

Compendium of security sector legislation

Belarus



CACDS

COMPENDIUM OF SECURITY SECTOR LEGISLATION: BELARUS

Kyiv
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This book presents collection of laws and decrees on key issues of the national security and defence of the Republic of Belarus.
For a wide range of readers.

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FOREWORD

Valentyn Badrack,
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In cooperation with DCAF – Geneva Centre for Security Sector Governance, the Centre for Army Conversion and Disarmament Studies (CACDS) has published several compendiums of national security sector legislation. Until now, these have focused predominantly on Ukraine, providing the international community with access to Ukrainian legislation in the English language, thereby serving as a tool for identifying possibilities for adaptations to the law.

Following the success of these national legal compendiums, the decision was made to compile and translate into the English language a compendium of Belorussian security sector laws.

It is hoped that this compendium will assist the international community in understanding the intricacies of Belorussian security sector legislation. CACDS considers the publication of this compendium as an important first step in identifying whether Belorussian security sector legislation could be adapted in order to bring it into alignment with best international practice in the area of security sector governance.

CACDS would like to thank DCAF for its generous support in making this publication possible.

PART I

THE LEGISLATIVE AND CONCEPTUAL FRAMEWORK FOR THE PROVISION OF NATIONAL SECURITY AND IMPLEMENTATION OF DEFENCE POLICY

DECREE OF THE PRESIDENT OF THE REPUBLIC OF BELARUS 'On Approving the Concept of National Security of the Republic of Belarus'

9 November 2010, No. 575

(Amendments in the Decrees of the President of the Republic of Belarus of 30 December 2011, No. 621 and of 24 January 2014, No. 49.)

With the purpose of consolidating efforts and enhancing the efficiency of the activity of state bodies and other organizations, citizens of the Republic of Belarus involved in the protection of the national security of the Republic of Belarus, and the protection of its national interests, I hereby resolve:

1. To approve the attached Concept of National Security of the Republic of Belarus.
2. State bodies and other organizations in their practical activity shall be guided by the provisions of the Concept of National Security of the Republic of Belarus.
3. The Council of Ministers of the Republic of Belarus, the Administration of the President of the Republic of Belarus and the State Secretariat of the Security Council of the Republic of Belarus shall:
 - provide for the coordination of the activities of state bodies and other organizations, and the citizens of the Republic of Belarus for the implementation of the Concept of National Security of the Republic of Belarus;
 - submit proposals on implementation issues regarding the Concept of National Security of the Republic of Belarus to the President of the Republic of Belarus for consideration in accordance with established procedures;
 - take other implementation measures for the Concept of National Security of the Republic of Belarus.
4. The State Secretary of the Security Council of the Republic of Belarus shall annually present to the President of the Republic of Belarus a report on the state of national security of the Republic of Belarus and measures to strengthen it.
5. To declare invalid:
 - the President of the Republic of Belarus Decree dated 17 July 2001, No. 390 'On Approving the Concept of National Security of the Republic of Belarus' (National Register of Legal Acts of the Republic of Belarus, 2001, No. 69, 1/2852);

- item 2 of the President of the Republic of Belarus Decree dated 28 January 2008, No. 53 'On the Introduction of Amendments and Additions to Some Decrees of the President of the Republic of Belarus on the Issues of National Security' (National Register of Legal Acts of the Republic of Belarus, 2008, No. 29, 1/9403);
 - sub-item 1.5 of item 1 of the President of the Republic of Belarus Decree dated 12 May 2009, No. 241 'On the Introduction of Amendments and Additions to Some Decrees of the President of the Republic of Belarus on the Issues of Budget Relations and the Invalidation of Some Decrees of the President of the Republic of Belarus' (National Register of Legal Acts of the Republic of Belarus, 2009, No. 119, 1/10688).
6. This Decree shall come into force on the date of its official publication.

