



Constitution of the Republic of Belarus

The Constitution of the Republic of Belarus is the Basic Law of the Republic of Belarus, which has the highest legal force and establishes the fundamental principles and norms of legal regulation of the most important social relations (*Article 12 of the Law of the Republic of Belarus of July 17, 2018 "On Normative Legal Acts"*).

The only source of state power and bearer of sovereignty in the Republic of Belarus is the people (*Article 3 of the Constitution of the Republic of Belarus*). Realizing their right to directly participate in managing the affairs of society and the state (*Article 37 of the Constitution of the Republic of Belarus*), citizens on the most important problems of state and public life determined the future of our state at republican referendums, the decisions of which, among other things, were reflected in changes and additions to the current Constitution of the Republic of Belarus. Republican referendums were held in the Republic of Belarus: May 14, 1995, November 24, 1996, October 17, 2004, February 27, 2022.

CONSTITUTION OF THE REPUBLIC OF BELARUS OF 1994

**(with amendments and additions adopted at the republican
referenda on**

November 24, 1996, October 17, 2004 and February 27, 2022)

Changes and additions:

Law of the Republic of Belarus dated October 12, 2021 No. 124-3 (National Legal Internet Portal of the Republic of Belarus, 10/14/2021, 2/2844) <H12100124>

We, the people of the Republic of Belarus (Belarus),
proceeding from the responsibility for the present and future of Belarus,
recognizing ourselves as a full-fledged subject of the world community and reaffirming our
commitment to universal values,
based on our inalienable right to self-determination, the preservation of national identity and
sovereignty,
relying on a centuries-old history of development of Belarusian statehood, cultural and spiritual
traditions,
asserting 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,
the independence and prosperity of the Republic of Belarus,
adopt this Constitution - the Basic Law of the Republic of Belarus.

SECTION I

FOUNDATIONS OF THE CONSTITUTIONAL ORDER

Article 1. The Republic of Belarus is a unitary democratic social legal state.

The Republic of Belarus has the supremacy and fullness of power on its territory, independently carries out domestic and foreign policy.

The Republic of Belarus protects its independence and territorial integrity, the constitutional system, ensures law and order.

Article 2. A person, his rights, freedoms and guarantees of their implementation 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 worthy development of the individual. A 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 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 within the limits determined by the Constitution.

Any actions 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, are punished in accordance with the law.

Article 4. Democracy in the Republic of Belarus is carried out on the basis of the ideology of the Belarusian state, as well as the diversity of political institutions and opinions.

The ideology of political parties, religious or other public associations, social groups cannot be established as obligatory for citizens.

Article 5. Political parties, other public associations, acting within the framework of the Constitution and laws of the Republic of Belarus, contribute to the realization and protection of the rights, freedoms and interests of man and citizen.

Political parties and other public associations have the right to use state media in the manner prescribed by law.

It is prohibited to create and operate political parties, as well as other public associations with the aim of forcibly changing the constitutional system or promoting war, social, national, religious and racial hostility.

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 their powers are independent: they interact with each other, restrain and balance each other.

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

The Constitution has the highest legal force and direct effect throughout the territory of the Republic of Belarus. Other legal acts are issued on the basis of and in accordance with the Constitution.

The state, all its bodies and officials, organizations and citizens act within the limits of the Constitution and acts of legislation 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, have no legal force.

Normative legal acts are subject to official publication or are communicated to the public in another way provided by law.

Article 8. The Republic of Belarus recognizes the priority of the universally recognized principles of international law and ensures that the legislation complies with them.

The Republic of Belarus, in accordance with the norms of international law, can enter and leave interstate formations on a voluntary basis.

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

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

The territory of Belarus is united and inalienable.

The administrative-territorial structure of the state is determined by law.

Article 10. A citizen of the Republic of Belarus is guaranteed the protection and patronage of the state both on the territory of Belarus and abroad.

Nobody can be deprived of citizenship of the Republic of Belarus or the right to change citizenship.

A citizen of the Republic of Belarus cannot be extradited to a foreign state, unless otherwise provided by international treaties of the Republic of Belarus.

Acquisition and termination of citizenship are carried out in accordance with the law.

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

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

Article 13 Property may be public or private.

The state provides everyone with equal rights to carry out economic and other activities, except for those prohibited by law, and guarantees equal protection and equal conditions for the development of all forms of ownership.

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

The state regulates economic activity in the interests of the individual and society; ensures the 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 in the ownership of 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 in order to increase the efficiency of their work and improve 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, respect for their rights and interests.

Relations in the social and labor sphere between government bodies, associations of employers and trade unions are carried out on the principles of social partnership and interaction of the parties.

Article 15. The state is responsible for the preservation of the historical, cultural and spiritual heritage, the free development of cultures of all national communities living in the Republic of Belarus.

The state ensures the preservation of historical truth and the memory of the heroic deed 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 the spiritual, cultural and state traditions of the Belarusian people.

The activity of religious organizations, their bodies and representatives, which is directed against the sovereignty of the Republic of Belarus, its constitutional order and civil accord, or is associated with violation of the rights and freedoms of citizens, and also prevents citizens from fulfilling their state, public, family duties or harms their health and morality.

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 generally 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, the State Emblem and the State Anthem. The description of state symbols and the procedure for their use are determined by law.

Article 20. The capital of the Republic of Belarus is the city of Minsk.

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

SECTION 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 a decent 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 the citizens of Belarus, enshrined in the Constitution, laws and stipulated by the international obligations of the state.

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 an 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 can enjoy benefits and privileges contrary to the law.

Article 24 Everyone has the right to life.

The state protects human life from any illegal encroachments.

The death penalty, until it is abolished, may be applied in accordance with the law as an exceptional measure of punishment for especially grave crimes and only according to a court verdict.

