

The Constitution of Nakhchivan Autonomous Republic

The foundations of the autonomy of Nakhchivan were established with the international treaties of Moscow (March 16, 1921) and Gars (October 13, 1921) which are in force at present. Nakhchivan's being a part of Azerbaijan was once again stated in those international treaties and the territorial boundaries were certained.

Beginning from March 16, 1921 Nakhchivan firstly was named Nakhchivan Soviet Socialist Republic, after June 16, 1923 it was named Nakhchivan province, from February 9, 1924 as Nakhchivan Autonomous Soviet Socialist Republic and from November 17, 1990 as Nakhchivan Autonomous Republic.

The first Constitution of Nakhchivan Autonomous Soviet Socialist Republic was adopted in 1926, the second in 1937, the third in 1978.

The base of this Constitution of Nakhchivan Autonomous Republic constitutes the Constitution of the Azerbaijan Republic which was adopted on November 12, 1995 by public voting –referendum.

When adopted this Constitution of Nakhchivan Autonomous Republic which is closely linked with the Constitution of the Azerbaijan Republic, the following intentions are declared solemnly:

- to safeguard the independence, sovereignty and territorial integrity of the Azerbaijan state;
- basing on justice, rules to ensure the advanced standard of life and way of living of the population of Nakhchivan Autonomous Republic.
- to give guarantee to the democratic, juridical and worldwide state structure according to the Constitution of Nakhchivan Autonomous Republic and stand in defence of law highness.

This Constitution is adopted with the lofty intentions as stated above.

General principles

Article 1. The Status of Nakhchivan Autonomous Republic

I. Nakhchivan Autonomous state is a democratic, juridical, secular autonomous republic within the Azerbaijan Republic.

II. The status of Nakhchivan Autonomous Republic is determined by the Constitution of the Azerbaijan Republic, the international treaties of Moscow (March 16, 1921) and Gars (October 13, 1921).

Article 2. The fundamentals of autonomy

I. Nakhchivan Autonomous Republic is independent in solving the issues included to its authorities according to the Constitution of the Azerbaijan Republic.

II. All other problems connected with the interests of Nakhchivan Autonomous Republic are solved by Nakhchivan Autonomous Republic provided that, the solution of these problems were not subjected to the authorities of the state systems of the Azerbaijan Republic.

III. In solving the problems subjected to the authorities of Nakhchivan Autonomous Republic, it links with the common interests of the Azerbaijan Republic.

Article 3. Separation of powers

I. The state power in Nakhchivan Autonomous Republic is organized on the principles of powers' separation:

- the power of legislation is carried out by the Supreme Majlis of Nakhchivan Autonomous Republic;

- the power of execution is carried out by the Cabinet of Ministers of Nakhchivan Autonomous Republic;

- the court power is carried out by the courts of Nakhchivan Autonomous Republic.

II. According to the principles of this Constitution the powers of legislation, execution and court act mutually.

III. The Supreme Majlis of Nakhchivan Autonomous Republic is independent in solving the problems of the Constitution of the Azerbaijan Republic, laws and problems subjected to its competences by this Constitution, in solving the problems of the Cabinet of Ministers of Nakhchivan Autonomous Republic subjected to its competences the Constitution of the Azerbaijan Republic, laws and decrees of the President of the Azerbaijan Republic but the courts of Nakhchivan Autonomous Republic are independent in solving the problems subjected to its competences according to the Constitution of the Azerbaijan Republic and laws.

Article 4. Prohibition of missappropriation of state power

I. None of the citizens, social group, organization or anybody in Nakhchivan Autonomous Republic can missappropriate the authority of power.

II. Misappropriation of power is the serious crime against nation.

Article 5. The Supreme official of Nakhchivan Autonomous Republic

I. The Supreme official of Nakhchivan Autonomous Republic is the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic.

II. In the cases or procedure as specified by this constitution the Supreme official of Nakhchivan Autonomous Republic carries out the following authorities either in the fields of legislation power and executive power:

- 1) Appoints elections to the Supreme Majlis of Nakhchivan Autonomous Republic.
- 2) Ensures the mutual activity of the state power systems of Nakhchivan Autonomous Republic;
- 3) Signs and publishes the laws of Nakhchivan Autonomous Republic;

