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CONSTITUTION OF THE REPUBLIC OF BELARUS



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We, the people of Belarus,

realizing our responsibility to the present and future generations,

relying on the centuries-old history of the Belarusian statehood – from the Principality of Polotsk and the Grand Duchy of Lithuania to the Belarusian People’s Republic, Byelorussian Soviet Socialist Republic, and up to the present-day,

paying tribute to the law written in Belarusian in the Statutes of the Grand Duchy of Lithuania, in the Charters of the Belarusian People’s Republic and the Belarusian Constitutions,

affirming the inalienability of the rights of -Belarusian people to self-determination and state independence,

reaffirming our commitment to universal human values, human rights, and freedoms,

striving towards the well-being of each individual and the country, peace, and conciliation on the Belarusian land,

respecting and preserving the national identity, language, and culture,

wishing to develop friendly relations and cooperation with other states,

adopt this Constitution of the Republic of Belarus.

CHAPTER 1. FUNDAMENTALS OF THE CONSTITUTIONAL ORDER

Article 1. The Republic of Belarus

1. The Republic of Belarus / Belarus is a unitary democratic social state based on the rule of law.
2. The names ‘the Republic of Belarus’ and ‘Belarus’ are equivalent.
3. The Republic of Belarus has the supremacy of power on its territory and independence in the implementation of its domestic and foreign policy.
4. Belarus defends its sovereignty, territorial integrity, the constitutional order, and safeguards the rule of law and order.

Article 2. Democracy

1. Human beings, their rights and freedoms are of the highest value. The main duty of the State is the recognition, observance, provision, and protection of human rights and freedoms, the creation of conditions for a happy life, free and dignified development of the individual.
2. The people are the sole source of power and the bearer of sovereignty in the Republic of Belarus.



3. The people exercise their power through their democratically elected representatives, as well as directly – in cases stipulated by the Constitution and the law.

4. No one can appropriate the power of the people. The seizure of power or the appropriation of power is punishable by law.

5. The people and every citizen have the right to resist tyranny and oppression on the part of anyone who encroaches on the foundations of the constitutional order and the exercise of democratic human rights and freedoms if the use of legal means turns out to be impossible.

Article 3. Separation of powers

1. The state power in the Republic of Belarus is exercised on the basis of division into the legislative, executive, and judicial branches.

2. In the Republic of Belarus, local self-government is recognized and guaranteed; its competencies include issues of local importance. Local self-government bodies are not part of the system of the state government bodies.

3. The legislative, executive, and judicial power bodies, as well as local governments, within the competence of their authority, are independent; they check and balance each other; their activities are open, and they are accountable to the citizens.

Article 4. Territory

1. The territory of the Republic of Belarus is a natural condition for the existence and the spatial extent of self-determination of the people, the basis of its well-being, and the sovereignty of Belarus.

2. The territory of Belarus is one and inalienable.

3. The administrative-territorial structure of the Republic of Belarus is determined by organic law.

4. The State promotes sustainable and proportionate socio-economic development of administrative-territorial units.

Article 5. Rule of law

1. The rule of law is recognized and observed in the Republic of Belarus.

2. The Constitution has supreme legal force and direct effect.

3. The state bodies and local self-governments, officials and legal and natural persons act within the framework of the Constitution and the laws and regulations adopted in accordance with it.

4. Laws and regulations and separate provisions thereof, that are recognized as contradicting the Constitution, in accordance with the procedure established by the law, have no legal force.

5. The Republic of Belarus complies with its obligations in international law and ensures compliance of the legislation with them.



6. International treaties ratified by the Republic of Belarus have priority over the laws and are part of the national legislation.

7. The Republic of Belarus is not allowed to conclude international treaties which do not comply with the Constitution.

8. Laws and regulations are subject to publication in all official languages. The unpublished laws and regulations shall not be adopted.

Article 6. Basic principles of foreign policy

1. The Republic of Belarus in its foreign policy proceeds from the common principles and standards of international law, ensures the security and independence of the country, and the wellbeing of citizens, supports a peaceful and just world order, promotes its interests, and facilitates free trade.

2. Belarus strives for the status of permanent neutrality. The territory of the state is free from mass destruction weapons, including nuclear weapons. War propaganda in Belarus is prohibited.

3. The Republic of Belarus, in accordance with the standards of international law, may, on a voluntary basis, enter and leave interstate entities or international organizations. The decision to enter an interstate entity or international organization, which implies the transfer of part of State powers to supranational bodies, is made at a national referendum.

4. Belarus cannot enter an interstate entity or an international organization, if, as a result, it loses its independence and full international legal capacity.

*Article 7. National languages**

* The issue of the state language(s) will be raised separately at the National Referendum.

Article 8. National symbols

1. The national symbols of the Republic of Belarus are its flag, coat of arms, anthem, and motto.

2. The national flag of the Republic of Belarus is a rectangular panel, which consists of three horizontally located coloured stripes of equal width: the top and bottom ones are white, and the middle one is red. The ratio of the flag's width to its length is 1:2.

3. The national coat of arms of the Republic of Belarus is the "Pahonia", which is an image of a white horseman against the red background, facing left, with a raised sword and a shield with a cross.

4. The motto of the state is "Long Live Belarus!"

5. The reference description and the procedure for the use of national symbols are established by organic law.

Article 9. The capital.

1. The capital of the Republic of Belarus is the city of Minsk.



2. The status of the city of Minsk is determined by organic law.

CHAPTER 2. HUMAN RIGHTS, FREEDOMS, AND OBLIGATIONS

Article 10. Recognition of human rights and freedoms

1. All people are born free and equal in their dignity and rights.
2. Personal dignity is inviolable and subject to protection during a person's life and after their death.
3. Human rights and freedoms are natural and inalienable.
4. Human rights and freedoms are binding on the legislative and executive authorities, local self-government, and justice bodies as directly applicable law. The State provides for efficient mechanisms to promote human rights and legal protection against any violations of individual and collective rights.
5. Every person, exercising their rights and freedoms, must respect and observe the rights and freedoms of other people, as well as respect their dignity.
6. Every person has the right, individually or together with others, to encourage, protect and exercise human rights and freedoms on the national and international levels.

Article 11. Citizenship

1. The citizenship of the Republic of Belarus is acquired by birth and on other grounds prescribed in the law; it is equal to all citizens regardless of the grounds for acquisition.
2. Citizens of the Republic of Belarus may have the citizenship of other states.
3. Citizens are guaranteed protection and support of the State, both on the territory of Belarus and abroad.
4. No one can be deprived of citizenship or the right to change citizenship.
5. Citizens of the Republic of Belarus cannot be extradited to a foreign state unless otherwise provided for by international treaties of the Republic of Belarus.
6. The acquisition and termination of citizenship are carried out in accordance with organic law.

Article 12. Rights of foreign citizens and stateless persons

1. Foreign citizens and stateless persons on the territory of the Republic of Belarus enjoy rights and freedoms and perform duties on an equal basis with citizens of Belarus unless otherwise specified by the Constitution, laws, and international treaties.
2. Persons persecuted in other states for political opinion, religious beliefs, nationality, or on other grounds shall be granted the right of asylum in accordance with the generally recognized norms of international law.



3. No one may be forcibly expelled, returned, or otherwise deported to a country where the person is in serious danger of being sentenced to death, subjected to torture, or other forms of inhuman or degrading treatment or punishment.

Article 13. Right to life

1. Everyone has the inalienable right to life.
2. Death penalty is prohibited as a punishment.
3. Everyone has the right to protect their life and health, and the life and health of others from unlawful encroachments.

Article 14. Prohibition of torture

1. No one should be subjected to torture, cruel, inhuman, or degrading treatment or punishment.
2. No one shall be subjected to medical, scientific, or other experiments without one's voluntary consent.

Article 15. Right to liberty and personal inviolability

1. Everyone has the right to liberty and personal inviolability.
2. Restriction or deprivation of personal liberty is possible only by a court decision in cases and in the manner prescribed by law. A person may not be detained or held in custody for more than 48 hours pending a court order.
3. Everyone who is deprived of liberty shall be immediately informed, in a language that he/she understands and in a way that he/she understands, about the reason for the deprivation of liberty, and about his/her rights; he/she shall also be given the opportunity to inform relatives, the lawyer or other persons at his/her discretion about the deprivation of liberty.
4. No one can be deprived of liberty on the single basis that he/she is unable to fulfil a contractual obligation.
5. A person who has been deprived of his/her liberty in an unlawful or unreasonable manner, or has been convicted unreasonably, has the right to compensation for damage from the State.
6. All persons deprived of their liberty shall be treated with humanity and with respect for their dignity. The State creates conditions of detention in penal institutions conducive to the reform of convicted persons.

Article 16. Right to a fair trial

1. Every person is guaranteed the protection of his/her rights and freedoms by an independent and impartial court within a reasonable time frame determined by law.
2. Everyone has the right to judicial protection of their honour, dignity and business reputation.



3. Every person accused of a crime has the right to be informed promptly and in detail, in a language he/she understands, of the nature and cause of the charges against him/her.
4. No one can be forced to give testimony and explanations against themselves, their family members, and close relatives.
5. Every accused person has the right to question witnesses testifying against him/her, as well as the right to call and question witnesses testifying in his/her favour on the same conditions as the witnesses of the prosecution.
6. Every person has the right to both recover the property damage and redress the non-pecuniary damage.
7. Denial of judicial protection is not allowed, including on the grounds of absence, incompleteness, contradictory nature, or ambiguity of a regulation.

Article 17. Punishment solely on the basis of the law

1. No one can be found guilty of a crime until his/her guilt is proved and established in the manner prescribed by law, beyond all reasonable doubt, by a court verdict that has entered into legal force. The accused person is not obligated to prove his/her innocence. Evidence obtained in violation of the law shall have no legal force. Irrefutable doubts as to the guilt of a person shall be interpreted in favour of the accused.
2. No one may be convicted for committing any act or inaction, which, according to the law in force at the time of its commission, was not a legal offense. Nor may a punishment be imposed that is more severe than that which was applicable at the time of the commission of the crime or offense. If, after the commission of the crime, the law prescribes a more lenient penalty, the latter shall be applied.
3. No one shall be liable to be tried or punished again for a crime for which he or she has already been finally convicted or acquitted.

Article 18. Right to effective means of legal protection

1. Everyone has the right, in the manner prescribed by the Constitution and the law, to appeal in court against an action (inaction) of a state authority, local government body, or an official, who infringes upon the person's rights and freedoms,
2. Every person is guaranteed the right to lodge a constitutional complaint with the Constitutional Court on the grounds set in this Constitution and in the order prescribed by the law.
3. Every person has the right, in line with international treaties of the Republic of Belarus, to apply to international organizations for the protection of their rights and freedoms. The decisions of international organizations, taken on the merits of such applications, shall be published in the Republic of Belarus and are binding on public authorities.

Article 19. Right to legal assistance

1. Every person has the right to legal assistance for the exercise and protection of rights and freedoms, including the provision of sufficient time and opportunities to prepare his/her defense; the right to defend him/herself personally or to use at any time the assistance of



lawyers and his/her other representatives in court, with other state bodies, local self-government bodies, in institutions, organizations, and in relations with officials and citizens.

2. In the cases prescribed in the law, legal assistance and the assistance of an interpreter are provided at the expense of public funds.

Article 20. Inviolability of private life

1. Everyone has the right to inviolability of private life, including personal and family secrets, the privacy of records, correspondence and communication using any means.

2. Everyone has the right to independently decide what information about him/her can be transferred to other persons and under what circumstances, as well as in cases established by law, to ensure the confidentiality and integrity of personal information stored by other persons.

Article 21. Freedom of thought, conscience, religion, and belief

1. Everyone has the freedom of thought, conscience, religion and belief.

2. In the Republic of Belarus, a diversity of ideologies and opinions is recognized; no ideology can be established as the national one or mandatory.

3. Everyone has the right to worship, individually or in association with others, any religion or none, to perform religious rites in public or in private, to receive religious assistance in their place of residence, and to freely choose, possess, disseminate and act in accordance with religious beliefs and other worldviews.

4. Religions are equal before the law. No religion can be established as that of the State or a compulsory one. The freedom of activity of religious organizations is guaranteed within the framework of the Constitution and laws.

Article 22. Freedom of expression

1. Everyone has the right to freely express his or her opinion. This right includes the freedom to receive, extract from publicly available sources and disseminate information and ideas, regardless of state borders.

2. Restricting access to the Internet or to any part of it, slowing down operations on the Internet as a whole or in any part is not allowed.

3. The media are guaranteed freedom of speech and editorial secrecy. Monopolization of mass media and communications by the State, organizations or citizens is prohibited. Censorship is prohibited.

Article 23. Freedom of association

1. Everyone has the right to the freedom of association, including the right to create, join and participate in the activities of associations to express and protect their interests. The exercise of this right does not require prior authorization.

2. Citizens have the right to create political parties and participate in their activities.



Political parties contribute to the identification and expression of the political will of citizens, and they shall have the right to participate in elections.

3. No one may be forced to join or leave any association, or be restricted in his or her rights to belong to an association.

Article 24. Freedom of assembly

1. The freedom of peaceful assembly, rallies, street marches, demonstrations and picketing is an inalienable right of each person.

2. Everyone has the right, without prior permission, to organize meetings and other mass events, to participate or not to participate in them.

3. The law may provide for advance notification of executive authorities or local self-government bodies if a meeting or other mass event is held in places of traffic.

Article 25. Marriage and family

1. All people, upon reaching the age of marriage, enjoy the right to establish a family and enter into marriage. The conditions necessary for contracting a marriage and the consequences of entering into it, as well as the conditions and consequences of its dissolution, are regulated by law. Spouses have equal rights in marriage and family relations.