Article 25 The State ensures the freedom, inviolability and dignity of the individual. Restriction or deprivation of personal freedom is possible in cases and in the manner prescribed by law.

A person taken into 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 subjected to medical or other experiments without his consent.

Article 26. No one can be found guilty of a crime unless his guilt is proved in the manner prescribed by law and established by a court verdict that has entered into legal force. The accused is not required to prove his innocence.

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

Article 28 Everyone has the right to be protected from unlawful interference with his private life, including encroachment on the secrecy of his correspondence, telephone and other messages, on his honor and dignity.

The state creates conditions for the protection of personal data and the security of the individual and society in their use.

Article 29. The inviolability of the home and other lawful possessions of citizens is guaranteed. No one has the right, without legal grounds, to enter a dwelling or other legal 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 return without hindrance.

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

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

A woman and a man, upon reaching marriageable age, have the right to voluntarily marry and start a family. Spouses have equal rights in marriage and family.

Parents or persons replacing them have the right and obligation 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 should not be subjected to cruel treatment or humiliation, involved in work that may harm his physical, mental or moral development. Children are obliged to take care of their parents, as well as of persons replacing them, and to provide assistance to them.

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

The state ensures the priority of raising children in the family. Children may be separated from their family against the will of their parents and other persons replacing them, only on the basis of a court decision, if the parents or other persons replacing them do not fulfill their duties.

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

Article 32¹ . 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, belief and their free expression.

No one can be forced to express their beliefs or to renounce them.

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

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

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

The use of information may be limited by law in order to protect the honor, 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, which do not violate the rule of law and the rights of other citizens of the Republic of Belarus, is guaranteed by the state. The procedure for carrying out these activities is determined by law.

Article 36 Everyone has the right to freedom of association.

Citizens for the implementation and satisfaction of political, social, economic, cultural and other interests have the right to create political parties and other public associations, participate in their activities.

Political parties and other public associations are created and operate in accordance with the law.

Judges, prosecutors, employees of the State Control Committee, paramilitary organizations, military personnel cannot be members of political parties.

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

The direct participation of citizens in managing 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 significance, and in other ways determined by law.

In the manner prescribed by law, citizens of the Republic of Belarus take part in the discussion of issues of state and public life at republican and local meetings.

Article 38 Citizens of the Republic of Belarus have the right to freely elect and 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 professional training, have the right of equal access to any positions in state bodies.

Article 40 Everyone has the right to send personal 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 reasoned in writing.

article **41** safe working conditions.

The state creates conditions for full employment of the population. In the event that a person is unemployed for reasons beyond his control, he is guaranteed training in new specialties and advanced training, taking into account social needs, as well as unemployment benefits in accordance with the law.

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

Forced labor is prohibited, other than work or service, on the basis of a court order or in accordance with the laws of emergency and martial law.

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

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

Article 43 Workers have the right to rest. For employees, this right is ensured by the establishment of a working week not exceeding 40 hours, reduced hours of work at night, the provision of annual paid holidays, days of weekly rest.

Article 44 The State guarantees the right of property to everyone and facilitates 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 are protected by law.

Legally acquired property is protected by the state.

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

The forced alienation of property is allowed only for reasons of public necessity, subject to the conditions and procedures determined by law, with timely and full compensation for the value of the alienated property, as well as in accordance with a court order.

The exercise of the right of ownership should not be contrary to public benefit and security, harm the environment, historical and cultural values, infringe on the rights and legally protected interests of others.

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

The state creates 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 environment, the possibility of using health-improving institutions, and improving labor protection.

Article 46 Everyone has the right to a favorable environment and to compensation for damage caused by the violation of this right.

The state exercises control over the rational use of natural resources in order to protect and improve living conditions, as well as to protect and restore the environment.

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

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

The state shows special concern for veterans of war and labor, for persons who have lost their health while protecting state and public interests, as well as for the disabled and the elderly.

Disabled persons shall be provided with equal opportunities for exercising human and civil rights and freedoms. The state is implementing a policy of social integration of disabled people, creating an accessible environment and improving their quality of life, and supporting families with disabled people.

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, assistance to citizens in the acquisition of housing.

Citizens in need of social protection are provided with housing by the state and local self-government free of charge or at a fee affordable to them in accordance with the law.

No one can be arbitrarily deprived of housing.

Article 49 Everyone has the right to education.

The availability and free of charge of general secondary and vocational education are guaranteed.

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

Article 50 Everyone has the right to maintain his national identity, just as no one can be forced to determine and indicate nationality.

Insulting national dignity is punishable by law.

Everyone has the right to use their native language, to choose the language of communication. The state guarantees, in accordance with the law, the freedom to choose the language of education and instruction.

Article 51 Everyone has the right to participate in cultural life. This right is ensured by the general accessibility of the values of national and world culture, which 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 observe its Constitution, laws and respect the state symbols and national traditions of Belarus.

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

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

Preservation of the historical memory of the heroic past of the Belarusian people, patriotism is the duty of every citizen of the Republic of Belarus.

Article 55 Protecting the natural environment and respecting natural resources is everyone's duty.

Article 56 Citizens of the Republic of Belarus are obliged to take part in the financing of state 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 passing military service, the grounds and conditions for exemption from military service or its replacement with an alternative one are determined by law.

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

Article 59. The state is obliged to take all measures available to it to create an internal and international order necessary for the full implementation of the rights and freedoms of citizens of the Republic of Belarus, provided for by the Constitution.

State bodies, officials and other persons entrusted with the performance of state functions are obliged, within their competence, to take the necessary measures to exercise and protect 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 by a competent, independent and impartial court in the manner and within the time limits determined by law. Decisions and actions (inaction) of state bodies and officials that infringe rights and freedoms may be appealed to the court.

In order to protect the rights, freedoms, honor and dignity, 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 in order to protect their rights and freedoms, if all available domestic legal remedies have been exhausted.

