY ACTIONS IN REGARD TO THEM WITHIN THE TIME PRESCRIBED BY LAW. PROSECUTION FOR CRITICISM IS FORBIDDEN.

ARTICLE FIFTY TWO:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN HAVE THE RIGHT TO WORK AND ARE ENTITLED TO EQUAL PAY FOR EQUAL WORK. THE STATE, THROUGH ENACTMENT AND APPLICATION OF JUST AND PROGRESSIVE LABOR LAWS, SHALL PROVIDE NECESSARY CONDITIONS FOR THE CITIZENS TO ENJOY THIS RIGHT.

ARTICLE FIFTY THREE:

IMPOSITION OF FORCED LABOR IS FORBIDDEN. PERFORMANCE OF COMPULSORY LABOR IN WAR TIME, NATURAL CALAMITY AND OTHER STATES OF EMERGENCY WHICH THREATEN PUBLIC LIFE AND WELFARE SHALL BE EXCLUDED FROM THIS.

ARTICLE FIFTY FOUR:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN, SUBJECT TO THE NEEDS OF THE SOCIETY AND ON THE BASIS OF THE FIELD OF EXPERTISE, HAVE THE RIGHT TO HOLD STATE POSTS AND CHOOSE THEIR OCCUPATION.

ARTICLE FIFTY FIVE:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN HAVE THE RIGHT TO REST. THE STATE DEFINES THE WORKING HOURS AND THE PERIODIC HOLIDAYS WITH SALARY AND THE SPECIFICATIONS OF WORK DURING HOLIDAYS, FESTIVALS, EIDS AND SHALL PROVIDE CONDITIONS FOR REST, GROWTH OF CULTURAL, ARTISTIC ESTABLISHMENTS, PHYSICAL TRAINING, SPORTS AND HEALTHY RECREATION.

ARTICLE FIFTY SIX:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN HAVE THE RIGHT TO FREE EDUCATION. THE STATE SHALL ADOPT NECESSARY MEASURES FOR ERADICATION OF ILLITERACY, GENERALIZATION OF BALANCED EDUCATION, IN MOTHER TONGUE, ENSURING COMPULSORY PRIMARY EDUCATION, GRADUAL EXPANSION OF GENERAL, INTERMEDIATE, TECHNICAL AND VOCATIONAL EDUCATION, AND GROWTH OF THE SYSTEM OF HIGHER EDUCATION FOR TRAINING NATIONAL CADRES. IN THE REPUBLIC OF AFGHANISTAN FOREIGN NATIONALS ARE ALLOWED TO ESTABLISH SCHOOLS IN ACCORDANCE WITH THE PROVISIONS OF THE LAW. THESE SCHOOLS SHALL BE BASED OF THE FOREIGNERS ONLY.

ARTICLE FIFTY SEVEN:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN HAVE THE RIGHT TO HEALTH AND SOCIAL SECURITY. THE STATE SHALL ADOPT NECESSARY MEASURES FOR EXPANSION OF ALL-ROUND, BALANCED AND NATION WIDE MEDICAL SERVICES, EXPANSION OF HOSPITALS, HEALTH CENTERS, TRAINING OF DOCTORS AND PERSONNEL FOR MEDICAL SERVICES, UNIVERSAL PREVENTION OF DISEASES, EXPANSION OF FREE HEALTH SERVICES, ARRANGEMENT AND ENCOURAGEMENT OF PRIVATE MEDICAL SERVICES, IMPROVEMENT OF MATERIAL WELFARE OF THE ELDERLY, WAR AND WORK DISABLED AND DEPENDENTS OF MARTYRS.

ARTICLE FIFTY EIGHT:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN HAVE THE RIGHT TO SCIENTIFIC, TECHNICAL AND ARTISTIC ACTIVITIES. THE STATE ENSURES SYSTEMATIC PROGRESS OF SCIENCE AND TRAINING OF SCIENTIFIC CADRES, PROTECTS THE RIGHTS OF AUTHORS AND INVENTORS, ENCOURAGES AND PROTECTS SCIENTIFIC RESEARCH IN ALL SPHERES AND GENERALIZES THE EFFECTIVE USE OF THE RESULTS OF SCIENTIFIC RESEARCH.

