

# THE PERMANENT COMMITTEES OF THE SUPREME SOVIET OF THE USSR\*

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(Translated by Leda Swan)

At the first session of the Supreme Soviet of the USSR (January, 1938) both Chambers, the Soviet of the Union and the Soviet of Nationalities, elected permanent committees: (1) on Legislation, (2) on the Budget, and (3) on Foreign Affairs. The experience that has been accumulated since then makes it possible to draw certain general conclusions about the nature and form of their work.

These committees were set up by the Chambers on the initiative of the deputies to the Supreme Soviet of the USSR.<sup>1</sup> Inasmuch as the Constitution does not determine the procedure of work of the Supreme Soviet, the election of this or that permanent or temporary committee depends solely upon the desire of the Chambers.

To clarify the matter of the work of the permanent committees of the Soviet of the Union and the Soviet of Nationalities, it is helpful to turn to two basic existing sources: the proposals of the deputies concerning the creation of permanent committees, and the actual work of these committees up to the present.

## COMMITTEES ON LEGISLATION

Khrushchev, the deputy who introduced in the Soviet of the Union the proposal to organize a Committee on Legislation, pointed out that "... the Committee will have to do the preliminary work on this or that bill before it is debated and accepted by the Supreme Soviet." He was linking the question of careful drafting of laws

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<sup>1</sup> At the same time, Mandate committees and Inquiry and Auditing committees were elected by each Chamber, but they have a totally different significance. They are mentioned in the Constitution of the USSR and indicate a recognition of the right of the Supreme Soviet to exercise control over the fairness of the election of its members, to investigate any matter, and also to conduct an audit of the work of any organization or official of the Soviet Union.

to the objective of achieving stability of law which had been emphasized in the Eighth Congress of the Soviets of the USSR. "We must work carefully over the drafting of laws so that our laws will in the future ensure the permanence of the gains of the October socialist revolution. . . , " Khrushchev declared. A similar proposal was made at the meeting of the Soviet of Nationalities.

Of all the work performed by the Legislative committees to date, special attention is merited by their preparation for submission to the Supreme Soviet of the USSR of the bill entitled "The Judicial System of the USSR, Union Republics, and Autonomous Republics." This bill was introduced at the Second Session of the Supreme Soviet by the Council of People's Commissars of the USSR, but the committees of both Chambers had thoroughly studied every detail of the bill and had submitted their findings, in which general approval was expressed along with suggestions for changes and additions. These corrections were primarily editorial in nature, designed to make certain formulations more precise. But in some sections changes were suggested that affected the essence of the bill. Thus, for example, the bill (par. 20) permitted prosecution of People's Judges, as well as members of the District Courts and Supreme Courts of the autonomous republics, on the ruling of the Procurator (State Attorney) of the autonomous republic, sanctioned by the Presidium of the Supreme Soviet of the autonomous republic. The Legislative Committees proposed (and the Chambers approved the amendment) leaving this question to the competence of the Procurator and Presidium of the union republics.

The corrections, editorial and otherwise, which the Legislative Committee of the Soviet of the Union had proposed, affected twenty-seven paragraphs of the bill. Those proposed by the Legislative Committee of the other Chamber affected thirty paragraphs. As some of the proposals were identical, the committees together proposed in all thirty-seven amendments. The Chambers agreed with the changes in thirty paragraphs, and with these the Judiciary Act was passed by the Supreme Soviet of the USSR.

The Legislative Committee of the Soviet of the Union drafted and introduced for the approval of the Second Session of the Supreme Soviet a bill "On State Tax on Horses of Individual Farmers."

At the request of the Presidium of the Supreme Soviet of the USSR, the Legislative committees also prepared a bill on recall of deputies, in accordance with Article 142 of the Constitution. In addition, the committees took the initiative in drafting a bill embodying the decision of the Eighteenth All-Union Congress of the Communist Party to introduce universal ten-year and seven-year education during the third Five-Year Plan.

Are all the bills introduced in the Supreme Soviet of the USSR subject without exception to a preliminary examination by the Legislative Committees of the Soviet of the Union and the Soviet of Nationalities?