Article 62. Everyone has 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 other representatives in court, other state bodies, other organizations and in relations with officials and citizens. In cases stipulated 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 by this Constitution may be suspended only in a state of emergency or martial law in the manner and within the limits determined by the Constitution and the law.

When implementing special measures during a state of emergency, the rights provided for in Article 24 , part three of Article 25 , Articles 26 , 31 of the Constitution cannot be restricted.

SECTION III ELECTORAL SYSTEM. REFERENDUM

CHAPTER 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 18 years of age have the right to vote.

Citizens recognized by the court as legally incompetent, persons held by a court verdict in places of deprivation of liberty do not have the right to elect and be elected.

Age and other qualifications for deputies and other persons elected to public office are determined by the relevant laws, unless otherwise provided by the Constitution.

Any direct or indirect restriction of the electoral rights of citizens in other cases is unacceptable and is punishable in accordance with the law.

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 publicly.

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

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

Article 67 Elections of deputies are direct: deputies are directly elected 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 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 Expenses for the preparation and holding of elections shall be covered by the state within the limits of the funds allocated for these purposes. In cases stipulated by law, expenses for the preparation and conduct of elections may be covered by funds of political parties, other organizations, and citizens.

It is prohibited to finance expenses for the preparation and holding of elections by foreign states and organizations, foreign citizens, as well as in other cases provided for by law.

Article 71. Elections are conducted by election commissions, unless otherwise provided by the Constitution.

The system of election commissions is headed by the Central Election Commission. The Central Election Commission organizes the elections of the President, delegates of 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, holding republican referendums, exercises control over the implementation of the legislation on elections and referendum, as well as 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, formation procedure, competence of election commissions and guarantees of their independence are determined by law.

The procedure for conducting elections is determined by law.

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

Article 72

Voting on the recall of a deputy is carried out in the manner prescribed for the election of a deputy, at 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.

CHAPTER 2 REFERENDUM (POPULAR VOTE)

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

Article 74 at the proposal of at least 450 thousand citizens with the right to vote, including at least 30 thousand citizens from each of the regions and the city of Minsk.

Issues submitted to a republican referendum are subject to verification for compliance with the Constitution.

The President, after submitting proposals of the All-Belarusian People's Assembly, the House of Representatives and the Council of the Republic or citizens on holding a referendum, in accordance with the law, calls 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 calling the referendum.

Decisions adopted by the republican referendum are signed by the President of the Republic of Belarus.

Article 75 Local referendums are called by the relevant local representative bodies on their own initiative or at the proposal of at least ten percent of citizens who have the right to vote and reside in the respective territory.

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

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

Article 77 Decisions adopted by a referendum may be canceled or changed only by a referendum, unless otherwise determined by a referendum.

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

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

CHAPTER 3

THE 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, the rights and freedoms of man and citizen.

The President embodies 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, mediates between state authorities.

Article 80 a document of a foreign state giving the right to benefits and other benefits.

Article 81. The President is elected for a period 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 with at least 100,000 signatures of voters.

Presidential elections are called by the House of Representatives no later than five months and are held no later than two months before the expiration of the term of office of the previous President.

If the position of the President is vacant, elections are 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 list of voters 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 received the required number of votes, then within two weeks a second round of voting is held for the two candidates who received the largest number of votes. A presidential candidate who receives more than half of the votes of the voters who took part in the voting is considered elected.

The procedure for conducting presidential elections is determined by law.

Article 83 The President takes office after taking the following oath:

“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 members of the Presidium of the All-Belarusian People's Assembly, 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 the election of the President. From the moment of taking the Oath by the newly elected President, the powers of the previous President cease.

Article 84. The President of the Republic of Belarus:

1) appoints republican referendums;

- 2) calls regular and extraordinary elections to the House of Representatives, the Council of the Republic and local representative bodies;
- 3) dissolves the chambers in cases and in the manner prescribed by the Constitution;
- 4) excluded;
- 5) forms, abolishes and reorganizes the Administration of the President of the Republic of Belarus, other state bodies and other organizations, as well as consultative and advisory and other bodies under the President, determines their status;
- 6) with the prior consent of the House of Representatives, appoints the Prime Minister;
- 7) determine the structure of the Government of the Republic of Belarus, appoint and dismiss deputies of the Prime Minister, ministers and other members of the Government, decide on the resignation of the Government or its members;
- 8) excluded;
- 9) with the prior consent of the Council of the Republic, appoints the Prosecutor General, the Chairman of the State Control Committee, the Chairman and members of the Board of the National Bank and dismisses them on the grounds provided for by law;
- 10) appoints judges of courts of general jurisdiction and dismisses them from office on the grounds provided for by law, unless otherwise provided by the Constitution;
- 11) excluded;
- 12) excluded;
- 13) addresses with 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) addresses with 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 speak before them at any time with a speech or message;
- 15) has the right to preside at meetings of the Government of the Republic of Belarus;
- 16) appoints representatives of the President in Parliament, assistants, commissioners and other officials whose positions are determined in accordance with the law, unless otherwise provided by the Constitution;
- 17) resolves issues of admission to the citizenship of the Republic of Belarus, its termination and granting asylum;
- 18) awards state awards, assigns class ranks and titles, deprives state awards, class ranks and titles on the grounds provided for by law;
- 19) pardon convicts;
- 20) negotiates and signs international treaties, appoints and dismisses ambassadors and permanent representatives to international organizations;
- 21) accepts letters of credence and revocable letters of diplomatic representatives of foreign states accredited to him;
- 22) in the event of a natural disaster, catastrophe, as well as attempts to forcibly change the constitutional order, seize or appropriate state power, armed rebellion, mass and other riots, accompanied by violence or the threat of violence on the part of a group of persons and organizations,

as a result of which there is a danger to life and the health of people, the territorial integrity and existence of the state, introduces a state of emergency on the territory of the Republic of Belarus or in its individual areas, submitting the adopted decision for approval by the Council of the Republic within three days;

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

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

25) has the right to cancel acts of the Government;

26) directly or through the bodies created by him, exercise control over compliance with the law by local government and self-government bodies; has the right to suspend decisions of local Councils of Deputies and cancel decisions of local executive and administrative bodies in case of their inconsistency with 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) imposes martial law on the territory of the Republic of Belarus in case of a military threat or attack, declares full or partial mobilization with 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, issues 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 offices, unless otherwise provided by the Constitution, and also receive monetary rewards in addition to wages, with the exception of royalties 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 is accepted by the House of Representatives.

