

LAW OF THE REPUBLIC OF BELARUS ON THE PROSECUTOR'S OFFICE

This Law defines the legal and organizational basis for the activities of the prosecutor's office of the Republic of Belarus, its powers, system, status of prosecutors, guarantees of their independence, the procedure for prosecutorial self-government, as well as the principles of interaction with state bodies and civil society.

SECTION I. ORGANIZATION OF THE ACTIVITIES OF THE PROSECUTOR'S OFFICE

CHAPTER I. GENERAL PROVISIONS

Article 1. Prosecutor's Office of the Republic of Belarus

Prosecutor's office of the Republic of Belarus is a system of state bodies that ensures the protection of human rights and freedoms, the interests of society and the state from criminal encroachments within the scope of its powers as specified by the legislation of the Republic of Belarus.

Article 2. Legal basis of the activities of the Prosecutor's Office

1. Legal basis of the activities of the prosecutor's office shall be formed by the Constitution of the Republic of Belarus, this Law and other laws defining the scope of competence, rules of procedure for conducting the activities of the prosecutor's office, and the powers of prosecutors, as well as international treaties of the Republic of Belarus.

2. Relations associated with serving in the prosecutor's office that are not regulated by this Law shall be governed by the provisions of labor legislation, pension coverage legislation and other laws.

Article 3. Specific terms used in this Law

The following basic terms shall be used for the purposes of this Law:

citizen – a citizen of the Republic of Belarus, a foreign citizen, a stateless person, unless otherwise provided by this Law;

prosecutor – a citizen of the Republic of Belarus appointed to the position in accordance with this Law to exercise the functions of the prosecutor's office;

employee of the prosecutor's office – a person who is in employment relationship with the prosecutor's office and is not a prosecutor;

higher-level prosecutor – a prosecutor who holds an administrative position in a structural subdivision in which the prosecutor is employed, the head, first deputy or deputy head of a corresponding prosecutor's office or higher-level prosecution authority;

higher legal education – education obtained in the Republic of Belarus (or in the former USSR) corresponding to the qualification level of a specialist or master, as well as higher legal education of the same level obtained in foreign countries and recognized in the Republic of Belarus in accordance with the procedure established by law;

Work experience in the legal sector – a person’s professional experience gained within a specialty requiring a Specialist or Master of Law degree from the date of obtaining higher legal education.

Article 4. Operating principles of the Prosecutor’s Office

The activities of the prosecutor’s office shall be based on the following principles:

- 1) supremacy of law – precedence of human rights and freedoms, justice, legal certainty, equality of all before the law, accountability to the people of the Republic of Belarus;
- 2) legality – exercise of powers exclusively on the basis, in the manner and within the scope defined by the Constitution of the Republic of Belarus, laws adopted in conformity with the Constitution, and international obligations of the Republic of Belarus;
- 3) independence – autonomy and freedom from any unlawful influence, interference or pressure of state authorities, non-governmental organizations, legal entities or individuals;
- 4) political neutrality – prohibition on participation in political activities, support of political parties, movements or individual politicians;
- 5) objectivity and impartiality – decision making based on facts, evidence and legal requirements without giving any advantages or allowing any form of discrimination;
- 6) openness – informing the public about its activities to the extent that it does not contradict the requirements of legislation on the protection of rights and legitimate interests of citizens and organizations, as well as legislation on the protection of state secrets and other legally protected secrets;
- 7) unity – a unified system of all public prosecution bodies of the Republic of Belarus subordinated to the Prosecutor General, in which all prosecutors have the same legal status, regardless of position held;
- 8) specialization – distribution of powers depending on areas of activities and categories of criminal cases;
- 9) territoriality – exercise of powers with due account for administrative-territorial division of the Republic of Belarus;
- 10) ethicality – responsibility, integrity, unbiasedness, respect for human rights, strict adherence to high moral and ethical standards and rules of professional conduct.

Article 5. Main tasks of the Prosecutor’s Office

The prosecutor’s office of the Republic of Belarus shall perform the following tasks:

- conducting a criminal prosecution by way of procedural control over pre-trial investigations and support of public prosecution of criminal cases in the court;
- ensuring the protection of citizens’ rights and freedoms within the scope of its competence by means of overseeing the enforcement of laws in the course of carrying out operational investigative activities and pre-trial investigations, imposing a restraint on personal liberty of citizens within the framework of criminal proceedings and executing criminal sentences;
- ensuring the implementation of criminal policy of the state within the scope of its competence.

Article 6. Interaction of the Prosecutor’s Office with the state bodies and civil society

The prosecutor’s office of the Republic of Belarus shall interact with the judiciary, law enforcement agencies and other state bodies, local self-governing authorities and civil society institutions within the scope of its competence.

CHAPTER II. FUNCTIONS OF THE PROSECUTOR'S OFFICE AND THE POWERS OF PROSECUTORS RELATING TO THE EXERCISE OF THEIR FUNCTIONS

Article 7. Functions of the Prosecutor's Office

1. In accordance with the tasks assigned to it, the prosecutor's office shall:

- 1) exercise procedural control over pre-trial investigations;
- 2) oversee statutory compliance in the activities of pre-trial investigation bodies;
- 3) support the public prosecution in the court;
- 4) oversee statutory compliance in operational investigation activities;

5) oversee statutory compliance in the enforcement of court decisions in criminal cases, as well as in the implementation of other coercive measures involving the restriction of personal liberty of citizens;

6) participate in the implementation of criminal policy of the Republic of Belarus;

7) ensure the provision of international legal assistance in criminal cases in accordance with international treaties of the Republic of Belarus, as well as maintain international cooperation in its respective field of activity.

2. It is prohibited to assign functions to the prosecutor's office and entrust public prosecutors with the duties that are not provided for by the Constitution of the Republic of Belarus and this Law.

Article 8. Criminal prosecution

1. The prosecutor's office shall carry out criminal prosecution in the manner and within the limits set out in criminal procedure legislation with the aim of bringing those guilty of crimes to criminal responsibility or applying coercive measures to persons who committed socially dangerous acts and are not subject to criminal responsibility.

2. Criminal prosecution shall be carried out by the prosecutor in the form of procedural control over pre-trial investigations and support of public prosecution in the court.

3. When carrying out criminal prosecution, the prosecutor may file a civil lawsuit in criminal proceedings in the interests of a citizen or the state that has suffered damage as a result of a crime or other socially dangerous act.

4. Criminal prosecution shall be carried out by the prosecutor in all criminal cases, except as otherwise provided by criminal procedure law.

5. The prosecutor shall carry out criminal prosecution within the framework of a single criminal case at all stages of the criminal process. Replacement of the prosecutor shall be permitted only in cases where it is objectively impossible for the prosecutor to continue exercising his/her powers or as a result of inefficient exercise of powers by the prosecutor.

Article 9. Procedural control over pre-trial investigations

1. For the purposes of ensuring the prosecution of crimes, the prosecutor shall exercise procedural control over pre-trial investigation in accordance with the procedure established by criminal procedure legislation.

2. When exercising procedural control, the prosecutor shall organize, direct and supervise the activities of pre-trial investigation bodies. He/she may also participate in procedural activities or conduct them independently.

The prosecutor has the right to conduct a pre-trial investigation independently, while combining the powers of investigating (interrogating) officer with the powers of a prosecutor.

The prosecutor has the right to take measures to protect witnesses, victims and other participants in criminal proceedings, as well as implement measures of procedural coercion other than those falling within jurisdiction of the court.

3. Conduct of pre-trial investigation, procedural control over pre-trial investigation may be carried out by a prosecutor individually or, if necessary, by a group of prosecutors.

4. Written instructions given by the prosecutor to state bodies or officials responsible for conducting pre-trial investigation have a binding effect on these bodies (officials) and shall be complied with immediately.

Article 10. Support of public prosecution in the court

1. The prosecutor supports the public prosecution in criminal proceedings, while exercising the rights and performing the duties provided for by criminal procedure legislation.

2. Public prosecution in the court shall be supported by the prosecutor who exercised procedural control over pre-trial investigation, except in cases where he/she is replaced by a higher-level prosecutor or another prosecutor acting on the authority of a higher-level prosecutor. If necessary, the higher-level prosecutor may involve other prosecutors in supporting the public prosecution.

3. If the procedural control over pre-trial investigation was exercised by the Prosecutor General, the public prosecution in court shall be supported by the Prosecutor General or another prosecutor (group of prosecutors) acting on the authority of Prosecutor General.

4. The prosecutor supporting public prosecution in the court is referred to as the public prosecutor.

5. The right to file an appeal, cassation appeal or application for review of judgment on the basis of newly discovered facts shall be vested in the prosecutor who participated in a proceeding before the court of first instance, as well as the higher-level prosecutor, regardless of whether he/she participated in the consideration of a case or not.

Article 11. Overseeing statutory compliance in the activities of pre-trial investigation bodies

1. The prosecutor shall oversee statutory compliance in the activities of law enforcement agencies, including pre-trial investigation units, and their officials in order to prevent, detect and eliminate violations of the rules of criminal procedure legislation and other laws, as well as bring the guilty officials to justice in accordance with the law.

2. Oversight of statutory compliance in the activities of pre-trial investigation bodies shall be entrusted to the heads of prosecution bodies and prosecutors authorized by them, or to the prosecutor exercising procedural control over pre-trial investigation of a criminal case. While overseeing statutory compliance in the activities of pre-trial investigation bodies within the framework of criminal proceedings, the prosecutor shall exercise the rights and perform the duties provided for by criminal procedure legislation and this Law.

3. When overseeing statutory compliance in the activities of pre-trial investigation bodies, the prosecutor may exercise the following rights within the scope of his/her competence:

1) examine criminal cases, documents, materials and other information on committed crimes, progress of pre-trial investigations, identification of perpetrators of crimes, measures taken to protect witnesses, victims and other participants in criminal proceedings;

2) verify compliance with legislation on receipt, registration and examination of reports of committed or planned crimes;

3) issue written instructions on the implementation of measures to protect witnesses, victims and other participants in criminal proceedings.

Article 12. Overseeing statutory compliance in operational investigative activities

1. The prosecutor shall oversee statutory compliance in operational investigation activities, while exercising the rights and performing the duties provided for by this Law, criminal procedure legislation, and the Law of the Republic of Belarus “On Operational-Investigative Activities”.

2. Oversight of statutory compliance in operational investigation activities shall be entrusted to the heads of prosecution bodies and the prosecutors authorized by them, and also, within the framework of a criminal case, to the prosecutor exercising procedural control over pre-trial investigation.

3. When overseeing statutory compliance in operational investigation activities, the prosecutor has the right to do the following within the scope of his/her competence:

1) check operational records and other materials of operational investigation activities;

2) issue written instructions on the implementation of operational investigative measures in criminal cases, as well as on the discontinuation of operational investigation activities.

4. The following items are not subject to prosecutorial oversight of statutory compliance in operational investigation activities:

1) legality and validity of court decrees (decisions) on the conduct, continuation and cessation of operational investigation activities;

2) information about persons who provide or provided confidential assistance to the bodies responsible for conducting operational investigation activities, and those who cooperate or cooperated with them;

3) tactics and organization of gathering operational-investigative information.

Article 13. Overseeing statutory compliance in the enforcement of court decisions in criminal cases, as well as in the implementation of other coercive measures involving the restriction of personal liberty of citizens

1. The prosecutor shall oversee statutory compliance in the enforcement of court decisions in criminal cases, as well as in the implementation of other coercive measures related to restriction of personal liberty of citizens, while exercising the rights and performing the duties provided for by this Law, criminal executive and criminal procedure legislation, as well as other laws of the Republic of Belarus.

2. Oversight of statutory compliance in the enforcement of court decisions in criminal cases, as well as in the implementation of other coercive measures involving the restriction of personal freedom, shall be entrusted to the heads of prosecution bodies and prosecutors authorized by them, and also, within the framework of a criminal case, to the prosecutor carrying out criminal prosecution.

3. When exercising oversight over statutory compliance in the execution of court decisions in criminal cases, as well as when implementing other coercive measures related to restriction of personal liberty of citizens, the prosecutor has the right to:

1) at any time, upon presentation of ID card confirming his/her current position and without personal inspection, visit the bodies and institutions responsible for executing punishments and other measures of criminal liability, institutions responsible for implementing coercive treatment, security and educational measures, detention facilities and other places

where persons are being held in custody following the decision of a court or administrative body;

2) interview persons held in places specified in item 1 of this paragraph for the purpose of obtaining information about the conditions of their detention and treatment, and getting acquainted with the documents on the basis of which these persons are being held in such places.

4. The prosecutor shall oversee statutory compliance in the enforcement of court decisions in criminal cases, as well as in the implementation of other coercive measures involving the restriction of personal liberty in state bodies and institutions, by conducting regular inspections and responding adequately to complaints, appeals or any other sources of information about alleged violations of the law.

The frequency of regular inspections shall be established by the Prosecutor General's order.

The prosecutor has the right to involve the necessary specialists, representatives of other state bodies and non-governmental organizations for the purpose of conducting regular inspections.

5. The prosecutor shall immediately release a person, who is unlawfully (in the absence of a corresponding decision of a court or administrative body, or any other document provided for by law, or upon expiration of period of detention prescribed by law or a corresponding decision) held in a place specified in item 1 of paragraph 1 of this article, by means of a reasoned decree.

Article 14. Participation in the implementation of criminal policy of the Republic of Belarus

1. Prosecution bodies shall participate in the implementation of criminal policy of the state in accordance with this Law and other laws of the Republic of Belarus.