President of the Republic of Belarus

A. Lukashenka

CONCEPT OF THE NATIONAL SECURITY OF THE REPUBLIC OF BELARUS

SECTION I . GENERAL PROVISIONS

1. This Concept enshrines the totality of official views on the essence and content of activities of the Republic of Belarus on the provision of the balance of interests of an individual, society, the state and their protection from internal and external threats.
2. Serving as the basis for the consolidation of efforts of an individual, society and the state aimed at the attainment of national interests, this Concept is intended to provide for the unity of approaches to the formulation and implementation of state policy on the provision of national security, as well as the methodological background for the perfection of legislative acts in different sectors of the national security system, and the drafting of strategic planning documents.
3. Maintaining continuity with fundamental documents in the field of national security adopted earlier, this Concept proceeds from key development trends of the Republic of Belarus, including its place and role in the modern world.
4. This Concept uses the following key notions:
 - national security: the state of protection of national interests of the Republic of Belarus from internal and external threats;
 - national interests: the totality of the state's needs for the attainment of balanced interests of an individual, society and the state, making it possible to secure constitutional rights, freedoms, a high quality of life of citizens, independence, territorial integrity, sovereignty and the sustainable development of the Republic of Belarus;
 - source of threat to national security: a factor or a totality of factors capable of leading to the emergence of a threat to national security under certain conditions;
 - threat to national security: a potential or actual possibility of infliction of damage to the national interests of the Republic of Belarus;
 - political security: the state of protection of the political system from internal and external threats that guarantees the attainment of national interests in all sectors of national security;
 - economic security: the state of economy that firmly ensures the protection of national interests of the Republic of Belarus from internal and external threats;
 - scientific-technological security: the state of the domestic scientific, technological and educational potential that ensures the possibility of attainment of national interests of the Republic of Belarus in the science and technology sector;
 - social security: the state of protection of the life, health and well-being of citizens, and spiritual and moral values of society, from internal and external threats;

- demographic security: the state of protection of society and the state from demographic phenomena and trends, the socio-economic consequences of which have a negative impact on the sustainable development of the Republic of Belarus;
- information security: the state of protection of balanced interests of an individual, society and the state from external and internal threats in the information sector;
- military security: the state of protection of national interests of the Republic of Belarus from military threats;
- environmental security: the state of protection of the environment, life and health of citizens from threats arising as a result of human impact, as well as factors, processes and phenomena of natural and technical origin.

SECTION II. THE MODERN WORLD AND THE NATIONAL INTERESTS OF THE REPUBLIC OF BELARUS

CHAPTER 1. KEY TRENDS OF THE MODERN WORLD

5. The world has entered the stage of fundamental economic, social, military-political and other changes, characterized by high intensity and dynamism.

The interests of all are affected by the processes of globalization, creating a new reality and contributing towards global progress and development. At the same time, its mixed character and consequences give rise to multiple conflicts of interests. Attempts are being made to formulate and impose the ideology of globalism, intended to substitute or distort traditional spiritual and moral values of the people.

The continued transition from the unipolar to the multipolar world order and the active formation and rise of new centres of power intensify rivalry among states and competition of future development models. The desire of several countries to use forcible methods, pressure, economic and resource advantages to further their interests, and double standards in the interpretation of democratic norms and principles remain a source of tension. The low efficiency of the existing security systems produce a trend towards global instability. The growing openness of economies, freedom of movement of goods, capitals and labour resources, and personal communication erode the distinction between internal and external political, economic, information processes.

Traditional systems of interstate checks and counterbalances are being substituted by supranational and transnational regulators of the world relations and economy. Awareness of the importance of the institutes and mechanisms of partnership at all levels of the international life is growing.

The world economy is actively transforming and characterized by the growth of instability and the transition to a new technological setup, the establishment and growth of which will shape economic dynamics for decades to come. The re-division of markets, the redistribution of financial flows and productive forces, and the aggravation of competition take place on a global scale. Contours of new centres of economic leadership are re-defined, and regional integration strengthened.