- 4) Informs the Supreme Majlis of Nakhchivan Autonomous Republic about the important questions of state and public-political life of Nakhchivan Autonomous Republic;
- 5) Decides a decision about resignation of the Cabinet of Ministers of Nakhchivan Autonomous Republic;
- 6) Establishes central executive power systems within the frame of expenditures considered for the executive power in the state budget of Nakhchivan Autonomous Republic;
- 7) Ensures the activity of the Cabinet of Ministers body of Nakhchivan Autonomous Republic by the offer of Prime Minister of the Nakhchivan Autonomous Republic within the period of the Supreme Majlis sessions of Nakhchivan Autonomous Republic;
- 8) Represents Nakhchivan Autonomous Republic in establishing relations with foreign countries and international organizations, also with other physical and juridical persons;
- 9) Makes offers about appointment and dismissal of judges of the Supreme Court of Nakhchivan Autonomous Republic, of general and specialized courts of Nakhchivan Autonomous Republic;
- 10) Makes assignment about election of the Human rights commissioner of Nakhchivan Autonomous Republic to the Supreme Majlis of Nakhchivan Autonomous Republic; (2)
- 11) Makes an offer about appointment and dismissal of the prosecutor of Nakhchivan Autonomous Republic, the prosecutors of regions, cities and specialized;
- 12) Carries out the military doctrine of the Azerbaijan Republic in Nakhchivan Autonomous Republic, makes an offer about the commandon bodies of the Armed Forces of the Azerbaijan Republic situated in the territory of Nakhchivan Autonomous Republic;
- 13) Makes an offer about citizenship questions;
- 14) Makes an offer about pardoning questions;
- 15) Institutes the Security Council and heads it;
- 16) Provides general and partial mobilization implementation;
- 17) Renders assistance in call up of the citizens to the active service and in the implementation of the measures taken in the social defence of the demobilized servicemen.

18) Renders help in the implementation of the extraordinary and marital law regime declared by the President of the Azerbaijan Republic, makes an offer about declaration of the extraordinary and marital law in Nakhchivan Autonomous Republic.

19) Institutes honorary titles and awards with the honorary titles;

20) Solves other problems according to executive principles attributed to the competences of the Supreme official of Nakhchivan Autonomous Republic subjected by the President of the Azerbaijan Republic.

III. The supreme official of Nakhchivan Autonomous Republic represents Nakhchivan Autonomous Republic in economic and cultural issues connected with the interests of Nakhchivan Autonomous Republic, according to the limit determined by the Constitution of Nakhchivan Autonomous Republic and according to the principles determined by laws of the Azerbaijan Republic and in the international relations of the Azerbaijan Republic.

IV. The supreme official of Nakhchivan Autonomous Republic provides the stateship inheritance of Nakhchivan Autonomous Republic;

V. According to the questions subjected to his (her) competence by this Constitution Supreme official of Nakhchivan Autonomous Republic receives personal decrees and decides decisions about other problems.

Article 6. Territory

The territory of Nakhchivan Autonomous Republic is common within the state borders boundary of the Azerbaijan Republic, inviolable and indivisible.

Article 7. Provision main human and civic rights and freedoms.

Protection of main human rights and civic rights and freedoms, safeguard and ensuring the execution of objectives of the citizens of the Azerbaijan Republic as stated in the Constitution of the Azerbaijan Republic, is the key duty of the state organizations of Nakhchivan Autonomous Republic.

Article 8. Voting right of the citizens in Nakhchivan Autonomous Republic

The citizens of the Azerbaijan Republic living permanently in the territory of Nakhchivan Autonomous Republic shall have the right to elect and be elected.

The persons being confirmed their activity disability by courts have no right to take part in the elections, Military servicemen, judges, state officials, religious leaders, the persons imprisoned by the lawful sentences of the court, other persons attributed to this Constitution and law may be restricted to participate in the elections as specified by law.

Article 9. The Capital

The capital of Nakhchivan Autonomous Republic is the city of Nakhchivan.

Article 10. The symbols of Nakhchivan Autonomous State

The state symbols of Nakhchivan Autonomous Republic are the state flag, emblem of the Azerbaijan Republic and the national anthem of the Azerbaijan Republic.

Chapter II

The Legislative power

Article 11. Implementation of the legislative power

In Nakhchivan Autonomous Republic the legislative power is implemented by the Supreme Majlis

of Nakhchivan Autonomous Republic.

Article 12. The number of the Supreme Majlis of Nakhchivan Autonomous Republic

The Supreme Majlis of Nakhchivan Autonomous Republic consists of 45 deputies.

Article 13. The fundamental of the Supreme Majlis deputies elections of Nakhchivan Autonomous Republic

The deputies of the Supreme Majlis of Nakhchivan Autonomous Republic are elected on the basis of majoritar election system, common, equal and on the basis of direct electional law free, personal and secret way of voting.

Article 14. The term of validity of the Supreme Majlis summon of Nakhchivan Autonomous Republic

I. The term of each summon validity of the Supreme Majlis of Nakhchivan Autonomous Republic is 5 years.

II. The elections of each summon of the Supreme Majlis of Nakhchivan Autonomous Republic is held at every five years on the first Sunday of November.