2. Implementation of criminal policy of the state at central level shall be entrusted to the Prosecutor General, his/her first deputy and deputies, as well as prosecutors authorized by him/her; at regional level – to the heads of pawet prosecutor's offices, their first deputies and deputies; at local level – to the heads of district prosecutor's offices, their first deputies and deputies.

Heads of specialized prosecutor's offices, their first deputies and deputies may participate in the implementation of criminal policy of the state in their respective fields of activity in cases and in the manner established by the Prosecutor General.

Within the framework of a criminal case, the criminal policy of the state shall be implemented with the participation of the prosecutor carrying out criminal prosecution.

3. The main areas of participation of prosecution bodies in the implementation of criminal policy of the state include:

1) collecting and analyzing criminal statistics, forecasting crime development trends, determining priorities for countering crime, formulating policies for dealing with criminals, victims and witnesses;

2) preparing and submitting proposals for improving legislation and participating in the development of regulatory legal acts in the field of activity of the prosecutor's office;

3) coordinating the activities of law enforcement agencies in order to promptly detect, investigate, solve, suppress and prevent crimes, improve the crime situation, eliminate the causes of crimes, address the factors conducive to commission of crimes.

4. The main form of coordination is the holding of coordination meetings between the heads of prosecution bodies, their first deputies or deputies, as well as the heads of law

enforcement agencies of the corresponding level, during which they will hear information reports on their activities in the field of countering crime; set priorities for combating crime and determine policies for dealing with criminals, victims and witnesses, as well as define measures for implementing them.

Coordination meetings shall be held as and when necessary, but in any case at least once every six months. The decisions of coordination meeting have a binding effect on all law enforcement agencies specified therein. Control over implementation of decisions made at the coordination meeting shall be entrusted to the corresponding head of prosecutor's office or a prosecutor authorized by him/her.

In the event of non-implementation or improper implementation of decisions made at the coordination meeting, the corresponding head of the prosecutor's office may, either independently or through the intermediary of higher-level prosecutor, initiate legal prosecution of the head of law enforcement agency or his/her removal from office.

The procedure and other forms of coordination shall be approved by a joint order of the Prosecutor General and the heads of law enforcement agencies.

Article 15. Powers of the prosecutor in exercising oversight of statutory compliance

1. When overseeing statutory compliance in the performance of the functions specified in items 2, 4 and 5 of paragraph 1 of article 7 of this Law, the prosecutor shall exercise the following rights within the scope of his/her competence:

1) request written explanations regarding statutory violations from citizens, officials of state bodies and institutions, as well as other organizations, regardless of their form of ownership;

2) examine documents and obtain copies thereof, verify the legality of orders, decrees of state bodies and institutions, and other acts of their officials;

3) issue written instructions on the elimination of identified violations of the law;

4) revoke individually applicable decisions of state bodies, institutions and their officials by means of a reasoned decree;

5) initiate the elimination of causes and conditions of violation of the law;

6) initiate the suspension or cancellation of orders, decrees and other acts of state bodies and institutions in whole or in part;

7) initiate legal prosecution of officials of state bodies and institutions or their removal from office;

8) file a lawsuit (petition) in court in cases provided by the legislation.

2. Written instructions given by the prosecutor to state bodies, institutions and their officials shall contain the necessary measures and the deadline for implementing them. Such written instructions issued within the scope of prosecutor's powers have a binding effect on these bodies and institutions (officials) and shall be implemented within the time frame specified by the prosecutor. Appeal of such instructions does not suspend the implementation thereof.

3. In order to exercise the powers specified in items 5-7 of paragraph 1 of this article, the prosecutor shall make a submission to the authorized head of the state body or institution. The prosecutor's submission must be substantiated and contain references to the facts of violation of the law and the necessary measures to be taken.

The head of the state body or institution who received the prosecutor's submission shall consider such submission and apprise the prosecutor of the results of consideration and the measures taken within 30 days of receipt thereof.

In the event of failure to consider or untimely consideration of the prosecutor's submission, or refusal to implement it, the prosecutor may file an appeal to the higher-level head of the state body or institution, or to the court, either directly or through the intermediary of higher-level prosecutor.

Article 16. International cooperation

1. Prosecution bodies shall ensure international cooperation in their respective field of activity in accordance with the requirements of international treaties and criminal procedure legislation of the Republic of Belarus. In the absence of international treaty of the Republic of Belarus, international cooperation shall be effected by prosecution bodies on the basis of reciprocity.

2. Participation in international cooperation shall be entrusted to the Prosecutor General and prosecutors authorized by him/her, and also, within the framework of a criminal case, to the prosecutor carrying out criminal prosecution.

3. The main areas of international cooperation of the prosecution bodies include:

1) providing international legal assistance in criminal matters, in particular by means of delivering documentation, performing certain procedural actions, extraditing persons who have committed criminal offenses, effecting temporary transfer of persons, taking over criminal prosecution, transferring convicted persons for further service of punishment and execution of sentences;

2) establishing, maintaining and developing contacts with the competent authorities and institutions of foreign states and international organizations, conducting international events, implementing international cooperation projects and programs;

3) participating in the preparation of legislative acts and international treaties of the Republic of Belarus in the field of international legal cooperation in criminal matters, as well as improving the practice of international legal cooperation, mechanisms and procedures for providing legal assistance.

Article 17. Exercise of functions of the Prosecutor's Office by prosecutors

1. The functions of the prosecutor's office shall be exercised exclusively by prosecutors.

2. Delegation of the functions of the prosecutor's office or the powers of the prosecutor, as well as appropriation of these functions (powers) by other state bodies or officials shall be prohibited.

3. The prosecutor enjoys independence of action, when exercising his/her powers in accordance with the law. Other persons are prohibited from interfering in prosecutor's activities, unless they have legal grounds for doing so.

4. State bodies, local self-governing authorities, enterprises, institutions, organizations, and citizens are obliged to comply with legitimate requirements and decisions of the prosecutors.

CHAPTER III. SYSTEM OF PROSECUTION

Article 18. System of prosecution of the Republic of Belarus

1. The system of prosecution of the Republic of Belarus consists of:

- 1) Prosecutor General's Office;
- 2) pawet prosecutor's offices;
- 3) district prosecutor's offices;

4) specialized prosecutor's offices.

2. Prosecutor General's Office is the higher-level prosecution authority for pawet, district and specialized prosecutor's offices, while the pawet prosecutor's office is the higher-level prosecution authority for district prosecutor's offices located within the boundaries of respective pawet.

Article 19. Prosecutor General's Office

1. Prosecutor General's Office organizes and coordinates the activities of all prosecution bodies, ensures efficient exercise of functions of the prosecutor's office and administers state property items that provide for the functioning of prosecution bodies.

2. Prosecutor General's Office is headed by the Prosecutor General, who has a first deputy and deputies.

3. The structure of the Prosecutor General's Office consists of departments, directorates and divisions. Regulations on independent structural subdivisions of the Prosecutor General's Office are subject to approval by the Prosecutor General.

Article 20. Prosecutor General's powers

1. The Prosecutor General shall:

1) represent the prosecutor's office of the Republic of Belarus in relations with state bodies, local self-governing authorities, enterprises, institutions and organizations, citizens, as well as the prosecutor's offices of other states and international organizations;

2) organize the activities of the prosecutor's office of the Republic of Belarus, including by means of defining the scope of powers of the Prosecutor General's Office, pawet, district and specialized prosecutor's offices;

3) appoint prosecutors to administrative positions and dismiss them from administrative positions in cases and in the manner established by this Law;

4) appoint and dismiss prosecutors in accordance with the procedure established by this Law;

5) decide on the application of disciplinary sanctions against the prosecutor in accordance with the established procedure upon a decision of the Soim of Prosecutors to bring a prosecutor to disciplinary responsibility;

6) allocate duties to the first deputy and deputies of the Prosecutor General;

7) approve the development strategy of the prosecutor's office;

8) submit a report on the activities of the prosecutor's office of the Republic of Belarus for the previous year to the Soim of the Republic of Belarus on or before March 31 of the current year;

9) exercise other powers provided for by this Law and other laws of the Republic of Belarus.

2. The Prosecutor General shall issue regulatory legal acts in the form of orders on the matters pertaining to his/her administrative powers within the scope of his/her competence as established by the Constitution of the Republic of Belarus, this Law and other laws. Orders of the Prosecutor General or certain parts thereof may be appealed to court by individuals and legal entities in accordance with the procedure established by law.

3. In the absence of the Prosecutor General, his/her powers shall be exercised by the first deputy Prosecutor General, or, in the absence of the latter, by one of the deputy Prosecutors General.

Article 21. Pawet prosecutor's offices

1. The system of prosecution of the Republic of Belarus includes pawet prosecutor's offices in accordance with the administrative-territorial division of the Republic of Belarus and the prosecutor's office of the city of Minsk, which is equivalent to them.

2. The pawet prosecutor's office is headed by the Prosecutor of pawet and the Prosecutor of the city of Minsk, who shall have a first deputy and no more than three deputies.

3. The structure of pawet prosecutor's office consists of divisions and departments.

4. The scope of competence, structure and staffing schedule of pawet prosecutor's offices shall be determined by the Prosecutor General.

5. The Prosecutor of pawet and the Prosecutor of the City of Minsk shall:

1) represent the pawet prosecutor's office in relations with state bodies, local self-governing authorities, enterprises, institutions, organizations and citizens;

2) organize the activities of pawet prosecutor's office;

3) monitor compliance of prosecutors of pawet prosecutor's office with the rules of professional conduct and official discipline;

4) allocate duties to the first deputy and deputies of pawet Prosecutor;

5) deliver annual reports on the activities of pawet prosecutor's office for the previous year to the Soimik of pawet and the Minsk city soim on or before March 31 of the current year;

6) exercise other powers provided for by this Law and other laws of the Republic of Belarus.

6. In the absence of pawet Prosecutor, his/her powers shall be exercised by the first deputy Prosecutor of pawet, or, in the absence of the latter, by one of the deputy Prosecutors of pawet.

Article 22. District prosecutor's offices

1. The system of prosecution of the Republic of Belarus includes district prosecutor's offices acting within the boundaries of judicial districts.

2. The competence, structure and staffing schedule of district prosecutor's offices shall be determined by the Prosecutor General.

3. The district prosecutor's office is headed by a district prosecutor, who shall have one first deputy and no more than two deputies.

4. Departments may be formed within the district prosecutor's office if considered necessary.

5. The district prosecutor shall:

1) represent the district prosecutor's office in relations with state bodies, local self-governing authorities, enterprises, institutions, organizations and citizens;

2) organize the activities of district prosecutor's office;

3) monitor compliance of prosecutors of district prosecutor's office with the rules of professional conduct and official discipline;

4) allocate duties to the first deputy and deputies of district Prosecutor;

5) deliver annual reports on the activities of district prosecutor's office for the previous year to local self-governing authorities on or before March 31 of the current year;

6) exercise other powers provided for by this Law and other laws of the Republic of Belarus.

6. In the absence of district Prosecutor, his/her powers shall be exercised by the first deputy Prosecutor of district, or, in the absence of the latter, by one of the deputy Prosecutors of district.

Article 23. Specialized Prosecutor's Offices

1. The Prosecutor General may, at his/her own decision, establish specialized prosecutor's offices having the status of structural subdivisions of the Prosecutor General's Office, pawet prosecutor's offices, structural subdivisions of pawet prosecutor's offices, district prosecutor's offices or structural subdivisions of district prosecutor's offices, if deemed necessary.

2. The subject-matter jurisdiction of specialized prosecutor's offices shall be determined by the Prosecutor General.

3. If a specialized prosecutor's office is established as a structural subdivision of the Prosecutor General's Office, it shall act as the chief specialized prosecutor's office, which is the higher-level prosecution authority for specialized prosecutor's offices acting as pawet prosecutor's offices or structural subdivisions of pawet prosecutor's offices.

The head of specialized prosecutor's office acting as a structural subdivision of the Prosecutor General's Office – the Chief Specialized Prosecutor – shall have the status of deputy Prosecutor General.

4. A specialized prosecutor's office acting as a pawet prosecutor's office or a structural subdivision of pawet prosecutor's office is the higher-level prosecution authority for specialized prosecutor's offices acting as district prosecutor's offices or structural subdivisions of district prosecutor's offices located within the boundaries of its territorial jurisdiction.

5. Organization of the activities of specialized prosecutor's offices acting as pawet or district prosecutor's offices and the powers of their heads are specified in articles 21 and 22 of this Law, correspondingly.

6. Organization of the activities of specialized prosecutor's offices acting as structural subdivisions of pawet or district prosecutor's offices shall be determined by the Prosecutor General.

Article 24. Quantitative composition and structure of prosecution bodies

1. The total number of prosecutors shall not exceed 2,500.

2. The structure of prosecution bodies includes positions of civil servants and other employees whose activities are regulated by this Law and other laws of the Republic of Belarus.

SECTION II. PROSECUTORIAL SELF-GOVERNMENT

CHAPTER IV. GENERAL PROVISIONS ON PROSECUTORIAL SELF-GOVERNMENT

Article 25. Sphere of prosecutorial self-government

1. Prosecutorial self-government is defined as independent collective decision-making by prosecutors on the issues related to support of activities of the prosecutor's office with the aim of protecting the professional interests of prosecutors.