Technological evolution is becoming a source of new threats, providing previously unavailable possibilities for negative influence on an individual, society and the state.

The information sector is becoming an important influence on the life of individuals, societies and states. The role and influence of mass media and global communication mechanisms on economic, political and social dynamics is growing. Information technologies are widely applied in the management of critical infrastructure facilities, becoming increasingly vulnerable to accidental and intentional actions. Informational confrontation is evolving as a new, independent strategic form of global competition. Purposeful information pressure is growing, inflicting substantial damage to national interests.

Global problems faced by mankind have become reality, including shortages of food and natural resources, climate change and human impact on the environment, drug and human trafficking, and illegal migration. Transcontinental and trans-border human flows increase the probability of epidemics caused by new viruses. Tensions exist among countries, including suppliers, transmitters and consumers of resources.

Human potential has become an important factor of socio-economic development. Global demographic trends, including the ageing of the population in developed states against the background of rapid population growth in many developing countries, along with increasing migration flows, have a growing impact on the political situation, the state of the economy and the ethno-cultural landscape of countries and regions of the world.

The potential for conflicts is growing, associated with the widening gap between rich and poor countries; political and religious extremism; aggressive nationalism, separatism and remaining territorial claims; an increase in religious intolerance and xenophobia; a high level of terrorist activity and transnational organized crime; the proliferation of mass destruction weapons; and the unchecked spread of materials and technologies that can be used for the production of such weapons.

There is an evident trend towards an increase in vulnerability among all members of the international community in the face of various challenges and threats, the range and acuteness of which evolve, change and acquire a trans-border character.

6. The Republic of Belarus is an established independent sovereign European state that does not belong to any of the global centres of power, pursues a peaceful foreign policy and seeks to create conditions for the acquisition of a neutral status. By virtue of its geographic location and openness, Belarus is susceptible to the influence of geopolitical processes.

CHAPTER 2. NATIONAL INTERESTS

7. National interests of the Republic of Belarus encompass all spheres of individual, society and state activities, are closely interrelated and provide conceptual goals for its long-term development.
8. Strategic national interests include: the guarantee of independence, territorial integrity, sovereignty, inviolability of the constitutional system; sustainable economic development and high competitiveness of the Belarusian economy; and the attainment of a high standard and quality of life of its citizens.
9. The key national interests in the political sector include the:
 - observance of constitutional human rights and freedoms;
 - sustainable development of a democratic, socially responsible state ruled by law;
 - guarantee of efficient functioning of state institutes for the benefit of society;
 - achievement of an equilibrium regarding the political interests of citizens, public associations and the state, and public consensus on the key issues of development of the Republic of Belarus;
 - development of a civil society that considers national traditions and specificities;
 - efficient countering of corruption;
 - formation of a multipolar world and a system of international relations based on the supremacy of norms of international law and multilateral cooperation, enabling Belarus' participation in the settlement of issues that affect its interests;
 - perfecting and strengthening of mechanisms of national and collective security involving the Republic of Belarus at the global, regional and bilateral levels, giving international security an all-embracing and holistic character;
 - pragmatic interaction with the global centres of power, based on efficient multilateral and multi-vector diplomacy, strategic partnership and special relations with friendly states, equal interaction and mutual consideration of interests;
 - positioning of the Republic of Belarus abroad as a democratic state ruled by law, a responsible and predictable partner, and a contributor to international and regional security;
 - protection of rights of compatriots and solidarity of Belarusians all over the world for the sake of a strong, prosperous Belarus.
10. In the economic sector, the key national interests include the:
 - economic growth and enhancement of the competitiveness of the Belarusian economy on the basis of its restructuring, sustainable innovative development; investments into human capital; the mod-

