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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION)**

**BELARUS**

**DRAFT AMENDMENTS AND ADDITIONS<sup>1</sup>**

**TO THE CONSTITUTION  
OF THE REPUBLIC OF BELARUS**

**PUBLISHED BY THE AUTHORITIES  
FOR PUBLIC DISCUSSION**

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<sup>1</sup> *Unofficial translation*

DRAFT AMENDMENTS AND ADDITIONS  
TO THE CONSTITUTION OF THE REPUBLIC OF BELARUS  
FOR PUBLIC DISCUSSION

***[N.B. The proposed amendments to the existing text  
are indicated in bold]***

(For ease of perception, changes and additions are highlighted in color)

We, the people of the Republic of Belarus (Belarus),  
proceeding from the responsibility for the present and future of Belarus,  
Conscious of itself as a full-fledged subject of the world community and reaffirming  
its commitment to universal values, based on its inalienable right to self-determination,  
**preservation of national identity and sovereignty**,  
relying on the centuries-old history of the development of the Belarusian  
statehood, **cultural and spiritual traditions**,  
**affirming** the rights and freedoms of **man and citizen**, the **foundations of the  
rule of law and a socially just society**,  
wishing to ensure **peace and** civil harmony, the **well-being of citizens**, the  
inviolability of democracy, **independence and prosperity of the Republic of Belarus**,  
adopt this Constitution – the Basic Law of the Republic of Belarus.

CHAPTER I

FUNDAMENTALS OF THE CONSTITUTIONAL ORDER

Article 1. The Republic of Belarus is a unitary democratic social state governed by the rule of law.

The Republic of Belarus has supremacy and full authority on its territory, independently implements domestic and foreign policy.

The Republic of Belarus shall protect its independence and territorial integrity, the constitutional order, and shall ensure law and order.

Article 2. Man, his rights, freedoms and guarantees of their realization are the highest value and goal of society and the state. The state is responsible to the citizen for creating conditions for the free and dignified development of the individual. The citizen is responsible to the state for the strict fulfillment of the duties assigned to him by the Constitution.

Article 3. The only source of state power and the bearer of sovereignty in the Republic of Belarus is the people. The people exercise their power directly, through representative and other bodies in the forms and limits defined by the Constitution.

Any action to change the constitutional order and achieve state power by violent means, as well as by other violation of the laws of the Republic of Belarus, shall be punished in accordance with the law.

Article 4. Democracy in the Republic of Belarus is carried out on the basis of a variety of political institutions, ideologies and opinions. The ideology of political parties,

religious or other public associations, social groups may not be established as binding on citizens.

Article 5. Political parties and other public associations, acting within the framework of the Constitution and laws of the Republic of Belarus, promote the realization and protection of human and civil **rights, freedoms and interests**.

Political parties and other voluntary associations have the right to use the State mass media in the manner prescribed by law.

The establishment and activities of political parties, as well as other voluntary associations, aimed at forcibly changing the constitutional order or conducting propaganda for war, social, national, religious and racial enmity, are prohibited.

Article 6. State power in the Republic of Belarus is exercised on the basis of its division into legislative, executive and judicial. State bodies within the limits of their powers are independent: they interact with each other, restrain and balance each other.

Article 7. The principle of the rule of law shall be established in the Republic of Belarus.

**The Constitution shall have the highest legal force and direct effect throughout the territory of the Republic of Belarus. Other legal acts shall be issued on the basis of and in accordance with the Constitution.**

The State, all its bodies and **officials, organizations and citizens** shall act within the framework of the Constitution and the legislative acts adopted in accordance with it.

Legal acts or their individual provisions recognized in the manner prescribed by law as contrary to the provisions of the Constitution shall have no legal force.

Normative **legal acts shall be subject to official publication** or shall be made available to the public in another way provided for by law.

Article 8. The Republic of Belarus recognizes the primacy of generally recognized principles of international law and ensures compliance with them with the legislation.

In accordance with the norms of international law, the Republic of Belarus may, on a voluntary basis, enter and withdraw from inter-State entities.

It is not allowed to conclude international treaties that contradict the Constitution.

Article 9. The territory of the Republic of Belarus is a natural condition for the existence and spatial limit of the self-determination of the people, the basis of its well-being and sovereignty of the Republic of Belarus.

The territory of Belarus is united and inalienable.

The administrative-territorial **structure** of the state shall be determined by **the law**.

Article 10. A citizen of the Republic of Belarus shall be guaranteed the protection and patronage of the State both on the territory of Belarus and abroad.

No one may be deprived of citizenship of the Republic of Belarus or of the right to change citizenship.

A citizen of the Republic of Belarus may not be extradited to a foreign State, unless otherwise provided by international treaties of the Republic of Belarus.

The acquisition and **termination of** citizenship shall be carried out in accordance with the law.

Article 11. Foreign citizens and stateless persons in the territory of Belarus enjoy rights and freedoms and perform their duties on an equal footing with citizens of the Republic of Belarus, unless otherwise specified by the Constitution, laws and international treaties.

Article 12. The Republic of Belarus may grant the right of asylum to **foreign citizens and stateless persons** persecuted in other states for political, religious beliefs or nationality.

Article 13. Property can be public or private.

The State shall grant everyone equal rights to carry out economic and other activities other than those prohibited by law, and shall guarantee equal protection and equal conditions for the development of all forms of ownership.

The state promotes the development of cooperation.

The State guarantees to all equal opportunities for the free use of abilities and property for entrepreneurial and other economic activities not prohibited by law.

The State regulates economic activities in the interests of the individual and society; provides direction and coordination of public and private economic activities for social purposes.

Subsoil, water, forests are the exclusive property of the state. Agricultural land is owned by the state.

The law may also define other objects that are only owned by the state, or establish a special procedure for their transfer to private ownership, as well as the exclusive right of the state to carry out certain types of activities.

The State guarantees workers the right to take part in the management of organizations with a view to increasing the efficiency of their work and improving the socio-economic standard of living.

Article 14. The State regulates relations between social, national and other communities on the basis of the principles of equality before the law and respect for their rights and interests.

Relations in the social and labor sphere between the authorities public administration, employers' associations and trade unions are carried out on the principles of social partnership and interaction of the parties.

Article 15. The State shall be responsible for the preservation of the historical, cultural and spiritual heritage and the free development of the cultures of all ethnic communities living in the Republic of Belarus.

**The state ensures the preservation of historical truth and memory of the heroic feat of the Belarusian people during the Great Patriotic War.**

Article 16. Religions and beliefs are equal before the law.

Relations between the state and religious organizations are regulated by law, taking into account their influence on the formation of spiritual, cultural and state traditions of the Belarusian people.

The activities of religious organizations, their bodies and representatives that are directed against the sovereignty of the Republic of Belarus, its constitutional order and civil consent or are associated with a violation of the rights and freedoms of citizens, as well as impede the fulfillment by citizens of their state, social and family duties or harm their health and morality, are prohibited.

Article 17. The state languages in the Republic of Belarus are Belarusian and Russian.

Article 18. The Republic of Belarus in its foreign policy proceeds from the principles of equality of States, non-use of force or threat of force, inviolability of borders, peaceful settlement of disputes, non-interference in internal affairs and other universally recognized principles and norms of international law.

The Republic of Belarus **excludes military aggression from its territory against other states.**

Article 19. The symbols of the Republic of Belarus as a sovereign state are its State Flag, State Emblem and National Anthem.

Article 20. The capital of the Republic of Belarus is the city of Minsk. The status of the city of Minsk shall be determined by law.

## CHAPTER II

### INDIVIDUAL, SOCIETY, STATE

Article 21. Ensuring the rights and freedoms of citizens of the Republic of Belarus is the highest goal of the state.

Everyone has the right to an adequate standard of living, including adequate food, clothing, housing and the continuous improvement of the conditions necessary for this.

**Everyone should show social responsibility, make a feasible contribution to the development of society and the state.**

The State guarantees the rights and freedoms of citizens of Belarus enshrined in the Constitution, laws and provided for by the State's international obligations.

Article 22. Everyone is equal before the law and has the right, without any discrimination, to equal protection of rights and legitimate interests.

Article 23. Restriction of the rights and freedoms of the individual is allowed only in cases provided for by law, in the interests of national security, public order, protection of morality, public health, rights and freedoms of other persons.

No one may enjoy benefits and privileges contrary to the law.

Article 24. Everyone has the right to life.

The State shall protect human life from any unlawful encroachment.

The death penalty, pending its abolition, may be applied in accordance with the law as an exceptional punishment for particularly serious crimes and only in accordance with the verdict of the court.

Article 25. The state shall ensure freedom, inviolability and dignity of the person. Restriction or deprivation of personal liberty is possible in the cases and in the manner prescribed by law.