2. Issues related to support of activities of the prosecutor's office include:

- 1) organizational support for prosecutors;
- 2) staffing support for the prosecutor's office;
- 3) protection of the independence and autonomy of prosecutors;
- 4) social protection of prosecutors and their families;
- 5) other issues not directly related to exercising the powers of prosecutors.

3. The procedure for exercising prosecutorial self-government shall be established by this Law and other laws, as well as rules and regulations adopted by prosecutorial self-government bodies in accordance with this Law.

Article 26. Organizational forms of prosecutorial self-government

1. Prosecutorial self-government shall be exercised by way of:

1) meetings of prosecutors of the Prosecutor General's Office, pawet prosecutor's offices (specialized prosecutor's offices equivalent to them), district prosecutor's offices (specialized prosecutor's offices equivalent to them);

2) Soim of prosecutors;

3) Assembly of prosecutors.

3. Prosecutorial self-government bodies may establish commissions, working groups and other auxiliary agencies to carry out their tasks.

Article 27. Support of the activities of prosecutorial self-government bodies

1. Prosecutorial self-government bodies shall be financed from the state budget as well as other sources not prohibited by law, including in cases provided by international treaties or international technical assistance projects registered in accordance with the established procedure.

2. The functions of chief administrator of state budget funds allocated for financial support of the activities of prosecutorial self-government bodies shall be performed by the Soim of prosecutors.

3. Secretariat of the Soim of prosecutors shall provide organizational support for the activities of Assembly of prosecutors and the activities of Soim of prosecutors, while organizational support for the activities of meetings of prosecutors shall be provided by the heads of relevant prosecutorial bodies.

CHAPTER V. MEETINGS OF PROSECUTORS, ASSEMBLY OF PROSECUTORS

Article 28. Meeting of prosecutors

1. Meeting of prosecutors is a self-governing body of relevant prosecutor's office consisting of all its prosecutors, which discusses issues related to supporting the activities of this prosecutor's office and adopts collective decisions on these issues.

2. Meeting of prosecutors shall be convened by the head of relevant prosecutor's office at his/her own initiative or by an initiative group at the request of at least one third of the total number of prosecutors of this prosecutor's office.

3. Meeting of prosecutors shall be convened as and when necessary, but in any case at least once every six months.

4. Meeting of prosecutors shall be quorate if at least two thirds of the total number of prosecutors of this prosecutor's office (excluding vacant and temporarily vacant positions) are present.

Other employees of this prosecutor's office, prosecutors from other prosecutor's offices, representatives of non-governmental organizations, journalists and other persons may be invited to the meeting of prosecutors. Heads of higher-level prosecution bodies and members of the Soim of prosecutors may attend the meeting of prosecutors without a special invitation.

Only prosecutors of this prosecutor's office may take part in voting.

5. The meeting of prosecutors may be held in the remote mode, via videoconference, if deemed necessary, in compliance with the requirements of this Law.

6. Meeting of prosecutors shall:

1) discuss issues related to supporting the activities of the prosecutor's office or the work of specific prosecutors or employees of the prosecutor's office and adopt decisions on these issues, which have a binding effect on prosecutors and employees of this prosecutor's office;

2) determine the specialization of prosecutors within the corresponding prosecutor's office or individual structural subdivisions of the prosecutor's office;

3) determine the workload on the prosecutors of relevant prosecutor's office with due account for their administrative or other duties;

4) appoint the internship supervisors to oversee interns of the prosecutor's office;

5) hear reports from prosecutors and other employees of the prosecutor's office who hold administrative positions in this prosecutor's office;

6) approve the results of rating assessment of prosecutors, annual leave schedule and the amount of bonuses;

7) elect delegates to the Assembly of prosecutors;

8) submit proposals to the Soim of prosecutors, Assembly of prosecutors, the heads of higher-level prosecutor's offices, state bodies and local self-governing authorities, non-governmental organizations and other legal entities on issues related to supporting the activities of this prosecutor's office;

9) exercise other powers specified in this Law.

7. Based on the results of hearing of the report of the head of relevant prosecutor's office (other than the Prosecutor General), the meeting of prosecutors may pass a motion of no confidence against him/her by a two-thirds majority vote of those present, which leads to the dismissal of such a head by the Prosecutor General no later than within one month. A vote of no confidence against the head of prosecutor's office may not be held earlier than one year after the date of appointment of the head of prosecutor's office to his/her current position or the date of previous consideration of no confidence motion against him/her, which did not receive the required majority of votes. Voting on the motion of no confidence against the head of prosecutor's office shall be held by secret ballot.

8. The agenda of the meeting of prosecutors shall be drawn up by the head of relevant prosecutor's office or by an initiative group. Each prosecutor of this prosecutor's office present at the meeting of prosecutors may initiate the inclusion of any item falling within the competence of the meeting of prosecutors in the agenda. An item may be included in the agenda of the meeting by decision of the head of prosecutor's office or by a two-thirds majority vote of prosecutors present at the meeting of prosecutors.

9. Meeting of prosecutors shall adopt decisions by a majority vote of the prosecutors present at the meeting, via open ballot, unless otherwise provided by this Law or except where the meeting of prosecutors decides to hold a secret ballot.

10. Implementation of decisions of the meeting of prosecutors shall be entrusted to the head of relevant prosecutor's office or to his/her first deputy, or to his/her deputy, or, in the case provided for in paragraph 7 of this article, to the Prosecutor General.

Article 29. Assembly of prosecutors

1. Assembly of prosecutors is the highest body of prosecutorial self-government.

2. Assembly of prosecutors shall:

1) hear the report of the Prosecutor General on the activities of prosecutor's office, the state of finance and organizational support for the activities of prosecutor's office;

2) hear the report of the Soim of prosecutors on the fulfillment of the tasks of the bodies of prosecutorial self-government;

3) appoint members of the Soim of prosecutors and withdraw them in cases provided by this Law;

4) approve the Code of Prosecutorial Ethics;

5) address the Prosecutor General, state authorities and local self-government bodies, non-governmental organizations and other legal entities, international organizations with proposals on issues related to supporting the activities of the prosecutor's office;

6) consider other issues of prosecutorial self-government and exercise other powers in accordance with this Law.

3. Based on the results of hearing of the Prosecutor General's report, the Assembly of Prosecutors may pass a motion of no confidence against him/her by a two-thirds majority vote of those present, which leads to the dismissal of the Prosecutor General by the Soim of the Republic of Belarus no later than within one month. A vote of no confidence against the Prosecutor General may not be held earlier than one year after the date of appointment of the Prosecutor General to his/her current position or the date of previous consideration of no confidence motion against him/her, which did not receive the required majority of votes. Voting on the motion of no confidence against the Prosecutor General shall be held by secret ballot.

4. Assembly of prosecutors adopts decisions on the matters falling within its competence, and its decisions have a binding effect on the Soim of prosecutors, meetings of prosecutors, and any prosecutors.

Article 30. Procedure for convening the Assembly of prosecutors

1. Regular session of the Assembly of prosecutors shall be convened by the Soim of prosecutors once every two years. Extraordinary session of the Assembly of prosecutors may be convened by decision of the Soim of prosecutors.

2. Soim of prosecutors shall draw up a preliminary list of issues to be discussed by the Assembly of prosecutors, prepare draft regulations, and determine the opening date and venue of the Assembly.

3. Information about the convening of the Assembly of prosecutors, including the opening date and venue of its session, as well as a list of issues proposed for consideration, shall be published on the official website of the Soim of prosecutors and in the national media, and it shall be sent to the heads of the prosecutor's offices no later than thirty days before the opening date of regular session of the Assembly, or, in the case of extraordinary session of the Assembly, no later than fifteen days before the opening date.

4. In addition to delegates, other citizens may also be invited to the Assembly of prosecutors. Participation of delegates, members of the Soim of prosecutors and the Prosecutor General in the Assembly of prosecutors does not require a special invitation.

Article 31. Election of delegates to the Assembly of Prosecutors

1. Delegates to the Assembly of prosecutors shall be elected by:

1) meeting of prosecutors of the Prosecutor General's Office – ten prosecutors from the Prosecutor General's Office, and also, in the event of establishment of chief specialized prosecutor's offices within the Prosecutor General's Office – one prosecutor from each such prosecutor's office;

2) meetings of prosecutors of pawet prosecutor's offices and specialized prosecutor's offices equivalent to them – three prosecutors from each pawet prosecutor's office and equivalent specialized prosecutor's office;

3) meetings of prosecutors of district prosecutor's offices and specialized prosecutor's offices equivalent to them – two prosecutors from each district prosecutor's office and equivalent specialized prosecutor's office.

2. Delegates to the Assembly of prosecutors shall be elected from among freely nominated alternative candidates by way of holding a secret ballot by a simple majority of votes.

3. The head, first deputy head and deputy heads of prosecutor's office may not be elected as delegates to the Assembly of prosecutors.

4. The head of relevant prosecutor's office shall send a list of delegates elected from this prosecutor's office to the Soim of prosecutors no later than fifteen days before the opening date of regular session of the Assembly, or, in the case of extraordinary session of the Assembly, no later than five days before the opening date.

Article 32. Procedure for holding the Assembly of Prosecutors

1. Assembly of prosecutors shall be quorate if at least two thirds of the total number of elected delegates are present.

2. Assembly of prosecutors shall be opened by the Chair of the Soim of prosecutors, and, in his/her absence, by the deputy chair or secretary of the Soim of prosecutors.

3. Assembly of prosecutors shall elect a presidium consisting of five prosecutors by secret ballot to organize the work of the assembly.

4. Assembly of prosecutors shall discuss and approve its meeting's rules of procedure and agenda, as well as elect a counting commission, secretariat and other working bodies of the Assembly.

Each delegate present at the session of the Assembly may propose items for inclusion in the agenda, as well as candidates for election to presidium, counting commission, secretariat and other working bodies of the Assembly. An item may be included in the agenda of the Assembly by decision of the presidium or by the vote of at least one third of prosecutors present at the session.

5. Assembly of prosecutors shall adopt decisions by a majority vote of the total number of elected delegates. Decisions on the issues specified in item 3 of paragraph 2 and paragraph 3 of article 29 of this Law shall be adopted by secret ballot.

6. Other issues regarding the procedure for holding the Assembly of prosecutors shall be regulated by the rules of procedure adopted by the Assembly.

CHAPTER VI. SOIM OF PROSECUTORS

Article 33. Soim of Prosecutors

1. Soim of prosecutors is the highest body of prosecutorial self-government during the inter-Assembly period.

2. Soim of prosecutors shall:

1) oversee the implementation of decisions of prosecutorial self-government bodies;

2) organize the implementation of measures to support the activities of the prosecutor's office within the scope of its competence;

3) consider the issues of legal protection of prosecutors, social protection of prosecutors and their family members, and adopt relevant decisions on these matters;

4) consider appeals from prosecutors and other persons regarding threats to the independence of prosecutors, and take appropriate measures based on the results of consideration;

5) submit proposals to the Prosecutor General, state bodies and local self-governing authorities, NGOs and other legal entities, and international organizations on issues related to supporting the activities of prosecution bodies;

6) propose recommendations on the staffing level of any given prosecution body for consideration by the Prosecutor General, and form a personnel reserve for the prosecutor's office.

7) select candidates for the position of prosecutor in accordance with the procedure established by this Law;

8) participate in the transfer of prosecutors from one prosecution body to another;

9) conduct disciplinary proceedings against prosecutors;

10) submit recommendations to the Prosecutor General on the appointment and dismissal of prosecutors from administrative positions in cases provided by this Law;

11) organize a competition to fill the position of Prosecutor General and propose candidates for Prosecutor General for consideration by the President of the Republic of Belarus;

12) approve the standards for staffing, material and technical, financial and other support for prosecution bodies;

13) approve training programs for prosecutors and candidates for the position of prosecutor, professional development programs for prosecutors and other employees of prosecution bodies;

14) approve the rating system for prosecutors;

15) exercise other powers provided for in the law.

3. For the purpose of exercising its powers, Soim of prosecutors has the right to examine documents, obtain copies thereof, interview prosecutors and other persons, obtain necessary information from state bodies, local self-governing authorities, their officials, organizations of all forms of ownership and citizens upon written request.

State bodies, local self-governing authorities, their officials, heads of organizations of all forms of ownership and citizens are required to provide the information requested by the Soim of prosecutors within ten days of the date of receipt of corresponding request. If necessary, this period may be extended up to 30 days, whereof the Soim of prosecutors shall notify the recipient directly in the request.

4. Soim of prosecutors maintains international cooperation, including interaction with international organizations and prosecutorial self-government bodies of foreign states, in connection with the exercise of its statutory powers.

5. Soim of prosecutors may involve organizations, prosecutors, lawyers, scientific workers and other specialists for the purpose of performing auxiliary and advisory functions upon their consent.

6. Rules of procedure of the Soim of prosecutors shall be established by the regulation adopted by the Assembly of prosecutors.

Article 34. Composition of the Soim of Prosecutors

1. Soim of prosecutors consists of fifteen members, including:

1) three representatives (prosecutors) from Prosecutor General's Office;

2) four representatives (prosecutors) from pawet prosecutor's offices;

3) five representatives (prosecutors) from district prosecutor's offices;

4) two representatives (scientific workers) appointed by the congress of representatives of law schools and scientific institutions;

5) one representative appointed by the Soim of the Republic of Belarus.