Article 88. The President may be prematurely dismissed from office if he is permanently unable to perform the duties of the President due to health reasons. The decision on the early release of the President is made by a majority of at least two-thirds of the votes of the full composition of the House of Representatives and by a majority of at least two-thirds of the votes of the full composition of the Council of the Republic based on the conclusion of a commission specially created 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 by the President of the Constitution or the commission of high treason or other grave crime.

A 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 into the accusation is being 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 conclusion of the Constitutional Court on the existence of facts of systematic or gross violation of the Constitution by the President in the event that 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 the majority of the entire composition of the All-Belarusian People's Assembly voted for him.

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 file an accusation means the dismissal of the accusation. A proposal to bring charges against the President and remove him from office cannot be initiated during the period of consideration in accordance with the Constitution of the issue of early termination of the powers of 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 88¹ . In the event of a vacancy in the office of the President or the impossibility of fulfilling his duties on the grounds provided for by the Constitution, his powers, until the swearing in of the newly elected President, are transferred to the Chairman of the Council of the Republic.

In the event of the death of the President as a result of an attempt on his life, an act of terrorism, military aggression, as a result of other actions of a violent nature:

meetings of the Security Council are held under the leadership of the Chairman of the Council of the Republic;

immediately, on the basis of a decision of the Security Council, in the prescribed manner, a state of emergency or martial law is introduced on the territory of the Republic of Belarus;

state bodies and officials act in accordance with the decisions of the Security Council.

Article 89 The President has immunity, his honor and dignity are protected by law.

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

The President, who has terminated the exercise of his powers, cannot be held liable for actions committed in connection with the exercise of his presidential powers.

The status of the President who has terminated the exercise of his powers is established by law.

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CHAPTER 3

ALL-BELARUSIAN PEOPLE'S ASSEMBLY

Article 89¹ . 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 order, the continuity of generations and civil harmony.

Article 89² . The delegates of the All-Belarusian National Assembly are:

President of the Republic of Belarus;

the President of the Republic of Belarus, who terminated the exercise of his powers due to the expiration of his tenure in office or ahead of schedule in the event of his resignation;

representatives of the legislative, executive and judicial authorities;

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 the city of Minsk in the manner prescribed by law.

The maximum number of delegates to 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 work (service) activities.

The Presidium is a collegial body ensuring, in accordance with the procedure established by law, the prompt resolution of issues 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 89³ . All-Belarusian National Assembly:

- 1) approves the main directions of domestic and foreign policy, military doctrine, the concept of national security;
- 2) approves the programs of social and economic development of the Republic of Belarus;
- 3) hears the Prime Minister on the implementation of the programs of socio-economic development of the Republic of Belarus;
- 4) propose amendments and additions to the Constitution;
- 5) proposes holding republican referendums;
- 6) have the right to consider the issue of the legitimacy of elections;
- 7) decide on the removal of the President from office in the event of a systematic or gross violation of the Constitution by him or the commission of treason or other serious crime;
- 8) have the right to introduce a state of emergency or martial law on the territory of the Republic of Belarus if there are grounds provided for by the Constitution, and in case of inaction of the President on these issues; the introduction of a state of emergency or martial law is considered by the All-Belarusian People's Assembly at the initiative of the Presidium of the All-Belarusian People's Assembly or the Council of the Republic;
- 9) at the proposal of the President, previously agreed with the Presidium of the All-Belarusian People's Assembly:

elects the Chairman, Deputy Chairman and judges of the Constitutional Court and dismisses them from office on the grounds provided for by law;

elects the Chairman, Vice-Chairmen and judges of the Supreme Court and dismisses them on the grounds provided for by law;

elects the Chairman and members of the Central Electoral Commission and dismisses them on the grounds provided for by law;

10) at the proposal of the President, makes a decision 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) establish public holidays and public holidays;

12) award the President with state awards, and also propose persons for awarding state awards;

13) gives binding instructions to state bodies and officials, receives information from state bodies and officials, exercises other powers established by the Constitution and the law, necessary for the implementation of the constitutional functions assigned to him.

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Article 89 . 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 chambers of the National Assembly (by a 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 ⁵ . The All-Belarusian People's Assembly makes decisions to implement the constitutional functions entrusted to it.

Decisions of the All-Belarusian People's Assembly are binding and can cancel legal acts, other decisions of state bodies and officials that are contrary to the interests of national security, with the exception of acts of the judiciary.

Article 89 ⁶ . The competence, procedure for the formation and activities of the All-Belarusian People's Assembly are determined by the Constitution and the law.

CHAPTER 4

PARLIAMENT - NATIONAL ASSEMBLY

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

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

Article 91. Composition of the House of Representatives - 110 deputies. Election of deputies of the House of Representatives is carried out in accordance with the law on the basis of universal, free, equal, direct suffrage by secret ballot.

The Council of the Republic is the chamber of territorial representation. From each region and city of Minsk, eight members of the Council of the Republic are elected by secret ballot at meetings of deputies of local Councils of Deputies of the base level of each region and city of Minsk. Eight members of the Council of the Republic are 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 terminated the exercise of his powers due to the expiration of his tenure in office or ahead of schedule in the event of his resignation.