III. The term of deputies power of the Supreme Majlis of Nakhchivan Autonomous Republic is restricted by the term of power of the Supreme Majlis summon of Nakhchivan Autonomous Republic.

IV. If new elections are held for the seats of the deputies dismissed from the Supreme Majlis of Nakhchivan Autonomous Republic, the term of power of the deputy elected newly is restricted with the rest term of power of the deputy dismissed.

Article 15. The requirements to candidates of deputies to the Supreme Majlis of Nakhchivan Autonomous Republic

I. Any citizen of the Azerbaijan Republic living permanently in the territory of Nakhchivan Autonomous Republic being not under 25 years old may be elected deputy of the Supreme Majlis of Nakhchivan Autonomous Republic as specified by law.

II. The persons having a double citizenship, having commitment in front of other countries, working in the systems of executive and court powers, excluding scientific, pedagogical and creative activities, the persons being engaged to other payment activities, religious leaders, he whose activity disability was confirmed by the court, the persons imprisoned for the episode of serious crimes, the persons who were imprisoned by the lawful sentences of the court and being in jail can't be elected deputies to the Supreme Majlis of Nakhchivan Autonomous Republic.

Article 16. Verification and confirmation the results of the deputies elections to the Supreme Majlis of Nakhchivan Autonomous Republic

The results of the elections correctness are verified and affirmed by the Supreme Court of Nakhchivan Autonomous Republic as specified by law.

Article 17. The end of the deputies power of the Supreme Majlis of Nakhchivan Autonomous Republic

I. The powers of the deputies of the Supreme Majlis of Nakhchivan Autonomous Republic end in the first day of the meeting of a new summon of the Supreme Majlis of Nakhchivan Autonomous Republic.

II. If the end of the Supreme Majlis term of power of Nakhchivan Autonomous Republic fewer than 120 days are left, new elections are not held to the seats of the dismissed deputies of the Supreme Majlis of Nakhchivan Autonomous Republic.

III. The Supreme Majlis of Nakhchivan Autonomous Republic is plenipotentiary with verification the powers of 31 deputies.

Article 18. The sessions of the Supreme Majlis of Nakhchivan Autonomous Republic

I. The Supreme Majlis of Nakhchivan Autonomous Republic assembles for two next sessions every

year.

After verification the powers of 31 deputies of the Supreme Majlis of Nakhchivan Autonomous Republic, the first meeting of the Supreme Majlis of Nakhchivan Autonomous Republic is held not late than a week starting from the very day.

II. The extraordinary sessions of the Supreme Majlis of Nakhchivan Autonomous Republic are held by the President of the Azerbaijan Republic, by Milli Majlis of the Azerbaijan Republic, by demand of 16 deputies of the Supreme Majlis of Nakhchivan Autonomous Republic or by self initiative of the chairman of the Supreme Majlis of Nakhchivan Autonomous Republic.

III. The agenda of the extraordinary session of the Supreme Majlis of Nakhchivan Autonomous Republic is consequently determined by those who demand it. After consideration the questions put on this agenda the extraordinary session is over.

Article 19. Deprivation from the deputy power of the Supreme Majlis of Nakhchivan Autonomous Republic and losing the power of the Supreme Majlis deputies of Nakhchivan Autonomous Republic.

I. The deputy of the Supreme Majlis of Nakhchivan Autonomous Republic is deprived from a deputy mandate in the following cases:

- 1) if discovered incorrect calculation of votes during elections;
- 2) when leaving the citizenship of the Azerbaijan Republic or receiving the citizenship of another country;
- 3) when committing a crime and having a court decision in effect;
- 4) if a deputy refuses himself;

The decision about deprivation from the deputy power of the Supreme Majlis of Nakhchivan Autonomous Republic is adopted as specified by law.

II. When the deputies of the Supreme Majlis of Nakhchivan Autonomous Republic can't execute their powers or in other cases as considered in law their powers are lost.

The procedure to receive a decision about it is determined as specified by law.

Article 20. The immunity of the deputies of the Supreme Majlis of Nakhchivan Autonomous Republic.

I. Within the power term the personality of the deputy of the Supreme Majlis of Nakhchivan Autonomous Republic is inviolable in Nakhchivan Autonomous Republic. The deputy of the Supreme Majlis of Nakhchivan Autonomous Republic can't be prosecuted excluding red-handed catch, can't be imprisoned, can't be held an administrative punishment by court, can't be undergone to watch, can't be examined personally. If the deputy of the Supreme Majlis of Nakhchivan Autonomous Republic is caught red-handed he can be arrested. In this case the system who arrested the deputy of the Supreme Majlis of Nakhchivan Autonomous Republic must inform the prosecutor of Nakhchivan Autonomous Republic without any delay.