A person remanded in custody has the right to a judicial review of the lawfulness of his detention or arrest.

No one shall be subjected to torture, cruel, inhuman or degrading treatment or punishment or to medical or other experiments without his or her consent.

Article 26. No one may be found guilty of a crime unless his guilt has been proved in the manner prescribed by law and established by a court which has entered into legal force. The accused does not have to prove his innocence.

Article 27. No one should be compelled to give testimony and explanations against himself, his family members, close relatives. Evidence obtained in violation of the law has no legal force.

Article 28. Everyone shall have the right to protection against unlawful interference with his **private** life, including from encroachment on the secrecy of his correspondence, telephone and other communications, on his honour and dignity.

**The state creates conditions for the protection of personal data and the safety of the individual and society when this data is used.**

Article 29. The inviolability of the home and other legal possessions of citizens is guaranteed. No one has the right without legal grounds to enter the home and other lawful possession of a citizen against his will.

Article 30. Citizens of the Republic of Belarus have the right to move freely and choose their place of residence within the Republic of Belarus, to leave it and to return without hindrance.

Article 31. Everyone has the right to independently determine his attitude to religion, to profess any religion alone or jointly with others or not to profess any religion, to express and disseminate beliefs related to the attitude to religion, to participate in the performance of religious cults, rituals, rites not prohibited by law.

Article 32. Marriage **as a union of a woman and a man**, the family, motherhood, fatherhood and childhood are under the protection of the state.

A woman and a man, upon reaching the age of marriage, have the right to marry and start a family on a voluntary basis. Spouses **have equal rights in marriage and family**.

Parents or persons in *loco parentis* have the right and duty to raise children, take care of their health, development and education, prepare them for **socially useful work, instill culture and respect for the laws, historical and national traditions of Belarus**. A child shall not be subjected to inhuman or degrading treatment, he shall not be involved in work which is detrimental to his physical, mental or moral development. Children are obliged to take care of and assist their parents, as well as persons in *loco parentis*.

**The State provides support to families with children, orphans and children left without parental care.**

Children may be separated from their family against the will of their parents and other persons in *loco parentis* only on the basis of a court decision if the parents or other persons in *loco parentis* fail to fulfil their duties.

Women **and men** are provided with equal opportunities in education and vocational training, in work and promotion (work), in socio-political, cultural and other spheres of activity, as well as the creation of conditions for the protection of their work and health.

**Article 32<sup>1</sup>. The state promotes the spiritual, moral, intellectual and physical development of young people, creates the necessary conditions for their free and effective participation in public life, the realization of the potential of young people in the interests of the whole society.**

Article 33. Everyone is guaranteed freedom of opinion, opinion and expression.

No one may be compelled to express or renounce his or her convictions.

Monopolization of the media by the state, **organizations** or individual citizens, as well as censorship are not allowed.

Article 34. Citizens of the Republic of Belarus are guaranteed the right to receive, store and disseminate complete, reliable and timely information on the activities of state bodies, about political, economic, cultural and international life, the state of the environment.

State bodies and officials are obliged to provide a citizen of the Republic of Belarus with the opportunity to familiarize himself with materials affecting his rights and legitimate interests.

The use of information may be restricted by law in order to protect the honour, dignity, **private** and family life of citizens and the full exercise of their rights.

Article 35. Freedom of assembly, rallies, street processions, demonstrations and picketing that do not violate the rule of law and the rights of other citizens of the Republic of Belarus shall be guaranteed by the State. The procedure for carrying out these measures shall be determined by law.

Article 36. Everyone has the right to freedom of association.

**Citizens, in order to exercise and satisfy political, social, economic, cultural and other interests, have the right to form political parties and other public associations and to participate in their activities.**

**Political parties and other public associations shall be established and shall operate in accordance with the law.**

Judges, prosecutors, staff of the Committee national control, **paramilitary organizations**, members of the armed forces may not be members of political parties.

Article 37. Citizens of the Republic of Belarus have the right to participate in the resolution of state affairs both directly and through freely elected representatives.

The direct participation of citizens in the management of the affairs of society and the state is ensured by holding referendums, discussing draft laws, **other regulatory legal acts** and issues of republican and local importance, and in other ways determined by law.

In accordance with the procedure established by law, citizens of the Republic of Belarus take part in the discussion of issues of state and public life at republican and local assemblies.

Article 38. Citizens of the Republic of Belarus have the right to vote freely and to be elected to State bodies on the basis of universal, equal, direct or indirect suffrage by secret ballot.

Article 39. Citizens of the Republic of Belarus, in accordance with their abilities and vocational training, have the right of equal access to any positions in state bodies.

Article 40. Everyone has the right to submit individual or collective appeals to state bodies.

State bodies, as well as officials, are obliged to consider the appeal and give an answer on the merits within the period specified by law. Refusal to consider the submitted application must be motivated in writing.

Article 41. Citizens of the Republic of Belarus are guaranteed the right to work as the most dignified way of self-affirmation of a person, that is, the right to choose a profession, occupation and work in accordance with the vocation, abilities, education, vocational training and taking into account social needs, as well as to healthy and safe working conditions.

The state creates conditions for full employment of the population. In the event of unemployment of a person for reasons beyond his control, he is guaranteed training in new specialties and promotion qualifications tailored to public needs, as well as unemployment benefit in accordance with the law.

Citizens have the right to protection of their economic and social interests, including the right to form trade unions, to conclude collective agreements (agreements) and the right to strike.

Forced labour is prohibited, except for work or service **on the basis of a court order** or in accordance with the Law on States of Emergency and Martial Law.

Article 42. Employees are guaranteed a fair share of remuneration in the economic results of work in accordance with its quantity, quality and social significance, but not below the level that ensures them and their families a free and dignified existence.

Women and men, adults and minors, have the right to equal remuneration for work of equal value.

Article 43. For employees, this right is ensured by the establishment of a working week not exceeding 40 hours, a reduced duration of night work, the provision of annual paid leave, and weekly rest days.

Article 44. The State guarantees everyone the right to property and promotes its acquisition.

The owner has the right to own, use and dispose of property both individually and jointly with other persons. The inviolability of property and the right to inherit it shall be protected by law.

Property acquired by lawful means shall be protected by the State.

The state encourages and protects the savings of citizens, creates guarantees for the return of deposits.

Compulsory alienation of property is allowed only on grounds of public necessity, subject to the conditions and procedure established by law, with timely and full compensation for the value of the alienated property, as well as in accordance with a **court** decision.

The exercise of the right to property must not contradict public benefit and security, har the environment, historical and cultural values, infringe on the rights and interests of other persons protected by law.

Article 45. Citizens of the Republic of Belarus are guaranteed the right to health protection, including free treatment at the **expense of state funds in the manner prescribed by law.**

The State shall create conditions for medical care accessible to all citizens.

The right of citizens of the Republic of Belarus to health protection is also ensured by the development of physical culture and sports, measures to improve the improvement of the environment, the possibility of using health-improving institutions, and the improvement of labour protection.

**Citizens are obliged to take measures to preserve and strengthen their own health.**

Article 46. Everyone has the right to a favourable environment and to compensation for damage caused by a violation of this right. The State shall exercise control over the rational use of natural resources in order to protect and improve living conditions and to protect and restore the environment.

**The Republic of Belarus develops nuclear energy for peaceful purposes, ensures safety in the production and use of atomic energy.**

Article 47. Citizens of the Republic of Belarus are guaranteed the right to social security by **age**, in case of illness, disability, loss of ability to work, loss of breadwinner and in other cases provided for by law.

The State shall take special care of veterans of war and labour, of persons who have lost their health in the protection of state and public interests, **as well as of the disabled and the elderly.**

**Persons with disabilities are provided with equal opportunities for the exercise of human and civil rights and freedoms. The State implements a policy of social integration of persons with disabilities, the creation of an accessible environment and the improvement of their quality of life, and support for families with disabled persons.**

Article 48. Citizens of the Republic of Belarus have the right to housing. This right is ensured by the development of public and private housing stock and assistance to citizens in the acquisition of housing.

Citizens in need of social protection shall be provided with housing by the State and local government free of charge or at a fee accessible to them in accordance with the law.



No one may be arbitrarily deprived of his or her home.

Article 49. Everyone has the right to education.

The availability and free availability of general secondary and vocational education shall be guaranteed.

Secondary specialized and higher education is available to all in accordance with the abilities of everyone. Everyone can, on a competitive basis, receive appropriate education free of charge in state **educational institutions**.

Article 50. Everyone has the right to preserve his national identity, just as no one may be compelled to determine and indicate nationality.

Insults to national dignity are punishable by law.

Everyone has the right to use his native language and to choose the language of communication. The State guarantees, in accordance with the law, the freedom to choose the language of upbringing and instruction.