2. Parents or persons in loco parentis have the right and obligation to bring up their children, and take care of their health, development and education. Children of majority age who are able to work are obliged to take care of disabled parents needing their help, as well as those who replace them.

3. Children may not be separated from their family against the will of their parents and other persons who replace them, except on the basis of a court decision, if the parents or other persons replacing them do not fulfil their duties and such separation is necessary for the best interests of the child.

4. Marriage, family, motherhood, fatherhood, and childhood are under the protection of the State.

Article 26. Rights of the child

1. Every child exercises human rights and freedoms in accordance with his/her age and level of maturity.

2. Children have the right to special protection of their life and health, to the full development of their personalities in conditions of freedom and respect for their dignity. A child must not be subjected to cruel treatment or humiliation, or involved in work that may harm his/her physical, mental, or moral development.

3. Children are guaranteed special protection against social, economic, physical, mental or other exploitation or abuse. The rights of the child are supported and protected by the State in accordance with international standards and special law.



Article 27. Prohibition of discrimination

No one should be subjected to discrimination, directly or indirectly, based on actual or perceived personal characteristics or circumstances, including on the basis of sex, age, colour, race, origin, gender identity, sexual orientation, culture, nationality, citizenship, language, religious beliefs, ideology, political or philosophical views, civil status, economic and social status, occupation, educational level, disability, mental or physical characteristics, pregnancy, or for other reasons.

Article 28. Equality

1. All people are equal before the law and are entitled to equal protection by law.
2. The State promotes gender equality, gender education and upbringing.
3. The State takes special measures to ensure full and effective equality for vulnerable groups of population.

Article 29. Freedom of movement

Every person staying in the country legally has the right to move freely and choose a place of residence within the Republic of Belarus, as well as to leave it freely. Citizens and persons entitled to reside in the Republic of Belarus are guaranteed the right of free return to Belarus.

Article 30. Right of ownership

1. The right of ownership, inviolability of property, and the right to inherit it are protected by law.
2. Every person has the right to possess property, own, use and dispose of property both individually and jointly with other persons.
3. A law may define objects that are only in the ownership of the State or local self-government bodies, or establish a special procedure for their transfer to the ownership of private individuals. The State exercises control over the rational use of land and other natural resources.
4. In the Republic of Belarus, confiscation of the illegally acquired property is permitted by a court decision.
5. Compulsory alienation of property is allowed only for reasons of social necessity, on the basis of and in accordance with the procedure established by law, and subject to full compensation for the value of the alienated property.
6. Every person, whose property was alienated without his/her consent, has the right to go to court to challenge the fact of alienation, and to seek a decision on the issue of compensation or the amount thereof.

Article 31. Inviolability of the home

1. The home is inviolable.



2. No one has the right to enter a dwelling and other property without legal grounds against the will of the owner.

Article 32. Right to participate in the administration of social and state affairs

1. Citizens have the right to participate in the administration of state affairs and the affairs of local self-government through their democratically elected representatives, as well as directly, in cases stipulated by the Constitution and the law.

2. Direct participation of citizens in the administration of state affairs and local self-government is ensured by holding referendums, public discussion of draft laws and regulations and issues of state and local importance, by means of public control over the actions of the authorities, and other ways specified by the law.

3. State and local self-government bodies, as well as officials are obliged to maintain an open, transparent and regular dialogue with citizens and their associations, to conduct broad consultations with stakeholders.

4. The decision-making process in state and local self-government bodies maintains openness and proximity to citizens.

Article 33. Suffrage

1. Citizens have the right to freely elect and be elected to state and local self-government bodies, and take part in referendums.

2. The electoral rights of citizens are established by the Constitution and organic law.

Article 34. Right to hold office in state and local self-government bodies

1. Citizens, in accordance with their abilities and professional training, have the right -to equal access to any office in state and local self-government bodies.

2. The posts of the President, the Chairperson of the Soim and the Prime Minister may not be held by citizens of Belarus who are also citizens of another state.

Article 35. Right to petition

1. Everyone has the right to apply personally, as well as to send individual or collective petitions to state bodies and local self-government bodies.

2. State bodies, local self-government bodies, as well as officials, are obliged to consider the appeal and give an answer on the merits within a reasonable time period determined by law. Refusal to consider the submitted application must be motivated.

Article 36. Right of access to public information

1. Citizens have the right to receive, store and disseminate complete, reliable and timely information about the activities of state bodies, institutions and organizations, and local self-government bodies, including the information about the decisions they made and the use of financial resources. All publicly available information should be posted publicly in standard open data formats.



2. Each person is guaranteed free access to the laws and regulations of the Republic of Belarus.

3. State bodies, institutions and organizations, local self-government bodies and officials are obliged to provide each person with the opportunity to get acquainted with materials affecting his/her rights and legitimate interests, to provide access to the information that was collected in relation to him/her, as well as an opportunity to make copies of all indicated materials.

Article 37. Right to work and freedom of labour

1. Everyone has the right to work and freedom of labour, the right to freely dispose of their abilities for work, to choose a type of activity and profession in accordance with one's vocation, abilities, education, professional training, as well as to have healthy and safe working conditions. The State creates conditions for decent work and facilitates employment.

2. Citizens have the right to be protected against unemployment, including partial unemployment. If a person is unemployed for reasons beyond his or her control, he/she is guaranteed, under the conditions and in the manner prescribed by law, the payment of an adequate amount of unemployment benefit, which may not be lower than the level of the minimum subsistence budget for the working-age population, as well as other types of assistance.

3. Working people have the right to rest. Every employee has the right to the limit of the maximum working hours and the right to daily and weekly rest periods, as well as to an annual paid leave.

4. Those working under an employment contract have the right to fair remuneration for the work performed, but not less than the minimum amount established by the State. Everyone has the right to equal remuneration for work of equal value.

5. Forced labour is prohibited, except for work or service determined by a court judgment or in accordance with martial and emergency law.

Article 38. Right of protection of economic and social interests

1. All people have the right to the protection of their economic and social interests, including the right to freely associate in trade unions, conclude collective agreements, and the right to collective action, including strikes, for the protection of their interests.

2. Dismissal of employees on the initiative of the employer in connection with their participation in a collective labour dispute or strike is prohibited.

3. Social and labour relations are based on the principles of social partnership. Legal acts regulating social and labour relations are adopted after public discussion and consultation with social partners.

Article 39. Right of personal initiative and freedom of entrepreneurship

1. Everyone has the right to personal initiative and freedom of entrepreneurship.

2. The entrepreneurial activity of deputies, officials of government and local



self-government bodies is restricted by law.

3. The law may provide for the exclusive right of the State to carry out certain types of activity.

4. Unfair competition and restriction of competition, abuse of a dominant position in the market are not allowed. The activities of natural monopolies are regulated by law.

5. The State creates equal economic conditions for all economic entities, stimulates fair competition, encourages entrepreneurship, and economic initiatives of citizens, and maintains the openness of domestic and foreign trade and investment. The law protects the rights of business entities and establishes their responsibility for violation of the law.

6. Consumer rights are protected by law.

Article 40. Right to education and academic freedom

1. Everyone has the right to education.

2. The value of education is recognized in the Republic of Belarus, and favourable conditions are created for the implementation of educational activities.

3. Citizens are guaranteed access to free preschool, general secondary education and vocational training.

4. Getting an education until the age of 18 or until receiving general secondary education is compulsory. Parents or persons in loco parentis ensure that children receive an education; they have the right to determine the nature of their children's education and instruction in accordance with their religious, philosophical and pedagogical views. The compulsory part of education is secular.

5. Specialized secondary and higher education is available to all in accordance with their abilities. Citizens can on a competitive basis receive an appropriate education at the expense of state funding.

6. Institutions of higher education have academic freedom and autonomy.

7. Students in higher educational institutions have the right to create student self-government bodies.

8. The State sets state educational standards, supports various forms of education and self-education.

9. The State ensures that everyone can be educated in human rights, democratic citizenship, sustainable development, intercultural diversity, a culture of peace and non-violence.

Article 41. Right to healthcare

1. Citizens have the right to healthcare, including free treatment in healthcare institutions in accordance with the procedure established by law.

2. The State protects people's health, promotes the development of medicine, its preventive focus, and creates conditions for affordable and qualified medical care.



3. The right to health protection is also ensured by the development of physical culture and the promotion of a healthy lifestyle.

Article 42. Right to social security, voluntary guardianship

1. Citizens have the right to decent social security according to age, in the event of illness, disability, loss of capacity to work, loss of a breadwinner and in other cases provided by law.

2. The State recognizes and encourages voluntary service for the benefit of society, encourages voluntary guardianship and the guardianship carried out by non-profit organizations and local self-government bodies.

Article 43. Rights of persons with disabilities

1. Persons with disabilities are guaranteed all-round assistance in the exercise of human rights and freedoms on an equal basis with other people, and respect for the inherent dignity, personal autonomy and independence of the individual.

2. The State provides people with disabilities with decent conditions for treatment, rehabilitation, training, employment, adaptation, mobility, accessibility of social infrastructure and services, reasonable gear tailored for individual needs, and takes the necessary measures to remove obstacles and barriers to their full participation in social life.

3. Persons with disabilities, and representatives of their associations, are guaranteed participation in the processes of adopting laws and programs affecting their rights.

Article 44. Right to housing

1. Everyone has the right to housing. This right is ensured by the creation of conditions for the development of housing construction, preservation of the housing stock and the improvement of its amenities, and assistance to citizens in the acquisition of housing.

2. Citizens in need of social protection shall be provided with housing by the State and local self-government bodies free of charge or at a fee that is affordable to them, in accordance with the legislation.

3. No one can be arbitrarily deprived of housing.

Article 45. Use of cultural achievements and freedom of creativity

1. Everyone has the right to take part in cultural life, including the right to freely express, preserve and develop one's cultural and linguistic identity.

2. The freedom of artistic, scientific, and technical creativity and teaching is guaranteed.

3. The State takes measures to preserve and popularize the historical, cultural and spiritual heritage of the people of Belarus, promotes the development of culture, ensures general access to the values of national and world culture held in state and public funds; encourages the multiplicity of cultural means of expression and intercultural exchange.

Article 46. Right to protection of intellectual property

1. Intellectual property is protected by law.



2. The person who is the author has the inalienable non-property right to his/her work.

Article 47. Right to a favourable environment

1. Everyone has the right to a safe, clean, healthy and sustainable environment.
2. Everyone is guaranteed the right to access environmental information and to participate in decision-making on matters affecting the quality of the environment.
3. The State ensures environmental safety, protection and improvement of the environment, protects the population from natural and man-made emergencies and takes measures to overcome the consequences of the Chernobyl disaster and protect the citizens affected by it.
4. Everyone has the duty to preserve the environment and biological diversity and to use natural resources with care, taking into account the interests of the present and future generations.

Article 48. Protection of sovereignty

1. Citizens have the right and duty to participate in the defense of the independence, sovereignty and territorial integrity of the state.
2. Everyone has the right to refuse military service for religious or other convictions and replace it with alternative service or reserve training.
3. The procedure for military service, the grounds and conditions for exemption from military service or its replacement by alternative service or military reserve training, as well as military service on a contractual basis, are determined by law. Military service must not interrupt education or impede the exercise of citizens' political rights.
4. The armed forces and other military formations are subject to civilian control, they maintain political neutrality and may not be used to restrict the peaceful exercise of human rights and freedoms.

Article 49. Right to disobey

Citizens have the right to disobey and refuse to fulfill orders and instructions known to be unlawful.

Article 50. Obligations of a taxpayer and compliance with legislation

1. Everyone staying in the territory of the Republic of Belarus is obliged to comply with its Constitution and laws, and to take part in financing public and local expenditures by paying taxes, duties and other payments established by law.
2. No one can be forced to perform duties not provided for by the Constitution of the Republic of Belarus and its laws, or to renounce one's rights.

Article 51. Interpretation of constitutional rights

1. No provision of this Constitution may be interpreted as limiting or infringing upon human rights and freedoms recognized by the national legislation, international law and



international treaties to which Belarus is a party.

2. The rights, freedoms and duties enshrined in the Constitution extend to legal persons to the extent consistent with their juridical personality.

3. No provision in this Constitution may be construed as permitting the use of one's rights to cause harm to another person, the environment, or cultural heritage.

Article 52. Restrictive norms

1. Restriction of human rights and freedoms is allowed only in accordance with the procedure established by law in the interests of national security, public order, protection of morals, public health, rights, and freedoms of others and must not be discriminatory, distort or diminish the essence of the restricted rights and freedoms, and should be proportional to the meaning of the rights and freedoms being limited and the values and goals protected by the Constitution.

2. The restrictions allowed in paragraph 1 of this Article shall not apply to human rights and freedoms provided for in Articles 11, 13-19, paragraphs 1 and 2 of Article 21, Article 27, and paragraph 1 of Article 28 of the Constitution.

Article 53. Suspension of obligations in emergency situations

1. The exercise of human rights and freedoms provided for in this Constitution may be suspended or subject to additional restrictions only under conditions of martial law or a state of emergency in the manner and within the limits determined by the Constitution and the law, and only to the extent required by the situation, in accordance with international obligations.

2. Articles 11, 13, 14, paragraph 4 of Article 15, Article 17, paragraphs 1 and 2 of Article 21 of the Constitution may not be suspended in the implementation of special measures during martial law or a state of emergency.

CHAPTER 3. ELECTIONS.

Article 54. Universal suffrage

1. Citizens of the Republic of Belarus who have reached the age of 18 have the right to vote.

2. The right to be elected by the people as deputies, to the state posts and posts in local self-government bodies, is determined in accordance with the Constitution and organic law. This right may be restricted by a court decision for a person convicted of an offence, if the deprivation of the right to be elected is proportionate to the crime and circumstances of the case.