ARTICLE FIFTY NINE:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN HAVE THE RIGHT TO TRAVEL AND FREE CHOICE OF DOMICILE AND RESIDENCE IN THE COUNTRY. THE STATE IS AUTHORIZED TO BAN TEMPORARILY TRAVEL, SETTLEMENT AND RESIDENCE IN PARTICULAR AREAS OF THE COUNTRY FOR THE PURPOSES OF MAINTAINING SECURITY AND PUBLIC ORDER, PREVENTION OF EPIDEMIC DISEASES AND PROTECTION OF THE RIGHTS AND LIBERTIES OF INDIVIDUALS.

ARTICLE SIXTY:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN ENJOY ACCORDING TO LAW THE RIGHT TO TRAVEL ABROAD AND RETURN HOME.

ARTICLE SIXTY ONE:

EVERY CITIZEN OF THE REPUBLIC OF AFGHANISTAN IS BOUND TO OBSERVE THE CONSTITUTION AND THE LAWS OF THE REPUBLIC OF AFGHANISTAN. IGNORANCE OF PROVISIONS OF LAW IS NO EXCUSE.

ARTICLE SIXTY TWO:

CITIZENS OF THE REPUBLIC OF AFGHANISTAN AND FOREIGNERS ARE BOUND TO PAY TAXES AND DUTIES TO THE STATE IN ACCORDANCE WITH THE PROVISIONS OF THE LAW.

ARTICLE SIXTY THREE:

THE DEFENSE OF HOMELAND, INDEPENDENCE, NATIONAL SOVEREIGNTY AND TERRITORIAL INTEGRITY OF THE COUNTRY IS THE PRIDEFUL DUTY OF THE CITIZENS OF THE REPUBLIC OF AFGHANISTAN. CONDITIONS OF SERVICE IN THE ARMED FORCES SHALL BE REGULATED BY LAW.

ARTICLE SIXTY FOUR:

THE STATE SHALL PROVIDE NECESSARY CONDITIONS FOR THE CITIZENS TO EXERCISE THEIR FUNDAMENTAL RIGHTS AND FREEDOMS AND DISCHARGE THEIR DUTIES. NO PERSON HAS THE RIGHT TO EXERCISE THE RIGHTS AND FREEDOMS ENSHRINED IN THE LAW AGAINST PUBLIC INTEREST AND TO THE DETRIMENT OF THE RIGHTS AND FREEDOMS OF OTHER CITIZENS.

CHAPTER FOUR

LOYA JIRGA (GRAND ASSEMBLY)

ARTICLE SIXTY FIVE:

THE LOYA JIRGA IS THE HIGHEST MANIFESTATION OF THE WILL OF THE PEOPLE OF AFGHANISTAN IN ACCORDANCE WITH NATIONAL HISTORICAL TRADITIONS.

ARTICLE SIXTY SIX:

THE LOYA JIRGA CONSISTS OF:

- 1) TEN MEMBERS OF THE NATIONAL ASSEMBLY.
- 2) THE PEOPLE'S DEPUTIES FROM EACH PROVINCE AND ITS EQUIVALENT.
- 3) GOVERNORS OF PROVINCES AND MAJOR OF KABUL.
- 4) PRIME MINISTER, DEPUTY PRIME MINISTERS AND MEMBERS OF THE COUNCIL OF MINISTERS,
- 5) CHIEF JUSTICE, DEPUTY CHIEF JUSTICES AND JUDGES OF THE SUPREME COURT.
- 6) ATTORNEY GENERAL AND HIS DEPUTIES.
- 7) CHAIRMAN AND MEMBERS OF THE CONSTITUTIONAL COUNCIL.
- 8) MEMBERS OF THE EXECUTIVE BOARD OF THE NATIONAL FRONT.
- 9) A MAXIMUM OF FIFTY PERSONS FROM AMONG PROMINENT POLITICAL, SCIENTIFIC, SOCIAL AND SPIRITUAL FIGURES TO BE APPOINTED BY THE PRESIDENT ON THE BASIS OF THE RECOMMENDATION OF THE SECRETARIAT OF THE NATIONAL FRONT.