II. To the inviolability of the Supreme Majlis deputy of Nakhchivan Autonomous Republic only the Supreme Majlis of Nakhchivan Autonomous Republic can put an end by the decided simple votes majority decision on the basis of the appointment of the Nakhchivan Autonomous Republic prosecutor.

Article 21. Prohibitions against prosecuting the deputy of the Supreme Majlis of Nakhchivan Autonomous Republic.

The deputies of the Supreme Majlis of Nakhchivan Autonomous Republic can't be prosecuted for their activity in the Supreme Majlis, for voting or for their thought expressed. Out of their consent nobody can demand explanation about it.

Article 22. Organizing the prosecutor of the Supreme Majlis affair of Nakhchivan Autonomous Republic.

The Supreme Majlis of Nakhchivan Autonomous Republic determines self working principle and establishes the certain systems of the Supreme Majlis of which, elects own chairman and his deputies, establishes permanent and other commissions.

Article 23. The acts of the Supreme Majlis of Nakhchivan Autonomous Republic.

I. The Supreme Majlis of Nakhchivan Autonomous Republic receives laws and decrees about the questions for their authorities.

II. The laws and decrees are received in the Supreme Majlis of Nakhchivan Autonomous Republic on the basis of the Constitution of the Azerbaijan Republic and on the principle as specified by this Constitution.

III. The deputies of the Supreme Majlis of Nakhchivan Autonomous Republic carry out their voting right personally.

IV. The Supreme Majlis of Nakhchivan Autonomous Republic is independent in solving the questions attributed to its power by the Constitution and laws of the Azerbaijan Republic.

Article 24. The general principles determined by the Supreme Majlis of Nakhchivan Autonomous Republic.

I. The Supreme Majlis of Nakhchivan Autonomous Republic determines general principles about the following questions:

- 1) the elections to the Supreme Majlis of Nakhchivan Autonomous Republic;
- 2) the status of the Supreme Majlis deputies of Nakhchivan Autonomous Republic;
- 3) the status of the commissioner of Nakhchivan Autonomous Republic on Human rights; (2)
- 4) the taxes according to the economic and tax policy of the Azerbaijan Republic;
- 5) the development directions of the economy of Nakhchivan Autonomous Republic;
- 6) social maintenance;
- 7) environment protection;
- 8) tourism;
- 9) public health, science and culture;

10) other questions attributed to its authority as specified by the Constitution and laws of the Azerbaijan Republic.

II. The Supreme Majlis of Nakhchivan Autonomous Republic adopts laws about the questions stated in this article.

Article 25. The questions solved by the Supreme Majlis of Nakhchivan Autonomous Republic

I. The Supreme Majlis of Nakhchivan Autonomous Republic solves the questions as follow;

- 1) Organizing the working of the Supreme Majlis of Nakhchivan Autonomous Republic;
- 2) Affirmation the budget of Nakhchivan Autonomous Republic;
- 3) Affirmation the economic and social programs of Nakhchivan Autonomous Republic;
- 4) Appointment and dismissal of the Prime Minister of Nakhchivan Autonomous Republic;
- 5) Affirmation the body of the Cabinet of Ministers of Nakhchivan Autonomous Republic;
- 6) Confidence to the Cabinet of Ministers of Nakhchivan Autonomous Republic;
- 7) Election of the commissioner of Nakhchivan Autonomous Republic for Human rights by the assignment of the supreme official of Nakhchivan Autonomous Republic;
- 8) Affirmation of the decrees of the Supreme official of Nakhchivan Autonomous Republic in the cases considered in this Constitution;
- 9) Other questions attributed to its authority by the Constitution and laws of the Azerbaijan Republic.

II. The Supreme Majlis of Nakhchivan Autonomous Republic receives decrees about the questions stated in this article.

Article 26. The right of legislative initiative

I. The right of legislative initiative in the Supreme Majlis of Nakhchivan Autonomous Republic (the right to put for consideration the draft laws and other questions to the Supreme Majlis of Nakhchivan Autonomous Republic) belongs to the deputies of the Supreme Majlis of Nakhchivan Autonomous Republic, to the Prime Minister of Nakhchivan Autonomous Republic and to the Supreme Court of Nakhchivan Autonomous Republic.

II. The laws and draft laws by legislative initiative of the Prime Minister of Nakhchivan Autonomous Republic, the Supreme Court of Nakhchivan Autonomous Republic put for consideration in the Supreme Majlis of Nakhchivan Autonomous Republic are put to voting as it was put for consideration.

III. The amendments in such laws and draft laws can be held by consent of the system who used the right of legislative initiative.