Elections of the new composition of the Houses of Parliament are scheduled no later than three months before the single voting day.

Extraordinary elections of the chambers of the Parliament are held within three months from the date of early termination of the powers of the chambers of the Parliament.

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

A citizen of the Republic of Belarus who has reached the age of 30 and has lived in the territory of the relevant region, the city of Minsk for at least five years may be a member of the Council of the Republic.

Deputies of the House of Representatives exercise their powers in Parliament on a professional basis.

The same person cannot be a member of two Houses of Parliament at the same time. A deputy of the House of Representatives cannot be a member of the Government, a deputy of the local Council of Deputies. A member of the Council of the Republic cannot be a member of the Government at the same time. It is not allowed to combine the duties of a deputy of the House of Representatives, a member of the Council of the Republic with the simultaneous holding of the office of the President or a judge.

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

The first session of the Houses of Parliament after the elections is convened by the Central Electoral Commission and begins its work no later than 30 days after the elections. The thirty-day period for convening and starting the work of the first session of the House of Representatives is counted from the election day. 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 base 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 the manner prescribed by the Constitution, the powers of the House of Representatives or the Council of the Republic may be terminated early. 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 prematurely terminated in case of refusal of confidence in the Government, expression of a vote of no confidence in the Government, or two-fold 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 prematurely terminated on the basis of the opinion of the Constitutional Court in the event of a systematic or gross violation of the Constitution by the Houses of Parliament.

Decisions on these issues are made by the President no later than within two months after official consultations with the chairmen of the chambers.

Chambers cannot be dissolved during a state of emergency or martial law, during the last six months of the President's term, during the period when the chambers decide on the issue of early dismissal of the President from office, or during the period when the All-Belarusian People's Assembly decides on the issue of removing the President from office.

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

In case of dissolution of the chambers of the Parliament, the newly elected members of the respective chamber shall exercise their powers until the commencement of the powers of the Parliament elected on a single day of voting.

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

The House of Representatives, the Council of the Republic, in case of special need, are convened for an extraordinary session by the chairmen of the chambers at the initiative of the President or a majority of 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 period specified 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 meetings and are in charge of the internal order of the chambers.

The House of Representatives and the Council of the Republic elect standing commissions and other bodies from among their members to conduct legislative work, preliminary consideration and preparation of issues related to the jurisdiction of the chambers.

Article 97 House of Representatives:

1) considers, at the proposal of the President, the All-Belarusian People's Assembly, at least one third of the total composition of each of the chambers of the Parliament or at 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) considers draft laws on ratification and denunciation of international treaties; on the main content and principles of the exercise of the rights, freedoms and duties of citizens; on citizenship, the status of foreigners and stateless persons; on the rights of national minorities; on the establishment of republican taxes and fees; on the principles of implementation of property relations; on the basics of social protection; on the principles of regulation of labor and employment; about marriage, family, childhood, motherhood, fatherhood, upbringing, education, culture and health care; on environmental protection and rational use of natural resources; on determining the procedure for resolving issues of the administrative-territorial structure of the state; about local self-government; about the judiciary and the status of judges; on criminal liability; about amnesty; on the declaration of war and the conclusion of peace; on the legal regimes of emergency and martial law; on the establishment of state awards; on the interpretation of laws; drafts of other laws;

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2) considers draft laws on the republican budget and on the approval of the report on its execution. Draft laws on the republican budget and on the approval of the report on its execution are submitted to the House of Representatives by the Government in agreement with the President;

3) calls the election of the President;

4) gives prior consent to the President for appointment to the office of the Prime Minister;

5) hears the Prime Minister's report on the Government's program of activities and approves or rejects the program; repeated rejection of the program by the House means the expression of a vote of no confidence in the Government;

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5) 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) considers, 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 entire composition of the House of Representatives, expresses a vote of no confidence in the Government; the question of the responsibility of the Government cannot be raised within a year after the approval of the program of its activities;
- 8) accept the resignation of the President;
- 9) excluded;
- 10) cancel the orders of the President of the House of Representatives.

The House of Representatives may decide on other matters, if so provided by the Constitution.

Article 98. Council of the Republic:

- 1) approves or rejects draft laws on amendments and additions to the Constitution adopted by the House of Representatives; drafts of other laws;
- 2) gives prior consent to the President for 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;
 - 1) 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) excluded;
- 4) excluded;
- 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 a systematic or gross violation of the requirements of the law and in other cases provided for by law;
- 7) excluded;
- 8) consider the decrees of the President on the introduction of a state of emergency, martial law, full or partial mobilization and, no later than three days after their submission, make an appropriate decision.

The Council of the Republic may decide on other issues, if it is provided for by 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 the reduction of public funds, the creation or increase of expenses, are submitted to the House of Representatives in the presence of the opinion of the Government.

The President or, on his instructions, the Government have the right to submit proposals to the House of Representatives and the Council of the Republic on declaring the consideration of a draft law urgent. The House of Representatives and the Council of the Republic in this case must consider this draft within ten days from the date of submission for their consideration.

At the request of the President or, with his consent, the Government, the House of Representatives, the Council of the Republic, at their meetings, adopt decisions by voting as a whole for the entire project submitted by the President or the Government or part of it, retaining only those amendments that are proposed or adopted by the President or the Government.

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

A bill, except as otherwise provided by the Constitution, becomes law when passed by the House of Representatives and approved by the Council of the Republic by a majority vote of the full membership of each house.

The law on the republican budget for the next financial year is adopted before the beginning of the financial year. If the law on the republican budget is not adopted within the specified period, temporary management of the republican budget is carried out.

Bills adopted by the House of Representatives are submitted within five days 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.