ARTICLE SIXTY SEVEN:

THE LOYA JIRGA ENJOYS THE FOLLOWING POWERS:

- 1) TO APPROVE AND AMEND THE CONSTITUTION.
- 2) TO ELECT THE PRESIDENT AND TO ACCEPT THE PRESIDENT'S RESIGNATION.
- 3) TO CONSENT TO THE DECLARATION OF WAR AND ARMISTICE.
- 4) TO ADOPT DECISIONS ON THE MOST IMPORTANT QUESTIONS REGARDING THE DESTINY OF THE COUNTRY.

ARTICLE SIXTY EIGHT:

SAVE IN CASES OTHERWISE DEFINED IN THIS CONSTITUTION, THE LOYA JIRGA SHALL BE SUMMONED AND OPENED BY THE PRESIDENT AND ITS SESSIONS SHALL BE HELD UNDER THE CHAIRMANSHIP OF THE PRESIDENT OR ANY OTHER PERSON APPOINTED BY THE PRESIDENT AS HIS REGENT. THE QUORUM FOR THE LOYA JIRGA SHALL BE TWO THIRD OF ITS MEMBERS PRESENT. SAVE IN CASES OTHERWISE DEFINED IN THIS CONSTITUTION, THE DECISIONS OF THE LOYA JIRGA SHALL BE ADOPTED BY A MAJORITY VOTE OF ITS MEMBERS.

ARTICLE SIXTY NINE:

DURING THE TIME WHEN THE HOUSE OF REPRESENTATIVES REMAINS DISSOLVED, ITS MEMBERS SHALL RETAIN THEIR MEMBERSHIP OF THE LOYA JIRGA TILL A NEW HOUSE IS ELECTED.

ARTICLE SEVENTY:

ELECTIONS TO LOYA JIRGA SHALL BE REGULATED BY LAW AND ITS PROCEDURE LAID DOWN BY THE LOYA JIRGA ITSELF.

CHAPTER FIVE

THE PRESIDENT

ARTICLE SEVENTY ONE:

THE PRESIDENT IS THE HEAD OF THE STATE AND SHALL EXERCISE HIS POWERS IN LEGISLATIVE, EXECUTIVE AND JUDICIAL SPHERES IN ACCORDANCE WITH THE PROVISIONS OF THIS CONSTITUTION AND THE LAWS OF THE REPUBLIC OF AFGHANISTAN.

ARTICLE SEVENTY TWO:

THE PRESIDENT SHALL BE ELECTED BY A MAJORITY VOTE OF THE MEMBERS OF THE LOYA JIRGA FOR A TERM OF SEVEN YEARS. NO PERSON CAN BE ELECTED AS PRESIDENT FOR MORE THAN TWO TERMS. THE PRESIDENT IS ACCOUNTABLE AND SHALL REPORT TO LOYA JIRGA. THE LOYA JIRGA SHALL BE CALLED TO ELECT A NEW PRESIDENT THIRTY DAYS BEFORE THE END OF THE TERM OF OFFICE OF THE OUTGOING PRESIDENT.

ARTICLE SEVENTY THREE:

ANY MUSLIM CITIZEN OF THE REPUBLIC OF AFGHANISTAN WHO HAS COMPLETED THE AGE OF FORTY AND WHO AND WHOSE WIFE ARE BORN OF AFGHAN PARENTS AND ENJOYS CIVIL AND POLITICAL RIGHT CAN BE ELECTED PRESIDENT.

ARTICLE SEVENTY FOUR:

THE PRESIDENT, AFTER BEING ELECTED, SHALL TAKE THE FOLLOWING OATH: *' I SWEAR IN THE NAME OF ALLAH, THE ALMIGHTY, TO PROTECT THE PRINCIPLES OF SACRED RELIGION OF ISLAM, OBSERVE THE CONSTITUTION OF THE REPUBLIC OF AFGHANISTAN AND SUPERVISE ITS IMPLEMENTATION, SAFEGUARD THE INDEPENDENCE, NATIONAL SOVEREIGNTY AND TERRITORIAL INTEGRITY OF AFGHANISTAN, PRESERVE THE BASIC RIGHTS AND FREEDOMS OF THE CITIZENS AND EXERT ALL MY EFFORTS TO ENSURE SOCIAL JUSTICE, PEOPLE'S PROSPERITY, STRENGTHENING OF PEACE AND PROGRESS IN THE COUNTRY'.*

ARTICLE SEVENTY FIVE:

THE PRESIDENT SHALL ENJOY THE FOLLOWING POWERS IN ADDITION TO THOSE ENTRUSTED TO HIM BY OTHER PROVISIONS OF THE CONSTITUTION:

- 1) SUPREME COMMAND OF THE ARMED FORCES.
- 2) TO SIGN LAWS AND RESOLUTIONS OF THE NATIONAL ASSEMBLY.
- 3) TO APPOINT THE PRIME MINISTER DESIGNATE TO FORM THE GOVERNMENT.
- 4) TO APPROVE THE HEAD AND MEMBERS OF THE GOVERNMENT AFTER THEY HAVE RECEIVED THE VOTE OF CONFIDENCE OF THE NATIONAL ASSEMBLY AND TO ACCEPT THEIR RESIGNATIONS.
- 5) TO CONVENE AND PRESIDE OVER THE COUNCIL OF MINISTERS WHEN NECESSARY.
- 6) TO APPROVE THE APPOINTMENT, PROMOTION AND PENSION OF JUDGES, HIGH RANKING OFFICIALS AND OFFICERS OF THE ARMED FORCES, ACCORDING TO THE PROVISIONS OF THE LAW.
- 7) TAKE DECISIONS ON ASCERTAINING PUBLIC OPINION OR HOLDING REFERENDUM ON MAJOR POLITICAL, SOCIAL AND ECONOMIC ISSUES.
- 8) PARDON AND REMIT SENTENCES.
- 9) ACCREDIT THE HEADS OF DIPLOMATIC MISSIONS OF THE REPUBLIC OF AFGHANISTAN TO FOREIGN COUNTRIES AND INTERNATIONAL ORGANISATIONS.

10) ACCEPT THE CREDENTIALS OF THE HEADS OF DIPLOMATIC MISSIONS OF FOREIGN STATES TO THE REPUBLIC OF AFGHANISTAN. 11) PROCLAIM A STATE OF EMERGENCY, GENERAL AND PARTIAL MOBILIZATION AND THEIR TERMINATION. 12) DECLARE WAR AND ARMISTICE WITH THE CONSENT OF LOYA JIRGA. 13) AUTHORIZE THE ISSUE OF MONEY. 14) GRANT CITIZENSHIP AND ASYLUM IN ACCORDANCE WITH THE LAW. 15) GRANT HONOURARY ORDERS, MEDALS AND TITLES AS PER THE LAW. 16) EXERCISE OTHER POWERS IN ACCORDANCE WITH THE LAW.

#### ARTICLE SEVENTY SIX:

THE PRESIDENT SHALL CONTINUE IN OFFICE TILL THE END OF HIS TERM EXCEPT IN THE EVENT OF PROTRACTED AND IRREVERSIBLE ILLNESS AND OR RESIGNATION. IN ALL CASES WHEN THE PRESIDENT IS UNABLE TO DISCHARGE HIS DUTIES, THE PRESIDENTIAL FUNCTIONS SHALL BE ENTRUSTED TO THE FIRST VICE PRESIDENT. IN CASE OF PERMANENT LOSS OF ABILITY TO WORK, DEATH OR RESIGNATION OF THE PRESIDENT, THE FIRST VICE PRESIDENT SHALL INVITE THE LOYA JIRGA WITHIN ONE MONTH TO ELECT A NEW PRESIDENT. IN THE EVENT OF RESIGNATION, THE PRESIDENT SHALL SUBMIT HIS RESIGNATION DIRECTLY TO THE LOYA JIRGA.

#### CHAPTER SIX

##### THE NATIONAL ASSEMBLY

#### ARTICLE SEVENTY SEVEN:

THE NATIONAL ASSEMBLY IS THE HIGHEST LEGISLATIVE ORGAN OF THE REPUBLIC OF AFGHANISTAN.

#### ARTICLE SEVENTY EIGHT:

THE NATIONAL ASSEMBLY CONSISTS OF TWO HOUSES: THE HOUSE OF REPRESENTATIVES AND THE SENATE.