Article 51. Everyone has the right to take part in cultural life. This right is ensured by the universal availability of the values of domestic and world culture that are in state and public funds, the development of a network of cultural and educational institutions.

Freedom of artistic, scientific, technical creativity and teaching is guaranteed.

Intellectual property is protected by law.

The state promotes the development of culture, scientific and technical research, the **introduction of innovations** for the benefit of common interests.

Article 52. Everyone who is on the territory of the Republic of Belarus is obliged to comply with its Constitution, laws and respect the national traditions of **Belarus**.

Article 53. Everyone is obliged to respect the dignity, rights, freedoms and legitimate interests of others.

Article 54. Everyone is obliged to protect the historical, cultural, spiritual heritage and other national values.

**The manifestation of patriotism, the preservation of the historical memory of the heroic past of the Belarusian people are the duty of every citizen of the Republic of Belarus.**

Article 55. The protection of the natural environment is everyone's duty.

Article 56. Citizens of the Republic of Belarus are obliged to participate in the financing of public expenditures by paying state taxes, duties and other payments.

Article 57. Protection of the Republic of Belarus is the duty and sacred duty of a citizen of the Republic of Belarus.

The procedure for performing military service, the grounds and conditions for exemption from military service or its replacement by alternative service shall be determined by law.

Article 58. No one may be compelled to perform duties not provided for by the Constitution and laws, or to renounce his or her rights.

Article 59. The State is obliged to take all measures available to it to create the domestic and international order necessary for the full exercise of the rights and freedoms of citizens of the Republic of Belarus provided for in the Constitution.

State bodies, officials and other persons entrusted with the performance of State functions are obliged, within the limits of their competence, to take the necessary measures for the exercise and protection of the rights and freedoms of the individual.

These bodies and persons are responsible for actions that violate the rights and freedoms of the individual.

Article 60. Everyone is guaranteed the protection of his rights and freedoms competent, independent and impartial court within the time limits specified by law. **Decisions and actions (inaction) of State bodies and officials that infringe on the rights and freedoms may be appealed to the courts.**

With a view to protecting the rights, freedoms, honour and dignity of citizens, in accordance with the law, have the right to recover in court both property damage and material compensation for moral damage.

Article 61. Everyone has the right, in accordance with **the international treaties of the Republic of Belarus**, to apply to international organizations for the protection of their rights and freedoms if all available domestic remedies have been exhausted.

Article 62. Everyone shall have the right to legal assistance for the exercise and protection of rights and freedoms, including the right to use at any time the assistance of lawyers and his other representatives in court, other State bodies, **other** organizations and in relations with officials and citizens. In cases provided for by law, legal assistance is provided at the expense of public funds.

Opposition to the provision of legal assistance in the Republic of Belarus is prohibited.

Article 63. The exercise of the rights and freedoms of the individual provided for in this Constitution may be suspended only in conditions of a state of emergency or martial law in the manner and within the limits determined by the Constitution and the law.

In the implementation of special measures during a state of emergency, the rights provided for in article 24, article 25, paragraph three, and articles 26 and 31 of the Constitution may not be restricted.

### CHAPTER III

#### ELECTORAL SYSTEM. REFERENDUM

##### SECTION 1 ELECTORAL SYSTEM

Article 64. Elections of deputies and other persons elected to public office by the people are universal: citizens of the Republic of Belarus who have reached the age of 18 have the right to vote.

Citizens who have been declared legally incapable by a court and persons held by a court sentence in places of deprivation of liberty **shall not have the right to elect and to be elected.**

Any direct or indirect restriction of the electoral rights of citizens in other cases is inadmissible and punishable by law.

The age **and other qualifications for** deputies and other persons elected to public office shall be **determined** by the relevant laws, unless otherwise provided by the Constitution.

Article 65. Elections are free: the voter personally decides whether to participate in the elections and for whom to vote. The preparation and conduct of elections are conducted openly and transparently.

Article 66. Elections are equal: voters have an equal number of votes.

Candidates elected to public office shall participate in elections on an equal footing.

Article 67. Elections of deputies are direct: deputies are elected directly by citizens.

Elections of deputies are held on a single voting day **on the last Sunday of February.**

Article 68. Voting in elections is secret: control over the expression of the will of voters during the voting is prohibited.

Article 69. The right to nominate candidates for deputies belongs to **political parties**, labor collectives and citizens in accordance with the law.

Article 70. The costs of the preparation and conduct of elections shall be financed by the State to the extent of the funds allocated for that purpose. In cases provided for by law, expenses for the preparation and holding of elections may be carried out at the expense of **political parties, other** organizations, citizens.

**It is forbidden to finance the preparing and conducting elections by foreign states and organizations, foreign citizens, as well as in other cases provided for by law.**

Article 71. Elections shall be conducted by electoral commissions, unless otherwise provided by the Constitution.

**The system of election commissions is headed by the Central Election Commission. The Central Election Commission organizes elections of the President, delegates to the All-Belarusian People's Assembly, deputies of the House of Representatives and members of the Council of the Republic, deputies of local Councils of Deputies, holds republican referenda, monitors the implementation of legislation on elections and referendums, as well as exercises other powers established by law.**

**The Chairman and members of the Central Election Commission are elected for five years and dismissed by the All-Belarusian People's Assembly.**

**The system, the procedure for formation, the competence of election commissions and the guarantees of their independence shall be determined by law.**

The procedure for holding elections shall be determined **by law.**

Elections shall not be held during a state of emergency or martial law.

Article 72. The recall of deputies shall be carried out on the grounds provided for by law.

Voting on the recall of a deputy is carried out in the manner prescribed for the election of a deputy, on the initiative of at least twenty percent of citizens who have the right to vote and live in the relevant territory.

The grounds and procedure for recalling members of the Council of the Republic shall be established by law.

## SECTION 2

### REFERENDUM (POPULAR VOTE)

Article 73. Republican and local referenda may be held to resolve the most important issues of state and public life.

Article 74. Republican referenda are appointed by the President of the Republic of Belarus on his own initiative, on the proposal of the **All-Belarusian People's Assembly, as well as on the proposal** of the House of Representatives and the Council of the Republic, which is adopted at their separate meetings by a majority of votes of the composition (full composition) of each of the chambers established by the Constitution, or on the proposal of at least 450 thousand citizens

possessing electoral law, including at least 30 thousand citizens from each of the regions and the city of Minsk.

**Questions submitted to a republican referendum shall be subject to verification for compliance with the Constitution.**

The President, after submitting - in accordance with the law - of the proposals **by the All-Belarusian People's Assembly**, the House of Representatives and the Council of the Republic or citizens to hold a referendum, shall call a republican referendum.

The date **of the republican** referendum shall be set no later than three months from the date of issuance of the presidential decree on the appointment of the referendum.

Decisions taken by the Republican Reference Board, signed by the President of the Republic of Belarus.

Article 75. Local referenda are called by the relevant local representative bodies, on their own initiative or on the proposal of at least ten per cent of the citizens entitled to vote and residing in the territory concerned.

Article 76. Referendums shall be held by universal, free, equal and secret ballot.

Citizens of the Republic of Belarus who have the right to vote participate in referendums.

Article 77. Decisions taken by referendum may be revoked or amended only by referendum, unless otherwise determined by referendum.

Article 78. The procedure for holding republican and local referenda, as well as the list of issues that may not be submitted to a referendum, shall be determined by law.

## CHAPTER IV

### PRESIDENT, ALL-BELARUSIAN PEOPLE'S ASSEMBLY, PARLIAMENT, GOVERNMENT, COURT

#### SECTION 3

#### PRESIDENT OF THE REPUBLIC OF BELARUS

Article 79. The President of the Republic of Belarus is the Head of State, the guarantor of the Constitution of the Republic of Belarus, human and civil rights and freedoms.

The President personifies the unity of the people, guarantees the implementation of the main directions of domestic and foreign policy, represents the Republic of Belarus in relations with other states and international organizations. The President takes measures to protect the sovereignty of the Republic of Belarus, its national security and territorial integrity, ensures political and economic stability, continuity and interaction of state authorities, and mediates between state authorities.

Article 80. A citizen of the Republic of Belarus by birth, not younger than 40 years of age, who has the right to vote, who has permanently resided in the Republic of Belarus for at least 20 years immediately before the elections, **who does not have and has not previously had citizenship of a foreign state or a residence permit or other document of a foreign state entitling to benefits and other benefits**, may be elected President.

Article 81. The President is elected **for a term** of five years directly by the people of the Republic of Belarus on the basis of universal, free, equal and direct suffrage by secret ballot. **The same person may be President for no more than two terms.**

Candidates for the post of President are nominated by citizens of the Republic of Belarus in the presence of at least 100 thousand signatures of voters.