Закон считается одобренным Советом Республики, если за него проголосовало большинство от полного состава Совета Республики, либо если в течение двадцати дней, а при объявлении законопроекта срочным – десяти дней со дня внесения он не был рассмотрен Советом Республики. В случае отклонения законопроекта Советом Республики палаты могут создать согласительную комиссию, формируемую на паритетной основе, для преодоления возникших разногласий. Текст законопроекта, выработанный согласительной комиссией, представляется на одобрение обеих палат.

Если согласительной комиссией не принят согласованный текст законопроекта, Президент либо по его поручению Правительство могут потребовать, чтобы Палата представителей приняла окончательное решение. Закон считается принятым Палатой представителей при условии, что за него проголосовало не менее двух третей от полного состава Палаты представителей.

Закон, принятый Палатой представителей и одобренный Советом Республики либо принятый Палатой представителей в порядке, предусмотренном настоящей статьей, представляется в десятидневный срок Президенту на подпись. Если Президент согласен с текстом закона, он в двухнедельный срок подписывает закон.

Если Президент в течение указанного срока обратится в Конституционный Суд с предложением о проверке конституционности закона, срок для подписания такого закона приостанавливается на время рассмотрения предложения Конституционным Судом. Заключение Конституционного Суда должно быть принято не позднее десяти дней со дня внесения Президентом соответствующего предложения. Если Конституционный Суд подтвердит конституционность закона, Президент подписывает его в пятидневный срок со дня принятия Конституционным Судом соответствующего заключения. В случае признания Конституционным Судом закона не соответствующим Конституции Президент возвращает его в Палату представителей.

Если Президент не возвращает какой-либо закон на протяжении двух недель после того, как он был представлен Президенту, а в случае принятия Конституционным Судом заключения о конституционности закона – пяти дней со дня принятия соответствующего заключения, закон считается подписанным. Закон не считается подписанным и не вступает в силу, если он не мог быть возвращен в Парламент в связи с окончанием сессии.

При несогласии с текстом закона Президент возвращает его со своими возражениями в Палату представителей, которая должна рассмотреть закон с возражениями Президента не позднее тридцати дней. Если закон будет принят Палатой представителей большинством не менее двух третей голосов от полного состава, он вместе с возражениями Президента в пятидневный срок направляется в Совет Республики, который также должен рассмотреть его повторно не позднее двадцати дней. Закон считается принятым, если он одобрен большинством не менее двух третей голосов от полного состава Совета Республики. Закон после преодоления Палатой представителей и Советом Республики возражений Президента подписывается Президентом в пятидневный срок. Закон вступает в силу и в том случае, если он не будет подписан Президентом в этот срок.

В таком же порядке палатами рассматриваются возражения Президента на отдельные положения закона, которые возвращаются для повторного голосования. В этом случае до вынесения соответствующего решения Палатой представителей и Советом Республики закон подписывается Президентом и вступает в силу, за исключением тех положений, относительно которых имеются возражения Президента.

Статья 101. Исключена.

Статья 102. Депутаты Палаты представителей и члены Совета Республики пользуются неприкосновенностью при выражении своих мнений и осуществлении своих полномочий. Это не относится к обвинению их в клевете и оскорблении.

В течение срока своих полномочий депутаты Палаты представителей и члены Совета Республики могут быть арестованы, иным образом лишены личной свободы лишь с предварительного согласия соответствующей палаты, за исключением совершения государственной измены или иного тяжкого преступления, а также задержания на месте совершения преступления.

Уголовное дело в отношении депутата Палаты представителей или члена Совета Республики рассматривается Верховным Судом.

Статья 103. Заседания палат являются открытыми. Палаты, если этого требуют интересы государства, могут принять решение о проведении закрытого заседания большинством голосов от их полного состава. Во время заседаний, в том числе и закрытых, Президент, его представители, Премьер-министр и члены Правительства могут выступать вне очереди записавшихся для выступления столько раз, сколько они этого потребуют.

Палаты могут собираться совместно для заслушивания ежегодной информации Генерального прокурора, Председателя Комитета государственного контроля и Председателя Правления Национального банка о результатах их деятельности, а также для решения иных вопросов, входящих в компетенцию Парламента.

Одно заседание в месяц резервируется для вопросов депутатов Палаты представителей и членов Совета Республики и ответов Правительства.

Депутат Палаты представителей, член Совета Республики вправе обратиться с запросом к Премьер-министру, членам Правительства, руководителям государственных органов. Запрос должен быть включен в повестку дня палаты. Ответ на запрос надлежит дать в течение двадцати сессионных дней в порядке, установленном палатой Парламента.

Заседание палаты считается правомочным при условии, что в нем участвует большинство депутатов Палаты представителей или членов Совета Республики от полного состава палаты.

Голосование в Палате представителей и Совете Республики открытое и осуществляется лично депутатом, членом Совета Республики путем подачи голоса «за» или «против». Тайное голосование проводится только при решении кадровых вопросов.

Статья 104. Решения Палаты представителей принимаются в форме законов и постановлений. Постановления Палаты представителей принимаются по вопросам распорядительного и контрольного характера.

Решения Совета Республики принимаются в форме постановлений.

Решения палат считаются принятыми при условии, что за них проголосовало большинство от полного состава палат, если иное не предусмотрено Конституцией.

Законы подлежат немедленному официальному опубликованию после их подписания и вступают в силу через десять дней после опубликования, если в самом законе не установлен иной срок.

Закон не имеет обратной силы, за исключением случаев, когда он смягчает или отменяет ответственность граждан.

Статья 105. Порядок деятельности Палаты представителей, Совета Республики, их органов, депутатов Палаты представителей и членов Совета Республики определяется законом и регламентами палат, которые подписываются председателями палат.