2. Soim of prosecutors shall be deemed competent if at least ten members are appointed to it.

3. A citizen of the Republic of Belarus between the ages of 30 and 65, who obtained a higher legal education, has at least ten years of professional experience in the field of law and developed an impeccable business reputation, may be a member of the Soim of prosecutors. Members of the Soim of prosecutors elected from among prosecutors must have at least five years of work experience in the position of prosecutor.

A citizen who does not meet qualification requirements for the position of a prosecutor established by this Law, a deputy, a representative of an executive body, a judge, an employee of a law enforcement agency or state oversight (control) agency, a prosecutor holding an administrative position, or more than one member of research and academic staff representing the same scientific or educational institution may not be appointed as a member of the Soim of prosecutors.

4. The term limit for a member of the Soim of prosecutors is four years commencing from the date of assuming office in the composition of the Soim. One and the same person may not serve as a member of the Soim of prosecutors for two consecutive terms.

If the Soim of prosecutors may lose authority due to expiration of its member's term of office, such member of the Soim of prosecutors shall continue exercising his/her powers until the date of appointment of another person to his/her position, but in any event for no longer than three months from the date of expiration of the term for which such member of the Soim of prosecutors was appointed.

5. The powers of a member of the Soim of prosecutors are subject to early termination in cases provided by this Law as legal grounds for termination of powers of a prosecutor.

Other grounds for early termination of powers of a member of the Soim of prosecutors include:

1) inability to exercise his/her powers due to health reasons on the condition that a medical certificate is available;

2) notice of voluntary resignation filed by a member of the Soim of prosecutors;

3) gross or systematic breach of duties of a member of the Soim of prosecutors, which is incompatible with the status of a member of the Soim of prosecutors;

4) establishment of the facts of non-compliance of a member of the Soim of prosecutors with the requirements specified in paragraph 3 of this article;

5) systematic non-participation in the activities of the Soim of prosecutors.

Where justified, the decision on early termination of powers of a member shall be adopted by the Soim of prosecutors.

6. Members of the Soim of prosecutors work on a permanent basis, and they are seconded to the Soim for the duration of their duties. They remain employed at their previous job, or, if this is impossible, they are offered an equivalent job position.

Article 35. Rights and obligations of a member of the Soim of Prosecutors

1. Member of the Soim of prosecutors has the right to:

1) submit proposals for improving the work of the Soim of prosecutors and the Secretariat of the Soim of prosecutors;

2) involve Secretarial staff in the preparation of agenda items which are proposed for consideration by the Soim of prosecutors in accordance with the Regulation on the Soim of prosecutors;

3) get acquainted with all materials related to the agenda of the sessions of the Soim of prosecutors;

4) submit proposals for draft decisions of the Soim of prosecutors, participate in consideration and adoption of decisions, and express a written dissenting opinion on decisions of the Soim of prosecutors;

5) initiate the convening of a session of the Soim of prosecutors;

6) exercise other rights provided by this Law and the Regulations on the Soim of Prosecutors.

2. A member of the Soim of prosecutors is obliged to:

1) exercise his/her powers as a member of the Soim of prosecutors in a responsible, conscientious, impartial and unbiased manner;

2) refrain from disclosing or using restricted information, which he/she becomes aware of while exercising his/her powers as a member of the Soim of prosecutors, for any purpose other than performance of his/her duties as a member of the Soim of prosecutors;

3) comply with the requirements, restrictions and prohibitions established by this Law for prosecutors;

4) participate in the meetings of the Soim of prosecutors and the activities of its auxiliary bodies;

5) notify the Soim of prosecutors of any cases of interference in his/her activities within five days of becoming aware of such interference;

6) recuse himself/herself if circumstances exist that may affect his/her objectivity and impartiality when exercising his/her powers as a member of the Soim of prosecutors;

7) perform other duties specified in this Law and the Regulation on the Soim of Prosecutors.

3. Members of the Soim of prosecutors are subject to incompatibility requirements, rules of prosecutorial ethics, as well as other requirements, restrictions and prohibitions established for prosecutors by the legislation of the Republic of Belarus.

4. The salaries and guarantees of social protection of the members of the Soim of prosecutors shall be established at a level no lower than that specified for the head of the department of the Prosecutor General's Office.

Members of the Soim of prosecutors elected from among prosecutors shall retain the right to social security as provided by the law for prosecutors.

Performance of duties of a member of the Soim of prosecutors shall count toward his/her length of service in the position of prosecutor (in the case of prosecutors) or civil servant (in the case of other members of the Soim of prosecutors).

Article 36. Rules of procedure of the Soim of Prosecutors

1. Soim of prosecutors shall elect by secret ballot the Chair of the Soim, deputy Chair of the Soim and the Secretary of the Soim from among its members holding the positions of prosecutors.

2. Chair of the Soim shall:

- 1) organize the work of the Soim;
- 2) preside over the sessions of the Soim;
- 3) define the duties of the deputy Chair;
- 4) represent the Soim in relations with the state bodies, local self-governing authorities, NGOs, citizens, foreign state authorities and international organizations.

In the absence of the Chair of the Soim of prosecutors, his/her duties shall be performed by the deputy Chair.

3. Secretary of the Soim of prosecutors directs the activities of the Secretariat of the Soim, organizes the preparation of its sessions, and holds responsibility for paperwork management.

4. Automated records management system shall be used to distribute disciplinary complaints and other materials among the members of the Soim of prosecutors. Regulation on the automated records management system shall be adopted by the Soim of prosecutors.

5. Sessions of the Soim of prosecutors shall be open to the public, except in cases provided by law. A session of the Soim shall be quorate if at least ten members of the Soim of prosecutors are present.

6. Decisions of the Soim of prosecutors shall be adopted by a majority vote of its total membership as provided for by this Law.

7. Decisions of the Soim of prosecutors shall be signed by the Chair and other members of the Soim participating in the session. If a dissenting opinion is expressed, it shall be attached to the decision of the Soim. Decisions of the Soim of prosecutors shall be published on its official website within three days of adoption thereof, unless otherwise provided by this Law.

8. Decisions of the Soim of prosecutors may be appealed to court.

Article 37. Secretariat of the Soim of Prosecutors

1. Secretariat of the Soim of prosecutors shall provide organizational, informational, analytical, material and technical support for the activities of the Soim of prosecutors. Regulation on the Secretariat shall be adopted by the Soim of prosecutors.

2. Secretariat of the Soim of prosecutors shall:

- 1) ensure preparation of the sessions of the Soim of prosecutors;
- 2) manage the paperwork of the Soim of prosecutors and keep the automated records management system operational;
- 3) collect information, documents and other materials necessary for the exercise of the powers of the Soim of prosecutors;
- 4) carry out the instructions from the Chair and deputy Chair of the Soim of prosecutors;
- 5) perform other duties specified in the Regulation on the Secretariat.

3. Activities of the Secretariat shall be directed by the Secretary of the Soim of prosecutors, who is authorized to appoint and dismiss Secretariat employees, apply incentive and disciplinary measures to them, and exercise other powers of the employer. Secretary of the Soim of prosecutors is accountable and subordinate to the Soim of prosecutors in the matter of supporting the Secretariat's activities.

4. Soim of prosecutors shall determine the staffing level and structure of the Secretariat on the proposal of the Secretary of the Soim within the constraints of budgetary funding allocated for the activities of the Soim of prosecutors.

5. Legal status of employees of the Secretariat of the Soim of prosecutors shall be defined by the law on civil service and/or labor legislation taking into account special provisions of this Law.

6. Secretariat of the Soim of prosecutors shall include assistants to members of the Soim of Prosecutors with a maximum limit of two assistants per each member of the Soim. Assistant to member of the Soim of Prosecutors is accountable only to the member of the Soim of Prosecutors, acts on his/her instructions, and ensures the fulfillment of duties of the corresponding member of the Soim of prosecutors.

Assistant to member of the Soim of prosecutors is a civil servant who shall be appointed and dismissed upon the proposal of the corresponding member of the Soim of Prosecutors.

7. The salaries and guarantees of social protection of employees of the Secretariat of the Soim of prosecutors shall be established at a level no lower than that specified for employees of the Prosecutor General's Office.

SECTION III. LEGAL STATUS OF THE PROSECUTOR

CHAPTER VII. RIGHTS AND OBLIGATIONS OF THE PROSECUTOR

Article 38. General rights and obligations of the prosecutor

1. Prosecutors have the right to participate in the activities of prosecutorial self-government bodies.

2. Prosecutors have the right to join professional unions, establish and participate in non-governmental organizations for the purpose of protecting their rights and interests, improving their professional skills.

3. The prosecutor is obliged to:

- 1) act exclusively on the basis, within the scope and by the means provided for by the Constitution of the Republic of Belarus and legislative acts;
- 2) show respect for citizens when exercising his/her powers;
- 3) refrain from disclosing the information that constitutes a legally protected secret;
- 4) improve his/her professional level and qualification;

5) comply with the rules of prosecutorial ethics.

Article 39. Requirements for incompatibility

1. Tenure as prosecutor is incompatible with holding a position in any other state body or institution, local self-government body, or a representative mandate in elected public offices.

2. The position of prosecutor is incompatible with engaging in entrepreneurial activity either directly or through third parties, or participating in any way in the activities of commercial organizations of any form of ownership.

3. The position of prosecutor is incompatible with standing as a candidate in the elections of state officials and deputies at any level.

4. Incompatibility requirements do not apply to prosecutors in teaching and scientific activities, as well as in the activities of prosecutorial self-government bodies, elected bodies of religious and non-governmental organizations that protect their professional rights.

Article 40. Prohibitions

1. Prosecutors must avoid any conflict of interest when performing their official duties, and, if such a conflict arises, they should act in accordance with the Law of the Republic of Belarus "On Combating Corruption".

2. Prosecutors can not belong to a political party or organization pursuing political goals, nor can they participate in political events or strikes, engage in political activities, express or otherwise publicly display their political beliefs.

3. A prosecutor shall not:

1) participate in the investigation or consideration of cases where there are grounds for recusal as provided for by criminal procedure law;

2) make public statements that violate the principle of presumption of innocence or discredit the honor and dignity of citizens, or influence the course and results of criminal prosecution;

3) be an informant or freelance employee of an agency conducting operational investigation activities;

4) be an arbitrator in arbitration courts or act as a mediator;

5) provide written or oral advice on legal issues, act as a representative under power of attorney on behalf of anyone other than a spouse, children or parents, or perform any other activities carried out by a lawyer in accordance with the law.

4. A prosecutor is not entitled to disclose state secrets or other legally protected secrets, including after cessation of service for a period established by law.

CHAPTER VIII. APPOINTMENT OF PROSECUTOR. SUSPENSION OF PROSECUTOR'S POWERS. DISMISSAL OF PROSECUTOR

Article 41. Requirements for candidates for the position of prosecutor

1. A citizen of the Republic of Belarus, who obtained a higher legal education, has at least two years of professional experience in the field of law and is proficient in official language, may be appointed as a prosecutor of district prosecutor's office.

2. A person, who has at least three years of work experience in the position of prosecutor and meets the requirements for pawet prosecutors as established by the Soim of prosecutors, may be appointed as a prosecutor of pawet prosecutor's office.

3. A person, who has at least five years of work experience in the position of prosecutor and meets the requirements for prosecutors of the Prosecutor General's Office as established by the Soim of prosecutors, may be appointed as a prosecutor of the Prosecutor General's Office.

4. A person may not be appointed as a prosecutor if he/she:

1) was found to have limited legal capacity or to be legally incapable by the court;

2) suffers from a disease included in the list of illnesses specified by the Government of the Republic of Belarus which prevent the performance of official duties in the civil service and work with state secrets;

3) has an unexpunged or outstanding conviction, criminal record, or was subject to administrative penalties for corruption-related offenses over the past three years;

4) was dismissed on grounds of misconduct, including from other state bodies and local self-governing authorities, within three years of the date of dismissal.

Article 42. Selection of candidates for the position of prosecutor

1. Decision of the Soim of prosecutors of the Republic of Belarus on the recruitment of candidates for the position of prosecutor shall be published on the official website of the Soim of Prosecutors and shall contain a description of the requirements to be met by a candidate for the position of prosecutor, which are set forth in this Law, as well as a list of documents to be submitted and the deadline for submitting them.

2. Candidates to fill the position of prosecutor shall be selected from among persons who indicated their willingness to do so and meet the requirements specified in article 41 of this Law.

3. Anyone who meets the requirements specified for a candidate for the position of prosecutor shall have the right to submit an application to the Soim of prosecutors for participation in the selection of candidates for the position of prosecutor in accordance with the established procedure.

Article 43. Procedure for selecting candidates and appointing them to the position of district prosecutor

1. Selection and appointment of candidates to the position of prosecutor shall be carried out in accordance with the procedure established by this Law and shall include:

1) submission of relevant application and documents specified in this Law by persons who indicated their willingness to become prosecutors;

2) verification of compliance with the requirements specified for candidates for the position of prosecutor on the basis of documents submitted by candidates for the position of prosecutor;

3) undergoing qualification examination by persons who meet the established requirements for candidates for the position of prosecutor, and ascertaining examination results;

4) organizing a special background check of candidates who have successfully passed the qualification exam;

5) conducting interviews and ascertaining their results;

6) enlisting candidates in the personnel reserve for vacant positions of prosecutors;

7) undergoing initial professional training at the Higher School of Justice of the Republic of Belarus;

8) announcing a competition to fill the vacant positions of prosecutors with the participation of candidates who were enlisted in the personnel reserve and have successfully completed initial professional training, when such vacancies become available;

9) holding of competition to fill the vacant positions of prosecutors based on the ranking of candidates;

10) submitting a recommendation to the Prosecutor General for the appointment of a candidate to the position of prosecutor;

11) appointing a person to the position of prosecutor;

12) administration of prosecutor's oath.