3. The law may specify the possibilities and conditions for the participation of foreign citizens and stateless persons in local self-government elections.



Article 55. Equal suffrage

1. Voters have an equal number of votes.
2. Electoral constituencies are formed to ensure parity of votes.
3. Candidates participate in elections on an equal footing.

Article 56. Direct suffrage

The President and deputies of all levels are directly elected by citizens.

Article 57. Free elections

1. The voter personally decides whether to participate in the elections and for whom to vote.
2. Candidates and political parties conduct electoral campaigns in any form not prohibited by law.
3. Bribery of voters is prohibited.

Article 58. Openness and publicity of elections

Elections are open and public:

preparation and conduct of elections shall be carried out in public;
information about candidates is available in accordance with the law;
conditions shall be created for national and international observation;
full and prompt information on the voting results is provided.

Article 59. Secret ballot

Voting in elections is secret. Control over the expression of the will of voters during voting is prohibited.

Article 60. Procedural guarantees and the system of appeals

1. The procedure for voting, counting of votes and tabulation of results provides for protection from falsification or manipulation and ensures accurate reflection of the will of voters in the election results.
2. The decision on the recognition of elections as valid or invalid may be appealed to the Supreme Court by candidates, political parties that nominated the candidates, as well as by voters in an amount of at least five per cent of the number of voters who cast their ballots.

Article 61. Financing of elections

1. Expenses for the preparation and conduct of elections are carried out at the expense of the State, and local self-government bodies, within the funds specially allocated for these purposes. The allocated funds should ensure sufficient and timely funding for the elections.



2. In accordance with the procedure established by law, candidates and political parties that nominated their candidates, may use their own funds and voluntary contributions from citizens for the election campaign.

Article 62. Organization of elections

1. Preparation and conduct of elections, assistance in the implementation of electoral rights of citizens and control over their observance shall be provided by election commissions in accordance with the competence established by law.

2. The election commissions shall be independent in the exercise of their powers and act in accordance with the principles of transparency, openness and collegiality. Interference in the work of election commissions with a view to influencing their decisions, as well as obstruction of the work of election commissions in other forms, are punishable by law.

3. The decisions of election commissions taken within the limits of their competence are binding on the executive bodies of state authority, the executive bodies of local self-government, officials, voters and other persons and organizations specified by law.

Article 63. Procedure for establishment of the Central Election Commission of the Republic of Belarus

1. The Central Election Commission of the Republic of Belarus is a permanent, independent collegial body that prepares and conducts elections and national referendums in the Republic of Belarus in accordance with the competence established by the Constitution and organic law.

2. The Central Election Commission consists of 11 members. The parties represented in the Soim appoint one member each to the Central Election Commission in the descending order of their representation in Parliament. If the number of parties represented in the Soim is less than eleven, the parties represented in the Soim, in the same order, appoint one more member each to the Central Election Commission until the number of members of the Central Election Commission reaches eleven. The term of office of the Central Election Commission is four years. The members of the Central Election Commission work full-time and shall remain in office after the expiration of their term of office until their successors are appointed.

3. The members of the Central Election Commission elect from among their members, by secret ballot, the Chairperson, Deputy Chairperson and Secretary of the Central Election Commission.

Article 64. Order of regulation and the stability of electoral legislation

1. The Central Election Commission sets the date for the elections of the Soim, the President and representative bodies of local self-government.

2. Elections are considered valid upon any turnout of citizens who have the right to vote. The adoption of a decision in an election is considered in accordance with the law.

3. Elections are not held during martial law or a state of emergency if such a provision applies to the whole country or its major part.



4. The procedure for holding elections is determined by the Constitution and organic law.
5. Amendments to the provisions of the Law on Elections concerning electoral rights, the electoral system, the procedure of formation and authority of election commissions shall be adopted by the Soim in two subsequent convocations separated by scheduled elections to the Soim. In this case, the law shall be deemed adopted, if the subsequent convocation of the Soim votes for it without any changes in the first and only reading.
6. The electoral law cannot be amended under martial law or a state of emergency, as well as within the final six months before the regular elections.

CHAPTER 4. REFERENDUM

Article 65. Principles of holding referendums

1. National and local referendums (popular vote) may be held to resolve issues of public importance.
2. Referendums are held by universal, free and equal suffrage and by secret ballot. All constitutional guarantees related to elections apply to referendums.
3. Citizens who have the right to vote to participate in referendums.
4. The question to be submitted to a referendum should be formulated in such a way as to preclude multiple interpretations, presuppose only an unambiguous answer and exclude uncertain legal implications.

Article 66. National referendums

1. The Central Election Commission calls national referendums on the proposition of the Soim or on the initiative of at least 250 thousand citizens who have the right to vote, with the territorial representation determined by law.
2. The constitutionality of the wording of the questions submitted to the national referendum shall be verified by the Constitutional Court prior to holding the referendum.
3. The legal force of a decision taken at a national referendum – consultative or binding – is determined when the referendum is called, in accordance with the conditions determined by law, the proposal of the initiator of the referendum and the opinion of the Constitutional Court.
4. A national referendum may not include issues that may entail a violation of the territorial integrity of the Republic of Belarus, issues on the adoption and amendment of the budget, on the establishment, amendment and cancellation of taxes, duties (fees), on amnesty and pardon, on election and dismissal of officials from office, other issues determined by the Constitution or organic law.

Article 67. Local referendums

1. Local referendums are called by the relevant representative bodies of local self-government on their own initiative or on the proposition of at least five percent of



citizens who have the right to vote and live in the respective territory.

2. Local referendums with binding legal force may not be held in respect of matters falling within the exclusive competence of the representative body of local self-government or other matters defined by organic law.

Article 68. Procedure for holding referendums

1. The procedure for holding national and local referendums is determined by organic law.

2. The law establishes the grounds for holding a mandatory referendum. A referendum on amending the Constitution is held exclusively in line with the procedure provided for in Chapter 18 of the Constitution.

3. The decision to call or refuse to call a referendum may be appealed in court by an initiative group of citizens dealing with the referendum procedure, or by at least one-fifth of the constitutional number deputies of the Soim – for a national referendum, and one-fifth of the number of elected deputies of a representative body of local self-government – for a local referendum.

4. A referendum is considered valid upon any turnout of citizens who have the right to vote. A decision is deemed adopted by a referendum if more than half of the citizens who took part in the voting voted for it. A decision on amending the Constitution by a referendum is defined in accordance with Article 160 of the Constitution.

5. A repeated referendum on the same issue is not allowed within two years from the date of the official publication of its results.

CHAPTER 5. THE SOIM

Article 69. Status of the Soim

The Soim – parliament – is the highest representative and single legislative body of state power in the Republic of Belarus.

Article 70. Composition and elections

1. The Soim consists of 220 deputies elected in accordance with the law by universal, free, equal and direct suffrage and by secret ballot.

2. A citizen of the Republic of Belarus who has the right to vote and who has reached the age of 21, may be elected a deputy of the Soim.

3. Regular elections of the Soim are held on the second Sunday of April of the last calendar year of the Soim term of office.

4. Elections of deputies to the Soim are held on the basis of proportional representation in multi-member electoral constituencies located at the territorial level of local self-government units as specified in the law.

5. The Soim shall be considered competent before the law if at least two-thirds of the



constitutional number of the Soim are elected to it.

Article 71. Term of office

1. The term of office of the Soim is four years.
2. The beginning of the term of office of the Soim is the first meeting of the newly elected Soim.
3. The powers of the Soim shall be preserved until the opening of the first meeting of the Soim of a new convocation.

Article 72. Early elections

1. The Soim, by a majority of at least two-thirds of the constitutional number of deputies, may decide on early elections to the Soim.
2. The President of the Republic of Belarus may decide on early elections to the Soim in the cases provided for by paragraph 5 of Article 102 of the Constitution.
3. Early elections to the Soim may not be called:
 - 3.1. during a period of martial law or a state of emergency introduced in the Republic of Belarus;
 - 3.2. within the final six months of the term of office of the President of the Republic of Belarus;
 - 3.3. during the period when the Soim decides on early release or dismissal of the President of the Republic of Belarus from office.
4. Early elections to the Soim must be held no later than three months after the decision on early elections is made. The date of early elections to the Soim is set by the Central Election Commission within ten days from the date of the decision on early elections to the Soim.

Article 73. Independence of a deputy

1. A deputy of the Soim is in the service of the entire people, and not only those who elected him/her. He/she is not bound by instructions, and is guided by his/her own conscience and convictions, and cannot be recalled.
2. Deputies of the Soim work on a permanent basis and receive remuneration in the amount established by law.

Article 74. Incompatibility

A deputy of the Soim cannot be a deputy of a representative body of local self-government, hold the office of the President, a judge, any other paid position; he/she cannot conduct entrepreneurial activities related to making a profit from the property of the State or local self-government units. Requirements regarding the incompatibility of a deputy's mandate with other types of activities are established by law.



Article 75. Termination of office

1. The term of office of a deputy of the Soim shall be terminated in the event of:
 - 1.1. termination of the powers of this convocation of the Soim;
 - 1.2. resignation on the basis of a personal notice;
 - 1.3. withdrawal of the mandate on the basis of the law by a court decision when taking up a position or carrying out activities incompatible with the status of a deputy of the Soim;
 - 1.4. withdrawal of the mandate by a decision adopted by a majority of at least three-fifths of the constitutional number of deputies of the Soim, in the absence of a deputy for an unjustified reason at more than half of regular meetings within one session;
 - 1.5. loss of the right to elect or be elected.
2. Whenever the seat of a deputy of the Soim becomes vacant, the vacancy must be filled in the manner prescribed by law.

Article 76. Immunity of a deputy

1. A deputy of the Soim is not legally responsible for his/her statements, voting and activities in the performance of his duties, except for the responsibility for insult or slander.
2. A deputy of the Soim may not be arrested, otherwise deprived of his/her personal freedom without the consent of the Soim – the decision taken by the majority of no less than two-thirds of the constitutional number of deputies of the Soim, except in cases of detention at the scene of his/her commission of a grave crime.
3. A criminal case against a deputy of the Soim may be initiated exclusively by the Prosecutor General.

Article 77. Sessions and meetings

1. The Soim regularly meets at sessions and meetings as prescribed by the Rules of Procedure of the Soim.
2. At the requirement of the Chairperson of the Soim, the Government or of at least one-fourth of the constitutional number of deputies of the Soim, an extraordinary session shall be convened, and during a regular session – an extraordinary meeting. An extraordinary meeting of the Soim is held only according to the agenda determined by the initiator, and is closed when it is exhausted.
3. In the event of a declaration of martial law or a state of emergency, the Soim shall, within 24 hours, convene for an extraordinary session, which continues until the said provision is cancelled.
4. Meetings of the Soim shall be deemed competent if more than half of the constitutional number of deputies of the Soim take part in them.
5. Meetings of the Soim are held openly and publicly. The Soim, by a majority of at least three-fifths of votes from the constitutional number of deputies, may decide to hold a closed meeting. Laws and the resolutions of the Soim cannot be passed at a closed session.



6. The first meeting of the Soim after the elections is convened by the Central Election Commission no later than 30 days after the announcement of the final results of the elections

7. The first meeting of the Soim is opened by the oldest deputy.

Article 78. Chairperson and Deputy Chairperson of the Soim

1. The Soim, for the term of its office, shall elect the Chairperson and Deputy Chairperson from among the deputies of the Soim.

2. The Chairperson of the Soim and the Deputy Chairperson are elected by secret ballot by a majority of votes from the constitutional number of the deputies of the Soim. The Chairperson of the Soim is accountable to the Soim.

3. The Chairperson of the Soim supervises the activities of the Soim and represents the Soim in relations with other bodies and organizations. The Deputy Chairperson of the Soim performs, on behalf of the Chairperson of the Soim, his/her particular duties and substitutes the Chairperson of the Soim in the event of his/her absence or inability to carry out his/her duties.

Article 79. Presidium, commissions and factions

1. The Soim shall elect standing commissions and other bodies from among the deputies to conduct legislative work, preliminary consideration and preparation of issues related to the jurisdiction of the Soim, to exercise control over the implementation of laws and resolutions.

2. Deputies can unite in parliamentary factions. The procedure for the creation and activity of a faction, its rights are determined by the Rules of Procedure of the Soim.

3. To organize the work of the Soim, the Presidium is created, which includes the Chairperson of the Soim, the Deputy Chairperson, chairpersons of standing commissions and leaders of factions. The Presidium of the Soim is led by the Chairperson of the Soim.

4. In cases stipulated by the Rules of Procedure of the Soim, as well as at the request of at least one-fourth of the constitutional number of deputies of the Soim, investigative or other interim commissions are created in parliament. In the interim commission, each faction has the right to be represented by at least one member.

Article 80. Address and interpellation

1. A deputy, as well as a parliamentary commission, have the right to submit a question or present a request to officials of the Government, other state bodies, as well as state institutions and organizations, regardless of their subordination, and those addressed are obliged to answer them.

2. A parliamentary faction, commission, or group of at least one-fifth of the constitutional number of deputies of the Soim has the right, by interpellation, to apply with an inquiry to the Government or a member of the Government, who are obliged to respond to the inquiry at a plenary meeting of the Soim.