ГЛАВА 5

ПРАВИТЕЛЬСТВО – СОВЕТ МИНИСТРОВ РЕСПУБЛИКИ БЕЛАРУСЬ

Статья 106. Исполнительную власть в Республике Беларусь осуществляет Правительство – Совет Министров Республики Беларусь – центральный орган государственного управления.

Правительство в своей деятельности подотчетно Президенту Республики Беларусь и ответственно перед Парламентом Республики Беларусь.

Правительство слагает свои полномочия перед вновь избранным Президентом Республики Беларусь.

Правительство Республики Беларусь состоит из Премьер-министра, его заместителей и министров. В состав Правительства могут входить и руководители других государственных органов и организаций.

Премьер-министр назначается Президентом Республики Беларусь с предварительного согласия Палаты представителей. Решение по этому вопросу принимается Палатой представителей не позднее чем в двухнедельный срок со дня внесения предложения по кандидатуре Премьер-министра. В случае двукратного отказа в даче предварительного согласия на назначение Премьер-министра Палатой представителей Президент Республики Беларусь вправе назначить исполняющего обязанности Премьер-министра, распустить Палату представителей и назначить новые выборы.

Работой Правительства руководит Премьер-министр.

Премьер-министр:

- 1) осуществляет непосредственное руководство деятельностью Правительства и несет персональную ответственность за его работу;
- 2) подписывает постановления Правительства;
- 3) в двухмесячный срок после своего назначения представляет Парламенту программу деятельности Правительства, а в случае ее отклонения представляет повторную программу деятельности Правительства в течение двух месяцев;
- 4) информирует Президента об основных направлениях деятельности Правительства и о всех его важнейших решениях;
- 4¹) ежегодно информирует Всебелорусское народное собрание о выполнении программ социально-экономического развития Республики Беларусь;
- 5) осуществляет другие полномочия, связанные с организацией и деятельностью Правительства.

Правительство или любой член Правительства вправе заявить Президенту о своей отставке, если считают невозможным дальнейшее осуществление возложенных на них

обязанностей. Правительство заявляет Президенту об отставке в случае выражения Палатой представителей вотума недоверия Правительству.

Премьер-министр может поставить перед Палатой представителей вопрос о доверии Правительству по представленной программе или по конкретному поводу. Если Палата представителей в доверии отказывает, Президент вправе в десятидневный срок принять решение об отставке Правительства или о роспуске Палаты представителей и назначении новых выборов. При отклонении отставки Правительство продолжает осуществлять свои полномочия.

Президент вправе по собственной инициативе принять решение об отставке Правительства и освободить от должности любого члена Правительства.

В случае отставки или сложения полномочий Правительство Республики Беларусь по поручению Президента продолжает осуществлять свои полномочия до формирования нового Правительства.

Статья 107. Правительство Республики Беларусь:

руководит системой подчиненных ему республиканских органов государственного управления и иных организаций, а также по вопросам, входящим в его компетенцию, системой местных исполнительных и распорядительных органов;

разрабатывает основные направления внутренней и внешней политики и принимает меры по их реализации;

разрабатывает и вносит по согласованию с Президентом в Палату представителей проекты законов о республиканском бюджете и об утверждении отчета о его исполнении; обеспечивает исполнение республиканского бюджета;

обеспечивает проведение единой экономической, финансовой, кредитной и денежной политики, государственной политики в области науки и инноваций, культуры, образования, здравоохранения, экологии, социального обеспечения и оплаты труда, государственно-частного партнерства;

принимает меры по обеспечению прав и свобод граждан, защите интересов государства, национальной безопасности и обороноспособности, охране собственности и общественного порядка, борьбе с преступностью;

выступает от имени собственника в отношении имущества, являющегося собственностью Республики Беларусь, организует управление государственной собственностью;

обеспечивает исполнение Конституции, решений Всебелорусского народного собрания, законов, актов Президента;

отменяет акты министерств и иных подчиненных ему республиканских органов государственного управления;

вносит Президенту предложения об отмене решений местных исполнительных и распорядительных органов в случае несоответствия их законодательству;

осуществляет иные полномочия, возложенные на него Конституцией, законами и актами Президента.

Статья 108. Правительство принимает постановления, имеющие обязательную силу на всей территории Республики Беларусь.

Премьер-министр издает в пределах своей компетенции распоряжения.

Постановления Правительства и распоряжения Премьер-министра не должны противоречить законам и решениям Президента.

Компетенция, порядок организации и деятельности Правительства определяются на основе Конституции законом о Совете Министров Республики Беларусь.

ГЛАВА 6 СУД

Статья 109. Судебная власть в Республике Беларусь осуществляется судами.

Система судов строится на принципах территориальности и специализации.

Судоустройство в Республике Беларусь определяется Конституцией и законом.

Образование чрезвычайных судов запрещается.

Статья 110. Судьи при осуществлении правосудия независимы и подчиняются только закону.

Какое-либо вмешательство в деятельность судей по отправлению правосудия недопустимо и влечет ответственность по закону.

Статья 111. Судьи не могут осуществлять предпринимательскую деятельность, выполнять иную оплачиваемую работу, кроме преподавательской и научно-исследовательской.

Основания для избрания (назначения) судей на должности и их освобождения предусматриваются законом.

Статья 112. Суды осуществляют правосудие на основании Конституции и принятых в соответствии с ней иных нормативных правовых актов.

Если при рассмотрении конкретного дела у суда возникнут сомнения в конституционности нормативного правового акта, подлежащего применению, суд до вынесения судебного постановления ставит в установленном законом порядке перед Конституционным Судом вопрос о проверке конституционности данного нормативного правового акта.

Статья 112¹. Верховный Суд возглавляет систему судов общей юрисдикции и является высшим судебным органом, который осуществляет правосудие посредством гражданского, уголовного и иных форм судопроизводства, предусмотренных законом.