The answer, provided by actual experience, is in the negative. In the first place, legislation dealing with foreign affairs and finance-budget questions are handled by the relevant permanent committees of both Chambers. Thus, the bill on "Procedure for Ratification and Denunciation of International Treaties of the USSR," considered by the Second Session of the Supreme Soviet, had come from the Committee on Foreign Affairs. The bills on "Income Tax," on "Assessment for Housing and Cultural Construction Levied on Population Paying Income Tax," and on "Obligatory Insurance," introduced by the government for the approval of the Sixth Session of the Supreme Soviet, were examined by the Budgetary Committees of both Chambers.

Secondly, experience has shown that committee preparation of bills to be introduced in the Supreme Soviet does not prove necessary in all cases. Thus, for example, the bill on the All-Union Agricultural Exposition, introduced by a group of deputies, was examined and adopted by the Second Session of the Supreme Soviet without being referred to committees. The same was true of the bill on citizenship in the USSR, introduced by the government at the Second Session.

Thirdly, when the Chambers deem it necessary, they assign committee preparation of certain bills not to the permanent committees but to temporary ones created specially in each given case. This was true of bills on universal military service and on the agricultural tax introduced by the government at the Fourth Session.

Such procedural variations indicate the elasticity of the Supreme

Soviet's form of work. Summing up the above details, the duties of the Legislative Committees of the Soviet of the Union and the Soviet of Nationalities can be formulated as follows:

1. Preliminary consideration and transmission of findings on bills referred to them by the Chambers of the Supreme Soviet.

2. Drafting of legislation upon their own initiative and presentation of it, in the name of the Legislative Committee, for the consideration of the Supreme Soviet.

3. Drafting of legislation at the request of the Chambers (this kind of request has in practice never yet been made) and also at the request of the Presidium of the Supreme Soviet.

There is no doubt that the Committees on Legislation should play an important part in the huge task faced by the Supreme Soviet of the USSR in making the legislation of the USSR conform with the Constitution, and in particular, in issuing all-Union codes: criminal, criminal-procedural, civil, civil-procedural, as well as in issuing federal legislation, establishing basic principles concerning the use of the land, basic principles in the spheres of education and public health, and principles of labor legislation (Constitution of the USSR, Par. 14).

### **BUDGET COMMITTEES**

The election of the Budget Committees was proposed by the deputies of the Supreme Soviet of the USSR for the purpose of ". . . subjecting the budget to a thorough investigation in all its items of income and expenditure, of organizing a systematic checkup of fulfillment of the various items; of providing a preliminary examination of the budget introduced for the approval of the Supreme Soviet. . . ."

Proposals to organize the Budget Committees were prompted by the extreme importance which the budget has in a socialist economy and the necessity in this connection for a detailed and thorough examination by the Supreme Soviet of budgets introduced by the government for its approval.

Up to the present, the work of the Budget Committees of both Chambers has taken the following form. The Budget Committees have subjected the 1938, 1939, and 1940 state budgets to detailed

preliminary examination.<sup>2</sup> As a result of the many-sided consideration of each item of income and expenditure, the Budget Committees of both Chambers submitted their findings and also gave associate reports to accompany the reports of the People's Commissar of Finance of the USSR at the Second (August, 1938), at the Third (May, 1939) and at the Sixth (March-April, 1940) Sessions of the Supreme Soviet of the USSR.

The findings of the Budget Committee consisted of three basic elements:

1. A general evaluation of the budget from the point of view of its accord with the policies of the Party, the Soviet government, and the existing laws.

2. Proposals for amendment of the budget.

3. A statement of shortcomings discovered by the Budget Committees in the system and practice of work of the People's Commissariat of Finance and other USSR commissariats in the matter of compiling and drawing up the budget, and, arising out of this, certain concrete comments and suggestions.

At all three sessions, the Budget Committees stated in their findings that the budgets introduced by the Council of People's Commissars corresponded fully to the policy of the Party and the Soviet government and were aimed to facilitate socialist construction, as well as to strengthen the security of the state.

The amendments to the 1938 budget, proposed by the Budget Committee of the Soviet of the Union, consisted in a partial rearrangement of income and expenditure and in the increase of income by 1,594.8 million rubles together with an increase of expenditure by 38.3 million rubles. Similar amendments to the 1938 budget, proposed by the Budget Committee of the Soviet of Nationalities, contemplated a 1,593.5 increase of income and a 14.7 million ruble increase of expenditure.

The Chambers, agreeing with the major part of the amendments, adopted the 1938 budget with a 1,553.8 million ruble increase in income over the budget proposed by the Council of People's Commissars, and with a 38.3 million expenditure increase.