Article 81. Types of laws

1. The Soim adopts constitutional, organic, and ordinary laws.
2. Constitutional laws are the laws on amending and (or) supplementing the Constitution.
3. The organic law regulates:
 - 3.1. citizenship, the status of foreigners and stateless persons;
 - 3.2. organization and conduct of elections and referendums;
 - 3.3. organization and activity of the Soim;
 - 3.4. the procedure for exercising the powers of the President;
 - 3.5. organization and activity of the Government;
 - 3.6. the judicial system and the status of judges, legal proceedings, the organization and activities of the Constitutional Court, the prosecutors' offices, the organization and activities of the bar/advocacy;
 - 3.7. the basics of local self-government;
 - 3.8. the administrative-territorial structure of the Republic of Belarus;
 - 3.9. the reference description and procedure for the use of national symbols, the status of the city of Minsk, the procedure for the use of languages;
 - 3.10. organization and activity of political parties, public and religious organizations, trade unions;
 - 3.11. the fundamentals of national security, organization of the Armed Forces and the maintenance of public order; martial law and state of emergency;
 - 3.14. other areas in which the Constitution provides for the adoption of organic laws;
 - 3.15. other areas in which the Soim has found it necessary to adopt organic laws.
4. Ordinary laws operate in all spheres of public relations, with the exception of spheres regulated by constitutional and organic laws.

Article 82. International treaties

1. The Soim ratifies, denounces, suspends and nullifies, by a majority of votes of the constitutional number of deputies, the international treaties concluded by the Republic of Belarus. In the event that a proposal is submitted to the Constitutional Court for a review of the constitutionality of an international treaty in accordance with subparagraph 1.2 of paragraph 1 of Article 128 of the Constitution, the ratification of the relevant international treaty is not permitted until the Constitutional Court has handed down its decision.
2. The following International treaties are subject to ratification by the Soim:
 - 2.1. those which provide for their ratification as the only way of expressing consent to be bound by an international treaty;



- 2.2. having a political or military character;
- 2.3. relating to fundamental human rights and freedoms;
- 2.4. regarding the territorial delimitation of the Republic of Belarus with other states;
- 2.5. requiring amendment or adoption of laws necessary for the implementation of the international commitments undertaken;
- 2.6. imposing significant financial burdens on the State;
- 2.7. establishing the participation of the Republic of Belarus in international organizations and inter-state entities.

Article 83. Legislative initiative and the right to make proposals

1. The following subjects shall have the right to legislative initiative:
 - 1.1. deputies;
 - 1.2. the Government;
 - 1.3. citizens of the Republic of Belarus who have the right to elect, in the amount of at least 25 thousand people.
2. Deputies, parliamentary commissions and factions have the right to submit proposals on any issue discussed.
3. The procedure for submitting proposals, draft laws and amendments to them to the Soim is determined by the Rules of Procedure of the Soim.

Article 84. Consideration of issues at a plenary session

1. Consideration of draft laws is carried out in three readings during three different sessions, separated from each other by at least two days, unless otherwise provided by the Rules of Procedure of the Soim. Discussion of draft laws includes consideration of the general concept, article by article and as a whole. Consideration of draft laws at the plenary session should be preceded by public participation in consultations, for which sufficient time shall be allowed to prepare and submit recommendations on draft laws.
2. Other issues are considered at the plenary session in a single reading.
3. The Soim may, at the initiative of a parliamentary commission, faction or the Government, in conditions of martial law or a state of emergency, as well as other situations when it is objectively necessary, declare an expedited procedure for the passage of any draft law or resolution, with the exception of a draft constitutional or organic law.
4. Legislation on martial law and a state of emergency cannot be amended under martial law or a state of emergency.

Article 85. Voting

1. Voting at meetings of the Soim is carried out by the deputies personally. Voting instead of another deputy entails the application of penalties to the deputy, established by law.



2. An ordinary law shall be considered adopted if the majority of those who took part in the voting voted for it, but not less than one-third of the constitutional number of deputies of the Soim. An organic law is considered adopted if the majority of the constitutional number of deputies of the Soim voted for it, provided that the Constitution does not specify a different procedure for adopting an organic law. A constitutional law is adopted in the manner prescribed by Chapter 18 of the Constitution.

3. Resolutions and other decisions of the Soim shall be deemed adopted if the majority of the deputies who took part in the voting voted for them, provided the Constitution or the Rules of Procedure of the Soim do not stipulate otherwise.

Article 86. Signing and publication of a law

1. The adopted laws are sent by the Chairperson of the Soim for signature to the President of the Republic of Belarus within two weeks from the date of adoption.

2. The President, within two weeks, signs and officially publishes the law in each of the national languages or returns it to the Soim unsigned with his/her comments and proposals.

3. If, within two weeks, the law is not returned by the President to the Soim for reconsideration, it is considered signed and shall be published by the decision of the Chairperson of the Soim.

4. If the Soim, within thirty days from the date of the return of the unsigned law by the President, votes for its adoption in the original version by a majority of votes from the constitutional number of deputies of the Soim, the law is considered adopted, it is signed by the Chairperson of the Soim and published by his/her decision within five days.

5. The law enters into force ten days after its official publication, unless otherwise provided by the law itself, but not earlier than the day of its publication.

6. The law does not have a retroactive effect unless it mitigates or abolishes the liability of citizens.

Article 87. Powers of the Soim

1. The Soim:

1.1. amends the Constitution of the Republic of Belarus in the manner prescribed in Chapter 18 of the Constitution;

1.2. adopts normative legal acts: laws and regulations.

2. The Soim shall, by a majority of votes of the constitutional number of deputies, approve, revoke or extend the decree of the President on the imposition of martial law in the country, on the total or partial mobilization of persons liable for military service, as well as the Government decrees on the state of emergency. A state of emergency may be extended only once.

3. The Soim, in the sphere of appointments and dismissals of senior officials from office, by a majority of votes of the constitutional number of deputies, unless otherwise prescribed by the Constitution, shall:



- 3.1. appoint the Prime Minister in accordance with Article 102 of the Constitution, accept the resignation of the Prime Minister, express no-confidence to him/her in accordance with Article 103 of the Constitution;
 - 3.2. express confidence or no-confidence to the Government in accordance with Article 103 of the Constitution, accept the resignation of the Government;
 - 3.3. on the proposal of the President, the Chairperson of the Soim, the Chairperson of the Supreme Court, appoint the judges of the Constitutional Court in accordance with Article 127 of the Constitution;
 - 3.4. on the proposal of the President, appoint the Prosecutor General, the Chairperson of the Board of the National Bank and dismiss them from office on the grounds provided for by law;
 - 3.5. on the recommendation of the Chairperson of the Board of the National Bank, appoint the members of the Board of the National Bank and dismiss them from office on the grounds provided for by law;
 - 3.6. on the proposal of the relevant parliamentary commissions, appoint the Chairperson and members of the Control Chamber, the Chairperson and members of the Intelligence and Security Services Oversight Committee, and dismiss them from office on the grounds provided for by law;
 - 3.7. on the proposal of the competition committee, appoint the Commissioner for Human Rights, the Chairperson and members of the Public Service Ethics and Anti-Corruption Committee and dismiss him from office on the grounds provided for by law;
 - 3.8. accept the resignation of the President of the Republic of Belarus;
 - 3.9. make a decision on early release or dismissal from office of the President of the Republic of Belarus in accordance with Article 92 of the Constitution;
 - 3.10. appoint and dismiss other senior officials established by law.
4. The Soim, by a majority of votes of the constitutional number of deputies, makes a decision on early elections of a representative body of local self-government in accordance with Article 118 of the Constitution.
 5. The Soim supervises the activities of the Government, other bodies, and officials accountable to the Soim, regarding the implementation of laws and regulations.
 6. In case of necessity, the Soim shall, by law establish independent state administrative, supervisory, or inspecting bodies outside the system of executive power.
 7. The Soim, in accordance with the Rules of Procedure of the Soim, reviews and discusses any issues of public interest, decides on other issues attributed by the Constitution to the competence of the Soim.

Article 88. Operational procedures

The operational procedures of the Soim, its bodies and deputies are determined by the Constitution and the Rules of Procedure of the Soim. The Rules of Procedure of the Soim have the effect of law; they are adopted by the procedure of organic law and signed by the



Chairperson of the Soim. The provisions of the Rules of Procedure of the Soim should be drafted in such a way as to ensure the participation of each faction in all Soim activities proportionately to the number of its members.

CHAPTER 6. PRESIDENT OF THE REPUBLIC OF BELARUS

Article 89. Status of the President of the Republic of Belarus

1. The President of the Republic of Belarus is the head of State.
2. The President is the Commander-in-Chief of the Armed Forces of the Republic of Belarus.
3. The President represents the Republic of Belarus in relations with other states and international organizations.

Article 90. Elections of the President

1. The President is elected for five years by the people of the Republic of Belarus by universal, equal, and direct suffrage and by secret ballot.
2. A citizen of the Republic of Belarus who is at least 35 years old and has the right to vote may be elected President. One and the same person cannot be President for more than two terms during his/her life.
3. Candidates for the office of President are nominated by citizens of the Republic of Belarus by collecting signatures of voters in the manner prescribed by law, as well as by political parties that have a faction in the Soim.
4. Regular presidential elections are held on the last Sunday of October of the final year of the President's term of office.
5. If the office of the President becomes vacant, elections must be held no later than three months from the date of the opening of the vacancy. The date of early presidential elections is set by the Central Election Commission within ten days from the date of the opening of the vacancy.
6. The President is considered elected if more than half of the citizens of the Republic of Belarus who took part in the voting voted for him/her.
7. If none of the candidates has received the required number of votes, then a second round of voting is held within two weeks for the two candidates who have received the largest number of votes. The presidential candidate who obtains the largest number of votes in the second round of voting shall be considered elected.
8. If two candidates took part in the first round, the candidate for President who receives the largest number of votes is considered elected.
9. If only one candidate is nominated for the position of President and less than half of the citizens of the Republic of Belarus who took part in the voting voted for him/her, repeat elections are held.



10. The procedure for holding presidential elections is determined by organic law.

Article 91. Oath of the President and the term of office

1. The President takes office after taking the Oath of the following content: "Assuming the office of the President of the Republic of Belarus, I solemnly swear to faithfully serve the people of Belarus, respect and protect human rights and freedoms, observe, and protect the Constitution of the Republic Belarus, to discharge in good faith the high responsibilities entrusted to me. Long live Belarus!"
2. The Oath is taken in the Belarusian language in a solemn atmosphere in the presence of deputies of the Soim, judges of the Constitutional Court and members of the Central Election Commission, and no later than 30 days from the date of the announcement of the final results of the presidential election. The date for taking the Oath is set by the Central Election Commission.
3. From the moment the newly elected President takes the Oath, the powers of the previous President shall terminate.
4. Taking the Oath is the beginning of the term of office of the President.

Article 92. Early termination of powers

1. The President may resign at any time. The resignation of the President is accepted by the Soim.
2. In the event of the resignation of the President, he/she has no right to participate in the elections of the President or the Soim during five years after the resignation.
3. The President may be prematurely released from office in case of persistent inability, for health reasons, to perform his/her duties. The decision on early release of the President from office is made by a majority of at least two thirds of the constitutional number of deputies of the Soim on the basis of the conclusion of a specially created commission.
4. The President may be removed from office in case of violation of the Oath or for committing a crime. The question of removing the President from office may be raised upon the proposal of at least one-third of the constitutional number of deputies of the Soim, and must be supported by at least two-thirds of the constitutional number of deputies of the Soim. The final decision on the removal of the President from office shall be taken by a two-thirds majority of judges of the full Constitutional Court.
5. If the President is removed from office, he is deprived of the right to hold elective public office for the next ten years.

Article 93. Vacancy of office

In case of vacancy of the office of the President, the impossibility of fulfilling his/her duties on the grounds provided for by the Constitution, his/her powers, before taking the Oath by the newly elected President, shall be performed by the Chairperson of the Soim. In this case, the powers of the Chairperson of the Soim are transferred to the Deputy Chairperson of the Soim.



Article 94. Incompatibility and inviolability

1. The President may not hold other paid positions and conduct entrepreneurial activities.
2. The President suspends membership in political parties.
3. The President is inviolable while in office. During his/her term of office, the President may not be arrested or prosecuted.

Article 95. Powers of the President

1. The President of the Republic of Belarus
 - 1.1. nominates the candidate for the post of the Prime Minister to the Soim in accordance with Article 102 of the Constitution; appoints the Prime Minister in the case provided for in paragraph 5 of Article 102 of the Constitution; appoints the Acting Prime Minister in the cases provided for in paragraph 8 of Article 103 of the Constitution;
 - 1.2. submits to the Soim nominations for the position of the Prosecutor General, Chairperson of the Board of the National Bank;
 - 1.3. signs the laws of the Republic of Belarus; in the manner prescribed by the Constitution, has the right to return the law with his/her remarks and proposals to the Soim;
 - 1.4. signs international treaties of the Republic of Belarus;
 - 1.5. decides on early elections to the Soim in cases stipulated by paragraph 5 of Article 102 of the Constitution;
 - 1.6. annually addresses the Soim and the people of Belarus with a message about the situation in the country; has the right to participate in meetings of the Soim and its bodies;
 - 1.7. exercises pardon or mitigation of punishment for convicted persons;
 - 1.8. awards national decorations;
 - 1.9. introduces martial law on the territory of the Republic of Belarus in the event of a military threat or attack, announces full or partial mobilization with the submission of this decision for consideration to the Soim within two calendar days;
 - 1.10. establishes the President's Office to support his/her activities.
2. On the proposal of the Government, the President:
 - 2.1. appoints and recalls diplomatic representatives of the Republic of Belarus in foreign states and at international organizations; accepts letters of credence and recall of diplomatic representatives of foreign states and international organizations; confers the highest diplomatic ranks and special titles;
 - 2.2. appoints and dismisses the high command of the Armed Forces;
 - 2.3. appoints other officials who are determined by law;
 - 2.4. confers the highest military ranks;



2.5. confers class ranks and titles.

3. Together with the Government, in cases determined by law, the President:

3.1. takes measures to protect the sovereignty of the Republic of Belarus, its national security and territorial integrity;

3.2. deals with foreign policy issues;

3.3. decides on the issue of admission to the citizenship of the Republic of Belarus and its termination.