#### ARTICLE SEVENTY NINE:

THE MEMBERS OF THE HOUSE OF REPRESENTATIVES SHALL BE ELECTED FROM ELECTORAL CONSTITUENCIES HAVING EQUAL POPULATION, FOR A LEGISLATIVE TERM OF FIVE YEARS. MEMBERS OF THE SENATE (SENATORS) ARE ELECTED AND APPOINTED IN THE FOLLOWING MANNER:

- 1) TWO PERSONS FROM EACH PROVINCE AND EQUIVALENT UNITS FOR A PERIOD OF FIVE YEARS.
- 2) TWO PERSONS FROM AMONG THE MEMBERS OF EACH PROVINCIAL COUNCIL AND ITS EQUIVALENT ELECTED BY THE COUNCIL FOR A TERM OF THREE YEARS.



3) THE REMAINING ONE THIRD OF THE MEMBERS SHALL BE APPOINTED FOR A PERIOD OF THREE YEARS BY THE PRESIDENT FROM AMONGST WELL INFORMED, SCHOLARLY, PRESTIGIOUS AND NATIONAL FIGURES.

ARTICLE EIGHTY:

THE NUMBER, CONDITIONS, PROCEDURE OF ELECTION AND APPOINTMENT OF THE MEMBERS OF THE NATIONAL ASSEMBLY SHALL BE REGULATED BY LAW.

ARTICLE EIGHTY ONE:

IN ADDITION TO OTHER POWERS PRESCRIBED IN THIS CONSTITUTION, THE NATIONAL ASSEMBLY SHALL ENJOY THE FOLLOWING POWERS:

- 1) TO APPROVE, AMEND AND REPEAL LAWS AND LEGISLATION DECREES AND TO PRESENT THEM TO THE PRESIDENT FOR SIGNATURE.
- 2) TO INTERPRET LAWS.
- 3) TO RATIFY AN ANNUL INTERNATIONAL TREATIES.
- 4) TO APPROVE SOCIO-ECONOMIC DEVELOPMENT PLANS AND ENDORSE THE GOVERNMENT'S REPORT ON THEIR EXECUTION.
- 5) TO APPROVE THE STATE BUDGET AND EVALUATE THE REPORT ON ITS EXECUTION.
- 6) TO ESTABLISH ADMINISTRATIVE UNITS AND MAKE CHANGES IN THEM.
- 7) TO ESTABLISH AND ABOLISH MINISTRIES AND CENTRAL ORGANS EQUIVALENT TO THEM.
- 8) TO DECIDE ON THE APPOINTMENT AND REMOVAL OF VICE PRESIDENTS ON THE BASIS OF RECOMMENDATION AND REQUEST OF THE PRESIDENT.
- 9) TO AUTHORIZE THE STATE TO RECEIVE LOANS AND GRANT PRIVILEGES OF SUBSTANTIAL IMPORTANCE IN NATIONAL ECONOMY, INCLUDING MONOPOLY.
- 10) TO INSTITUTE BY LAW HONOURARY ORDERS, MEDALS AND TITLES.
- 11) TO ENDORSE ESTABLISHMENT OF RELATIONS WITH FOREIGN COUNTRIES AND INTERNATIONAL ORGANISATIONS.
- 12) TO ELICIT REPLIES FROM THE PRIME MINISTER AND OTHER MEMBERS OF GOVERNMENT CONCERNING PERFORMANCE RELATING TO THEIR AUTHORITY DURING INTERPELLATIONS SESSION.

ARTICLE EIGHTY TWO:

THE HOUSE OF REPRESENTATIVES SHALL HAVE THE FOLLOWING EXCLUSIVE POWERS:

- 1) TO PASS A VOTE OF CONFIDENCE OR NO CONFIDENCE IN THE COUNCIL OF MINISTERS OR ONE OF ITS MEMBERS.
- 2) TO TAKE FINAL DECISION ON THE DRAFT PLANS FOR ECONOMIC AND SOCIAL DEVELOPMENT AND THE STATE BUDGET IN THE EVENT OF DISAGREEMENT BETWEEN THE HOUSE OF REPRESENTATIVES AND THE SENATE.

ARTICLE EIGHTY THREE:

EACH HOUSE OF THE NATIONAL ASSEMBLY SHALL APPOINT AT ITS FIRST SESSION, A COMMISSION FROM AMONG ITS MEMBERS TO AUTHENTICATE THE CREDENTIALS. THE COMMISSION SHALL REPORT THE RESULTS OF ITS FINDINGS TO THE HOUSE CONCERNED. THE HOUSE SHALL CONFIRM THE CREDENTIALS OF THE DEPUTIES OF THE NATIONAL ASSEMBLY ON THE BASIS OF THE REPORT AND IN CASE OF VIOLATION OF THE ELECTORAL LAW, THE HOUSE SHALL DECLARE THE CREDENTIALS OF THE MEMBER CONCERNED AS INVALID.