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<sup>2</sup> The same procedure was followed with the 1941 budget, presented to the Eighth Session in February.—*Ed.*

The amendments to the 1939 budget proposed by the Budget Committee of the Soviet of the Union resulted in a partial rearrangement of income and expenditure items, in an increase of income by 491.0 million rubles and a decrease of expenditures amounting to 152.6 million rubles. The amendments submitted by the Budget Committee of the Soviet of Nationalities recommended a 574 million ruble increase in income and 152.6 million ruble reduction in expenditure.

In agreement with all the amendments proposed by the Budget Committee of the Soviet of the Union and with most of the amendments proposed by the other committee, the Chambers adopted the 1939 budget with an increase in income of 491 million rubles and with a reduction of 152.6 million rubles for expenditures.

Similarly, the Supreme Soviet of the USSR approved the 1940 budget with an increase in income, over the budget submitted by the Council of People's Commissars, of 1,368.7 million rubles and an increase of expenditures of 202.4 million rubles, in accordance with the amendments proposed by the budget committees, with an additional assignment of funds to enterprises favored by deputies in their remarks during the discussion of the budget in the Chambers.

The amendments to the 1938, 1939, and 1940 budgets proposed by the Budget Committees were a result of:

1. Discovering new sources of income.
2. Introduction of changes arising out of decisions made by the Council of People's Commissars of the USSR after the budget had been given to the Budget Committees.
3. Satisfying the justifiable requests of various departments.
4. Making more precise the various accounts on the basis of the last year's reports as well as on the basis of information concerning the fulfillment of estimates for the period already elapsed in the current budget year.<sup>3</sup>
5. Correcting inaccuracies and lack of precision on the part of the People's Commissariat of Finance in determining the income and expenditure items.

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<sup>3</sup> The fiscal year runs from January 1 to December 31.—*Ed.*

In studying the budgets, the committees examined the methods of work of the People's Commissariat of Finance of the USSR and other People's Commissariats in compiling and executing the budget and discovered a number of inadequacies. For instance, in the "Law on the Unified State Budget of the USSR for 1938," adopted by the Second Session of the Supreme Soviet of the USSR, in accordance with the Budget Committees' proposal there was noted the unsatisfactory organization of the collection of agricultural taxes and assessments in 1937 by the People's Commissariat of Finance of the USSR and its local bodies.

In their co-reports on the 1939 budget, the committees noted the unsatisfactory work of the savings banks in encouraging the people to place their savings in the banks, the insufficient effort made by many enterprises to eliminate waste, the inadequate study by the People's Commissariat of Finance of the economy of various union republics, the lack of coordination between various departments in the Finance Commissariat in planning the budget, the insufficient enforcement of financial discipline, etc. Accordingly, in the "Law on the State Budget of the USSR for 1939," passed by the Third Session of the Supreme Soviet of the USSR, it was noted that "... the People's Commissariat of Finance of the USSR and its local bodies do not satisfactorily fulfill the task entrusted to them of exercising control over the correct and economical expenditure of state funds allotted to the People's Commissariats and other institutions and organizations." The Supreme Soviet directed the People's Commissariat of Finance and its local bodies "... decisively to improve the work of controlling the financial activity of People's Commissariats and other institutions and organizations, and strictly to observe finance and estimate discipline."

Studying the 1940 budget, the committees again discovered a number of shortcomings in the work of the Finance and other commissariats, namely, superfluity of personnel and administrative expenditures, carelessness, damage, considerable waste of raw materials, fuel, and wage funds, inadequate control by the People's Commissariat of Finance over the proper spending of funds, etc. Simultaneously with the study of the 1940 budget, the committees re-

viewed the report on the execution of the 1938 USSR state budget, issued findings, and proposed its ratification without change.

During the Sixth Session of the Supreme Soviet of the USSR, the Budget Committees of both Chambers examined and submitted their findings on the following bills introduced by the government: "Income Tax Law," "Assessment for Housing and Cultural Construction on Population Paying Income Tax," and the "Obligatory Insurance Law."

It has been proved, by analogy with other permanent committees, that the Budget Committees can draft upon their own initiative, and submit to the Chambers for consideration, legislative bills on finance-budget questions. On the basis of the above, the work of the Budget Committees can be formulated as follows:

1. Preliminary detailed examination and presentation of findings on the state budgets introduced by the government for the approval of the Supreme Soviet of the USSR.