4. The President exercises other powers assigned to him/her by the Constitution.

Article 96. Security Council of the Republic of Belarus

1. In accordance with the law, the President forms and chairs the Security Council of the Republic of Belarus, which coordinates the activities of state authorities in the area of national security and defense.

2. The Security Council is composed ex officio of the Chairperson of the Soim, the Prime Minister, the Ministers of Defense, of the Interior and Foreign Affairs, heads of specialized parliamentary commissions and other persons determined by law.

3. The procedure for the formation, activities and powers of the Security Council are established by law.

Article 97. Acts of the President and countersignature

1. In order to exercise his/her powers on the basis of and in accordance with the Constitution and laws, the President issues decrees, which are normative legal acts and are binding on the entire territory of the Republic of Belarus, and he/she also issues orders.

2. Decrees and orders of the President must not contradict the Constitution and laws of the Republic of Belarus.

3. In order to give legal force to decrees of the President, they must be signed by the Prime Minister. A countersignature is not required in the case of presidential decrees related to the exercise of the exclusive powers in line with paragraph 1 of Article 95 of the Constitution.

4. The presidential decree comes into force on the day of its official publication, unless otherwise provided for by the decree itself, but not earlier than the day of its publication.

5. If during martial law, the Soim cannot convene for a meeting, the President, on the proposal of the Government, issues decrees with the force of law to the extent of and within the limits determined by the Constitution and the law. These decrees are subject to approval by the Soim at its next meeting. The decrees with the force of law, not approved by the Soim, cease to be effective after 90 days or with the end of martial law, depending on whichever comes first.

Article 98. Procedure for the exercise of powers

The procedure for the exercise of powers by the President, as well as the financial, material, and other support of the President, are determined by organic law.



CHAPTER 7. GOVERNMENT OF THE REPUBLIC OF BELARUS

Article 99. Status and accountability of the Government

1. The Government of the Republic of Belarus – the Government – is the highest collegial body of executive power.
2. The Government is accountable to and responsible for its activities before the Soim.

Article 100. Composition of the Government

1. The Government consists of the Prime Minister, his/her deputies, and ministers.
2. The Prime Minister leads the Government.
3. The Prime Minister and deputy Prime Ministers may also act as ministers.
4. The deputy Prime Ministers substitute the Prime Minister in his/her absence or if he/she is unable to perform their duties. The Prime Minister determines the substitution procedure and, in the absence of such a submission, the President assigns a member of the Government to substitute the Prime Minister for a maximum of 60 days.
5. Each minister, in their absence or temporary inability to perform their duties, is substituted by his/her deputy, who has been approved by the Prime Minister, or, if such approval is absent, by a member of the Government who will be appointed by the Prime Minister.
6. The structure, organization and operation of the Government are determined by organic law.

Article 101. Incompatibility, immunity, and responsibility of a member of Government

1. A member of the Government may not hold other paid positions and conduct entrepreneurial activities, be a member of the board or council of a commercial organization. The law may define other types of activities that a member of the Government cannot carry out.
2. A member of the Government is responsible for the legality of his/her official activities.
3. A member of the Government may not be arrested or otherwise deprived of his/her personal liberty without the consent of the Soim, except in cases of detention at the scene of his/her commission of a grave crime.
4. A criminal case against a member of the Government may be initiated exclusively by the Prosecutor General.
5. When a criminal case is initiated against a member of the Government and an official charge is brought against him/her, the Prime Minister decides whether this member of the Government will be temporarily relieved of his/her duties.



Article 102. Appointment of the Prime Minister

1. The candidate for the post of the Prime Minister nominated by a parliamentary faction or a coalition of factions with the largest number of deputies is submitted to the Soim by the President, after consultation with the leaders of parliamentary factions, no later than one month from the date of resignation of Prime Minister. The candidate for the post of the Prime Minister presents the new composition of the Government to the Soim. Together with the composition of the Government, the Government's program is submitted to the Soim. The decision to approve the Prime Minister in office is made by the Soim no later than two weeks from the date of the nomination by the President.

2. If the candidate for the post of the Prime Minister nominated by the President does not receive the support of the deputies of the Soim, the President shall, within seven days, submit another or the same proposal of a candidate on which the decision on approval is made within seven calendar days.

3. In case of repeated rejection of the candidate proposed by the President for the post of the Prime Minister, or if the President does not nominate a candidate for the Prime Minister to the Soim within the time period specified in paragraphs 1 and 2 of this Article, the right to nominate the candidate for the post of the Prime Minister shall pass to the Soim.

4. The decision to appoint the Prime Minister shall be taken by the Soim by a majority vote of the constitutional number of deputies of the Soim.

5. If within two weeks from the date of transfer to the Soim of the right to nominate a candidate for the post of the Prime Minister, it does not appoint the Prime Minister, the President must either appoint the Prime Minister from among the candidates with the highest number of votes of the deputies or make a decision on early elections to the Soim. The President makes a decision on this issue after a formal consultation with the Presidium of the Soim no later than within one month after the transfer to the Soim of the right to nominate a candidate for the post of the Prime Minister.

Article 103. Resignation, expression of confidence or no-confidence to the Government

1. The Government resigns its powers before the newly elected Soim at its first meeting and continues to serve until the appointment of a new Prime Minister.

2. The Government or any member of the Government has the right to declare his/her resignation if they consider it impossible to fulfil the duties assigned to them. If the Prime Minister resigns, the entire Government resigns.

3. The Prime Minister may submit to the Soim the question of confidence to the Government. The question of confidence can be put to vote no earlier than seven days and no later than 14 days from the date of its introduction, and is adopted by the Soim by a majority of votes of the constitutional number of deputies. If the Soim refuses confidence to the Government, the Government resigns and continues to serve until the appointment of a new Prime Minister. In this case, the Soim must, within two weeks, appoint a new Prime Minister by a majority vote of the constitutional number of deputies, otherwise paragraph 5 of Article 102 of the Constitution will enter into force.

4. Deputies of the Soim, by at least one-fourth of the constitutional number of deputies,



have the right to raise the issue of no-confidence to the Government before the Soim. Along with raising the question of no-confidence, the initiators nominate a candidate for the post of the Prime Minister, and the candidate for the post of the Prime Minister submits to the Soim the new composition of the Government and the Government's program. If the Soim, no earlier than seven and no later than fourteen days after the initiation of the issue of no-confidence to the Government, by a majority vote of the constitutional number of deputies, appoints the new Prime Minister in office, no-confidence to the Government shall be considered expressed.

5. The term of office of the Government terminates upon the appointment of a new Prime Minister.

6. A repeated proposal on the issue of confidence or no-confidence to the Government may be submitted to the Soim not earlier than six months after the date of the previous proposal.

7. Voting on the issue of confidence or no-confidence to the Government may not be held in the first three months after the appointment of the Prime Minister and in the last six months of the term of the Soim.

8. In the event of voluntary resignation, death, or long-term physical disability of the Prime Minister, the President appoints the Acting Prime Minister, while the Government continues to temporarily exercise its powers until a new Prime Minister is elected in accordance with Article 102 of the Constitution.

Article 104. Powers of the Government

1. The Government:

1.1. ensures the implementation of laws, international and intergovernmental treaties;

1.2. develops the main directions of domestic and foreign policy and takes measures to implement them;

1.3. develops and submits to the Soim the draft state budget, organizes the execution of the state budget;

1.4. organizes the administration of ministries and other organizations accountable to the Government;

1.5. supervises the legality of the activities of local self-government bodies within the limits and forms determined by the Constitution and laws;

1.6. in the event of a natural disaster, an epidemic, a natural or man-made catastrophe, or a disturbance accompanied by the violence of a group of persons or organizations, when public authorities are unable to perform their duties normally, imposes on the territory of the Republic of Belarus or in its parts a state of emergency for a period not exceeding 90 days, with the submission of this decision to Soim within two days;

1.7. exercises other powers assigned to it by the Constitution and laws.

2. The Government annually submits to the Soim a report on the activities of the Government, on the execution of the state budget, and other reports established by the



Constitution and law.

Article 105. Powers of members of the Government

1. Powers of the Prime Minister: he/she
 - 1.1. appoints and dismisses from office his/her deputies and ministers;
 - 1.2. organizes the work of the Government and presides over its meetings;
 - 1.3. represents the Government;
 - 1.4. signs resolutions of the Government, intergovernmental agreements, issues orders within his/her competence;
 - 1.5. performs other functions related to the organization and activities of the Government.
2. The Prime Minister is accountable to the Soim. Once a year, he/she submits to the Soim a report on the implementation of the Government's program, and also, at the request of the Soim, a report on the implementation of individual parts of the Government's program.
3. Powers of a minister: he/she
 - 3.1. administers a ministry;
 - 3.2. ensures interaction between the Government and other state bodies on issues related to the activities of the relevant ministry;
 - 3.3. performs other functions stipulated by laws.
4. Deputy Prime Ministers and ministers are accountable to and responsible before the Prime Minister, as well as, within the framework of joint responsibility of the Government, before the Soim.
5. Members of the Government may participate in meetings of the Soim and its commissions. If a requirement for their presence is declared, then their participation is mandatory.
6. The powers of a member of the Government are terminated in the event of resignation, dismissal, incompatibility of positions – by a court decision, in case of death or long-term physical disability.

Article 106. Government resolutions

1. The Government, within the limits of its powers, on the basis of the Constitution and laws, issues resolutions that are normative legal acts and are binding on the entire territory of the Republic of Belarus.
2. Resolutions of the Government shall be considered adopted if the majority of the total number of members of the Government voted for them.
3. Resolutions of the Government are signed by the Prime Minister and countersigned by the ministers who are obliged to enforce them. A resolution of the Government shall enter into force on the day of its official publication, unless otherwise provided by the resolution



itself, but not earlier than the day of its publication.

Article 107. Supervision of the activities of local self-governments

1. The ministries, within the limits of their powers, and the authorized representatives of the Government supervise the uniform implementation of laws and regulations by the bodies of local self-government in the corresponding administrative and territorial units.
2. The ministries and the authorized representatives of the Government have no right to interfere with the competence of local self-government bodies, and they exercise their powers in accordance with the law.
3. If a local self-government body makes a decision that contradicts the law, the ministries, and the authorized representatives of the Government, in accordance with the established procedure, propose to the local self-government body to cancel this decision, or go to court.

CHAPTER 8. LOCAL SELF-GOVERNMENT

Article 108. Hramada

1. The community of citizens living in the territory of a local self-government unit – the Hramada – have the right to independently and under its own responsibility decide on issues of local importance.
2. Local self-government is carried out by the Hramada through local self-government bodies, as well as directly in cases provided for by law.
3. The Hramada promotes the development of various direct forms of citizen participation in local self-government.

Article 109. System of units of local self-government

1. The number of territorial levels of local self-government units in the Republic of Belarus and the conformity of levels of local self-government with administrative and territorial units are established by organic law.
2. On the proposal of the Government, the Soim, after consultation with the relevant units of local self-government, shall decide on the establishment, abolition of the unit of local self-government or on its territorial changes.
3. Each unit of local self-government has its own statute.
4. Local self-government is exercised in accordance with the procedure established by organic law.

Article 110. Delineation of powers

1. The delineation of powers between state authorities and local self-government bodies, as well as between local self-government bodies of different territorial levels, is regulated by organic law on the basis of the principles of subsidiarity and proportionality of resources to the scope of powers.



2. The units of local self-government are entitled, on their own initiative, to take decisions on all matters not referred by law to the powers of the state authorities and the higher territorial bodies of local self-government.

3. The delegation of authority by the State to the unit of local self-government is carried out by law or by treaty.

Article 111. Formation of local self-government bodies

1. Representative bodies of local self-government and heads of executive local self-government bodies, in cases when their election is prescribed by direct vote of citizens, are elected by citizens residing in the respective territory. The term of office of the representative body of local self-government is four years.

2. Regular elections of the representative body of local self-government shall be held on the second Sunday of April of the final full calendar year of the term of office of the representative body of local self-government.

3. The commencement of the term of office of the representative body of local self-government shall be the first meeting of the newly elected representative body of local self-government. With the beginning of this meeting, the term of office of the previously elected deputies of the representative body of local self-government expires.

4. The executive bodies of local self-government are formed by the units of local self-government independently in accordance with the organic law; they execute the decisions of representative bodies of local self-government and are accountable to them.

Article 112. Exclusive competences of the representative body of local self-government

1. The exclusive competences of the representative body of local self-government include:
 - 1.1. approval of the structure of the executive body of local self-government;
 - 1.2. appointment of the head of the executive body of local self-government in cases, where his/her election is not provided for by law through direct elections by citizens;
 - 1.3. approval of development programs for the local self-government unit;
 - 1.4. approval of the budget of the local self-government unit and the report on its implementation;
 - 1.5. determination of the procedure for the management and disposal of the property of the local self-government unit;
 - 1.6. the adoption of the statute and the establishment of symbols of the local self-government unit;
 - 1.7. establishment of local taxes and fees in accordance with the law;
 - 1.8. election of an auditor who will exercise control over the use of a property and the execution of the local self-government budget;
 - 1.9. appointment of local referendums.



2. The representative body of local self-government may revoke the decisions of the executive body of local self-government.

3. The representative body of local self-government decides on other issues of local importance, attributed by law to its competence.

Article 113. Local budgets

1. Revenues of units of local self-government are formed at the expense of state and local taxes, non-tax revenues in the manner prescribed by law.

2. The State, together with local self-government bodies, corrects the financial situation of local self-government units through taxation and allocation of grants, subsidies, and subventions.

3. Expenditures of local self-government units, associated with the implementation of the powers delegated by state authorities, and of those arising from the actions and decisions of state authorities, are fully funded from the state budget.