ARTICLE EIGHTY FOUR:

THE HOUSE OF REPRESENTATIVES ELECTS AT ITS FIRST SESSION FROM AMONG ITS MEMBERS AN EXECUTIVE COMMITTEE COMPOSED OF A CHAIRMAN, TWO DEPUTY CHAIRMEN AND TWO SECRETARIES FOR THE WHOLE TERM OF THE LEGISLATURE. THE SENATE ELECTS FROM AMONG ITS MEMBERS AN EXECUTIVE COMMITTEE COMPOSED OF A CHAIRMAN FOR A TERM OF FIVE YEARS, TWO DEPUTY CHAIRMEN AND TWO SECRETARIES FOR A TERM OF ONE YEAR. THE CHAIRMAN OF EACH HOUSE OF THE NATIONAL ASSEMBLY SHALL CONDUCT AND MAINTAIN ORDER IN THE RESPECTIVE SESSIONS OF THE HOUSES. IN THE ABSENCE OF THE CHAIRMAN ONE OF THE DEPUTY CHAIRMEN SHALL DISCHARGE HIS DUTIES.

ARTICLE EIGHTY FIVE:

THE ORDINARY SESSIONS OF THE NATIONAL ASSEMBLY ARE HELD TWICE A YEAR, IN THE FIRST WEEK OF THE MONTH OF SUNBOLA AND THE FIRST WEEK OF THE MONTH OF HOOT. EACH REGULAR SESSION OF THE NATIONAL ASSEMBLY, SHALL NOT EXTEND TO MORE THAN THREE MONTHS. IF THE NATIONAL ASSEMBLY IS DISCUSSING THE ANNUAL BUDGET OR THE DEVELOPMENT PLAN, ITS SESSION SHALL NOT BE WOUND UP BEFORE THEIR ENDORSEMENT. IF THE BUDGET IS NOT ENDORSED BEFORE THE BEGINNING OF THE FISCAL YEAR, THE BUDGET OF THE PREVIOUS YEAR SHALL APPLY TILL THE ENDORSEMENT OF THE NEW ANNUAL BUDGET. AN EXTRAORDINARY SESSION OF THE NATIONAL ASSEMBLY CAN BE HELD ON THE DECISION OF THE PRESIDENT, REQUEST OF CHAIRMAN OF EITHER HOUSE OR OF ONE FIFTH OF MEMBERS OF EACH HOUSE.

ARTICLE EIGHTY SIX:

THE HOUSES OF NATIONAL ASSEMBLY SHALL HOLD SEPARATE OR JOINT SESSIONS. THE JOINT SESSIONS OF THE NATIONAL ASSEMBLY ARE CHAIRED ALTERNATELY BY THEIR CHAIRMEN. THE PRESIDENT INAUGURATES AND CONCLUDES THE SESSION OF THE NATIONAL ASSEMBLY. THE FIRST SESSION OF NATIONAL ASSEMBLY SHALL BE SUMMONED BY THE PRESIDENT, THIRTY DAYS AFTER THE CONCLUSION OF THE ELECTIONS TO THE HOUSE OF REPRESENTATIVES.

ARTICLE EIGHTY SEVEN:

THE QUORUM FOR BOTH HOUSES OF THE NATIONAL ASSEMBLY SHALL BE COMPLETED WHEN TWO THIRD OF THE MEMBERS OF EACH HOUSE ARE PRESENT. THE DECISION OF EACH HOUSE IS PASSED BY A MAJORITY VOTE OF ITS TOTAL MEMBERSHIP.

ARTICLE EIGHTY EIGHT:

THE SEPARATE AND JOINT SESSIONS OF THE HOUSES OF NATIONAL ASSEMBLY SHALL BE OPEN, UNLESS THE HOUSES DECIDE TO MEET IN CLOSED SESSIONS. THE PROCEEDINGS OF THE DEBATES OF BOTH THE HOUSES SHALL BE R