- ernization of economic relations; and the reduction of costs, import intensity and material intensity of manufactured produce;
 - sustainability of national financial, monetary and credit systems;
 - provision of unrestricted access to the world markets of goods and services, raw materials and energy resources;
 - achievement of a level of energy security sufficient for the reduction of dependence on the supply of foreign energy;
 - maintenance of a guaranteed level of food security;
 - intergration of state-of-the-art technologies into the national economy mainly at the expense of foreign direct investments, and the affordability of foreign credit resources.
11. The key national interests in the science and technology sector include the:
- formation of a knowledge-based economy and support for the development of science and technology as the basis for sustainable innovative development of the Republic of Belarus;
 - establishment of new enterprises, sectors of economy of advanced technological setups, intense technological modernization of the basic sectors of economy and the introduction of advanced technologies in all sectors of society;
 - expansion of Belarus' presence on the world market of intellectual products, scientific goods and services, mutually advantageous international scientific and technological cooperation, and the application of world-class technologies in the national economy.
12. In the social sector, the key national interests include the:
- satisfaction of the basic social needs of citizens, and the minimization of the negative consequences of social differentiation and social tension in society;
 - public security and safety of the population, and the reduction of crime and criminality in society;
 - employment of able-bodied citizens and the provision of fair wages;
 - development of the intellectual, spiritual and moral potential of society, the preservation and multiplication of its cultural heritage, and the strengthening of the spirit of patriotism;
 - provision of the fair and harmonious development inter-ethnic and inter-confessional relations.
13. In the demographic sector, the key national interests include the:
- sustainable growth of the Belarusian nation based on a consistent increase in the birth rate and life expectancy, and a reduction in mortality rates;
 - improvement of the general health of the population, and the protection of maternal and child health;
 - strengthening of the institute of a family as the social institute, the best fit for realization of the desire to have children and their upbringing;
 - optimization of internal and external migration flows, and the provision of a positive balance of external migration among the economically active population.
14. The key national interests in the information sector include the:
- exercise of the constitutional rights of citizens to obtain, store and disseminate full, trustworthy and timely information;
 - formation and progressive development of the information society;
 - equitable participation of the Republic of Belarus in global information relations;
 - transformation of the information industry into an export-oriented sector of economy;
 - efficient information support for state policy;
 - guarantee of reliable, sustainable, functioning critical IT facilities.
15. In the military sector, the key national interests include the:
- strengthening of the sense of patriotism in society, and a readiness to defend the national interests of the Republic of Belarus;
 - efficient strategic deterrence that guarantees the maintenance of peace, regional security and the prevention of the threat of use of military force against the Republic of Belarus;

- defence of independence, territorial integrity, and the sovereignty of the Republic in case of use of military force or threat of force against it;
 - development of the military organization of the state, and maintaining the level of potential, corresponding to the capabilities of the state, to accomplish missions in both peace and war time;
 - strengthening of international and regional mechanisms of military security, partnership and confidence;
 - consistent development and strengthening of military and military-technical cooperation with the Russian Federation;
 - enhancement of efficiency of the Collective Security Treaty Organisation (hereinafter 'CSTO').
16. The key national interests in the environmental sector include:
- provision of favourable environmental conditions for the everyday activities of citizens;
 - overcoming of negative effects of radioactive contamination in the territory of the Republic of Belarus and other emergency situations, and the rehabilitation of environmentally affected areas;
 - sustainable support for the socio-economic development of the country with natural resources;
 - rational use of natural resources, the preservation of biological and landscape diversity, and the environmental stability of ecosystems;
 - maintenance of global and regional environmental stability.
17. Proceeding from specific developments, national interests may be elaborated through the adjustment of this Concept.

SECTION III. STATUS OF THREATS TO THE NATIONAL SECURITY

CHAPTER 3. STATE OF NATIONAL SECURITY AT THE PRESENT STAGE

18. In Belarus, the necessary conditions have been formed to prevent or neutralize different threats to national security. The national security system functions steadily and ensures that the tasks faced by it are effectively resolved.
19. The Belarusian socio-political model is based on the principles of democracy and supremacy of the norms of law. Political and social stability and the course towards continuous improvement of the quality and standard of life of the population are characteristic of the Republic.