IV. The laws and draft laws submitted for consideration in the Supreme Majlis of Nakhchivan Autonomous Republic by the deputies of the Supreme Majlis of Nakhchivan Autonomous Republic, the Prime Minister of Nakhchivan Autonomous Republic and the Supreme Court of Nakhchivan Autonomous Republic are put to voting within two months.

V. If the law and draft law was declared urgently by the deputies of the Supreme Majlis of Nakhchivan Autonomous Republic, the Prime Minister of Nakhchivan Autonomous Republic, the Supreme Court of Nakhchivan Autonomous Republic, then this term constitutes 20 days.

Article 27. Signing the laws and decrees

I. Thereafter 10 days after received the laws and decrees they are signed by the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic.

II. The law and draft law declared urgent is signed by the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic within 24 hours since the day received.

Article 28. The acts of the Supreme Majlis of Nakhchivan Autonomous Republic coming into force

If another rule isn't considered in the law and decree of the Supreme Majlis of Nakhchivan Autonomous Republic in it, the law and decree come into force since the day of publishing.

Article 29. The requirements about the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic

I. The Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic is elected by the Supreme Majlis of Nakhchivan Autonomous Republic, subordinates it and renders report to it. He can be called back by the Supreme Majlis of Nakhchivan Autonomous Republic.

II. Each deputy of the Supreme Majlis of Nakhchivan Autonomous Republic can be elected Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic provided that, not to be less than 30 years old, to live permanently in the territory of Nakhchivan Autonomous Republic not fewer than five years, not having commitment in front of other countries, high educated, not having dual citizenship.

III. The procedure of the Supreme Majlis of Nakhchivan Autonomous Republic election is determined by the Supreme Majlis of Nakhchivan Autonomous Republic.

Article 30. Unable to fulfill self authorities regularly of the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic.

When the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic goes into retirement, when losing the executive ability of his authority for his health, during a certain term his authorities execution is carried out by the first deputy of the Supreme Majlis of Nakhchivan Autonomous Republic or if not that, by the deputy until electing a new chairman.

Article 31. Relieving the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic of his post

Relieving the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic of his post is defined by the Internal Regulations of the Supreme Majlis of Nakhchivan Autonomous Republic.

Article 32. The authorities of the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic

I. The Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic:

- 1) Holds the sessions of the Supreme Majlis;
- 2) Chairmanships the meetings of the Supreme Majlis of Nakhchivan Autonomous Republic;
- 3) The candidacy of a person presented by the President of the Azerbaijan Republic to the post of Prime Minister of Nakhchivan Autonomous Republic submits to the Supreme Majlis of Nakhchivan Autonomous Republic for consideration;
- 4) According to the offer of the Prime Minister of Nakhchivan Autonomous Republic the candidates to the member of the Cabinet of Ministers of Nakhchivan Autonomous Republic submits to the Supreme Majlis of Nakhchivan Autonomous Republic;
- 5) If the deputy of the Supreme Majlis of Nakhchivan Autonomous Republic refuses from his mandate or in other cases as specified by law he deprives the deputy from his deputy mandate;
- 6) The Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic decides a decision about his authorities implementation;
- 7) Renders an offer about the election of the deputy candidacy of the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic and dismissal of the deputies of the Chairman of the Supreme Majlis to the Supreme Majlis;
- 8) Arranges the machinery of the Supreme Majlis of Nakhchivan Autonomous Republic and assigns its leadership as specified by law of the Supreme Majlis of Nakhchivan Autonomous Republic.
- 9) Solves other questions concerning his authority according to this Constitution.

Article 33. The acts of the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic

The Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic decides decisions.

Chapter III

Executive Power

Article 34. The Executive Power in Nakhchivan Autonomous Republic

I. The executive power in Nakhchivan Autonomous Republic is carried out by the Cabinet of Ministers of Nakhchivan Autonomous Republic.

II. The Cabinet of Ministers of Nakhchivan Autonomous Republic is the supreme execution system of Nakhchivan Autonomous Republic.

III. The Cabinet of Ministers of Nakhchivan Autonomous Republic subordinates to the Supreme Majlis of Nakhchivan Autonomous Republic and regularly renders a report in front of it.

Article 35. The status of the Cabinet of Ministers of Nakhchivan Autonomous Republic

The Cabinet of Ministers of Nakhchivan Autonomous Republic is independent in solving the questions attributed to its authority according to the Constitution of the Azerbaijan Republic, laws, the decrees of the President of the Azerbaijan Republic, the Constitution of Nakhchivan Autonomous Republic and laws of it.