Article 114. Binding nature of decisions

Decisions of representative and executive bodies of local self-government, adopted within the limits of their powers, are binding on the respective territory.

Article 115. Right to association and cooperation

Local self-government units have the right to cooperate and enter into associations with other local self-government units in order to carry out tasks of common interest.

Article 116. Supervision over the observance of legislation

Supervision over the observance of the laws and regulations by local self-government bodies, as well as control over the implementation of powers delegated by state authorities, is carried out by state bodies in the manner prescribed by law.

Article 117. Judicial protection of the rights of local self-government

Local self-government units and the bodies created by them have the right to judicial protection.

Article 118. Early elections

1. The Soim, upon the proposal of the Government, may decide on early elections of a representative body of local self-government in case of violation of the Constitution by the above body and on other grounds stipulated by the law. The decision of the Soim on early elections of a representative body of local self-government shall enter into force after its constitutionality has been verified in the Constitutional Court.

2. The representative body of local self-government, by a majority of votes of no less than two-thirds of the number of elected deputies, may decide on early election of the representative body of local self-government. Along with the early election of a representative body of local self-government, early elections of the head of an executive body of local self-government shall be held in cases of his/her election by citizens.



3. The date of early election of the representative body of local self-government shall be set by the Central Election Commission within ten days from the date of the decision on early election of the representative body of local self-government, and the elections shall be held within three months after the decision on early elections was taken.

CHAPTER 9. JUDICIAL POWER

Article 119. Judicial system

1. Judicial power in the Republic of Belarus is exercised exclusively by courts.
2. Courts in the Republic of Belarus are independent.
3. The judicial system of the Republic of Belarus is based on the principles of territoriality and specialization.
4. The formation of emergency courts is prohibited.
5. The Supreme Court of the Republic of Belarus is the highest judicial authority that administers justice on cases not falling within the competence of the Constitutional Court, reviews decisions of lower courts and exercises other powers in accordance with the law.
6. The judicial system, the competence and procedure for the consideration of cases in courts, the participation of citizens in the administration of justice are determined by organic law.
7. Belarus can decide to accept the jurisdiction of the international court. The decisions of international courts, whose jurisdiction has been recognized by the Republic of Belarus, are binding on state bodies.

Article 120. Judges

1. Judges may be citizens of the Republic of Belarus who have high moral qualities, an appropriate education in the field of law, who have undergone compulsory training and successfully passed the qualification exam for the position of a judge.
2. Judges cannot be members of political parties, nor can they be deputies of the Soim and representative bodies of local self-government, or perform work in legislative and executive bodies. The law may establish the incompatibility of the position of a judge with other positions or occupation in the performance of official duties.

Article 121. Appointment of a judge to office

1. Judges, other than judges of the Constitutional Court, shall be appointed to office by the National Council of Justice for an unlimited period of time, in accordance with the procedure established by organic law.
2. The law establishes objective criteria to guarantee the selection and promotion of judges on the basis of merit, taking into account qualifications, integrity, abilities and



efficiency.

3. The Chairperson and deputy chairs of the Supreme Court are elected to office by the judges of the Supreme Court in the manner prescribed by law.

Article 122. Independence and inviolability of judges

1. In administering justice, judges are independent. Direct or indirect influence on a judge in the administration of justice is prohibited and entails liability established by law.

2. Judges shall have immunity. A judge cannot be detained or arrested on suspicion of committing a crime without the consent of the National Council of Justice unless he/she is caught at the scene of a grave crime.

3. A judge cannot be held liable for a court decision he/she has made, except for the commission of a crime or disciplinary offense.

4. The powers of a judge may be terminated in the event of:

4.1. resignation or submission of an application for release from office on his/her own free will;

4.2. appointment (election) to another position or transfer to another job with their consent;

4.3. expiration of the term of office or reaching the age established by law;

4.4. termination of citizenship of the Republic of Belarus;

4.5. refusal to be transferred to another court in the event of liquidation or reorganization of the court in which the judge holds office;

4.6. finding a judge unfit to serve as a judge for reasons of health, the entry into force of a court decision declaring a judge to be partially incompetent or incompetent;

4.7. engaging in activities incompatible with the position of a judge, committing a disciplinary offense incompatible with the status of a judge, on the grounds provided for by organic law;

4.8. entry into legal force of a judgment of conviction against a judge for committing a crime;

4.9. death of a judge, declaring him/her dead or missing by a court decision that has entered into legal force;

4.10. violation by a judge of the obligation to confirm the legal origin of the property to be declared.

5. The decision to terminate the powers of a judge is taken by the National Council of Justice, and this decision can be appealed against in court. The decision on early termination of the powers of a judge of the Constitutional Court may be appealed only in the Constitutional Court.

6. A judge, members of his/her family and their property shall be protected by the State if the security of the judge is endangered in connection with the performance of professional



duties.

7. The guarantees of independence and legal status of judges are established by organic law.

Article 123. Legal proceedings

1. In courts, cases are considered in open sessions. Consideration of cases in closed sessions is allowed only in instances stipulated by law.

2. Legal proceedings are carried out on the basis of equality and adversarial nature of the parties.

3. The impartiality of a judge may be questioned by the parties or by the judge himself/herself in the exercise of his/her duties in accordance with the law.

4. The law may provide for the participation of jurors in judicial proceedings.

5. Court decisions must be based on specific and detailed arguments, made public and be published. In cases considered in a closed court session, only the operative part of the court decision is publicly announced and published.

6. Court rulings are based on the opinion of the majority of the judges hearing the case.

7. Court rulings that have come into force are binding.

8. The parties and persons participating in the proceedings have the right to appeal against court decisions, except in cases determined by law.

Article 124. Issues of constitutionality

1. Courts administer justice on the basis of the Constitution, laws and other regulations adopted in accordance with them, as well as international treaties ratified by the Republic of Belarus.

2. The courts are prohibited from applying norms that are contrary to higher legal acts.

3. A law or regulation (or part thereof) declared by a court to be inconsistent with a normative legal act having higher legal force, with the exception of the Constitution, shall cease to have legal effect from the date specified in the court decision.

4. If the court has doubts, or if uncertainty arises regarding the conformity of the applied or applicable law or regulation with the Constitution, the court makes a decision to suspend the proceedings and sends an inquiry to the Constitutional Court about the conformity of this normative legal act with the Constitution.

Article 125. National Council of Justice

1. The National Council of Justice is responsible for the formation of a highly professional judiciary and ensuring the independence of courts and individual judges.

2. Half of the members of the National Council of Justice are elected by the Congress of Judges of the Republic of Belarus, both active and retired. The other half of the members of the National Council of Justice are elected by the congress of representatives of higher



education institutions of law, scientific institutions, bar associations, public organizations working in the field of law. The eligibility criteria and the procedure for electing members of the National Council of Justice are determined by law.

3. The term of office of the elected members of the National Council of Justice is five years; they continue to hold office after the expiration of their term of office until a new council is elected. The list of grounds for early termination of the powers of a member of the National Council of Justice is similar to the norms provided for the early release of judges.

4. Members of the National Council of Justice perform their duties on a permanent basis. Upon termination of his/her term of office, a member of the National Council of Justice has the right to return to the position he/she held before being elected to the National Council of Justice, or to an equivalent position.

5. The main tasks of the National Council of Justice are:

5.1. formation of the judiciary and appointment of judges;

taking measures to prevent violations of the independence and inviolability of judges, interference in their activities in the administration of justice;

5.2. organization of professional training, advanced training of judges;

5.3. assessment of the activities of judges;

5.4. organization and conduct of disciplinary proceedings;

5.5. maintaining high standards of judicial ethics;

5.6. preparation of proposals for further improvement of the legislation in the judicial and legal sphere;

5.7. other tasks defined by law.

6. The organization and operation procedure of the National Council of Justice are governed by organic law.

Article 126. Financial and organizational support of courts

1. The courts are financed from the state budget.

2. The National Council of Justice submits to the Government information on the budgetary requirements of the judicial system in the process of preparing the draft state budget, and it also has the right to address the Soim during the discussion of the draft state budget before its approval.

CHAPTER 10. CONSTITUTIONAL COURT

Article 127. Judges of the Constitutional Court

1. The Constitutional Court consists of 15 judges appointed for a term of 9 years. Five judges of the Constitutional Court are appointed by each of the following (bodies and



officials): the Soim – from among candidates nominated by the President, the Chairperson of the Soim and the Chairperson of the Supreme Court. The number of candidates submitted must be at least two for each vacancy of a judge of the Constitutional Court. The decision on the appointment of a judge of the Constitutional Court is adopted by the Soim by a majority vote of the constitutional number of deputies of the Soim by secret ballot.

2. A citizen of the Republic of Belarus who has an impeccable reputation, higher education in law, with universally recognized achievements in the field of law, and at least 15 years of working in the legal profession, may be appointed as a judge of the Constitutional Court. The reappointment of a judge of the Constitutional Court is not allowed.

3. The judges of the Constitutional Court elect the Chairperson and the Deputy Chairperson of the Constitutional Court by secret ballot for a term of three years.

4. The composition of the Constitutional Court is renewed by one-third every three years. A judge of the Constitutional Court continues to work in the Constitutional Court after the expiration of his/her term of office until the appointment of his/her successor. Upon termination of his/her term of office, a judge has the right to return to the position he/she held prior to his/her appointment to the Constitutional Court, or to an equivalent position.

5. In the performance of their duties, the judges of the Constitutional Court are independent and are guided only by the Constitution.

6. Judges of the Constitutional Court take office after taking the oath in the Soim.

7. The powers of a judge of the Constitutional Court may be terminated early in the cases and in the manner specified in article 122 of the Constitution, with the exception of subparagraph 4.5 of paragraph 4.

Article 128. Powers of the Constitutional Court

1. The Constitutional Court of the Republic of Belarus issues decisions:

1.1. on the compliance of laws and regulations with the Constitution on the basis of an appeal by the President, the Government, by at least one-fifth of the constitutional number of deputies of the Soim;

1.2. on the compliance of international treaties with the Constitution on the basis of an appeal by the President, the Government, by at least one fifth of the constitutional number of deputies of the Soim;

1.3. on the constitutionality of laws and regulations that are subject to application by a court in the examination of specific cases and which, according to its reasonable assumption, may contradict the Constitution, on the basis of the appeal by a court;

1.4. on the constitutionality of laws and regulations in relation to fundamental human rights and freedoms, on the basis of an appeal by the Commissioner for Human Rights;

1.5. on infringement of constitutional rights and freedoms, on the basis of a constitutional complaint of any person, submitted in accordance with the procedure prescribed in the law;

1.6. on the removal of the President from office, if the President violates the Oath or commits a crime, on the basis of an appeal by the Soim, in accordance with paragraph 4 of Article 92



of the Constitution;

1.7. on the constitutionality of the decision to appoint early elections to a representative body of local self-government, on the basis of the appeal by the Soim, in accordance with paragraph 1 of Article 118 of the Constitution;

1.8. exercises other powers determined by the Constitution.

2. On the basis of an appeal by the Soim, the President, the Government, the National Council of Justice, the Board of the National Bank, the Central Election Commission, the Commissioner for Human Rights, the Control Chamber, the Intelligence and Security Services Oversight Committee, the Public Service Ethics And Anti-Corruption Committee, a local government body, the Constitutional Court considers disputes concerning the powers of the relevant authorities.

3. For the protection of public interests, the Constitutional Court has the right to continue considering an appeal even if it is withdrawn.

4. The Constitutional Court, when considering the issue of the unconstitutionality of a normative legal act, has the right to suspend its operation if the effect of the relevant act in the future may harm or cause violations that cannot be compensated or restored.

Article 129. Sessions and decisions of the Constitutional Court

1. Issues within the competence of the Constitutional Court shall be considered in open sessions.

2. Decisions of the Constitutional Court are announced publicly, are final, binding and not subject to appeal.

3. A law or regulation (or part thereof), recognized by the Constitutional Court as inconsistent with the Constitution, loses legal force from the date of publication of the decision of the Constitutional Court.

4. Non-execution, improper execution, or obstruction of the execution of decisions of the Constitutional Court entails liability under the law.

5. The structure of the Constitutional Court and the procedure for legal proceedings in it are regulated by organic law. Amendments and additions to the said law come into force after the Constitutional Court has ruled on their conformity with the Constitution.

CHAPTER 11. PROSECUTOR'S OFFICE

Article 130. Powers of the Prosecutor's Office

1. The Prosecutor's Office of the Republic of Belarus takes measures to bring the perpetrators of crimes to criminal responsibility, supports charges in criminal courts, supervises the execution of laws in the activities of bodies of inquiry and preliminary investigation, in places of preliminary detention and prison facilities, exercises other powers



determined by law.

2. The organization and procedure for the activities of the Prosecutor's Office are determined by organic law.

Article 131. Appointments and term of office of prosecutors

1. The Prosecutor General is appointed by the Soim for a term of five years and continues to hold office after the expiration of his/her term of office until the appointment of his/her successor. The President of the Republic of Belarus shall nominate a candidate for the position of the Prosecutor General. One and the same person cannot hold the office of Prosecutor General for two consecutive terms.

2. Subordinate prosecutors are appointed by and are subordinated to the Prosecutor General.

3. In the cases and in the manner prescribed by law, a special prosecutor may be appointed by the Soim, reporting directly to the Soim.

4. The office of a prosecutor is incompatible with any other paid position, with the exception of teaching and research activities.

5. The procedure for the appointment and dismissal of prosecutors, their status and guarantees of independence are established by organic law.

CHAPTER 12. THE BAR

Article 132. Institution of the Bar

1. The Bar is a community of lawyers providing, on a professional basis, legal assistance to any person in order to exercise and protect their rights, freedoms and legitimate interests, as well as to ensure access to justice.