Significant transformations take place in domestic political life. State and public security is guaranteed, and different criminal manifestations are consistently suppressed. In Belarus, the basis for ethnic, confessional, racial, political discrimination and intolerance is absent; their separate manifestations are non-systemic and isolated.

Pan-human values and national spiritual traditions found their reflection in the ideology of the Belarusian state, the basic principles of which include national unity, social justice, solidarity and morality.

The Republic of Belarus is an active actor within the sphere of international relations and a contributor to international and European security; it consciously participates in the formation of a multipolar world, being guided by the principles of mutual respect, equality and justice.

The multi-vector and dynamic foreign political activity of Belarus has become an important international factor. This is based on comprehensive cooperation with the Russian Federation, other friendly states in the post-Soviet space and the promotion of dialogue with Western states and structures, as well as the intensification of interaction with the European Union (hereinafter 'the EU'). Strategic partnerships and strengthened interactions with states that will largely shape the future global military balance of power receives renewed attention.

At the same time, the present situation in the world complicates Belarus' efforts to pursue an independent foreign policy.

State borders of the Republic of Belarus are not subject to territorial disputes and claims. The status of border security is stable. The accomplished reformation of the border service bodies made it possible to bring

them into compliance with the nature of the tasks they are responsible for. Meanwhile, border infrastructure requires further development.

20. The Republic of Belarus is implementing a model of socially oriented market economy that has proven its viability. On its basis, the high rates of growth of the gross domestic product (hereinafter 'GDP') and the standard of living of the Belarusian people have been secured, and economic security has been generally provided.

Nevertheless, the Belarusian economy remains among the costliest in Europe and, due to its openness, is exposed to the strong negative influence of external factors. A high dependence on the supply of energy resources, significant wear-and-tear of fixed assets, high prime costs, and the import intensity of manufactured produce undermine the competitiveness of business entities and Belarusian goods on domestic and foreign markets. Problems in the credit and financial sector are associated with the deterioration of the financial standing of the real sector of the economy, the accelerated growth of foreign debt, an insufficient volume of gold and foreign currency reserves, and a growing amount of troubled bank loans.

21. Basic elements of the national innovative system have been formed in the science and technology sector. Scientific, technological and innovative development projects are retargeted to meet the specific needs of economic, social and other sectors; and their efficiency is growing.

The level of GDP accounted for by the science and technology sectors and the share of innovative products in the total industrial production remain low. No efficient national innovation system has been created. Innovative infrastructure is underdeveloped; the level of wear-and-tear of the equipment is high.

22. Belarus has reached a high level of human development. Unemployment is among the lowest in the post-Soviet space. An efficient system of targeted social support for citizens has been built. The share of the population with incomes below the subsistence level has reduced. Property stratification of society and social tension are minimal. Providing for public health; promoting healthy living, and accessible and quality education; and conserving cultural heritage characterize the high social responsibility of the state. Particular attention is paid to demographic problems. Life expectancy gradually increases; the mortality rate, including infant mortality, goes down. The pace of depopulation has slowed. Positive trends are observed in the dynamic of the age structure of the population.

However, by several indicators, the quality life of the Belarusian citizens falls behind that of the leading states of the world.

23. The democratic principles of freedom of speech and right of citizens to obtain and use information are consistently implemented. The state creates the conditions necessary for the development of mass media and the internet. Advanced information and communication technologies are actively introduced in all sectors of society.

The Republic of Belarus continues to lag behind countries leading in technological development. Considering open national information spaces and competition with foreign information products, the quality and popularity of Belarusian technological development remain insufficient.

24. Military security of the Republic of Belarus is provided sufficiently, first, by relying on politico-diplomatic, information and other non-military methods. The Armed Forces remain the guarantor of independence, territorial integrity and the sovereignty of the state. The formation of a regulatory-legal framework necessary to ensure the functioning of the Armed Forces, including all combat and supporting systems, is completed. The accomplished reformation modernized and optimized their structure and strength. Combat and mobilization readiness, the level of operational and battle training, and the moral and psychological state of the personnel enable them to effectively discharge their duties.