Elections of the President shall be called by the House of Representatives not later than five months in advance and shall be held not later than two months before the expiry of the term of office of the previous President.

If the office of the President is vacant, elections shall be held no earlier than 30 days and no later than 70 days from the date of opening of the vacancy.

Article 82. It is considered that **the presidential** elections took place if more than half of the citizens of the Republic of Belarus included in the voter list took part in the voting.

The President is considered elected if more than half of the citizens of the Republic of Belarus who took part in the voting voted for him.

If none of the candidates has obtained the required number of votes, a second round of voting shall be held within two weeks for the two candidates who received the largest number of votes. A presidential candidate who has received more than half of the votes of the voters who took part in the voting is considered elected.

The procedure for the election of the President shall be determined by law.

Article 83. The President shall take office after taking the oath of office as follows:

"Assuming the office of the President of the Republic of Belarus, I solemnly swear to faithfully serve the people of the Republic of Belarus, to respect and protect the rights and freedoms of man and citizen, to observe and protect the Constitution of the Republic of Belarus, to faithfully and conscientiously fulfill the high duties entrusted to me."

The oath is taken in a solemn atmosphere in the presence of deputies of the House of Representatives and members of the Council of the Republic, judges of the Constitutional **and** Supreme Courts no later than two months from the date of election of the President. From the moment the newly elected President takes the oath, the powers of the previous President shall cease.

Article 84. The President of the Republic of Belarus shall:

- 1) appoint republican referenda;
- 2) call regular and extraordinary elections to the House of Representatives, the Council of the Republic and local representative bodies;
- 3) dissolve the Chambers in the cases and in the manner provided for by the Constitution;

**(4) deleted;**

5) form, abolish and reorganize the Administration of the President of the Republic of Belarus, other **state** bodies **and other organizations**, as well as consultative, advisory and other bodies under the President, **determine their status;**

6) with **the prior** consent of the House of Representatives, appoint the Prime Minister to the office;

7) determine the structure of the Government of the Republic of Belarus, appoint and dismiss Deputy Prime Ministers, Ministers and other members of the Government, and decide on the resignation of the Government or its members;

**(8) deleted;**

9) with **the prior** consent of the Council of the Republic, appoint the Prosecutor General, the Chairman of the State Control Committee, the Chairman and the

members of the Board of the National Bank to the post **and dismiss them from office on the grounds provided for by law;**

10) appoint **judges of courts of general jurisdiction and dismiss them from office on the grounds provided for by law, unless otherwise specified by the Constitution;**

(11) deleted;

(12) deleted;

13) address messages to the people of the Republic of Belarus on the situation in the state and on the main directions of domestic and foreign policy;

14) address annual messages to the Parliament, which are heard at the **All-Belarusian People's Assembly**; has the right to participate in the work of the Parliament and its bodies, to address them at any time with a speech or message;

15) have the right to preside over meetings of the Government of the Republic of Belarus;

16) appoint representatives of the President in the Parliament, **assistants, commissioners** and other officials whose positions are determined in accordance with the legislation, unless otherwise provided by the Constitution;

17) decide on the acquisition of citizenship of the Republic of Belarus, its termination and granting of asylum;

18) establish public holidays and public holidays, award state awards, assign class ranks and titles;

19) pardon convicts;

20) negotiate and sign international treaties, appoint and recall diplomatic representatives of the Republic of Belarus in foreign states and at international organizations;

21) accepts verification and revocable certificates diplomatic representatives of foreign states accredited to it;

22) in the event of a natural disaster, catastrophe, as well as **attempts to change the constitutional order by force, seize or appropriate state power, armed rebellion, mass and other disturbances** accompanied by violence or threat of violence by a group of persons and organizations, as a result of which there is a danger to the life and health of people, territorial integrity and the existence of the state, introduce into the territory The Republic of Belarus or in its individual areas a state of emergency with the submission of a decision, within three days, for approval to the Council of the Republic;

23) in cases provided for by law, have the right to postpone the holding of a strike or suspend it, but not more than for a period of three months;

24) sign laws; has the right, in accordance with the procedure established by the Constitution, to return the law or certain of its provisions with its objections to the House of Representatives;

25) have the right to revoke the acts of the Government;

26) directly or through the bodies established by it, monitor compliance with the law by local authorities and self-government bodies; has the right to suspend the decisions of local Councils of Deputies and cancel the decisions of local executive and administrative bodies in case of non-compliance with their legislation;

27) form and head the Security Council of the Republic of Belarus; appoints and dismisses the Secretary of State of the Security Council;

28) is the Commander-in-Chief of the Armed Forces; appoints and dismisses the high command of the Armed Forces;

29) introduce martial law in the territory of the Republic of Belarus in the event of a military threat or attack, declare full or partial mobilization with the submission of the adopted decision for approval by the Council of the Republic within three days;

30) exercise other powers **established by the Constitution and laws necessary for the implementation of the constitutional functions assigned to him.**

Article 85. The President, on the basis of and in accordance with the Constitution, shall issue decrees and orders that are binding throughout the territory of the Republic of Belarus.

**Decrees and orders of the President must not contradict the laws.**

Article 86. The President may not hold other positions, receive monetary remuneration in addition to wages, with the exception of fees for works of science, literature and art.

The President suspends membership in political parties for the entire term of office.

Article 87. The President may resign at any time. The resignation of the President shall be accepted by the House of Representatives.

Article 88. The President may be dismissed early from office if he is persistently incapable of carrying out the duties of the President for health reasons. The decision on the early release of the President is taken by a majority of at least two-thirds of the votes of the full composition of the House of Representatives and a majority of at least two-thirds of the votes of the full composition.

Of the Council of the Republic, on the basis of the opinion of a commission specially established by the Chambers.

**The President may be removed from office by the All-Belarusian People's Assembly in the event of a systematic or gross violation of the Constitution or the commission of high treason or other serious crime.**

**The proposal to bring charges against the President and remove him from office is submitted to the All-Belarusian People's Assembly on the initiative of at least one third of the full composition of the House of Representatives or at least 150 thousand citizens of the Republic of Belarus who have the right to vote. The investigation of the accusation is organized by the All-Belarusian People's Assembly.**

**The decision of the All-Belarusian People's Assembly to remove the President from office is taken after receiving the opinion of the Constitutional Court on the presence of facts of systematic or gross violation of the Constitution by the President if the President is accused of such a violation of the Constitution.**

**The decision of the All-Belarusian People's Assembly to remove the President from office is considered adopted if a majority of the full composition of the All-Belarusian People's Assembly voted for it.**

**The failure of the All-Belarusian People's Assembly to take a decision to remove the President from office within two months from the date of the proposal to bring charges shall mean the rejection of the charges.** A proposal **to indict** the President **and remove him** from office may not be initiated during the period of consideration in accordance with the Constitution of the issue of early termination of the powers of the Parliament.

In the event of the removal of the President in connection with the commission of a crime, the case on the merits of the charge is considered by the Supreme Court.

**Article 88<sup>1</sup>. In the event of the vacancy of the office of the President or the impossibility of performing his duties on the grounds provided for by the Constitution, his powers shall pass to the President of the Council of the Republic until the oath is taken by the newly elected President.**

In the event of the death of the President as a result of an encroachment on his life, the commission of an act of terrorism, military aggression, or other acts of a violent nature:

meetings of the Security Council shall be chaired by the President of the Council of the Republic;

immediately, on the basis of a decision of the Security Council, a state of emergency or martial law shall be introduced in accordance with the established procedure in the territory of the Republic of Belarus;

State organs and officials shall act in accordance with the decisions of the Security Council.

**Article 89.** The President shall have immunity and his honour and dignity shall be protected by law.

The provisions of the first part of this article shall apply to the President who has ceased to exercise his powers due to the expiration of his term of office or due to early termination of office in the event of his resignation or persistent inability for health reasons to perform the duties of the President.

A president who has ceased to exercise his powers cannot be held accountable for acts committed in connection with the exercise of his presidential powers.

The status of a President who has ceased to exercise his powers shall be established by law.

### **SECTION 3<sup>1</sup>**

#### **ALL-BELARUSIAN PEOPLE'S ASSEMBLY**

**Article 89<sup>1</sup>.** The All-Belarusian People's Assembly is the highest representative body of the people's power of the Republic of Belarus, which determines the strategic directions for the development of society and the state, ensures the inviolability of the constitutional system, the continuity of generations and civil harmony.

**Article 89<sup>2</sup>.** The delegates of the All-Belarusian People's Assembly are:  
President of the Republic of Belarus;

the President of the Republic of Belarus who has ceased to exercise his powers due to the expiration of his term of office or early in the event of his resignation;

representatives of the legislative, executive and judicial branches;

representatives of local Councils of

Deputies; representatives of civil society.