Article 36. The body of the Cabinet of Ministers of Nakhchivan Autonomous Republic

I. To the body of the Cabinet of Ministers of Nakhchivan Autonomous Republic include – the Prime Minister of Nakhchivan Autonomous Republic, his deputies, the ministers of Nakhchivan Autonomous Republic and leaders of central executive powers.

II. The body of the Cabinet of Ministers of Nakhchivan Autonomous Republic is affirmed by the Supreme Majlis of Nakhchivan Autonomous Republic according to the offer of Prime Minister of Nakhchivan Autonomous Republic.

Article 37. The Prime Minister of Nakhchivan Autonomous Republic

The Prime Minister of Nakhchivan Autonomous Republic is assigned by the Supreme Majlis of Nakhchivan Autonomous Republic upon the appointment of the President of the Azerbaijan Republic.

Article 38. The meetings of the Cabinet of Ministers of Nakhchivan Autonomous Republic

As usual, the meetings of the Cabinet of Ministers of Nakhchivan Autonomous Republic are headed by the Prime Minister of Nakhchivan Autonomous Republic

Article 39. The authorities of the Cabinet of Ministers of Nakhchivan Autonomous Republic

I. The Cabinet of Ministers of Nakhchivan Autonomous Republic:

- prepares the budget of the autonomous republic and submits to the Supreme Majlis of Nakhchivan Autonomous Republic;
- executes the budget of the autonomous republic;
- ensures implementation of the economic programs of the autonomous republic;
- ensures implementation of the social programs of the autonomous republic;
- heads the ministers and other executive power systems, cancels their acts;
- Solves other questions attributed to its authority by the President of the Azerbaijan Republic.

II. The Cabinet of Ministers of Nakhchivan Autonomous Republic represents Nakhchivan Autonomous Republic in the Cabinet of Ministers of the Azerbaijan Republic in the fields of economy and culture.

Article 40. The acts of the Cabinet of Ministers of Nakhchivan Autonomous Republic

I. In defining general principles the Cabinet of Ministers of Nakhchivan Autonomous Republic receives decisions and decrees according to other issues.

II. The acts of the Cabinet of Ministers of Nakhchivan Autonomous Republic come into force since the day of publishing, if undetermined other principles.

Article 41. The requirements about the candidates to the membership of the Cabinet of Ministers of Nakhchivan Autonomous Republic

I. To the post of Prime Minister of Nakhchivan Autonomous Republic the citizen of the Azerbaijan Republic is appointed whose age is not less than 30, higher educated, has the right to participate in elections, having no commitment in front of another state.

II. To the deputy of Prime Minister of Nakhchivan Autonomous Republic, minister, the leadership position to other central executive systems the citizen of the Azerbaijan Republic is appointed who is over 25 years old, having the right to participate in elections, higher educated, having no commitment in front of another state.

Article 42. The requirements about the members of the Cabinet of Ministers of Nakhchivan Autonomous Republic

The members of the Cabinet of Ministers of Nakhchivan Autonomous Republic can't occupy any electional or appointed positions, can't be busy with entrepreneurship, commercial and other payment activities excluding scientific-pedagogical and creative activities, can't get additional wages besides their positional salary and also the salary for their scientific, pedagogical and creative activities.

Chapter IV

The Court Power

Article 43. The Court Power execution

I. The Court Power in Nakhchivan Autonomous Republic is only executed by courts via justice judgement.

II. The Court Power is executed by the Supreme Court of Nakhchivan Autonomous Republic, the general and specialized courts of Nakhchivan Autonomous Republic.

III. The court power is executed according to the Constitution of the Azerbaijan Republic, by means of civic and criminal court execution and by means of different ways as specified by law.

IV. The Prosecutor's office of Nakhchivan Autonomous Republic and the defence lateral participate in the process of judgement.

V. The court structure and the court execution principle are identified by law.

VI. Employment of the uncertained juridical methods for the purpose to change the powers of courts and establishment of the extraordinary courts are prohibited.

Article 44. The Supreme Court of Nakhchivan Autonomous Republic

I. The Supreme Court of Nakhchivan Autonomous Republic is the Supreme Court system about civic, criminal and other cases of the common courts execution. It carries out a supervision over the common courts due to the processual principles as specified by law.