2. The organization and administration of the activities of the Bar is carried out by non-state independent self-governing associations of lawyers, representing, and protecting their interests, contributing to their professional training, maintaining professional ethical and legal standards.

3. Lawyers who provide legal assistance free of charge in cases provided for by law are financed from the state budget. A lawyer's membership in one of the bar associations is obligatory.

Article 133. Status of a lawyer

1. The decision to grant or deprive one of the statuses of a lawyer and the right to practice law is taken by an independent body of the Bar in the manner prescribed by law on the basis of objectivity and transparency, with the right to appeal the decision in court.

2. The law establishes the requirements for an applicant to be appointed as a lawyer, a list of persons who cannot be lawyers, as well as types of activities incompatible with those of a lawyer.



3. A lawyer is entitled to practice law throughout Belarus without any additional authorization or notification, either individually or in the organizational forms established by law.

Article 134. Guarantees for the activities of lawyers

1. Any form of interference in or obstruction to the activities of lawyers which are carried out in accordance with the law is prohibited.

2. A lawyer has the right to a personal meeting with his/her client under conditions that guarantee confidentiality. Limiting the number and duration of such meetings is prohibited.

3. Lawyers are guaranteed full access to information, materials, and documents necessary for the preparation and proper provision of legal assistance.

4. The lawyer's secret is protected by law indefinitely.

CHAPTER 13. COMMISSIONER FOR HUMAN RIGHTS

Article 135. Role and status

The Commissioner for Human Rights is an official who acts to promote and protect human rights and freedoms.

Article 136. Election to office and term of office

1. A citizen of the Republic of Belarus who has knowledge in the field of law, experience in human rights protection and high moral qualities, may become Commissioner for Human Rights.

2. The Commissioner for Human Rights is appointed by the Soim for a period of seven years following an open competition without the right of re-election and continues to hold office after the expiration of his/her term of office until the appointment of his/her successor.

3. For the period of his/her term of office, the Commissioner for Human Rights must not take part in political activities.

4. The grounds for termination of the term of office and dismissal of the Commissioner for Human Rights from office shall be established by law.

Article 137. Independence and inviolability

1. The Commissioner for Human Rights in the exercise of his/her powers is independent of any state bodies and officials.

2. Interference in the activities of the Commissioner for Human Rights in order to influence his/her decision, as well as obstruction to the activities of the Commissioner for Human Rights in any form entail liability under the law.



3. The Commissioner for Human Rights, his/her deputies and office staff with decision-making powers enjoy immunity from judicial prosecution in respect of statements made orally or in writing in their official capacity. The Commissioner for Human Rights cannot be arrested or otherwise deprived of personal liberty without the consent of the Soim, except in cases of detention at the scene of his/her commission of a grave crime. A criminal case against the Commissioner for Human Rights can only be initiated by the Prosecutor General.

Article 138. Rights and powers

1. The Commissioner for Human Rights:

1.1. in accordance with the law, examines complaints from any person in accordance with the law and, on his/her own initiative, verifies facts of violations of human rights and freedoms;

1.2. contributes to the improvement of legislation and practices in the field of human rights and freedoms;

1.3. monitors the observance of human rights and freedoms;

1.4. participates in the preparation of reports relating to the promotion and protection of human rights, which the State is to provide to international organizations in fulfilment of its obligations;

1.5. cooperates with national and international organizations competent in the promotion and protection of human rights.

2. The Commissioner for Human Rights, personally or through his/her representative, has the right to:

2.1. request and receive from state bodies, local self-government bodies and officials information, documents, and materials necessary for the exercise of his/her powers;

2.2. receive explanations from officials during the consideration of the complaint;

2.3. freely visit, independently or jointly with representatives of competent government authorities, the premises of state bodies, military units, places of preliminary detention and prison facilities and other organizations;

2.4. forward recommendations to any authorities or institutions within his/her competence and receive responses to his/her recommendations within the specified time frame;

2.5. apply to court and other state bodies with a statement in defense of the rights and freedoms violated by the decision or action (inaction) of a state body, local self-government body or an official, as well as participate in the court proceedings;

2.6. apply to the Constitutional Court with a proposal to review the constitutionality of laws and regulations; participate in the Constitutional Court proceeding on any cases and issues;

2.7. in cases of massive or gross violations of human rights, failure to comply with the recommendations of the Commissioner for Human Rights, apply to the Soim with a proposal to hold parliamentary hearings or to create a temporary parliamentary commission to investigate the facts of violation of the rights and freedoms of citizens.



3. Based on the results of the calendar year, the Commissioner for Human Rights, on the basis of the materials reviewed, prepares a report on the human rights situation in the Republic of Belarus, which shall be heard at a meeting of the Soim. The reports of the Commissioner for Human Rights are public and subject to publication.

4. The Commissioner for Human Rights may have other rights and powers granted to him/her by law.

Article 139. Operational support

1. To ensure the activities of the Commissioner for Human Rights, the Office is created, which is a state institution with the right of a legal entity. The structure and operation procedures of the Office are governed by a regulation approved by the Commissioner for Human Rights. The Commissioner for Human Rights hires Office staff and appoints his/her deputies.

2. The Office of the Commissioner for Human Rights promotes the development of information, education and research programmes on human rights issues and participates in their implementation.

3. The Commissioner for Human Rights and his/her Office are sufficiently financed from the state budget, as well as from other sources permitted by law. The cost estimates are developed and executed by the Commissioner for Human Rights and his/her Office independently.

CHAPTER 14. CONTROL CHAMBER OF THE REPUBLIC OF BELARUS

Article 140. Role and status

The Control Chamber of the Republic of Belarus is the state financial control body.

Article 141. Appointment and term of office of members of the Control Chamber

1. The Chairperson and members of the Control Chamber are appointed by the Soim for a period of 10 years upon the nomination by the relevant parliamentary commission from among persons possessing high moral qualities, expert knowledge, and experience in the relevant field, and they continue to hold office after the expiration of the term of office until the appointment of their successors.

2. Members of the Control Chamber work on a permanent basis and, according to their official status, are equal to the deputies of the Soim.

3. The grounds for termination of powers and dismissal of members of the Control Chamber shall be established by law.



Article 142. Rights and powers

1. The Control Chamber:

1.1. carries out an audit of legality, financial audit, and the audit of the effectiveness of public administration of finance, property and public procurement;

1.2. checks the effectiveness of the internal control service of the Government and other government bodies, the National Bank and other state organizations;

1.3. performs the analysis of the execution of the state budget, gives an opinion on the draft state budget for the next fiscal year.

2. The Control Chamber has the right to:

2.1. access all documents related to financial management, request, orally or in writing, any information that it deems necessary from the audited organization;

2.2. upon detection of violations, apply to the competent authorities with a requirement to take the necessary measures and bring the perpetrators to justice;

2.3. participate and speak in the meetings of the Government and the Board of the National Bank on issues falling within its scope of authority.

3. Other rights and powers, the structure, procedure for the organization and operation of the Control Chamber are determined by law.

Article 143. Accountability and independence

1. In its activities, the Control Chamber is accountable to the Soim.

2. The Control Chamber, at least once a year, submits a report on the results of control activities to the Soim. This report shall be published.

3. The cost estimates of the Control Chamber are developed and executed by the Control Chamber independently and are reflected in the state budget as a separate line.

4. The Control Chamber in exercising its powers is independent of any state bodies and officials, and is guided only by the law.

5. Interference in the activities of the Control Chamber, undermining its independence and powers, entails liability under the law.

CHAPTER 15. INTELLIGENCE AND SECURITY SERVICES OVERSIGHT COMMITTEE

Article 144. Role and Status

The Intelligence and Security Services Oversight Committee is an independent government body that assesses the performance, impartiality, and compliance with the law by the intelligence and security services, the quality of executive control over them, as well as



internal control.

Article 145. Appointment and term of office of the members of the Committee

1. The Chairperson and members of the Intelligence and Security Services Oversight Committee are appointed for a period of 10 years by the Soim on the nomination by the relevant parliamentary commission, from among the persons with special expertise and experience in the relevant field; they continue to hold office after the expiration of the term of office until the appointment of their successors.

2. The grounds for termination of powers and dismissal of members of the Intelligence and Security Services Oversight Committee shall be established by law.

Article 146. Rights and powers

1. The Intelligence and Security Services Oversight Committee

1.1. monitors compliance with the law of the activities of intelligence and security services;

1.2. monitors the observance of constitutional rights and freedoms by the intelligence and security services;

1.3. investigates complaints from any person on all aspects of work of intelligence and security services;

1.4. analyses and assesses the appropriateness and effectiveness of activities of intelligence and security services;

1.5. monitors the functioning of internal mechanisms for the prevention, detection, and elimination of violations.

2. The Intelligence and Security Services Oversight Committee has the right to

2.1. request and receive information constituting a state secret;

receive annual and any other reports prepared by the intelligence and security services;

2.2. summon executive officials, intelligence and security officials, external experts, and other persons to give evidence under oath;

2.3. conduct scheduled and unscheduled inspections, enter the offices of intelligence and security services without warning, interview staff, obtain access to databases and facilities;

2.4. if violations are found, apply to the internal intelligence or security agency with a recommendation to apply disciplinary measures, or to the Prosecutor General with a request to initiate criminal proceedings;

2.5. address the specialized commission of the Soim, a member of the Government responsible for the activities of the intelligence or security services, as well as the Security Council of the Republic of Belarus and present them with information about the facts of non-compliance by the intelligence or security services with established requirements, and the identified shortcomings and violations.



3. Disputes in cases where the Intelligence and Security Services Oversight Committee is denied access to the information it needs shall be decided by a special committee consisting of a member of the Government responsible for the activities of the intelligence or security services, the Head of Intelligence or Security services, the chairperson of the relevant commission of the Soim, and the Chairperson of the Intelligence and Security Services Oversight Committee.

4. The Intelligence and Security Services Oversight Committee may have other rights and powers granted to it by law.

Article 147. Accountability

1. In its activities, the Intelligence and Security Services Oversight Committee is independent of any state bodies and officials, is guided only by law and is accountable to the relevant commission of the Soim.

2. The Intelligence and Security Services Oversight Committee sends its annual reports to the chairperson of the relevant Soim commission and to the members of the Government responsible for the activities of intelligence and security services.

3. The Intelligence and Security Services Oversight Committee publishes annually publicly available reports on its activities and on the results of inspections that do not contain classified information.

Article 148. Operational support

1. The Intelligence and Security Services Oversight Committee is financed from the state budget. Cost estimates are developed and executed by the Intelligence and Security Services Oversight Committee independently.

2. The organization and procedure for the activities of the Intelligence and Security Services Oversight Committee shall be determined by law.

CHAPTER 16. PUBLIC SERVICE ETHICS AND ANTI-CORRUPTION COMMITTEE

Article 149. Role and status

The Public Service Ethics and Anti-Corruption Committee is an independent state body for coordination, monitoring, conducting investigative, preventive, and educational measures to combat corruption.

Article 150. Appointment and term of office of members of the Committee

1. The Chairperson and members of the Public Service Ethics and Anti-Corruption Committee are appointed by the Soim for a period of six years based on the results of open competition and continue to hold office after the expiration of the term of office until the appointment of their successors. The members of the Competition Commission are appointed in accordance with the law from among the candidates proposed by the relevant



commission of the Soim, the President and the National Council of Justice.

2. The grounds for termination of powers and dismissal of members of the Public Service Ethics and Anti-Corruption Committee are established by law.

Article 151. Rights and powers

1. The Public Service Ethics and Anti-Corruption Committee

1.1. coordinates anti-corruption actions between various state and control bodies;

1.2. develops and implements codes of ethics in public service;

1.3. conducts informational and educational programs to form intolerance towards corruption;

1.4. exercises supervision to ensure avoidance of conflict of interests, declaration of property by deputies, public servants, elected officials, prosecutors, and judges;

1.5. identifies and investigates crimes related to bribery and corruption, trade in influence, abuse of office by high-ranking officials;

1.6. provides expertise and recommendations on the introduction of ethical standards, combating corruption and improving the legislation in this area;

1.7. monitors and evaluates the effectiveness of anti-corruption measures.

2. The Public Service Ethics and Anti-Corruption Committee has the right to

2.1. conduct operational search and organize investigative activities;

2.2. if violations are found, address a state authority with a recommendation to apply disciplinary measures, or the Prosecutor General with a request to initiate criminal prosecution.

3. The Public Service Ethics and Anti-Corruption Committee may have other rights and powers granted to it by law.

Article 152. Accountability

1. In its activities, the Public Service Ethics and Anti-Corruption Committee is accountable to the Soim.

2. Public oversight of the Public Service Ethics and Anti-Corruption Committee is exercised by the Supervisory Board, which is established, in accordance with the law, from among representatives of non-governmental organizations.

3. The Public Service Ethics and Anti-Corruption Committee submits financial and performance reports to the Soim, the President and the Prime Minister every six months, and also publishes them in the public domain.

Article 153. Operational support

1. The Public Service Ethics and Anti-Corruption Committee are financed from the state budget. The cost estimates are developed and executed by the Public Service Ethics and



Anti-Corruption Committee independently.

2. The organization and procedure for the activities of the Public Service Ethics and Anti-Corruption Committee are determined by law.

CHAPTER 17. GOVERNMENT FINANCE

Article 154. Budgetary system

1. The budgetary system of the Republic of Belarus includes an independent state budget, autonomous local budgets, and public extra-budgetary funds.

2. The fiscal year for all budgets on the territory of the Republic of Belarus is established from January 1 to December 31.

3. Budget revenues are derived from taxes, other mandatory payments determined by law, as well as other receipts.

4. The deduction amounts from state taxes and other compulsory payments, which, in whole or in part, are allocated to local budgets in accordance with the law, are determined based on the scope of the powers of local governments.