The defence sector of the economy is steadily developing. The system of support for the Armed Forces, other troops, military formations and paramilitary organizations is improving.

Meanwhile, the negative trends associated with the obsolescence and physical deterioration of arms and military equipment, the deterioration of military infrastructure, and a fall in the prestige of military service have not been fully reversed.

25. In the environmental sector, substantial results have been achieved in the Chernobyl NPP disaster recovery. Belarus provides significant ecosystem services across the European continent. The degree of protection of the population and the environment from human and natural impacts is generally acceptable for the present stage of socio-economic development. Meanwhile, anthropogenic stress on the environment is growing, and measures for the preservation of biological and landscape diversity remain insufficient.

CHAPTER 4. KEY THREATS TO THE NATIONAL SECURITY

26. Threats to the national security of the Republic of Belarus are complex and interrelated. Some sources can give rise to a range of threats. Some threats can simultaneously affect the state of the national security in several ways. The type of threats and their consequences present risks and challenges for national security.
27. The key potential or actual threats to national security include the:
- encroachments on the independence, territorial integrity, sovereignty and the constitutional system of the Republic of Belarus;
 - imposition of a political stance inconsistent with the national interests of the Republic of Belarus, and foreign interference into domestic policy processes;
 - insufficient competitiveness of the economy of the Republic of Belarus;
 - decline in the wellbeing and quality of life of the population;
 - destabilization of the national financial, money and credit systems, and a loss of stability of the national currency;
 - inability to repay and service foreign and internal debts;
 - impossibility of guaranteed provision of raw materials and energy resources in volumes that support planned GDP growth;
 - loss of external markets, including as a result of discrimination against Belarusian manufacturers;
 - slow pace of economic transition to modern technological standards as compared to leading states, and degradation of the technological structure of the economy;
 - depopulation, general ageing of the nation, a reduction in birth rate, or the deterioration of other key indicators of demography and public health;
 - growth of criminal offences and other security incidents against individuals and property, and corruption;
 - preparation or commitment of terrorist acts on the territory or in the airspace of the Republic of Belarus, or use of its territory or airspace by terrorist organisations and groups against other states;
 - manifestations of socio-political, religious, ethnic extremism and racial enmity on the territory of the Republic of Belarus;
 - emergence of riots in the Republic of Belarus, accompanied with violence or the threat of violence from a group of persons and organizations, giving rise to a danger to human life and health, independence, territorial integrity, sovereignty and the existence of the state;
 - disorganization of the system of state governance, and the obstruction of functioning of state institutes;
 - intensification of emigration processes and growth of irregular immigration into the country;
 - destabilization of the social protection system;
 - growth of unemployment, including those non-registered;
 - destructive information influence on individuals, society and state institutes, damaging national interests;
 - malfunction of critical IT facilities;
 - occurrence of large-scale emergency situations of a natural or technical origin, epidemics and epizootics on the territory of the Republic of Belarus or close to its borders;
 - insufficient volumes and low quality of foreign investments;
 - reduction in scientific-technological and educational potential to a level that cannot ensure innovative development;

- illegal proliferation in Belarus or transit of mass destruction weapons, their components and means of delivery, dual-use technologies and equipment, arms, ammunitions, radioactive, chemical, biological and other hazardous substances and materials;
 - loss of traditional moral values and orientation by a large segment of citizens, and attempts to undermine national spiritual and moral traditions and revise history, affecting those values and traditions;
 - sharp or progressive decline in citizens' confidence in key state institutions;
 - targeted attacks on the life, health and freedom of Belarusian citizens residing abroad;
 - insufficient scope and level for the introduction of advanced information and communication technologies;
 - deterioration or loss of competitiveness of domestic information and communication technologies, information resources and national content;
 - degradation of land, forests and ecosystems, the depletion of mineral raw material, water and biological resources;
 - radioactive, chemical and biological pollution of soil, land, water, land interior, vegetation and atmosphere;
 - loss or disclosure of data constituting secrets protected by legislation that can cause damage to national security.
28. Following the norms of international law, the Republic of Belarus defines a military threat as the actions of another state (other states), extremist, religious, separatist movements, or organizations, based on the territory of another state (other states), demonstrating a real intention to use armed force against the Republic of Belarus.