II. The Supreme Court of Nakhchivan Autonomous Republic ensures its Constitutional supervision in Nakhchivan Autonomous Republic. It solves the questions as follows upon the request of Supreme official of Nakhchivan Autonomous Republic, the Supreme Majlis of Nakhchivan Autonomous Republic, the Cabinet of Ministers of Nakhchivan Autonomous Republic, the Chairman of the Supreme Court of Nakhchivan Autonomous Republic and the Prosecutor's Office of Nakhchivan Autonomous Republic;

1) The correspondence of laws of Nakhchivan Autonomous Republic, the decrees of the Supreme Majlis of Nakhchivan Autonomous Republic, the decrees and decisions of Supreme official of

Nakhchivan Autonomous Republic, the decrees of the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic, the decisions of the Cabinet of Ministers of Nakhchivan Autonomous Republic, the normative juridical acts of the cultural executive power systems of Nakhchivan Autonomous Republic to the Constitution of Nakhchivan Autonomous Republic;

2) The correspondence of the decrees of the Supreme Majlis of Nakhchivan Autonomous Republic, the decrees and decisions of the supreme official of Nakhchivan Autonomous Republic, the decrees of the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic, the decisions of the Cabinet of Ministers of Nakhchivan Autonomous Republic, the normative juridical acts of the central executive power systems of Nakhchivan Autonomous Republic to the laws of Nakhchivan Autonomous Republic;

3) The correspondence of the decisions of the Cabinet of Ministers of Nakhchivan Autonomous Republic, the normative juridical acts of the central executive power systems of Nakhchivan Autonomous Republic to the decrees and decisions of the Supreme official of Nakhchivan Autonomous Republic;

III. Everybody can make a complaint of those who violate his rights and freedom, from the legislative and executive power system's normative juridical acts of Nakhchivan Autonomous Republic as stated in the 1-3 items of the II part of this article, the Supreme Court of Nakhchivan Autonomous Republic to solve the problem and also can make a complaint to the Supreme Court of Nakhchivan Autonomous Republic from the municipal and court acts to restore his violated rights and freedom as specified by law. (1)

IV. One can make a complaint to the Constitutional court of the Azerbaijan Republic from the acts of the Supreme Court of Nakhchivan Autonomous Republic, as specified by law, in connection with the execution of the Constitutional supervision in Nakhchivan Autonomous Republic. (1)

V. The courts of Nakhchivan Autonomous Republic can appeal to the Supreme Court of Nakhchivan Autonomous Republic about explaining the laws of Nakhchivan Autonomous Republic in connection with execution of human rights and freedoms as specified by law. (1)

VI. The judges of the Supreme Court of Nakhchivan Autonomous Republic are appointed by Milli Majlis of the Azerbaijan Republic upon the proposal made by the Chairman of Supreme Majlis of Nakhchivan Autonomous Republic to the President of the Azerbaijan Republic and by the presentation of the President of the Azerbaijan Republic.

Article 45. General and specialized courts of Nakhchivan Autonomous Republic

I. The general and specialized courts of Nakhchivan Autonomous Republic are the first instance courts due to the cases subjected to their authorities as specified by law.

II. The judges of general and specialized courts of Nakhchivan Autonomous Republic are appointed by the President of the Azerbaijan Republic upon the proposal made by the Chairman of Supreme Majlis of Nakhchivan Autonomous Republic.

Article 46. The Prosecutor's Office of Nakhchivan Autonomous Republic

I. The Prosecutor's Office of Nakhchivan Autonomous Republic takes supervision over equal execution of laws and its correctness and implementation as specified by law, begins criminal cases and prosecutes as specified by law, defends state accusations in the court, puts a claim in the court and makes a protest against the court decisions.

II. The Prosecutor's Office of Nakhchivan Autonomous Republic is a common centralized system grounding on the subordination of the regional prosecutors to the prosecutor of Nakhchivan Autonomous Republic and to the General prosecutor of the Azerbaijan Republic.

III. The prosecutor of Nakhchivan Autonomous Republic is appointed to the position by the President of the Azerbaijan Republic upon the offer of the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic, with the representation of the General prosecutor of the Azerbaijan Republic.

IV. The regional and specialized prosecutors are appointed to the position and dismissed by the General prosecutor of Azerbaijan upon the offer of the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic and with the consent of the President of the Azerbaijan Republic.

Chapter V

The legislative system

Article 47. The juridical force of the Constitution of Nakhchivan Autonomous Republic

I. The Constitution of Nakhchivan Autonomous Republic possesses the highest juridical force among the other normative juridical acts of Nakhchivan Autonomous Republic.

II. The Constitution of the Nakhchivan Autonomous Republic possesses a direct juridical force.

III. The Constitution of Nakhchivan Autonomous Republic is the base of the legislative system of Nakhchivan Autonomous Republic.

Article 48. The legislative system of Nakhchivan Autonomous Republic

I. The legislative system of Nakhchivan Autonomous Republic is a part of the legislative system of the Azerbaijan Republic.

II. The legislative system of Nakhchivan Autonomous Republic corresponds with the legislative system of the Azerbaijan Republic.