5. Inter-budgetary relations between public authorities and local self-government bodies are regulated by law.

6. In accordance with the legislation, public extra-budgetary funds may be created in the Republic of Belarus. The approval of the budgets of public extra-budgetary funds, reports on their execution and control over their use are carried out in the manner prescribed for the state budget.

Article 155. Tax system

1. The system of taxes and charges levied to the state and local budgets, contributions to public extra-budgetary funds, as well as the system of the legal protection of the taxpayer shall be established by law.

2. The introduction, amendment, or abolition of taxes, the provision of tax benefits cannot be delegated to the executive authorities.

3. The level of the tax burden, taking into account contributions to public extra-budgetary funds, should not exceed two-fifths of the gross domestic product. Derogations are permitted in exceptional cases by a decision of the Soim adopted by a three-fifths majority of the constitutional number of deputies.

Article 156. State budget

1. The draft state budget is drawn up by the Government and submitted for consideration to the Soim no later than 90 days before the end of the fiscal year.

2. When considering the draft state budget, the Soim may increase expenditures only if the sources of financing for these expenditures are indicated. Costs foreseen by laws cannot



be reduced until these laws are amended.

3. The draft state budget is approved by law before the start of the new fiscal year.

4. If the state budget is not approved in a timely manner, its expenditures at the beginning of the fiscal year, for each month may not exceed one-twelfth of the state budget expenditures for the previous year.

5. During the fiscal year, the Soim can make changes to the budget. Changes to the budget are made in the same order in accordance with which it is drawn up and approved.

6. The report on the execution of the state budget is submitted by the Government to the Soim for consideration no later than five months from the end of the reporting fiscal year, together with information on the state of public debt, and within 90 days from the date of submission of the report, a corresponding decision is made on it. The report on the execution of the state budget is published together with the laws and regulations adopted as a result of the review of the report.

7. The procedure for drawing up, approving, and executing the state budget and public extra-budgetary funds is determined by law.

Article 157. Debt

1. The receipt by the state and local self-government units of loans and credits, as well as provision by them of financial guarantees and sureties, shall be carried out in accordance with the law.

2. It is prohibited to take loans, credits or provide financial guarantees and sureties, as a result of which the national debt will exceed two-fifths of the gross domestic product. Derogations are allowed in exceptional cases by a decision of the Soim adopted by a three-fifths majority of the constitutional number of deputies. The way of calculating the gross domestic product, as well as the public debt, is determined by law.

Article 158. National Bank of the Republic of Belarus

1. The National Bank is the central bank and state body of the Republic of Belarus, which is responsible for ensuring price stability, protecting the value of the national currency and the stability of the financial system.

2. The National Bank regulates credit relations, money circulation, determines the procedure for settlements, exercises banking supervision and has the exclusive right to issue money.

3. The National Bank is independent in its activities and independently determines the parameters of the monetary policy.

4. The management of the National Bank is carried out by the Board of the Bank, consisting of its Chairperson, Deputy Chairperson, and members. The Chairperson, his/her deputies and members of the Board of the National Bank are appointed by the Soim for a period of seven years and continue to hold office after the expiration of the term of office until the appointment of their successors.



5. The Soim annually hears the report of the Chairperson of the National Bank on the state of monetary policy in the country.

6. The procedure for the organization and activities of the National Bank, its powers, as well as the legal status of the Chairperson of the Board of the National Bank and the grounds for his/her dismissal are established by organic law.

CHAPTER 18. AMENDMENT OF THE CONSTITUTION

Article 159. Right to initiative

The issue of amending and (or) supplementing the Constitution is considered by the Soim on the initiative of at least 150 thousand citizens of the Republic of Belarus who have the right to vote, or at least one-fourth of the constitutional number of deputies of the Soim.

Article 160. Procedure for consideration and voting

1. A draft constitutional law on amending and (or) supplementing the Constitution is submitted to the Soim which publishes it for the purposes of public discussion. If one draft of constitutional law is introduced, any other drafts must be submitted within thirty days.

2. The draft constitutional law shall be considered by the Soim in the light of the opinion of the Constitutional Court on the conformity of the draft with the requirements of article 162 of the Constitution.

3. The first reading of a draft constitutional law in the Soim does not begin until thirty days after its promulgation. A draft constitutional law in the first and second readings shall be adopted by a majority of no less than three-fifths of the votes of the constitutional number of deputies of the Soim.

4. A draft constitutional law in the third reading shall be adopted by a majority of no less than three-fifths of the constitutional number of deputies of the Soim and not earlier than six months after the submission of the draft constitutional law to the Soim, with deferring it for further adoption under one of the following procedures:

4.1. in case of amendments to Chapter 1 “Fundamentals of the Constitutional System” and Chapter 18 “Amendment of the Constitution”, the constitutional law is adopted by a national referendum. The referendum may not be held earlier than three months after the Soim has adopted a draft constitutional law in the third reading. A law on amending and (or) supplementing the Constitution shall be deemed adopted if it has been voted for by the majority of the total number of voters on the electoral rolls;

4.2. in other cases, the constitutional law is adopted by the next convocation of the Soim. A law on amending and (or) supplementing the Constitution shall be considered adopted if the subsequent composition of the Soim in the first and only reading by a majority of not less than three-fifths of the constitutional number of deputies of the Soim votes for its adoption without changes.



Article 161. Signature and publication

1. The adopted constitutional law is signed by the President and officially published within five days. The President cannot return the law on amending and (or) supplementing the Constitution unsigned to the Soim, in accordance with paragraph 2 of Article 86 of the Constitution.
2. If such a law is not signed by the President within the specified period, this constitutional law comes into force after it is signed by the Chairperson of the Soim and officially published.
3. The law on amending and (or) supplementing the Constitution comes into force no earlier than one month after its adoption.
4. The new text of the Constitution is published together with the constitutional law on its amendment.

Article 162. Scope of changes

1. Paragraph 1 of Article 1 of the Constitution is not subject to change. No amendment to the Constitution may contradict paragraph 1 of Article 1 of the Constitution.
2. The Constitution of the Republic of Belarus cannot be amended if the changes provide for a violation of the binding provisions of international law.
3. Changes in the terms of office and competencies of any official or elected body whose election or appointment is provided for in this Constitution, shall not apply to an incumbent official or elected body, and may enter into force only after the next appointment or election.
4. The Constitution of the Republic of Belarus cannot be amended under conditions of martial law or a state of emergency.
5. A draft constitutional law, which was considered by the Soim and was not adopted, may be re-submitted to the Soim no earlier than one year after the date of the adoption of the decision on this draft law.

CHAPTER 19. TRANSITIONAL AND FINAL PROVISIONS

Article 163. Entry into force of the Constitution

The present Constitution of the Republic of Belarus shall enter into force upon its official publication or upon the expiration of fourteen days from the date of the official publication of the results of the referendum on the adoption of the present Constitution, depending on whichever happens earlier.

Article 164. Previous legislation

1. Laws and other regulations or parts thereof that were in force on the territory of the Republic of Belarus prior to the adoption of this Constitution, are valid insofar as they do not contradict the Constitution, and shall remain in force until they are declared invalid or until they are brought in accordance with the provisions of the Constitution.



2. The standing commissions of the Soim and the Government, within one year from the date of entry into force of this Constitution, must submit to the Soim a list of international treaties that include provisions inconsistent with this Constitution.

3. The Soim shall adopt the laws to be enacted on the occasion of the entry into force of this Constitution within the following terms, as from the date of entry into force of this Constitution:

3.1. organization and conduct of elections and referendums - 1 year;

3.2. organization and activities of the Soim - 1 year;

3.3. procedure for the exercise of the powers of the President - 1 year;

3.4. organization and activities of the Government - 1 year;

3.5. on the Commissioner for Human Rights - 1 year;

3.6. organization and operation of the Chamber of Control - 1 year;

3.7. organization and operation of the Intelligence and Security Services Oversight Committee - 1 year;

3.8. organization and operation of the Public Service Ethics and Anti-Corruption Committee - 1 year;

3.9. organization of the judiciary and the status of judges, judicial procedure, organization and activities of the Public Prosecutor's Office, organization, and activities of the Bar - 2 years;

3.10. organization and operation of the National Council of Justice - 2 years;

3.11. fundamentals of local self-government - 2 years;

3.12. organization and activities of political parties, social and religious organizations, and trade unions; on media and communications: 3 years;

3.13. any other laws provided for in this Constitution - 5 years.

4. The Soim may, by a majority of not less than three-fifths of the constitutional number of deputies, extend for one year the period fixed for any particular subparagraph under paragraph 3 of this article, and do so only once in respect of any particular sub-paragraph.

5. If the Soim does not enact any specific legislation at specified timeframes, any person may lodge a complaint with the Constitutional Court on the matter.

6. The Constitutional Court, in considering a complaint under paragraph 5 of this Article, may:

6.1. take a decision ordering the Soim to take measures to ensure that the necessary law is adopted within the period specified in the decision and to report on the progress to the Constitutional Court;

6.2. decide on early elections to the Soim.



Article 165. Appointment of members of the Central Election Commission

1. The Central Commission of the Republic of Belarus on Elections and the Conduct of Republican Referenda shall be reorganized into the Central Election Commission of the Republic of Belarus.
2. When appointing members of the Central Election Commission for the first time after the entry into force of this Constitution, the parties duly registered in the Republic of Belarus, appoint one of their members to the Central Election Commission no later than 30 days after entry into force of the Constitution. The number of members of the first Central Electoral Commission shall not be subject to paragraph 2 of Article 63 of the Constitution.
3. The Central Election Commission shall, no later than 60 days after the entry into force of this Constitution, adopt a provisional provision on the procedure for the implementation of the electoral system in accordance with paragraph 4 of Article 70 of the Constitution, and set the date for the early election of the Soim.
4. The term of office of the members of the Central Election Commission appointed for the first time after the entry into force of this Constitution, shall end after the early elections to the Soim in accordance with Article 166 of this Constitution and the formation of the Central Election Commission in accordance with Article 63 of this Constitution.

Article 166. Early elections to the Soim

1. Early elections to the Soim must be held no later than five months after the entry into force of this Constitution.
2. The term of office of the National Assembly of the Republic of Belarus and its deputies expires when the elected Soim meets for the first session.

Article 167. Elections of the President for the first time and limitation of the term of office of the President

1. When holding elections for the President for the first time after the entry into force of this Constitution, candidates for the office of the President are nominated by citizens of the Republic of Belarus by collecting signatures of voters in the manner prescribed by law. Paragraph 3 of Article 90 of the Constitution, insofar as candidates for the office of the President are also nominated by political parties that have a faction in Soim, shall enter into force from the moment of the second presidential election after the entry into force of this Constitution.
2. The effect of Paragraph 2 of Article 90 of the Constitution to the extent that one and the same person cannot be President for more than two terms during his/her life, also applies to the terms of office of persons who acted as President prior to the entry into force of this Constitution.

Article 168. Appointment of judges of the Constitutional Court

1. The term of office of judges of the Constitutional Court of the Republic of Belarus expires 30 days after the first session of the newly elected Soim taking place after the entry into force of this Constitution.



2. Judges of the Constitutional Court must be appointed no later than 30 days after the commencement of the term of office of the Soim.

3. In appointing judges to the Constitutional Court for the first time since the entry into force of the present Constitution, two judges, nominated by the Chairperson of the Supreme Court, shall be appointed for a period of three years, two – for a period of six years, and one – for a period of nine years; two judges nominated by the President are appointed for three years, one – for six years, and two – for nine years; and the judges, nominated by the Chairperson of the Soim, shall be appointed: one – for a period of three years, two – for a period of six years, and two – for a period of nine years.

4. The judges of the Constitutional Court, who will be appointed for a term of three and six years, may, after a period of at least three years, take these positions for another term of office.

Article 169. Formation of the National Council of Justice for the first time

1. When forming the National Council of Justice for the first time after the entry into force of this Constitution, one-third of the members of the National Council of Justice is elected by the Congress of judges of the Republic of Belarus, both current and retired. One-third of the members of the National Council of Justice is elected by the congress of representatives of higher education institutions of law, scientific institutions, bar associations and public organizations working in the field of law. One-third of the members of the National Council of Justice is elected by the Soim from among international experts on the nomination by the President.

2. The National Council of Justice, during its first term of office, must carry out the procedure for confirming the conformity of judges with the office according to the criteria of competence, professional ethics, and integrity. The procedure for confirming the conformity of judges with the office is equivalent to Article 121 of the Constitution on the appointment of a judge, and is not subject to paragraph 4 of Article 122 of the Constitution.



Article 170. Formation of the Control Chamber of the Republic of Belarus

1. The State Control Committee is reorganized into the Control Chamber of the Republic of Belarus.
2. The Chairperson and members of the Control Chamber must be appointed no later than 90 days after the commencement of the Soim term of office.

Article 171. Election of the Commissioner for Human Rights for the first time

The Commissioner for Human Rights shall be appointed no later than six months after the commencement of the Soim term of office. If by that time, the law on the Commissioner for Human Rights is not adopted, the appointment shall be on the basis of the regulation on the competition approved by the resolution of the Soim.

Article 172. Formation of the Intelligence and Security Services Oversight Committee for the first time

The Chairperson and members of the Intelligence and Security Services Oversight Committee shall be appointed by the Soim no later than 90 days after the adoption of the law on the organization and procedure for the activities of the Intelligence and Security Services Oversight Committee, but no later than two years after the entry into force of this Constitution.

Article 173. Formation of the Public Service Ethics and Anti-Corruption Committee for the first time

The Chairperson and members of the Public Service Ethics and Anti-Corruption Committee must be appointed by the Soim no later than 90 days after the adoption of the law on the organization and procedure for the activities of the Public Service Ethics and Anti-Corruption Committee, but not later than two years after the entry into force of this Constitution.