Article 44. Submission of documents by a candidate for the position of prosecutor

1. In order to take part in the competition of candidates for the position of prosecutor, a person shall submit:

1) an application for participation in the competition of candidates for the position of prosecutor;

2) a copy of the passport of a citizen of the Republic of Belarus;

3) a questionnaire for a candidate for the position of prosecutor and an autobiography;

4) a copy of documents confirming education, academic degrees and ranks;

5) a copy of the employment record book (if available);

6) a medical certificate confirming the state of health on the form approved by the Ministry of Health;

7) a copy of military ID (for military personnel or persons liable for military service);

8) a certificate confirming the appropriate level of official language proficiency;

9) consent for personal data collection, storage and use;

10) a copy of the declaration of a person, who is authorized to perform the functions of the state or local self-government for the past year, submitted in accordance with the Law of the Republic of Belarus "On the Prevention of Corruption";

12) a declaration of integrity and family ties.

The form and content of the documents of a candidate for the position of prosecutor shall be approved by the Soim of prosecutors and published on the official website of the Soim.

2. Acceptance of documents finishes on the date specified in the announcement.

3. Citizens who submitted all the necessary documents and meet the requirements specified in article 41 of this Law are eligible to participate in the competition of candidates for the position of prosecutor.

Article 45. Qualification examination

1. Qualification examination is conducted to assess the level of theoretical knowledge of law and European standards in the field of human rights protection, as well as cognitive abilities of candidates and their psychological readiness for work in the prosecutor's office.

2. Soim of prosecutors shall notify the candidates admitted to qualification examination of the date, time and venue of examination no later than seven days before the specified date for the exam.

3. A candidate who got 60 percent or more of the highest possible score is considered to have succeeded in passing the qualification examination.

4. Regulation on the procedure for taking the qualification exam and the assessment methodology shall be approved by the Soim of prosecutors.

5. The results of qualification examination shall be valid for three years. This term of validity does not include periods during which the candidate for the position of prosecutor receives initial professional training and undertakes an internship in the position of prosecutor, as well as periods during which the candidate holds a temporarily vacant position of prosecutor.

6. A person who failed the qualification examination may be allowed to retake the exam no earlier than in a year's time.

7. Soim of prosecutors shall determine the ranking of candidates for the position of prosecutor in accordance with the number of points scored on the qualification exam.

8. Information on the results of qualification exam and the candidate's ranking position shall be made available to the public and posted on the official website of the Soim of prosecutors.

Article 46. Special background check of candidates for the position of prosecutor

1. Soim of prosecutors shall organize a special background check of candidates for prosecutor who succeeded in the qualification exam. Information about persons subject to background check and the procedure for conducting such checks shall be established by the Law of the Republic of Belarus "On the Prevention of Corruption".

2. Non-governmental organizations and citizens may submit information to the Soim of prosecutors concerning the lapse of integrity of candidates for the position of prosecutor within one month from the date of official publication of the list of candidates who succeeded in the qualification exam.

3. In the event of receiving information which may be indicative of the lapse of integrity of a candidate for prosecutor, the Soim of prosecutors shall consider it during the interview. A candidate for the position of prosecutor has the right to familiarize himself/herself with such information and provide relevant written explanations along with supporting documents.

Article 47. Interview with a candidate for the position of prosecutor

1. Soim of prosecutors shall conduct interviews with candidates for the position of prosecutor who passed a special background check in order to establish their compliance with standards of business (professional) and moral qualities of a prosecutor.

The interview includes a range of questions relating to theoretical knowledge, professional experience, adherence to the rules of professional conduct and integrity.

2. The interview shall be conducted by the Soim of prosecutors in accordance with the approved schedule. The order in which the candidates are interviewed shall be determined by their ranking positions.

Information about the interview shall be published on official website of the Soim of prosecutors no later than seven calendar days before the interview takes place.

3. Based on the results of the interview, the Soim of prosecutors shall evaluate the candidates by the following criteria:

- 1) business (professional) qualities;
- 2) moral qualities.

Soim of prosecutors must ascertain candidate's compliance with each of these criteria beyond reasonable doubt.

4. Based on the results of the interview, the Soim of prosecutors may adopt one of the following decisions:

1) on the candidate's compliance with the standards of business (professional) and moral qualities of a prosecutor and enlistment in the personnel reserve for vacant positions of prosecutors;

2) on the candidate's incompliance with the standards of business (professional) and moral qualities of a prosecutor and denial of enlistment in the personnel reserve for vacant positions of prosecutors.

5. Candidates, in respect of whom the Soim of prosecutors adopted a decision provided for in item 1 of paragraph 4 of this article, shall be sent to initial professional training at the Higher School of Justice of the Republic of Belarus by the Soim of prosecutors in accordance with the procedure established by article 62 of this Law.

6. Candidates, in respect of whom the Soim of prosecutors adopted a decision provided for in item 2 of paragraph 4 of this article, shall cease participating in the competition to fill the vacant positions of prosecutors. They may take part in the competition again no earlier than in two years' time. The decision of the Soim of prosecutors on refusal to enlist a candidate in the personnel reserve for vacant positions of prosecutors may be appealed to court.

Article 48. Holding of a competition to fill the vacancy

1. Soim of prosecutors shall publish information about a competition to fill a vacant position of prosecutor on its official website no later than 10 days before the competition date.

2. Announcement of competition shall specify the prosecutor's office where the vacant position of prosecutor is located, the number of such positions, and the period during which the candidates may submit their applications for participation in the competition.

3. A candidate for the position of prosecutor, who was enlisted in the personnel reserve and has successfully completed initial professional training, may submit a written application specifying the prosecutor's office in which the candidate wishes to fill the vacant position of prosecutor.

4. Soim of prosecutors shall hold a competition to fill the vacant position of prosecutor based on the ranking of candidates. If the candidates scored an equal number of points, the Soim of prosecutors shall adopt a decision on appointment based on their work experience, business (professional) and moral qualities.

5. Based on the results of competition, the Soim of prosecutors shall submit a recommendation to the Prosecutor General for the appointment of a candidate to the position of prosecutor, while the candidates who do not have practical work experience in the position of prosecutor (including temporarily vacant positions) shall be recommended for appointment with a provision that they should undertake an internship.

Article 49. Appointment to the position of prosecutor

1. A candidate shall be appointed to the position of prosecutor by order of Prosecutor General within 15 days of the date of receipt of recommendation from the Soim of prosecutors.

2. Candidates who do not have practical work experience in the position of prosecutor (including temporarily vacant positions) in accordance with the procedure provided for in paragraph 1 of this article shall be appointed to the position of prosecutor with a provision that they should undertake an internship according to the procedure established by article 63 of this Law.

Article 50. Oath of office of a prosecutor

1. A person appointed to the position of prosecutor shall be vested with powers after taking the following oath of office:

“I, (surname, first name, patronymic), by assuming the office of prosecutor, devote my best efforts to serving the people of Belarus and solemnly swear to:

strictly adhere to the Constitution and laws of the Republic of Belarus; facilitate the establishment of the rule of law and legal order; protect the rights and freedoms of the person and of the citizen, as well as the interests of the society and the state; constantly work on perfecting my professional skills, take a principled approach, perform my duties in an honest, conscientious and impartial manner, and bear the honorary title of prosecutor with dignity.”

2. The text of the oath shall be signed by the prosecutor and kept in his/her personal file.

3. The procedure for taking the oath shall be determined by the Prosecutor General.

Article 51. Procedure for appointing a prosecutor to a temporarily vacant position

1. In the event of availability of temporarily vacant positions in the prosecutor’s office (due to long-term temporary disability, parental leave until the child reaches the age of three, secondment of staff for participation in the activities of other state bodies on a permanent basis, and for other reasons), the Soim of prosecutors shall announce a competition to fill such positions with the participation of persons who were enlisted in the personnel reserve for vacant position of prosecutor and have successfully completed initial professional training.

The competition shall be conducted in accordance with article 48 of this Law taking into account special provisions of this article.

2. Announcement of competition indicates that the position of prosecutor, for which the competition is announced, has become temporarily vacant and, if possible, specifies the period during which the person may hold this position.

3. If a prosecutor holding a position in question on a permanent basis is dismissed or transferred to another position, the prosecutor holding a temporarily vacant position shall be appointed to it on a permanent basis.

4. If a prosecutor holding a position in question on a permanent basis returns to work, the prosecutor holding a temporarily vacant position may be transferred to another temporarily vacant position in the same prosecutor’s office or to equivalent temporarily vacant position in another district prosecutor’s office. Otherwise, such a prosecutor shall be dismissed from office and enlisted in the personnel reserve for vacant position of prosecutor.

Article 52. Procedure for transferring a prosecutor to a position in another prosecutor’s office

1. Upon his/her consent, a prosecutor may be transferred to a vacant or temporarily vacant position in another prosecutor’s office, including a higher-level one.

2. Transfers to a higher-level prosecutor’s office, a specialized prosecutor’s office and district prosecutor’s offices located in administrative centers of pawets shall be carried out on the basis of the results of a competition held by the Soim of prosecutors. Competition shall include an assessment of professional level, business (professional) and moral qualities of the prosecutor, verification of his/her readiness to exercise powers in another prosecutor’s office, including a higher-level one.

Prosecutor shall be allowed to participate in the competition on the condition that he/she submits an application for transfer and has relevant work experience in the position of prosecutor as provided for in paragraphs 2 and 3 of article 41 of this Law.

The procedure for holding a competition shall be established by the Soim of prosecutors.

3. In other cases, the transfer of prosecutors shall be carried out as follows: transfer within the same pawet or the city of Minsk – by decision of the pawet prosecutor or the prosecutor of the city of Minsk; transfer between prosecutor’s offices located in different pawets or between

specialized prosecutor's offices, as well as transfers of prosecutors of the Prosecutor General's Office – by decision of the Prosecutor General.

Article 53. Procedure for appointing a prosecutor to administrative position

1. Administrative positions in the Prosecutor General's Office, pawet and district prosecutor's offices held exclusively by prosecutors shall be as follows:

- 1) Prosecutor General;
- 2) First Deputy Prosecutor General;
- 3) Deputy Prosecutor General;
- 4) Head of structural subdivision of the Prosecutor General's Office;
- 5) Deputy head of structural subdivision of the Prosecutor General's Office;

6) Prosecutor of pawet, Prosecutor of the city of Minsk, and the heads of specialized prosecutor's offices equivalent to them;

7) First deputy prosecutors of pawets, first deputy prosecutor of the city of Minsk, and first deputy heads of specialized prosecutor's offices equivalent to them;

8) deputy prosecutors of pawets, deputy prosecutors of the city of Minsk, and deputy heads of specialized prosecutor's offices equivalent to them;

9) heads of structural subdivisions of pawet prosecutor's office and the prosecutor's office of the city of Minsk, and heads of structural subdivisions of specialized prosecutor's offices equivalent to them;

10) deputy heads of structural subdivisions of pawet prosecutor's office and the prosecutor's office of the city of Minsk, and heads of structural subdivisions of specialized prosecutor's offices equivalent to them;

11) heads of district prosecutor's offices;

12) first deputy heads of district prosecutor's offices;

13) deputy heads of district prosecutor's offices.

2. Prosecutor shall be appointed to an administrative position specified in items 2, 3, 6-8, 11-13 of paragraph 1 of this article by the Prosecutor General upon the recommendation of the Soim of Prosecutors of the Republic of Belarus.

Prosecutor shall be appointed to an administrative position specified in items 4 and 5 of paragraph 1 of this article by the Prosecutor General.

Prosecutor shall be appointed to an administrative position specified in items 9 and 10 of paragraph 1 of this article by the Prosecutor General upon the recommendation of the head of pawet prosecutor's office.

Prosecutor shall be appointed to an administrative position specified in items 6 and 11 of paragraph 1 of this article for a term of five years.

3. Recommendations for appointment to administrative positions shall be made by the Soim of prosecutors on the basis of the results of a competition held according to the procedure established by the Soim of prosecutors. Competition shall include an assessment of the prosecutor's professional level, experience, business (professional) and moral qualities, organizational skills, as well as verification of his/her readiness to exercise official powers in relevant administrative position.

4. Candidates who do not have practical work experience in the administrative position (including a temporarily vacant position) in accordance with the procedure established by

paragraph 1 of this article shall be appointed to the position of prosecutor with a provision that they should undertake an internship according to the procedure provided for in article 64 of this Law, except in cases of temporary appointment if urgently needed. In such cases, internship training must be completed within six months of the date of appointment.

5. Prosecutor General shall appoint a prosecutor to administrative position within 15 days of the date of receipt of recommendation from the Soim of prosecutors.

Prosecutor General's refusal to appoint a prosecutor recommended by the Soim of prosecutors to administrative position must be justified in writing. A copy of the corresponding decision of the Prosecutor General shall be sent to the Soim of prosecutors and to the prosecutor who was denied an appointment to administrative position.

6. A prosecutor, whose term of tenure in administrative position has expired, may be re-recommended for appointment to that same administrative position by the Soim of prosecutors in the absence of circumstances indicating that this prosecutor does not meet the requirements set forth in paragraph 5 of this article.