Representatives of local Councils of Deputies and civil society to the All-Belarusian People's Assembly are elected from each region and city of Minsk in the manner determined by law.

The maximum number of delegates of the All-Belarusian People's Assembly is 1200 people.

The term of office of the All-Belarusian People's Assembly is five years.

The All-Belarusian People's Assembly is convened for the first meeting by the Central Election Commission no later than 60 days after the election of deputies.

A delegate of the All-Belarusian People's Assembly takes part in the work of the All-Belarusian People's Assembly without interruption from labour (official) activity.

The Presidium is the collegial body that ensures, in accordance with the procedure established by law, the prompt resolution of issues falling within the competence of the All-Belarusian People's Assembly.



The Chairman of the All-Belarusian People's Assembly, his deputies and other members of the Presidium are elected by the All-Belarusian People's Assembly by secret ballot.

**Article 89<sup>3</sup>. All-Belarusian People's Assembly shall:**

1) approve the main directions of domestic and foreign policy, military doctrine, the concept of national security;

2) approve the programs of socio-economic development of the Republic of Belarus;

3) hear the Prime Minister on the implementation of the program of socio-economic development of the Republic of Belarus;

4) propose amendments and additions to the Constitution;

5) propose the holding of republican referenda;

6) have the right to consider the question of the legitimacy of elections;

7) decide on the removal of the President from office in case of systematic or gross violation of the Constitution by him or the commission of high treason or another serious crime;

8) have the right to introduce a state of emergency or martial law in the territory of the Republic of Belarus if there are grounds provided for by the Constitution and in the event of inaction of the President on these issues. The introduction of a state of emergency or martial law shall be considered by the All-Belarusian People's Assembly on the initiative of the Presidium of the All-Belarusian People's Assembly or the Council of the Republic;

9) on the proposal of the President, previously agreed with the Presidium of the All-Belarusian People's Assembly:

elect the Chairman and judges of the Constitutional Court and dismiss them from office on the grounds provided for by law;

elect the President and judges of the Supreme Court and dismisses them from office on the grounds provided for by law;

elect the Chairman and members of the Central Election Commission and dismisses them from office on the grounds provided for by law;

10) on the proposal of the President, decide on the possibility of sending military personnel, employees of paramilitary organizations, other persons outside the Republic of Belarus to participate in ensuring collective security and activities to maintain international peace and security;

11) award the President with state awards, as well as propose persons for awarding them state awards;

12) give binding instructions to state bodies and officials, receive information from state bodies and officials, exercise other powers established by the Constitution and laws necessary for the implementation of the constitutional functions assigned to it.

**Article 89<sup>4</sup>. Meetings of the All-Belarusian People's Assembly are held at least once a year.**

The All-Belarusian People's Assembly may be convened for an extraordinary meeting on the initiative of the President, the Presidium of the All-Belarusian People's Assembly, both houses of the National Assembly (by joint decision), as well as on the initiative of at least 150 thousand citizens of the Republic of Belarus who have the right to vote.

**Article 89<sup>5</sup>. The All-Belarusian People's Assembly adopts decisions to implement the constitutional functions assigned to it.**

Decisions of the All-Belarusian People's Assembly are binding and may annul legal acts and other decisions of State bodies and officials that are contrary to the interests of national security, with the exception of acts of judicial bodies.

**Article 89<sup>6</sup>. The competence and procedure for the formation and activities of the All-Belarusian People's Assembly shall be determined by law.**

#### CHAPTER 4

#### PARLIAMENT - NATIONAL ASSEMBLY

Article 90. The Parliament - the National Assembly of the Republic of Belarus is the representative and legislative body of the Republic of Belarus.

The Parliament consists of two chambers, the House of Representatives and the Council of the Republic.

Article 91. The Composition of the House of Representatives is 110 deputies. The election of deputies to the House of Representatives shall be carried out in accordance with the law on the basis of universal, free, equal and direct suffrage by secret ballot.

The Council of the Republic is the chamber of territorial representation. From each region and the city of Minsk, eight members of the Council of the Republic are elected by secret ballot at meetings of the local Councils of Deputies of the basic level of each region and the city of Minsk. Eight members of the Council of the Republic shall be appointed by the President of the Republic of Belarus. **A member of the Council of the Republic for life with his consent is the President of the Republic of Belarus, who has ceased to exercise his powers due to the expiration of his term of office or early in the event of his resignation.**

Elections to the new composition of the Houses of Parliament shall be called no later than **three months before the single day of voting**. Extraordinary elections of the Chambers of Parliament shall be held within three months from the date of early termination of the powers of the Chambers of Parliament.

Article 92. A member of the House of Representatives may be a citizen of the Republic of Belarus who has reached the age of 21. A member of the Council of the Republic may be a citizen of the Republic of Belarus who has reached the age of

30 and has lived in the territory of the corresponding region, the city of Minsk for at least five years.

Deputies of the House of Representatives exercise their powers in Parliament on a professional basis. The same person may not simultaneously be a member of two chambers of Parliament. A deputy of the House of Representatives may not be **a member of the Government**, a deputy of the local Council of Deputies. A member of the Council of the Republic may not be simultaneously a member of the Government. The combining of the duties of a deputy is not allowed. The House of Representatives, a member of the Council of the Republic with the simultaneous holding of the office of President or judge.

Article 93. The term of office of Parliament is **five years, unless otherwise provided by the Constitution**. The powers of Parliament may be extended by law only in the event of war.

The first session of the Houses of Parliament after the elections shall be convened by the Central **Election** Commission and shall begin its work no later than 30 days after the elections. The

thirty-day period for convening and commencing the work of the first session of the House of Representatives shall be from the date of the **election**. The thirty-day period for convening and starting the work of the first session of the Council of the Republic is counted from the day of the first meeting of deputies of local Councils of

Deputies of the basic level for the election of members of the Council of the Republic from the region or the city of Minsk.

In the cases and in accordance with the procedure provided for by the Constitution, the powers of the House of Representatives or the Council of the Republic may be terminated prematurely. With the termination of the powers of the House of Representatives or the Council of the Republic, by decision of the President, the powers of the Council of the Republic or the House of Representatives, respectively, may also be terminated.

Article 94. The powers of the House of Representatives may be terminated prematurely in the event of a refusal of confidence in the Government, a vote of no confidence in the Government, or a double refusal to give **prior** consent to the appointment of the Prime Minister.

The powers of the House of Representatives or the Council of the Republic may also be terminated prematurely on the basis of the opinion of the Constitutional Court in the event of a systematic or gross violation of the Constitution by the Chambers of Parliament.

The President shall take decisions on these matters no later than within two months after official consultations with the Presidents of the Chambers.

Chambers may not be dissolved during a state of emergency or martial law, in the last six months of the President's term of office, during the period when the Chambers are deciding on the early release of the President **from office or during the period of the decision of the All-Belarusian People's Assembly on the removal of the President from office.**

It is not allowed to dissolve the chambers within a year from the date of their first sittings **and in the last year of the powers of the Parliament.**

**In the event of the dissolution of the Houses of Parliament, the new composition of the relevant Chamber shall exercise its powers until the beginning of the powers of the Parliament elected on a single voting day.**

Article 95. **The Chambers meet in session, which opens on the third Tuesday of September and closes on the last working day of June of the following year.**

The House of Representatives and the Council of the Republic shall, in case of special necessity, be convened for an extraordinary session by the **Chairmen of the Chambers** on the initiative of the President **or** the majority of **the deputies of the House of Representatives and members of the Council of the Republic** from the full composition of each of the Chambers on the agenda **and within the time limit determined by the initiator.**

Article 96. The House of Representatives elects from among its members the Chairman of the House of Representatives and his **deputies.**

The Council of the Republic elects from among its members the Chairman of the Council of the Republic and his **deputies.**

The Chairmen of the House of Representatives and the Council of the Republic, their deputies conduct the sittings and are in charge of the internal regulations of the Chambers.

The House of Representatives and the Council of the Republic shall elect standing committees and other bodies from among themselves to conduct legislative work, preliminary consideration and the preparation of matters falling within the purview of the Chambers.