2. Assistance to the Chambers of the Supreme Soviet in the exercise of control over the execution of the state budget of the USSR by means of: (a) a preliminary investigation and the presentation of findings on the reports concerning the execution of the budget, together with (b) an analysis of the methods of work of the People's Commissariat of Finance and other commissariats in the sphere of drawing up and carrying out the budget.

3. Preliminary study of finance-budget bills introduced in the Supreme Soviet and referred by the Chambers to the Budget Committees, as well as drafting bills on these subjects either upon their own initiative or upon assignment by the Chambers or the Presidium of the Supreme Soviet of the USSR.

## **FOREIGN AFFAIRS COMMITTEES**

The proposal to create permanent Foreign Affairs Committees of the Soviet of the Union and the Soviet of Nationalities was prompted by the extreme importance of problems of foreign policy which Article 14 of the federal constitution relegates to the competence of the Supreme Soviet of the USSR. According to the intention of these proposals, the work of the committees is to assist the



Chambers in deciding questions of foreign policy and to help formulate these questions for the consideration of the Supreme Soviet of the USSR. And this function the permanent committees on Foreign Affairs are indeed fulfilling.

The Committee on Foreign Affairs of the Soviet of Nationalities drew up and introduced at the Second Session of the Supreme Soviet the bill on "Procedure of Ratification and Denunciation of International Treaties of the USSR."

By analogy with other committees, the duties of the permanent committees on Foreign Affairs may be briefly defined as follows:

1. Assistance to the Chambers of the Supreme Soviet in exercising control over the conduct of foreign policy by the government of the USSR and in preparation of recommendations on questions of foreign policy for the consideration of the Supreme Soviet of the USSR.

2. Preliminary study of bills concerned with problems of international relations, introduced in the Supreme Soviet and referred to the committees; also the framing of bills of this kind either upon their own initiative or upon assignment by the Chambers or the Presidium of the Supreme Soviet of the USSR.

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This is the way the work of the permanent committees of both Chambers of the Supreme Soviet is at present outlined. It is not impossible, of course, that in the process of development it may in the future be supplemented and become more complex. But the fundamental purpose of all the permanent committees is to assist the Chambers of the Supreme Soviet in the realization of their constitutional right to initiate legislation (Par. 38 of the Constitution of the USSR).

[The author then contrasts the work of these committee with the work of parliamentary committees elsewhere, pointing to differences in composition, reporting out of bills, etc.—*Ed.*]

*(The remainder of this article, dealing with the procedures followed by the committees in their work, will be published in the next issue.)*

## DOCUMENTS



### TREATY ON FRIENDSHIP AND NON-AGGRESSION BETWEEN THE USSR AND YUGOSLAVIA

The Presidium of the Supreme Soviet of the USSR and His Majesty the King of Yugoslavia, inspired by friendship existing between the two countries and convinced that preservation of peace forms their common interest, decided to conclude a treaty on friendship and non-aggression and appointed for this purpose their representatives:

Presidium of the Supreme Soviet of the USSR—Viacheslav M. Molotov, Chairman of the Council of People's Commissars and People's Commissar of Foreign Affairs; His Majesty the King of Yugoslavia—Milan Gavrilovitch, Envoy Extraordinary and Minister Plenipotentiary of Yugoslavia, Bozhin Simich and Colonel Dragutin Savich, which representatives, after exchanging their credentials found in proper form and due order, agreed on the following:

#### ARTICLE I

The two contracting parties mutually undertake to desist from any aggression against each other and to respect the independence, sovereign rights and territorial integrity of the USSR and Yugoslavia.

#### ARTICLE II

In the event of aggression against one of the contracting parties on the part of a third power, the other contracting party undertakes to observe a policy of friendly relations towards that party.

#### ARTICLE III

The present treaty is concluded for a term of five years. If neither of the contracting parties finds it necessary to denounce the present treaty one year before expiration of the above terms, the treaty automatically will remain valid for the following five years.

#### ARTICLE IV

The present treaty comes into force from the moment of its signing. The treaty is subject to ratification as soon as possible. The exchange of ratification instruments shall take place in Belgrade.

#### ARTICLE V

The treaty is drawn up in two originals in Russian and the Serbo-Croat languages, both texts being equally valid.

Moscow, April 5. On behalf of the Supreme Soviet of the USSR,