7. The fact that a prosecutor holds an administrative position in the prosecutor's office does not exempt him/her from exercising the powers of a prosecutor in the corresponding prosecutor's office as provided for by this Law.

Article 54. Suspension of prosecutor's powers

1. Prosecutor General may suspend the powers of a prosecutor, against whom disciplinary proceedings have been initiated, on his/her own initiative or upon written consent of the Soim of prosecutors. In the presence of exigent circumstances, the powers of the prosecutor may be suspended by the Prosecutor General without the consent of the Soim of prosecutors until the next session of the Soim of prosecutors.

2. Prosecutor shall be paid the official salary of a district prosecutor for the period of suspension of his/her powers in cases provided for in paragraph 1 of this article.

3. Prosecutor may appeal the decision on suspension of his/her powers to a court in accordance with the law.

Article 55. Appointment of Prosecutor General

1. Soim of the Republic of Belarus shall appoint the Prosecutor General upon the recommendation of the President of the Republic of Belarus, which must be submitted within 30 days of vacancy opening.

2. The term of office of the Prosecutor General shall be 5 years. One and the same person may not hold the office of Prosecutor General for two consecutive terms.

3. A citizen of the Republic of Belarus may be appointed to the position of Prosecutor General if he/she:

1) obtained a higher legal education and has at least ten years of professional experience in the field of law;

2) is proficient in official language;

3) possesses high moral and business (professional) qualities and organizational skills;

4) is not in circumstances provided for in paragraph 4 of article 41 of this Law.

4. The procedure for nomination of a candidate for the position of Prosecutor General by the President of the Republic of Belarus shall be established by the Regulations of the Soim of the Republic of Belarus.

5. In the event that the Soim of the Republic of Belarus refuses to appoint a candidate to the position of Prosecutor General, the President of the Republic of Belarus shall submit a proposal for appointment of the same or another candidate. In the event of the Soim's repeated refusal to appoint the same candidate to the position of Prosecutor General, the President of the Republic of Belarus shall submit a proposal for appointment of another candidate to the position of Prosecutor General.

Article 56. Procedure for dismissing a prosecutor from administrative position

1. Dismissal of a prosecutor from an administrative position other than the position of Prosecutor General shall be carried out by the Prosecutor General on the following grounds:

1) notice of voluntary resignation from an administrative position filed by a prosecutor holding an administrative position;

2) transfer to a position in another prosecutor's office;

3) improper performance of official duties established for administrative position in question by a prosecutor who holds this administrative position;

4) expiration of the term of tenure in administrative position;

5) dismissal from the position of prosecutor or termination of powers exercised in the position of prosecutor.

2. The fact of existence of grounds for dismissal specified in item 3 of paragraph 1 of this article shall be established on the basis of recommendations of the Soim of prosecutors according to the procedure set forth in article 84 of this Law.

3. Dismissal of prosecutor from an administrative position shall not terminate his powers as a prosecutor, except in the case provided for in item 5 of paragraph 1 of this article.

4. Prosecutor shall be appointed to one of the vacant positions in the same prosecutor's office within 30 days of dismissal from an administrative position, or, if there are no vacancies available, he/she shall be transferred to vacant position in another prosecutor's office upon his/her written consent. If a prosecutor refuses an appointment to vacant position in the corresponding prosecutor's office or a transfer to vacant position in another prosecutor's office within the specified period, he/she shall be dismissed from the position of prosecutor.

Until a decision is made on the appointment of prosecutor to a position, his/her transfer to a position in another prosecutor's office or his/her dismissal from the position of prosecutor, the powers of the prosecutor in question shall be suspended with reservation of his/her right to material, social and welfare support provided for by law.

Article 57. Termination of employment relationship with a prosecutor

1. Employment relationship with a prosecutor shall be terminated in the event of the following:

1) voluntary resignation;

2) reaching the age of 65;

3) termination of citizenship of the Republic of Belarus or acquisition of citizenship (nationality) of a foreign state;

4) incidence of an illness that prevents the performance of official duties as confirmed by the conclusion of medical consultation commission;

5) death of the prosecutor, recognition of the prosecutor as missing or declaration of his/her death following the court decision;

6) unsatisfactory results of internship;

7) refusal to take the prosecutor's oath;

8) refusing a transfer to another prosecutor's office or structural subdivision of the prosecutor's office if the prosecutor's office or structural subdivision of the prosecutor's office, in which the prosecutor works, is undergoing reorganization or liquidation;

9) refusing an appointment to vacant position in the corresponding prosecutor's office or a transfer to a position in another prosecutor's office in the case provided for in paragraph 4 of article 56 of this Law;

10) application of disciplinary action in the form of dismissal from the position of prosecutor;

11) unsuitability of the prosecutor for the position held as determined according to the procedure set forth in item 3 of paragraph 6 of article 66 of this Law;

12) the prosecutor's incompliance with at least one of the requirements specified in Article 41, which existed at the time of his/her appointment;

13) violation of the incompatibility requirements specified in article 39 of this Law;

14) entry into force of the court decision establishing the prosecutor's guilt in respect of law infringement that creates conditions for corrupt practice, a corruption offense, or a crime.

2. Employment relationship with a prosecutor shall be terminated by the order of the Prosecutor General within 15 working days of the date of occurrence or establishment of circumstances specified in paragraph 1 of this article.

3. Prosecutor General's order on the termination of employment relationship may be appealed to court.

4. In the event of cancellation of the order on termination of employment relationship under the court decision, the prosecutor shall be reinstated in his/her position and entitled to compensation for forced absence from duty in the amount equal to his/her salary income for the period not exceeding one year.

5. The powers of the Prosecutor General shall be terminated by a resolution of the Soim of the Republic of Belarus.

Article 58. Grounds for dismissal of Prosecutor General from administrative position

Prosecutor General shall be dismissed from administrative position by the Soim of the Republic of Belarus in connection with:

1) submission of a notice of voluntary resignation from administrative position;

2) termination of employment relationship with the Prosecutor General on the grounds provided for in items 3-5, 12-14 of paragraph 1 of article 57 of this Law;

3) vote of no confidence in the Prosecutor General passed by the Assembly of prosecutors;

4) expiration of the term of office of the Prosecutor General;

5) gross violation of the rules of professional conduct or official duties of a prosecutor.

CHAPTER IX. PROFESSIONAL TRAINING FOR PROSECUTORS

Article 59. Goals and principles of professional training for prosecutors

1. Professional training for prosecutors is aimed at developing legal knowledge, practical skills and ethical values that ensure the independent, effective and faithful exercise of prosecutor's powers.

2. Professional training shall be carried out with due account for:

- 1) latest developments in the legislation of the Republic of Belarus;
 - 2) international standards in the field of justice and human rights, including the UN Guidelines on the Role of Prosecutors and the recommendations of the Council of Europe;
 - 3) the tasks facing the prosecutor's office and changes in law enforcement practice.
3. Prosecutor training shall include theoretical, practical and ethical components, which shall be determined in accordance with the programs approved by the Soim of prosecutors.

Article 60. Forms of training

Prosecutors shall receive the following forms of training:

- 1) initial professional training of candidates for the position of prosecutor;
- 2) internship under the guidance of a mentor;
- 3) training upon the appointment to administrative position;
- 4) continuous professional development of prosecutors, including training within the framework of international programs and legal cooperation projects.

Article 61. Institutional support for training

1. Training of candidates for the position of prosecutor and professional development of serving prosecutors shall be provided by the Higher School of Justice of the Republic of Belarus on the basis of an agreement with the Soim of prosecutors using the funds of the Prosecutor's Office.

2. Higher School of Justice of the Republic of Belarus shall:

- 1) develop training programs, which are subject to approval by the Soim of prosecutors;
- 2) provide teaching staff as well as material and technical resources for training purposes;
- 3) conduct final attestation of candidates for the position of prosecutor.

3. Soim of prosecutors organizes the selection of candidates for training programs, interacts with teaching and expert communities, and establishes the standards and criteria for the quality of training.

4. International and domestic organizations and scientific research centers may also be involved in the professional development of prosecutors.

Article 62. Initial professional training

1. Initial professional training of candidates for the position of prosecutor, lasting up to two months, shall be conducted by the Higher School of Justice with the aim of ensuring that candidates who have no experience of working as prosecutors acquire the knowledge necessary to work independently.

The procedure for undertaking initial training shall be established by the Soim of prosecutors in agreement with the Higher School of Justice.

2. Initial training course may be terminated by a reasoned decision of the Soim of Prosecutors in the event of a gross or systematic violation of training procedure by a candidate for the position of prosecutor.

3. Based on the results of initial training, the Higher School of Justice shall decide whether the candidate has successfully completed the training course or not.

The following circumstances shall be taken into account when making such a decision:

- 1) initial training curriculum performance by the candidate for the position of prosecutor;
- 2) result of final attestation;
- 3) level of knowledge acquired and the ability to apply it in practice.

Methodology for assessing the level of theoretical knowledge acquired shall be determined by the initial training procedure.

4. A candidate for the position of prosecutor who has successfully completed the initial training course shall be admitted to internship.

Article 63. Internship training of candidates for the position of prosecutor

1. Internship training shall be carried out with the aim of developing ethical values, practical skills and abilities of a prosecutor in candidates who do not have any experience of working as prosecutors, as well as conducting examination of candidate's professional suitability for performing the duties of a prosecutor.

2. Internship training shall be carried out under the guidance of a mentor appointed by the meeting of prosecutors of the corresponding prosecutor's office. Internship mentor shall be a serving prosecutor with at least three years of professional experience in the position of prosecutor and an impeccable reputation.

3. Internship mentor shall ensure:

- 1) individual support for the trainee;
- 2) practical acquaintance with the activities of the prosecutor's office;
- 3) regular assessment of the trainee's progress;

4) transfer of legal knowledge, practical skills and abilities, as well as standards of prosecutorial ethics.

4. Internship mentor may not supervise more than two trainees at the same time. He/she has the right to refuse to perform the mentor's duties if there are valid reasons for such refusal.

5. The minimum duration of an internship is six months. The internship period may be extended by decision of the Soim of prosecutors, but for no longer than one year.

6. Upon completion of internship training, the mentor shall prepare a character reference letter containing assessment of trainee's professional level, ethical qualities, independence and decision-making abilities, which shall be submitted together with trainee's report for consideration by the meeting of prosecutors of the corresponding prosecutor's office.

Meeting of prosecutors has the right to submit the following recommendations to the Soim of prosecutors:

- 1) appoint a trainee to the position of prosecutor;
- 2) extend internship training for a specified period;
- 3) refuse to appoint a trainee to the position of prosecutor.

Head of the prosecutor's office shall make a submission, including the relevant recommendation of the meeting of prosecutors, the mentor's character reference letter, and the trainee's report, to the Soim of prosecutors within 3 days.

7. Based on the results of internship training, the Soim of prosecutors shall adopt a decision on:

1) submitting a recommendation for the appointment of a candidate to the position of prosecutor;

2) extending the internship training for a specified period;

3) refusal to recommend the appointment of a candidate to the position of prosecutor and removal of candidate from the personnel reserve.

8. A person who failed to complete the internship training shall be removed from the personnel reserve. He/she shall be entitled to reapply for the position of prosecutor no earlier than upon the expiration of two years from the date of refusal of the recommendation for his/her appointment.

9. The procedure for undertaking internship training, candidate evaluation criteria, and the requirements for mentors shall be established by the Regulation on prosecutor internship approved by the Soim of prosecutors.

Article 64. Training of appointees to administrative positions

1. Training of appointees to administrative positions shall be carried out with the aim of developing managerial, organizational and communication skills necessary for the effective performance of the duties of the head of a prosecutor's office or its structural subdivision in prosecutors who have no experience of working in administrative positions.

2. Training of appointees to administrative positions shall include:

1) a training course at the Higher School of Justice or another educational institution as decided by the Soim of prosecutors, which is based on the curriculum of at least 40 academic hours approved by the Soim of prosecutors;

2) internship training in an administrative position lasting up to three months.

3. Internship training in an administrative position shall be carried out after completion of relevant training course, except in cases of urgent necessity which allow for combining the training course with internship training. In such cases, the training course must be completed before the end of internship in an administrative position.

4. Unsatisfactory results of internship training shall serve as grounds for refusal to appoint a trainee to administrative position.

5. The procedure for undertaking internship training and assessing the results of internship in an administrative position shall be established by the Regulation, which is subject to approval by the Soim of prosecutors.

Article 65. Professional development of prosecutors

1. Professional development of prosecutors is aimed at ensuring continuous improvement of professional knowledge, skills and abilities necessary for the efficient performance of prosecutorial activities.

2. Professional development shall be carried out on a mandatory basis for at least 40 academic hours every two years under the program approved by the Soim of prosecutors. This period does not include the suspension of prosecutor's powers on the grounds provided for by this law.

3. Professional development of prosecutors shall be carried out by the Higher School of Justice with the involvement of domestic and international experts.

4. The results of professional development shall be recorded and taken into account when re-attesting the prosecutors, considering the issue of appointments to administrative positions, and making other personnel decisions.

5. Prosecutors who have not completed the professional development program in full without valid excuse shall be temporarily suspended from their official duties without pay until they complete the corresponding training program.

Article 66. Attestation of prosecutors

1. Soim of prosecutors shall ensure that the prosecutors undergo regular attestation at least once every five years in order to prove their professional level and compliance with ethical standards.