Article 97. House of Representatives shall:

1) consider, on the proposal of **the President, the All-Belarusian People's Assembly, at least one third of the full composition of each of the chambers of the Parliament** or on the initiative of at least 150 thousand citizens of the Republic

of Belarus with the right to vote, draft laws on amendments and additions to the Constitution;

2) consider draft laws **on the** ratification and denunciation of international treaties; on the basic content and principles of the implementation of the rights, freedoms and duties of citizens; on citizenship, status of foreigners and stateless persons; on the rights of national minorities; **on the** establishment of republican taxes and fees; on the principles of the implementation of property relations; on the basics of social protection; on the principles of regulation of labor and employment; marriage, family, childhood, motherhood, paternity, upbringing, education, culture and health; environmental protection and rational use of natural resources; determination of the procedure for resolving administrative and cultural issues. territorial organization of the state; about local self-government; the judicial system, the judiciary and the status of judges; on criminal liability; on amnesty; on the declaration of war and the conclusion of peace; on the legal regime of martial law

and state of emergency; on the establishment of state awards; on the interpretation of laws; **other draft laws;**

**2<sup>1</sup>) consider draft laws on the republican budget and on approval of the report on its implementation. Draft laws on the republican budget and on approval of the report on its implementation are submitted to the House of Representatives by the Government in coordination with the President;**

3) appoint the election of the President;

4) give **the prior** consent of the President to the appointment of the Prime Minister to the **post**;

5) hear the report of the Prime Minister on the program of activity of the Government and approve or reject the program; repeated rejection of the program by the House means the expression of a vote of no confidence in the Government;

**5<sup>1</sup>) annually hear information from the Prosecutor General, the Chairman of the State Control Committee and the Chairman of the Board of the National Bank on the results of their activities;**

6) consider, at the initiative of the Prime Minister, the issue of confidence in the Government;

7) on the initiative of at least one third of the full composition of the House of Representatives, express a vote of no confidence in the Government; the question of the responsibility of the Government may not be raised within one year after the approval of the programme of its activities;

8) accept the resignation of the President;

**(9) deleted;**

10) cancel the orders of the Chairman of the House of Representatives.

The House of Representatives may decide on other matters if the Constitution so provides.

Article 98. The Council of the Republic shall:

1) approve or reject the draft laws adopted by the House of Representatives on amendments and additions to the Constitution; drafts of other laws;

2) give **the prior** consent of the **President to the** appointment and **dismissal of the Prosecutor General, the Chairman of the State Control Committee**, the Chairman and members of the Board of the National Bank;

**2<sup>1</sup>) annually hear information from the Prosecutor General, the Chairman of the State Control Committee and the Chairman of the Board of the National Bank on the results of their activities;**

**(3) deleted;**

**(4) deleted;**

**5) analyze the activities of local Councils of Deputies, take measures to develop local self-government;** cancels decisions of local Councils of Deputies that do not comply with the law;

6) decide on the dissolution of the local Council of Deputies in the event of systematic or gross violation by it of the requirements of the law and in other cases provided for by law;

**(7) deleted;**

8) consider presidential decrees on the introduction of a state of emergency, martial law, full or partial mobilization and, not later than three days after their introduction, take a decision to that effect.

The Council of the Republic may take decisions on other matters if so provided for in the Constitution.

Article 99. The right of legislative initiative belongs to the President, **the All-Belarusian People's Assembly**, deputies of the House of Representatives, the Council of the Republic, the Government, as well as citizens with the right to vote, in the amount of at least 50 thousand people and is implemented in the House of Representatives.

Bills, the adoption of which may result in a reduction in public funds, the creation or increase in expenditures, **shall be submitted** to the House of Representatives **in the presence of the opinion of the Government**.

The President or on his behalf the Government has the right to submit proposals to the House of Representatives and the Council of the Republic on declaring the consideration of the draft law urgent. In this case, the House of Representatives and the Council of the Republic shall consider this draft within ten days from the date of submission to them.

At the request of the President or, with his consent, the Government, the House of Representatives and the Council of the Republic shall take decisions at its meetings, voting in general for the entire draft or part of it submitted by the President or the Government, retaining only those amendments proposed or adopted by the President or the Government.

Article 100. Any bill, unless otherwise provided for in the Constitution, shall first be considered in the House of Representatives and then in the Council of the Republic.

A bill, except in cases provided for by the Constitution, shall become law after adoption by the House of Representatives and approval by the Council of the Republic by a majority vote of the full composition of each Chamber.

**The law on the republican budget for the next fiscal year is adopted before the beginning of the fiscal year. In case of non-adoption of the law on the republican budget within the specified period, the republican budget is temporarily managed.**

Bills adopted by the House of Representatives shall within five days be submitted for consideration to the Council of the Republic, where they may be considered for no more than twenty days, unless otherwise provided by the Constitution.

A law shall be deemed to have been approved by the Council of the Republic if a majority of the full composition of the Council of the Republic has voted in favour of it, or if within twenty days, and when declaring a bill urgent, ten days from the date of its introduction, it has not been considered by the Council of the Republic. If a bill is rejected by the Council of the Republic, the Chambers may establish a conciliation commission, formed on a parity basis, to overcome the differences that have arisen. a bill worked out by a conciliation commission, s submitted for approval by both Chambers.

If the conciliation commission has not adopted the agreed text of the bill, the President or on his behalf the Government may request that the House of Representatives make a final decision. A law shall be deemed to have been passed

by the House of Representatives, provided that at least two-thirds of the full composition of the House of Representatives voted for it.

A law passed by the House of Representatives and approved by the Council of the Republic, or adopted by the House of Representatives in the manner provided for in this article, shall be submitted within ten days to the President for signature. If the President agrees with the text of the law, he shall sign it. If the President does not return any the law within two weeks of being submitted to it, the law shall be deemed to have been signed. A law shall not be deemed to have been signed and shall not enter into force if it could not be returned to Parliament due to the end of the session.

In case of disagreement with the text of the law, the President returns it with his objections to the House of Representatives, which must consider the law with the objections of the President no

later than thirty days. If the law is adopted by the House of Representatives by a majority of at least two-thirds of the votes of the full composition, it, together with the objections of the President, shall be sent to the Council of the Republic within five days, which must also consider it again without later than twenty days. A law shall be deemed to have been adopted if it is approved by a majority of at least two thirds of the total composition of the Council of the Republic. The law shall be signed after the Opposition of the President has been overcome by the House of Representatives and the Council of the Republic.

By the President within five days. The law shall enter into force even if it is not signed by the President within that period. In the same manner, the Chambers shall consider the President's objections to certain provisions of the law, which shall be returned for re-voting. In this case, before the relevant decision is taken by the House of Representatives and the Council of the Republic, the law shall be signed by the President and shall enter into force, except for those provisions to which there are objections from the President.

#### Article 101. **Excluded.**

Article 102. Deputies of the House of Representatives and members of the Council of the Republic shall enjoy immunity in the expression of their opinions and in the exercise of their powers. This does not apply to accusing them of defamation and insult.

During their term of office, deputies of the House of Representatives and members of the Council of the Republic may be arrested or otherwise deprived of their personal liberty only with the prior consent of the chamber concerned, with the exception of the commission of high treason or another serious crime, as well as detention in flagrante delicto.

Criminal proceedings against a member of the House of Representatives or a member of the Council of the Republic shall be examined by the Supreme Court.

Article 103. The Chambers, if the interests of the State so require, may decide to hold a closed sitting by a majority vote of their entire membership. During meetings, including closed ones, the President, his representatives, the Prime Minister and members of the Government may speak out of turn as many times as they require.

**The Chambers may meet together to hear the annual information of the Prosecutor General, the Chairman of the State Control Committee and the Chairman of the Board of the National Bank on the results of their activities, as well as to resolve other issues within the competence of the Parliament.**

One sitting per month shall be reserved for questions from deputies of the House of Representatives and members of the Council of the Republic and answers from the Government.

A deputy of the House of Representatives, a member of the Council of the Republic has the right to make a request to the Prime Minister, members of the Government, heads of state bodies. The request must be included in the agenda of the House. The response to the request must be given within twenty session days in accordance with the procedure established by the Chamber of Parliament.

A sitting of the Chamber shall be deemed competent provided that it **is attended by a majority** of the deputies of the House of Representatives or members of the Council of the Republic from the full composition of the Chamber.

Voting in the House of Representatives and the Council of the Republic is open and is carried out personally by a deputy, a member of the Council of the Republic by casting a vote "for" or "against".

Article 104. Decisions of the House of Representatives are taken in the form of laws and regulations. Resolutions of the House of Representatives are adopted on matters of an administrative and control nature.

Decisions of the Council of the Republic shall be adopted in the form of resolutions.

Decisions of the Chambers shall be deemed to have been adopted provided that a majority of the full Members of the Chambers voted for them, unless otherwise provided by the Constitution.

Laws shall be subject to immediate **official** publication after their signing and shall enter into force ten days after publication, unless the law itself provides for a different period.

The law shall not have retroactive effect, except in cases where it mitigates or abolishes the responsibility of citizens.

Article 105. The procedure for the activities of the House of Representatives, the Council of the Republic, their bodies, deputies of the House of Representatives and members of the Council of the Republic shall be determined by **law and** the rules of procedure of the Chambers, which shall be signed by the Presidents of the Chambers.