Председатель, заместители Председателя и судьи Верховного Суда избираются и освобождаются от должности Всебелорусским народным собранием. Председатель и заместители Председателя Верховного Суда избираются из числа судей Верховного Суда.

Article 113. Cases in the courts are considered by judges individually, and in cases provided for by law - collectively.

Article 114. Trial of cases in all courts is open.

Hearing cases in a closed court session is allowed only in cases specified by law, in compliance with all rules of legal proceedings.

Article 115. Justice is carried out on the basis of competitiveness 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 process have the right to appeal against decisions, sentences and other judicial decisions.

article 116

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, Deputy Chairman and judges of the Constitutional Court are elected and dismissed by the All-Belarusian People's Assembly. The Chairman and Deputy Chairman of the Constitutional Court are elected from among the judges of the Constitutional Court.

Judges of the Constitutional Court are elected for 11 years.

The competence, organization and procedure for the activities of the Constitutional Court are determined by the Constitution and the law.

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Article 116 . 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 conformity of laws, decrees of the President, resolutions of the Council of Ministers, normative legal acts of other state bodies to 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 conformity of the Constitution with the laws adopted by the Parliament prior to their signing by the President;

on the constitutionality of issues submitted to the republican referendum;

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

In the cases provided for by the Constitution, the Constitutional Court within two weeks gives an opinion:

at the suggestion 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;

at the proposal of the President on the presence of facts of systematic or gross violation of the Constitution by the chambers of the Parliament.

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

The Constitutional Court, in the manner prescribed by law, makes decisions:

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

at the request of the courts, checking the constitutionality of normative legal acts to be applied when considering specific cases by the courts.

The conclusions and decisions of the Constitutional Court are final and not subject to appeal or protest.

CHAPTER V

LOCAL GOVERNMENT AND SELF-GOVERNMENT

Article 117. Local government and self-government is exercised by citizens through local Soviets of Deputies, executive and administrative bodies, bodies of territorial public self-government, local referendums, meetings and other forms of direct participation in state and public affairs.

Article 118. Local Councils of Deputies are elected by the citizens of the respective 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 newly elected composition of this Council of Deputies shall exercise its powers until the commencement of the powers of the local Councils of Deputies elected on a single voting day.

Article 119

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

Article 121. The exclusive competence of local Soviets of Deputies includes:

approval of programs for socio-economic development, local budgets and reports on their implementation;

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

determination, within the limits established by law, of the procedure for managing and disposing of communal property;

appointment of local referendums.

Article 122. Local Councils of Deputies, executive and administrative bodies, on the basis of the current legislation, adopt decisions that have binding force in the respective territory.

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

Decisions of local executive and administrative bodies that do not comply with the law are canceled 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 that restrict or violate the rights, freedoms and legitimate interests of citizens, as well as in other 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 early termination of the powers of local Councils of Deputies shall be determined by law.

Article 124

SECTION VI PROSECUTION. STATE CONTROL COMMITTEE

CHAPTER 7 PROSECUTION OFFICE

Article 125 prosecutors.

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

Article 126 The unified and centralized system of prosecution 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 the Attorney General.

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

Article 128

CHAPTER 8 STATE CONTROL COMMITTEE

Article 129

Article 130 The State Control Committee is formed by the President.

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

Article 131

SECTION VII FINANCIAL AND CREDIT SYSTEM OF THE REPUBLIC OF BELARUS

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

On the territory of the Republic of Belarus, a unified budgetary-financial, tax, monetary and foreign exchange policy is being pursued.

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

Budget revenues are formed from taxes determined by law, other obligatory payments, as well as other receipts.

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

In accordance with the law, off-budget funds may be created in the Republic of Belarus.

Article 134

Article 135. The report on the execution of the republican budget shall be submitted to the Parliament for consideration not later than five months from the date of the end of the reporting financial year.

Reports on the execution of local budgets are 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.

SECTION 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 total 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 approval by the Parliament with an interval of at least three months.

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

Article 140. Laws on the introduction of amendments and additions to the Constitution, on the enactment of these laws are 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 may be made through a referendum. A decision to amend and supplement the Constitution by means of a referendum shall be considered adopted if more than half of the citizens who took part in the voting voted for it. It is considered that the referendum took place if more than half of the citizens included in the voting lists took part in it.

Sections I, II, IV, VIII of the Constitution can only be changed by referendum.

SECTION IX FINAL AND TRANSITIONAL PROVISIONS

Article 141 Amendments and additions to the Constitution shall enter into force ten days after the official publication of such amendments and additions, unless otherwise specified in this section.

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

contradict the Constitution.

Within two years after the amendments and additions to the Constitution come into force, the laws provided for in the Constitution, decrees and orders of the President must be brought into line with the Constitution.

Decrees of the President issued prior to the entry into force of amendments and additions to the Constitution shall be applied until they are declared invalid by laws. The provisions of the respective decrees take precedence over the provisions of 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 the prescribed manner.

Amendments and additions to the Constitution, limiting the number of terms during which one and the same person can hold the office of the President, come into force from the day the newly elected President takes office.

Article 144. The law defining the competence, procedure for the formation and activities of the All-Belarusian People's Assembly is subject to adoption within a year from the date of entry into force of amendments and additions to the Constitution. A person holding the position of the President on the date of entry into force of amendments and additions to the Constitution may simultaneously be the President and Chairman of the All-Belarusian People's Assembly.

Article 145 in the manner in force before the entry into force of amendments and additions to the Constitution.

Article 146

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

Local Councils of Deputies of the twenty-eighth convocation shall exercise their powers until the beginning of the powers of 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. Part five ¹ of Article 116 of the Constitution shall enter into force after bringing the legislation on constitutional proceedings in line with the amendments and additions to the Constitution and shall apply to laws and other normative legal acts applied (to be applied) in a specific case after its entry into force.

President of the Republic of Belarus

A. Lukashenko