2. Prosecutors who have not undergone the attestation process without valid excuse shall be suspended from their duties without pay until they undergo it.

3. The attestation of prosecutors shall be carried out on the basis of a plan approved by the Soim of prosecutors.

Unscheduled attestation shall be carried out in the following cases:

- 1) appointment to a higher-level position;
- 2) transfer to a higher-level prosecution authority;
- 3) imposition of a penalty provided for in item 4 of paragraph 1 of article 79 of this Law.

4. Attestation process shall include:

1) analysis of the prosecutor's personal file, his/her business (professional) and moral qualities;

2) assessment of knowledge of current legislation, ethical standards and international obligations;

3) interview with the attestation commission.

5. Based on the results of attestation process, the attestation commission shall hand down an opinion on:

1) confirmation of suitability of the prosecutor for the position held;

2) referral of the prosecutor for unscheduled professional development training followed by re-attestation in a year's time;

3) unsuitability of the prosecutor for the position held.

6. Opinion of the attestation commission on the unsuitability of the prosecutor for the position held shall be grounds for a decision on:

1) demotion of prosecutor to a lower-level position;

2) transfer of prosecutor to a lower-level prosecution authority;

3) dismissal of prosecutor from the position held and from the prosecution authority.

7. The decision of the attestation commission shall be communicated to the prosecutor within 10 working days. The decision may be appealed to the Soim of prosecutors or to a court.

Article 67. Attestation commissions

1. Attestation commission of the Prosecutor General's Office and attestation commissions of pawet prosecutor's offices shall be established under the Soim of prosecutors for the purpose of conducting regular attestation of prosecutors.

2. Attestation commission shall consist of a chairperson, a secretary, and five members. No less than four members of the attestation commission shall be prosecutors.

3. First deputy or deputy Prosecutor General and a member of the Soim of prosecutors shall sit on the attestation commission of the Prosecutor General's Office on a permanent basis, while the head of structural subdivision, in which the prosecutor undergoing attestation holds position, shall be an ad hoc member of this commission.

4. First deputy or deputy prosecutor of pawet and a member of the Soim of prosecutors shall sit on the attestation commission of pawet prosecutor's office on a permanent basis, while the head of structural subdivision of pawet prosecutor's office or the head of district prosecutor's office, in which the prosecutor undergoing attestation holds position, or one of his/her deputies shall be an ad hoc member of this commission.

5. Representatives of NGOs, scientific workers or other citizens, who have an impeccable business reputation, high business (professional) and moral qualities, prestige with the public, and at least five years of professional experience in the field of law, may be included in the composition of the attestation commission upon their consent.

6. Soim of prosecutors shall appoint the attestation commissions and determine their scope of authority.

7. Attestation commission shall be deemed competent if at least five members participate in its activities.

8. The decisions of attestation commission shall be adopted by a majority vote of its total membership as provided for by this Law.

CHAPTER X. GUARANTEES OF THE INDEPENDENCE OF PROSECUTORS

Article 68. Legal basis of independence

1. Guarantees of the independence of prosecutors are defined by the Constitution of the Republic of Belarus, this Law, and the international obligations of the Republic of Belarus.

2. Independence of prosecutors shall be ensured by:

1) a special procedure for appointment and dismissal of prosecutors, and holding them disciplinarily liable;

2) a procedure for exercising prosecutor's powers established by procedural law and other laws;

3) imposing a ban on unlawful influence, pressure, and interference in the exercise of prosecutor's powers;

4) a legally established procedure for providing financial and organizational support for the activities of prosecutor's office;

5) adequate material, social and pension support for the prosecutor;

6) the functioning of prosecutorial self-government bodies; other legally provided means of ensuring personal safety of the prosecutor, his/her family members and property;

7) other means of their legal protection.

3. It is not permissible to impose liability on a prosecutor for the purpose of exerting pressure on him/her or interfering in his/her activities.

4. When exercising his/her powers, the prosecutor obeys only the law and is guided by the principles specified in article 4 of this Law.

Article 69. Guarantees of institutional independence

1. Prosecutorial bodies shall function independently of other state bodies, local self-governing authorities, political parties, non-governmental organizations and other structures.

2. Decisions of prosecutorial self-government bodies aimed at protecting the independence of prosecutors shall have a binding effect on state bodies, local self-governing authorities and organizations to which they apply.

3. Prosecution bodies shall be financed at a level that guarantees their independence and efficient work. Cutbacks to funding of prosecutorial bodies are allowed only in the case of republican budget sequestration in accordance with the procedure established by the Budget Code of the Republic of Belarus and in the amount not exceeding the average reduction in total expenditure.

4. Draft regulatory legal acts on the issues of organizing and conducting the activities of prosecutor's office shall be subject to mandatory approval by the Prosecutor General prior to submitting them to the rule-making body (official), as well as after submission thereof when introducing changes in the previously approved text.

In the event of failure to get approval for the draft regulatory legal act, the Prosecutor General shall submit reasoned objections for mandatory consideration by the rule-making body (official).

Article 70. Inadmissibility of interference

1. Interference in the prosecutor's activities with regard to specific case beyond the statutory powers of anyone, including the heads of prosecutor's offices, is prohibited and entails liability as established by law.

2. Prosecutor is obliged to notify the Soim of prosecutors and the Prosecutor General of any cases of interference, pressure or threats, including those coming from other prosecutors, state bodies, local self-governing authorities, their officials, organizations or individuals, within ten days of becoming aware of such cases.

3. Soim of prosecutors is obliged to consider the prosecutor's report on interference and take appropriate measures to ensure his/her independence, in particular:

1) notify the corresponding state authorities of the grounds for imposing criminal, disciplinary or other liability;

2) prompt the authorized entities to consider the measures necessary to ensure the safety of prosecutors;

3) publish statements regarding facts of violation of the prosecutor's independence on behalf of the prosecutorial corps;

4) report violations of the independence of prosecutors to the state bodies of the Republic of Belarus and local self-governing authorities;

5) report such violations to international organizations.

Article 71. Irremovability and stability

1. Prosecutor may not be transferred, dismissed or demoted except on the grounds and in the manner provided for by this Law.

2. Changes in essential working conditions, including transfer to another prosecutor's office, shall be permitted only upon written consent of the prosecutor, except in cases of reorganization or other cases provided for by this Law.

Article 72. Remuneration of prosecutors

1. The official salary of a prosecutor of the district prosecutor's office shall be established at a level of at least 75% of the official salary of a district judge.

2. The official salary of a prosecutor of the pawet prosecutor's office shall be established at a level of 130%, and the official salary of a prosecutor of the Prosecutor General's Office shall be 150% of the official salary of a prosecutor of the district prosecutor's office.

3. Prosecutors shall be paid the following monthly bonuses on top of their official salary:

1) for length of service exceeding 3 years – 15%, 5 or more years of service – 20%, more than 10 years of service – 25%, more than 15 years of service – 30%, more than 20 years of service – 35%, more than 25 years of service – 40%;

2) for academic degree (in specialties relevant to the field of activity of the prosecutor's office) of candidate of legal sciences – 5%, degree of doctor of legal sciences – 10%;

3) for use of foreign language in work by decision of the Prosecutor General – up to 15%.

4. Prosecutor may be awarded a bonus of up to 40% of his/her official salary for special merits and achievements upon the recommendation of the head of the corresponding prosecutor's office. The decision on bonus award shall be made by the head of higher-level prosecutor's office, and in the case of heads of prosecutor's offices, prosecutors of the pawet prosecutor's offices and the Prosecutor General's Office – by the Prosecutor General.

Article 73. Annual leave of prosecutors

1. Prosecutors shall be granted an annual paid leave of 30 calendar days with recuperation pay in the amount of up to one average monthly salary.

2. Prosecutors with more than 5 years of service in the prosecutor's office shall be granted additional paid leave of 5 calendar days, those with more than 10 years of service – 10 calendar days, more than 15 years of service – 15 calendar days.

3. Prosecutor may be recalled from annual leave in case of operational necessity. The unused days of annual leave shall be granted later in the year or next year, or they shall be replaced by unused leave payment at the request of the prosecutor. Prosecutor shall be compensated for any additional documented expenses incurred in connection with the recall from leave. The compensation procedure shall be determined by the Soim of prosecutors. Other issues related to granting leave shall be regulated by labor legislation.

Article 74. Pension provision for prosecutors

1. Prosecutors shall be entitled to long service pension if they have at least 20 years of service under their belts on the date of retirement, regardless of their age.

2. The pension specified in paragraph 1 of this article shall not be granted to prosecutors who were dismissed from office on the grounds provided for in items 10-14 of paragraph 1 of article 57 of this Law.

3. The length of service that entitles a person to long service pension in accordance with the procedure established by the Soim of prosecutors shall include the following periods:

1) years of service in the position of prosecutor, performance of the duties of a member of the Soim of prosecutors;

2) years of service as an employee of the prosecutor's office prior to the entry into force of this Law;

3) years of service as an investigator in investigative bodies (including in administrative positions), exercise of the powers of a judge on the condition that such service (exercise of powers) preceded the appointment to the position of prosecutor;

4) leave to care for a child until the child reaches the age of three on the condition that such leave was granted.

4. Prosecutor shall have the right to long service pension regardless of whether he/she is entitled to other types of pensions, unless otherwise provided by law. If a prosecutor is eligible for long service pension and another type of state pension, he/she may be granted only one type of pension of his/her own choosing.

5. Long service pension shall be established at the level of 50% of the base amount with a 1% increase for each full year of service beyond 20 years, but in any event no more than 70% of the base amount. The base amount used for calculating the pension benefit should be understood as the average monthly salary of the prosecutor for any given 24 months of service in the prosecutor's office at prosecutor's option.

Article 75. Material assistance

Prosecutor may be granted a one-off payment of material benefit for improvement of social and living conditions. The amount of payment, grounds and procedure for providing material assistance shall be determined by the Soim of prosecutors.

Article 76. Other social benefits to prosecutors

1. The life and health of a prosecutor are subject to mandatory state insurance in accordance with the procedure established by law.

2. In the event of a prosecutor's death (fatality) in connection with performance of his/her official duties, the funeral expenses shall be covered by the state budget.

CHAPTER XI. INCENTIVES. DISCIPLINARY AND MATERIAL RESPONSIBILITY OF PROSECUTORS

Article 77. Incentives for prosecutors

1. The following incentive measures may be applied to prosecutors in return for exemplary performance of official duties, proactiveness, and achievements in office:

- 1) expression of gratitude;
- 2) awarding of certificate of honor;
- 3) awarding of valuable gift;
- 4) awarding of a badge of merit;
- 5) conferment of title "Honorary Employee of the Prosecutor's Office";
- 6) nomination for a state award;
- 7) other types of incentives provided for by law.

2. The grounds and procedure for applying incentive measures shall be determined by the Regulation adopted by the Soim of prosecutors.

Article 78. Grounds for disciplinary responsibility of a prosecutor

1. Commission of a disciplinary offense, which is culpable failure to perform or improper performance of official duties, requirements, restrictions, and prohibitions established by this Law, the Code of Prosecutorial Ethics or other legislative acts, gives grounds for bringing a prosecutor to disciplinary responsibility.

2. Prosecutor's actions committed in the process of assessing evidence, choosing a legal position or tactics for exercising his/her powers, in the statutory matter, in good faith, and within the limits of the freedom of decision-making granted to the prosecutor by law, shall not constitute a disciplinary offense.

3. Imposition of administrative, criminal or civil liability on the prosecutor does not preclude the possibility of bringing him/her to disciplinary responsibility.

4. Prosecutor may be brought to disciplinary responsibility no later than within a year of the date of detection of the disciplinary offense, without taking into account the prosecutor's vacation or temporary incapacity for work.

Article 79. Types of disciplinary sanctions

1. The following disciplinary sanctions may be applied against a prosecutor:

1) admonition;

2) reprimand;

3) severe reprimand with deprivation of the right to receive salary supplements for a period of three months;

4) temporary suspension from duties with deprivation of the right to receive salary supplements and mandatory referral for professional development training followed by unscheduled attestation;

5) demotion;

6) dismissal from administrative office;

7) dismissal from the prosecutor's office.

2. Disciplinary sanction shall be applied with due account for the severity of the offense, its consequences, the existence of mitigating and aggravating circumstances, degree of the prosecutor's guilt, as well as the results of evaluation of the prosecutor's personality and personal file.

3. Prosecutor shall be considered to have been brought to disciplinary responsibility for a period of one year after the date of application of disciplinary sanction against him/her, except in the cases provided for in paragraph 4 of this article.

4. Disciplinary sanction may be removed prematurely by the Soim of Prosecutors at the request of the head of the prosecutor's office or a meeting of prosecutors, or at the initiative of the Soim of prosecutors, on the condition that the prosecutor did not violate the law and performed his/her official duties in a conscientious and professional manner, but in any event no earlier than upon the expiration of:

1) three months from the date of application of disciplinary sanction provided for in item 1 of paragraph 1 of this article;

2) six months from the date of application of disciplinary sanctions provided for in items 2 and 3 of paragraph 1 of this article.

5. A prosecutor who has been brought to disciplinary responsibility shall be deprived of the right to bonus award. If such a prosecutor commits a new disciplinary offense, a more severe sanction shall be applied to him/her, regardless of the circumstances provided for in paragraph 2 of this article.

Article 80. Disciplinary procedure

1. Anyone who becomes aware of the fact of commission of a disciplinary offense by a prosecutor shall have the right to file a disciplinary complaint with the Soim of prosecutors. A recommended template form of disciplinary complaint shall be published on the website of the Soim of prosecutors.