## SECTION 5

### GOVERNMENT - COUNCIL OF MINISTERS OF THE REPUBLIC OF BELARUS

Article 106. Executive power in the Republic of Belarus is exercised by the Government - the Council of Ministers of the Republic of Belarus - the central body of state administration.

The Government in its activities is accountable to the President of the Republic of Belarus and is responsible to the Parliament of the Republic of Belarus.

The Government shall resign its powers before the newly elected President of the Republic of Belarus.

The Government of the Republic of Belarus consists of the Prime Minister, his deputies and ministers. The Government may also include the heads of **other state bodies and organizations**.

The Prime Minister is appointed by the President of the Republic of Belarus with the **prior** consent of the House of Representatives. The decision on this issue shall be taken by the House of Representatives no later than two weeks from the date of submission of the proposal on the candidacy of the Prime Minister. In the event of a two-time refusal to give consent to the appointment of the Prime Minister by the House of Representatives, the President of the Republic of Belarus has the right to appoint an acting Prime Minister. the duties of the Prime Minister, dissolve the House of Representatives and call new elections.

The work of the Government is supervised by the Prime Minister.

Prime minister shall:

- 1) directly supervise the activities of the Government and bear personal responsibility for its work;
- 2) sign government resolutions;
- 3) within two months after his appointment, submit to the Parliament the program of activities of the Government, and in case of its rejection, submit a repeated program of activities of the Government within two months;
- 4) inform the President about the main activities of the Government and about all its most important decisions;

**4<sup>1</sup>annually informs the All-Belarusian People's Assembly on the implementation of the program of socio-economic development of the Republic of Belarus;**

5) perform other **powers** related to the organization and activities of the Government.

The Government or any member of the Government shall have the right to declare his resignation to the President if he considers it impossible to continue to perform the duties assigned to them. The Government shall declare his resignation to the President in the event of a vote of no confidence in the Government by the House of Representatives.

The Prime Minister can put in front of the Chamber

Representatives have a question of confidence in the Government on the submitted program or on a specific occasion. If the House of Representatives refuses confidence, the President has the right, within ten days, to decide on the resignation of the Government or on the dissolution of the House of Representatives and the calling of new elections.

The President has the right, on his own initiative, to decide on the resignation of the Government and to dismiss any member of the Government.

In the event of resignation or resignation, the Government of the Republic of Belarus, on behalf of the President, shall continue to exercise its powers until the formation of a new Government.

Article 107. The Government of the Republic of Belarus shall:

manages the system of subordinate **republican** bodies of state administration and **other organizations, as well as on issues** within his **competence, the system of local executive and administrative bodies;**

develops the main directions of domestic and foreign policy and takes measures for their implementation;

develops and **submits, in coordination with the President, to the House of Representatives draft laws on the republican budget and on approval of the report on its implementation; ensures the execution of the republican budget;**

ensures the implementation of a unified economic, financial, credit and monetary policy, state policy in the field of science **and innovation**, culture, education, health, ecology, social security and wages, **public-private partnership;**

takes measures to ensure the rights and freedoms of citizens, protection interests of the state, national security and defense capability, protection of property and public order, fight against crime;

acts on behalf of the owner in respect of property that is the property of the Republic of Belarus, organizes the management of state property;

ensures the implementation of the Constitution,

**solutions All-Belarusian People's Assembly**, laws, **acts** of the President;



repeals the acts of ministries and other subordinate republican bodies of state administration;

**submits proposals to the President on the cancellation of decisions of local executive and administrative bodies in case of non-compliance with their legislation;**

exercises other powers conferred on him by the Constitution, laws and acts of the President.

Article 108. The Government **shall adopt** resolutions that are binding throughout the territory of the Republic of Belarus.

The Prime Minister shall issue orders within the limits of his competence.

The competence, the procedure for the organization and activities of the Government shall be determined on the basis of the Constitution by the Law on the Council of Ministers of the Republic of Belarus.

## CHAPTER 6

### THE COURTS

Article 109. Judicial power in the Republic of Belarus is **exercised by the courts**.

The system of courts is based on the principles of territoriality and specialization.

The judicial system in the Republic of Belarus shall be determined by **the Constitution and the law**.

The establishment of extraordinary courts is prohibited.

Article 110. Judges are independent in the administration of justice and are subject only to the law.

Any interference in the activities of judges in the administration of justice is unacceptable and entails liability under the law.

Article 111. Judges may not carry out entrepreneurial activities, perform other paid work, except for teaching and research.

The grounds for the election (appointment) of judges to office and their dismissal shall be provided for by law.

Article 112. The courts administer justice on the basis of the Constitution and other normative **legal** acts adopted in accordance with it.

If, during the consideration of a particular case, **the court has doubts about the constitutionality of the normative legal act to be applied, the court shall, before making a decision, put before the Constitutional Court of Inquiry constitutionality of this normative legal act.**

**Article 112<sup>1</sup>. The Supreme Court heads the system of courts of general jurisdiction and is the highest judicial body that administers justice through civil, criminal and other forms of legal proceedings provided for by law.**

**The Chairman and judges of the Supreme Court are elected and dismissed by the All-Belarusian People's Assembly.**

Article 113. Cases in the courts are considered **by a single judge**, and **collectively** in cases provided for by law.

Article 114. The hearing of cases in all courts is open.

Hearing cases in camera may be held only in cases specified by law, in compliance with all the rules of judicial procedure.

Article 115. Justice is done on the basis of adversarial and equality of the parties in the process.

Court rulings are binding on all **state bodies, other organizations, officials and citizens.**

The parties and persons participating in the proceedings have the right to appeal against decisions, sentences and other court decisions.

Article 116. **The Constitutional Court exercises control over the constitutionality of normative legal acts in the State through constitutional proceedings in order to protect the constitutional order of the Republic of Belarus, the human and civil rights and freedoms guaranteed by the Constitution, to ensure the supremacy of the Constitution and its direct effect in the territory of the Republic of Belarus.**

The Constitutional Court is formed in the amount of 12 judges from highly qualified specialists in the field of law, who, as a rule, have an academic degree.

**The Chairman and judges of the Constitutional Court shall be elected and dismissed by the All-Belarusian People's Assembly.**

**Judges of the Constitutional Court shall be elected for a term of 11 years and may be elected for a new term.**

Competence, organization and activity of the Constitutional Court shall be determined **by the Constitution and the law.**

Article 116<sup>1</sup>. **The Constitutional Court, on the proposals of the President, the Presidium of the All-Belarusian People's Assembly, the House of Representatives, the Council of the Republic, the Supreme Court, the Council of Ministers, gives conclusions:**

**on the interpretation of the Constitution;**

**on the compliance of laws, presidential decrees, resolutions of the Council of Ministers, normative legal acts of other state bodies with the Constitution.**

**The Constitutional Court, on the proposals of the President, gives conclusions:**

**on the constitutionality of draft laws on amendments and additions to the Constitution;**

**on the compliance with the Constitution of laws adopted by the Parliament before their signing by the President;**

**the constitutionality of the issues to be submitted to a republican referendum;**

**on the conformity of international treaties of the Republic of Belarus that have not entered into force with the Constitution.**

**In cases provided for by the Constitution, the Constitutional Court shall give opinions:**

**on the proposal of the Presidium of the All-Belarusian People's Assembly on the existence of facts of systematic or gross violation of the Constitution by the President;**

**on the proposal of the President on the existence of facts of systematic or gross violation of the Constitution by the chambers of Parliament.**

**The Constitutional Court, on the proposal of the Presidium of the All-Belarusian People's Assembly, gives opinions on the constitutionality of the election of the President, deputies of the House of Representatives and members of the Council of the Republic.**

**The Constitutional Court shall, in accordance with the procedure established by law, decide:**

**on citizens' complaints about violations of their constitutional rights and freedoms, checking the constitutionality of the laws applied in a particular case, if all other judicial remedies have been exhausted;**

**at the request of the courts, the constitutionality of normative legal acts to be applied in the consideration of specific cases by the courts.**

**The conclusions and decisions of the Constitutional Court shall be final and shall not be subject to appeal or appeal.**

## CHAPTER V

### LOCAL GOVERNANCE AND SELF-GOVERNMENT

Article 117. Local government and self-government is carried out by citizens through local Councils of Deputies, executive bodies, bodies territorial public self-government, local referendums, assemblies and other forms of direct participation in state and public affairs.

Article 118. Local Councils of Deputies are elected citizens of the relevant administrative-territorial units for a period of **five years, unless otherwise provided by the Constitution.**

**In the event of the dissolution of the local Council of Deputies, the new composition of this Council of Deputies shall exercise its powers until the beginning of the powers of the local Councils of Deputies elected on a single voting day.**

Article 119. Heads of local executive and administrative bodies shall be appointed and dismissed by the President of the Republic of Belarus or in accordance with the procedure established by him and approved in office by the relevant local Councils of Deputies.