III. The legislative system of Nakhchivan Autonomous Republic consists of the following normative juridical acts of Nakhchivan Autonomous Republic;

- 1) The Constitution of Nakhchivan Autonomous Republic;
- 2) The laws of Nakhchivan Autonomous Republic;
- 3) The decrees of the Supreme official of Nakhchivan Autonomous Republic;
- 4) The decisions of the Cabinet of Ministers of Nakhchivan Autonomous Republic;
- 5) The normative acts of the central executive power systems of Nakhchivan Autonomous Republic.

Article 49. The normative juridical acts of Nakhchivan Autonomous Republic

I. The juridical normative acts must ground on law and justice (equal interests, equal realtions).

II. The laws of Nakhchivan Autonomous Republic must not be against the Constitution and laws of the Azerbaijan Republic, must not be against the Constitution of Nakhchivan Autonomous Republic, only the published laws implementation and execution are obligatory for all citizens, executive power and court power, juridical persons and municipals in Nakhchivan Autonomous

Republic.

III. The decrees of the Supreme official must not be against the Constitution and laws of the Azerbaijan Republic, the Constitution and laws of Nakhchivan Autonomous Republic, the decrees and decisions of the President of the Azerbaijan Republic, only after publishing the implementation and execution of the decrees of the Supreme official of Nakhchivan Autonomous Republic are obligatory for the citizens, the central and local executive power systems, juridical persons.

IV. The decisions of the Cabinet of Ministers of Nakhchivan Autonomous Republic must not be against the Constitution and laws of the Azerbaijan Republic, must not be against the Constitution and laws of Nakhchivan Autonomous Republic, the decrees and orders of the President of the Azerbaijan Republic, the decrees and orders of the supreme official of Nakhchivan Autonomous Republic. Only thereafter publishing the implementation and execution of the orders of the Cabinet of Ministers of Nakhchivan Autonomous Republic are obligatory for the citizens, the central executive power systems and juridical persons.

V. The acts of the central executive power systems of Nakhchivan Autonomous Republic must not be against the Constitution and laws of the Azerbaijan Republic, the Constitution and laws of Nakhchivan Autonomous Republic, the orders and decrees of the President of the Azerbaijan Republic, the decisions and orders of the Cabinet of Ministers of Nakhchivan Autonomous Republic, the acts of the central executive power of the Azerbaijan Republic.

Chapter VI

The amendments and additions to the

Constitution of Nakhchivan Autonomous Republic

Article 50. The procedure of receiving amendments and additions to the Constitution of Nakhchivan Autonomous Republic

I. The amendments and additions to the Constitution of Nakhchivan Autonomous Republic are submitted to the Milli Majlis of the Azerbaijan Republic to be ratified just after adopted in the Supreme Majlis of Nakhchivan Autonomous Republic with 35 outvoting.

II. The offer about amendments and additions to the Constitution of Nakhchivan Autonomous Republic is put to the voting 2 times in the Supreme Majlis of Nakhchivan Autonomous Republic.

III. The Constitutional laws about amendments and additions to the Constitution of Nakhchivan Autonomous Republic is submitted to the Chairman of the Supreme Majlis of Nakhchivan Autonomous Republic to sign according to the principle considered for the offer and laws after the first and second voting.

IV. The amendments and additions to the Constitution of Nakhchivan Autonomous Republic is the unseperable part of the Constitution of Nakhchivan Autonomous Republic and it must not be against the basical text of the Constitution of Nakhchivan Autonomous Republic.

Transitional principles

1. The Constitution of Nakhchivan Autonomous Republic comes into force after adopted by the Supreme Majlis of Nakhchivan Autonomous Republic and being ratified by the Milli Majlis of the Azerbaijan Republic since the day published officially.

From the day this Constitution comes into force the Constitution (Fundamental Law) of Nakhchivan Autonomous Republic which was adopted on May 30, 1978 loses its force.

2. The authorities of the people's deputies of Nakhchivan Autonomous Republic end in the first day of the meeting of the newly elected Supreme Majlis of Nakhchivan Autonomous Republic.

The first meeting of the newly elected Supreme Majlis of Nakhchivan Autonomous Republic is held within a month since the day of proclaiming the election of at least 31 deputies of the Supreme Majlis of Nakhchivan Autonomous Republic.

3. Article 79. "About the elections to the Supreme Majlis of Nakhchivan Autonomous Republic" of the Law of Nakhchivan Autonomous Republic received on September 12, 1995 is in force until ending the authorities of the first summon of the Supreme Majlis of Nakhchivan Autonomous Republic.

4. Till the day this Constitution was received the laws and other normative juridical acts of

Nakhchivan Autonomous Republic being in force in the territory of Nakhchivan Autonomous Republic are in force in the part not being against this Constitution.