The following disciplinary complaints shall be considered on a priority basis:

1) complaints from the Prosecutor General;

- 2) complaints from a member of the Soim of prosecutors;
- 3) complaints from the head of the prosecutor's office in which the prosecutor holds position, or from the head of higher-level prosecutor's office;
- 4) complaints from the meeting of prosecutors of the prosecutor's office in which the prosecutor holds position.

2. A prosecutor who is subject to disciplinary proceedings has the right to:

- 1) know the substance of the disciplinary complaint and the evidence supporting it;
- 2) provide his/her explanations and evidence;
- 3) seek legal assistance;
- 4) raise objections, make motions, and ask for recusals;
- 5) appeal the decisions.

3. Disciplinary proceedings shall include:

- 1) initiation of disciplinary proceedings;
- 2) checking of disciplinary complaint;
- 3) consideration of disciplinary case;
- 4) adoption of a decision in disciplinary case.

Article 81. Initiation of disciplinary proceedings

1. Secretariat of the Soim of prosecutors shall register a disciplinary complaint on the day of receipt thereof and randomly select a member of the Soim of prosecutors to decide the issue of initiation of disciplinary proceedings.

2. A member of the Soim of prosecutors shall refuse to initiate disciplinary proceedings by a reasoned decision if:

- 1) disciplinary complaint does not contain specific information about the existence of constituent elements of alleged disciplinary offence committed by the prosecutor;
- 2) disciplinary complaint is anonymous;
- 3) disciplinary complaint was filed on grounds not provided for in article 78 of this Law;
- 4) employment relationship with the prosecutor, against whom a disciplinary complaint was filed, has been terminated;
- 5) Soim of prosecutors has already adopted a decision on the disciplinary offense specified in the disciplinary complaint;
- 6) statutory period for bringing a person to disciplinary responsibility provided for in paragraph 4 of article 78 of this Law has expired for disciplinary offense specified in the disciplinary complaint.

3. In the absence of legitimate grounds provided for in paragraph 2 of this article, a member of the Soim of prosecutors shall make a decision on the issue of initiating disciplinary proceedings against the prosecutor.

4. The decision on initiation of disciplinary proceedings or refusal to initiate disciplinary proceedings shall be adopted no later than within 10 working days of the date of registration of disciplinary complaint, or, in the case of disciplinary complaints filed by the entities specified in sub-paragraph 2 of paragraph 1 of article 80 of this Law, no later than within 5 working days of the date of registration of disciplinary complaint.

A copy of the decision on initiation of disciplinary proceedings or refusal to initiate disciplinary proceedings shall be sent to the complainant.

5. If a disciplinary complaint, including an anonymous one, contains information about a crime or administrative offense that is being planned, is being committed, or has been committed, the corresponding information shall be forwarded to the competent authority.

Article 82. Check of disciplinary complaints

1. After initiation of disciplinary proceedings, a member of the Soim of prosecutors shall conduct a check of circumstances specified in the disciplinary complaint. In the event of discovery of new facts during check, which may give grounds for bringing the prosecutor to disciplinary responsibility, this information shall be included in the conclusion on the results of check-up.

2. A member of the Soim of prosecutors and the Prosecutor General shall be entitled to address the Soim of prosecutors with a petition for suspending the prosecutor from office until the completion of disciplinary proceedings.

The petition for suspending the prosecutor from office shall be considered at the next session of the Soim of prosecutors with due regard for the prosecutor's rights specified in paragraph 2 of article 80 of this Law.

If the Soim of prosecutors adopts a decision on the existence of grounds for suspending the prosecutor from office, a copy of this decision shall be sent to the Prosecutor General within three days.

Prosecutor General shall promptly consider the decision on the existence of grounds for suspending the prosecutor from office, based on the results of which he/she may issue an order to suspend the prosecutor from office until the completion of disciplinary proceedings. A copy of the order shall be immediately handed over to the suspended prosecutor.

3. When conducting a check, a member of the Soim of prosecutors shall have the right to examine documents relating to the subject of investigation, obtain copies thereof, interview prosecutors and other persons who are aware of the circumstances of the act constituting a disciplinary offense, and exercise other powers provided for in paragraph 3 of article 33 of this Law.

A prosecutor who is subject to disciplinary proceedings has the right to give explanations or refuse to explain himself/herself.

4. Verification check of information regarding the existence of grounds for bringing a prosecutor to disciplinary responsibility shall be carried out within a period not exceeding two months from the date of registration of disciplinary complaint, and if it is impossible to complete verification check within this period, it may be extended by decision of the Soim of prosecutors, but for no longer than one month.

Employment relationship with the prosecutor may not be terminated on the basis of voluntary resignation until the completion of disciplinary proceedings.

5. Based on the results of verification check, a member of the Soim of prosecutors shall prepare a conclusion containing information on the presence or absence of the event of disciplinary offense committed by the prosecutor and a description of the circumstances validating this conclusion. If the results of verification check carried out by a member of the Soim of prosecutors lead him/her to a conclusion that a disciplinary offense was indeed committed by a prosecutor, the conclusion shall also indicate the nature and consequences of the offense, information about the prosecutor's identity, the degree of his/her guilt, other circumstances relevant to the decision on the application of disciplinary measures against the

prosecutor, as well as the proposed type of disciplinary sanction in accordance with paragraph 1 of article 79 of this Law.

6. Disciplinary complaint, conclusion and other materials collected in the course of verification check shall be compiled into a disciplinary case file. This file shall be submitted for consideration by the Soim of prosecutors no later than five working days before the session at which such disciplinary case is scheduled to be considered.

7. Members of the Soim of prosecutors may adopt a decision to combine several disciplinary proceedings which are under their consideration.

Article 83. Consideration of disciplinary cases

1. Disciplinary case shall be considered at the session of the Soim of prosecutors. A person who filed the disciplinary complaint, a prosecutor who is subject to disciplinary proceedings, their representatives and other persons, if necessary, shall be invited to this session. Notification of the time and venue of the session shall be sent no later than ten days before the opening date of the session. A copy of the disciplinary complaint and a conclusion on the presence or absence of the event of disciplinary offense committed by the prosecutor shall be attached to the prosecutor's notification letter.

2. Disciplinary case shall be considered with the participation of the prosecutor, except when he/she was duly notified and:

- 1) gave his/her consent to consideration of disciplinary case without his/her participation;
- 2) failed to appear at the session without valid excuse;
- 3) failed to appear at the session for the second time.

The absence of other invited persons shall not prevent the consideration of disciplinary case.

4. A prosecutor who does not participate in the session has the right to submit written explanations which shall be read out at the session of the Soim of prosecutors.

5. Session participants shall hear the report of a member of the Soim of prosecutors, the explanation provided by the prosecutor, who is subject to disciplinary proceedings, and/or his representative, the person who filed the disciplinary complaint, and other persons on as-needed basis.

6. Disciplinary cases shall be considered in an open session format. Soim of prosecutors may adopt a decision to hold a closed session in the following cases:

- 1) if consideration in an open session format may lead to the disclosure of legally protected secrets;
- 2) to prevent the disclosure of information about the intimate aspects of life or information that disparages the dignity of the prosecutor and other persons.

Article 84. Decision in disciplinary case

1. Soim of prosecutors shall adopt a decision in disciplinary case by a majority vote of its total membership. Soim of prosecutors shall discuss the results of consideration of disciplinary case in the absence of prosecutor who is subject to disciplinary proceedings and other invited persons before making a decision.

2. A member of the Soim of prosecutors, who conducted a check and prepared the conclusion on the presence or absence of the event of disciplinary offense committed by the prosecutor, participates in the discussion but does not have the right to take part in a vote when making a decision.

3. Based on the results of consideration of disciplinary case, the Soim of prosecutors shall decide whether to impose disciplinary liability on the prosecutor or refuse the imposition of disciplinary liability on the prosecutor.

In the event of establishment of circumstances specified in items 4-6 of paragraph 2 of article 81 of this Law, the Soim of prosecutors shall close the disciplinary proceedings by its own decision without deciding on the merits of disciplinary case.

4. If there are grounds for bringing the prosecutor to disciplinary responsibility, the Soim of prosecutors shall adopt a decision to impose disciplinary liability on the prosecutor and apply disciplinary sanctions against him/her.

The grounds for bringing a prosecutor to disciplinary responsibility shall be deemed to have been established on the basis of the results of consideration of disciplinary case if the totality of evidence provided and obtained in the course of disciplinary proceedings allows for a reasonable conclusion that the prosecutor has committed a disciplinary offense.

5. The decision of the Soim of prosecutors in a disciplinary case shall be made in writing, signed by the members of the Soim of prosecutors who participated in the consideration of disciplinary case, and announced at the session of the Soim . The decision must contain:

1) surname, first name, patronymic (if any) and position title of the prosecutor who is subject to disciplinary proceedings;

2) circumstances established in the course of carrying out disciplinary proceedings;

3) reasons for the decision adopted by the Soim of prosecutors;

4) the essence of the decision based on the results of consideration with an indication of the type of disciplinary action, if applicable;

5) the procedure and deadline for appealing the decision.

6. A copy of the decision of the Soim of prosecutors shall be sent to the prosecutor in respect of whom it was taken, to the Prosecutor General, and to the person who filed the disciplinary complaint. The decision shall also be published on the website of the Soim of prosecutors.

7. The decision of the Soim of prosecutors in disciplinary case may be appealed to court in accordance with the procedure established by law.

Article 85. Financial liability of a prosecutor

1. The damage caused by unlawful decision, action or inaction of the prosecutor shall be compensated by the state in accordance with the procedure established by law. After compensating for the damage caused by the prosecutor, the state shall have the right of recourse (regress) against him/her in the amount of compensation paid.

2. Prosecutor shall bear financial liability for the damage caused to the state, as well as in the cases provided for in paragraph 1 of this article, if the damage was caused as a result of intentional actions or gross negligence by the prosecutor in the performance of his/her official duties, as established by a court decision or a decision on bringing him/her to disciplinary responsibility.

SECTION IV. FINANCIAL, MATERIAL AND TECHNICAL SUPPORT FOR THE PROSECUTOR'S OFFICE

CHAPTER XII. FINANCIAL, MATERIAL AND TECHNICAL SUPPORT FOR THE PROSECUTOR'S OFFICE

Article 86. Budget of the prosecutor's office

1. Prosecutor's Office shall be financed through the intermediary of Secretariat of the Soim of prosecutors from the state budget. Appropriations for the maintenance of the prosecutor's office shall be itemized in separate state budget line under the title – "budget of the Prosecutor's Office of the Republic of Belarus".

2. The use of other sources of funds shall be prohibited, with the exception of international technical assistance.

3. The budget request of the Prosecutor's Office shall be prepared by the Soim of prosecutors and approved by the Prosecutor General. In the event of approval by the Government, the budget request of the Prosecutor's Office shall be included in the draft state budget, and if there are any objections, it shall be submitted to the Soim of the Republic of Belarus together with the draft budget.

4. If necessary, the Government shall submit justification for the objections to budget request to the Soim of the Republic of Belarus and the Prosecutor General's Office.

CHAPTER XIII. MATERIAL AND TECHNICAL SUPPORT FOR THE PROSECUTOR'S OFFICE

Article 87. Material and technical support for the prosecutor's office

1. State bodies and local self-governing authorities are obliged to provide the prosecution bodies with office space.

2. Secretariat of the Soim of prosecutors shall be responsible for providing the prosecutor's offices with telecommunications equipment and computers, official transport and appropriate working conditions conducive to productive activity and the protection of prosecutors' health, and this shall be done at the expense of the state budget.

3. Financial, economic, administrative, record keeping and archiving activities shall be provided for by relevant departments of the Secretariat of the Soim of prosecutors, whose functions shall be defined by regulation adopted by the Soim.

SECTION V. FINAL AND TRANSITIONAL PROVISIONS

Article 88. Entry into force

1. This Law, with the exception of Chapter 2, shall enter into force one month after the entry into force of the Law "On the Judicial System and the Status of Judges".

2. Chapter 2 of this Law shall enter into force concurrently with the entry into force of the law on the introduction of relevant amendments into the Criminal Procedure Code of the Republic of Belarus.

3. Chapter 10 shall enter into force one month after the commencement of activity of the Higher School of Justice of the Republic of Belarus. Before commencement of activity of the Higher School of Justice of the Republic of Belarus, professional training of prosecutors shall be carried out in the manner established by the Prosecutor General of the Republic of Belarus.

4. Law No. 220-3 "On the Prosecution Service of the Republic of Belarus" dated May 8, 2007, shall cease to have effect concurrently with the entry into force of this Law, except for:

provisions of Chapter 4 of Section III, which shall cease to have effect one month after the publication of this Law;

provisions of Section III (except for Chapter 4), which shall cease to have effect upon the entry into force of Chapter 2 of this Law.

5. Prosecutor General appointed by the Soim of the Republic of Belarus prior to the entry into force of this Law shall continue to perform his duties until the expiration of his term of office or until the occurrence of grounds for dismissal from administrative office provided for in article 58 of this Law.

6. The powers of the Soim of prosecutors provided for by this Law shall be temporarily exercised by the Prosecutor General until the first session of the Soim of prosecutors.

7. Assembly of prosecutors shall be convened by the Prosecutor General no later than within three months of the date of entry into force of this Law in accordance with paragraph 1 of this article.