Article 120. Local Councils of Deputies, executive and administrative bodies, within the limits of competence, decide on issues of local importance based on the national interests and the interests of the population living in the relevant territory, and execute the decisions of higher state bodies.

Article 121. The exclusive competence of local Councils of Deputies includes: approval **of socio-economic** development programs, local budgets and reports on their implementation;

the establishment of local taxes and fees in accordance with the law;

determination, within the limits established by law, of the procedure for the management and disposal of communal property; and the appointment of local referenda.

Article 122. Local Councils of Deputies, executive and administrative bodies shall, on the basis of the legislation in force, adopt decisions that are binding in the territory concerned.

Decisions of local Councils of Deputies that do not comply with the law are cancelled by higher representative bodies.

Decisions of local executive and administrative bodies that do not comply with the legislation are cancelled by the relevant

Councils of Deputies, Higher Executive and administrative bodies, as well as the President of the Republic of Belarus.

Decisions of local Councils of Deputies, executive and administrative bodies restricting or violating the rights, freedoms and legitimate interests of citizens, as well as in others cases provided for by law may be appealed in court.

Article 123. In the event of a systematic or gross violation by the local Council of Deputies of the requirements of the law, it may be dissolved by the Council of the Republic. Other grounds for the early termination of the powers of local Councils of Deputies shall be determined by law.

Article 124. The competence, the procedure for the establishment and activities of local government and self-government bodies shall be determined by law.

## CHAPTER VI

### PROSECUTORS. STATE CONTROL COMMITTEE

#### SECTION 7 PROSECUTORIAL SERVICE

Article 125. Supervision over the precise and uniform implementation of laws, decrees and other normative **legal** acts by ministries and other bodies **subordinate** to the Council of Ministers, local representative and executive bodies, public **associations, other** organizations, officials and citizens shall be entrusted to the Prosecutor General of the Republic of Belarus and his subordinate prosecutors.

The Procurator's Office supervises the implementation of the law in the investigation of crimes, the compliance with the law of court decisions in civil, criminal and administrative cases, in cases provided for by law, conducts a preliminary investigation, supports the state prosecution in the courts.

Article 126. The unified and centralized system of prosecutorial bodies is headed by the Prosecutor General, who is appointed **and dismissed by** the President with the **prior** consent of the Council of the Republic.

Subordinate prosecutors are appointed by General Prosecutor.

Article 127. The Attorney-General and subordinate prosecutors are independent in the exercise of their powers and are governed by the law. In his activities, the Prosecutor General is accountable to the President.

Article 128. The competence, organization and procedure for the activities of the prosecutorial bodies shall be determined by law.

## CHAPTER 8

### STATE CONTROL COMMITTEE

Article 129. State control over the execution of the republican budget, the use of state property, the execution of acts of the President, Parliament, the Government and other state bodies regulating state property relations, economic, financial and tax relations is carried out by the State Control Committee.

Article 130. The State Control Committee shall be formed by the President.

The Chairman of the State Control Committee shall be appointed **and dismissed** by the President **with the prior consent of the Council of the Republic**.

Article 131. The competence, organization and procedure for the activities of the State Control Committee shall be determined by law.

## CHAPTER VII

### FINANCIAL AND CREDIT SYSTEM OF THE REPUBLIC OF BELARUS

Article 132. The financial and credit system of the Republic of Belarus includes the budget system, the banking system, as well as the financial resources of extra-budgetary funds, organizations and citizens.

On the territory of the Republic of Belarus, a unified fiscal, tax, monetary, and foreign exchange policy is carried out.

Article 133. The budget system of the Republic of Belarus includes the republican and local budgets.

Budget revenues are formed at the expense of taxes determined by law, other mandatory payments, as well as other revenues.

National expenditures are carried out at the expense of the republican budget in accordance with its expenditure part.

In accordance with the law, extrabudgetary funds may be created in the Republic of Belarus.

Article 134. The procedure for the preparation, approval and execution of budgets shall be determined by law.

Article 135. A report on the execution of the republican budget shall be submitted to the Parliament for consideration no later than five months from the date of the end of the reporting financial year.

Reports on the execution of local budgets shall be submitted for consideration by the relevant Councils of Deputies within the period specified by law.

Reports on the execution of the republican and local budgets are published.

Article 136. The banking system of the Republic of Belarus consists of the National Bank of the Republic of Belarus and other banks. The National Bank regulates credit relations, money circulation, determines the procedure for settlements and has the exclusive right to issue money.

## CHAPTER VIII

### PROCEDURE FOR AMENDING AND SUPPLEMENTING THE CONSTITUTION

Article 137. **Excluded.**

Article 138. The issue of amending and supplementing the Constitution is considered by the chambers of the Parliament on the initiative of the President, **the All-Belarusian People's Assembly, at least one third of the of the full composition of each of the chambers of the Parliament or** at least 150 thousand citizens of the Republic of Belarus who have the right to vote.

Article 139. A law amending and supplementing the Constitution may be adopted after two discussions and approvals by the Parliament with an interval of at least three months.

Amendments and additions to the Constitution by the Parliament shall not be made during the period of a state of emergency **or martial law**, as well as in the last six months of the powers of the House of Representatives.

Article 140. **Laws on amendments and additions to the Constitution**, on the enactment of these laws shall be considered adopted if at least two thirds of the full composition of each of the Chambers of Parliament voted for them.

Amendments and additions to the Constitution can be carried out through a referendum. The decision to amend and supplement the Constitution by referendum is considered adopted if it is voted for by **more than half of the citizens who took part in the voting. It is considered that a referendum took place if more than half of the citizens** included in the voting lists **took part in it.**

Titles I, II, IV, VIII of the Constitution may be amended only by referendum.

## CHAPTER IX

### FINAL AND TRANSITIONAL PROVISIONS

Article 141. **Amendments to the Constitution shall enter into force on the date of the official publication of such amendments, unless otherwise specified in this Chapter.**

Article 142. **Laws, presidential decrees and other acts in force before the entry into force of amendments to the Constitution shall be applied to the extent that they do not contradict the Constitution.**

**Within two years of the entry into force of the amendments to the Constitution:**

**the laws provided for in the Constitution must be adopted or brought into conformity with the Constitution;**

**Presidential decrees must be brought into line with the Constitution and laws.**

**Presidential decrees issued before the entry into force of amendments to the Constitution shall be applied until they are declared invalid. The provisions of the relevant decrees take precedence over the provisions of the laws adopted prior to their issuance.**

Article 143. **State bodies (officials) carry out their activities during the period for which they were formed (elected, appointed), or until the termination of their powers in accordance with the established procedure.**

**Amendments to the Constitution limiting the number of terms during which the same person may hold the office of President shall enter into force on the date of assumption of office by the newly elected President.**

**Amendments to the Constitution concerning the procedure for the activities of the Parliament shall apply to the Parliament, which shall be elected after the entry into force of the amendments to the Constitution.**

Article 144. **The law defining the competence, procedure for the formation and activities of the All-Belarusian People's Assembly shall be adopted within a year from the date of entry into force of amendments to the Constitution.**

**In order to organize the proper work of the All-Belarusian People's Assembly, the President holding this position on the date of entry into force of the amendments to the Constitution may be elected Chairman of the All-Belarusian People's Assembly.**

**Article 145. Until the formation of the All-Belarusian People's Assembly, the election (appointment), dismissal from office of the Chairman and judges of the Constitutional Court, the Chairman and judges of the Supreme Court, the Chairman and members of the Central Election Commission, as well as other powers transferred to the All-Belarusian People's Assembly shall be exercised in the manner in force before the entry into force of amendments to the Constitution.**

**Article 146. Members of the Central Commission for Elections and Republican Referenda are recognized as members of the Central Election Commission and retain their powers for the entire period of their election (appointment).**

**The Central Election Commission exercises the authority to organize the election of delegates to the All-Belarusian People's Assembly after the entry into force of the law defining the competence, procedure for the formation and activities of the All-Belarusian People's Assembly.**

**Article 147. The chambers of the National Assembly of the seventh convocation shall retain their powers until the beginning of the powers of the chambers of the National Assembly of the eighth convocation.**

**Local Councils of Deputies of the twenty-eighth convocation shall exercise their powers until the beginning of the powers of the local Councils of Deputies of the twenty-ninth convocation.**

**Elections of deputies of the House of Representatives of the eighth convocation, deputies of local Councils of Deputies of the twenty-ninth convocation shall be held on a single voting day on the last Sunday of February 2024.**

**Article 148. Before bringing the legislation on constitutional proceedings into line with amendments to the Constitution, the Constitutional Court considers citizens' complaints about violations of their constitutional rights and freedoms in accordance with the procedure established for the consideration of initiative appeals.**