Development trends within Europe indicate an absence of military threats to the Republic of Belarus at the present time. Meanwhile, there is a military danger at the level of risks and challenges, conditioned by the existence of certain military threats.

CHAPTER 5. INTERNAL SOURCES OF THREATS TO THE NATIONAL SECURITY

29. In the political sector, internal sources of threats to national security include the:
- violation of constitutional human rights and freedoms or the principle of the rule of law;
 - use of methods manifestly aimed at destabilizing the Republic of Belarus in the political, economic and social sphere, as well as others;
 - insufficient development of civil society;
 - intentional instigation of tension and confrontation in society, between society and the state;
 - formation, penetration or dissemination of the ideology of extremism, separatism, national, racial and religious intolerance, or the emergence or illegal activity of organizations, groupings, or individuals adhering to and propagating said views;
 - bureaucratization of state governance.
30. In the economic sector, internal sources of threats to national security include the:
- obsolete technologies and fixed assets, conditioning the high energy and material intensity of production, or low quality of manufactured products;
 - slow pace in the rate and quality of economic growth as compared to other states;
 - structural deformation of the economy, the dominance of material- and energy-intensive industries, the insufficient development of the services sector, a low share of hi-tech science-intensive products and slow modernization of products;
 - low level of self-sufficiency in raw materials and energy resources;
 - high administrative barriers for business development and entrepreneurship;
 - imbalance in economic development, manifested in collective consumption growth above the actual capabilities of the economy;
 - unfavourable conditions for attracting foreign investments and credits;

- low diversification of exports and imports of the Republic of Belarus;
 - growth of non-payments in the economy as a result of the deficit of circulating assets and the high share of loss-making business entities.
31. In the science and technology sector, internal sources of threats to national security include the:
- The level of GDP accounted for by the science and technology sectors are below the critical level required for the reproduction of scientific and technological potential;
 - low innovative activity and receptivity of the Belarusian economy;
 - inefficiency of the national innovation system, including the legislation and infrastructure of technology transfer from science to industry, material and technical facilities of scientific institutions, the system of funding, and applied (company) science;
 - unfavourable age structure and insufficient level of education.
32. In the social sector, internal sources of threats to national security include the:
- sharp social stratification and high differentiation in income levels;
 - insufficient motivation of employees for efficient work and economic activity, and the dissemination of unhelpful attitudes;
 - unjustified imbalances in the field of labour remuneration and pensions;
 - professional qualification and territorial imbalance of demand and supply of the workforce, and the low internal labour mobility of the population;
 - significant differences in the quality of life of the urban and rural population, including residents of large, medium and small cities;
 - reduction in the number of able-bodied persons;
 - absence of affordable and high-quality housing in parts of the population, and other housing problems for citizens;
 - insufficient organizational and technological development in the social sector;
 - slow pace lag in improving the quality of education in several promising disciplines as compared to the world's best educational centres, and an insufficient number of modern highly skilled world class professionals;
 - growing number of epidemics, the growing number of persons suffering from socially dangerous diseases and the growing number of disabled persons;
 - changing expectations regarding living standards among the younger generation leading to a weakening of patriotism and traditional moral values;
 - existence of criminal trends and manifestations in society;
 - low security and safety of the population;
 - functioning of sectarian and pseudo-religious groups.
33. In the demographic sector, internal sources of threats to national security include the:
- unfavourable sex and age structure of the population;
 - negative birth rates;
 - decline in the desire to have children;
 - high mortality rate among citizens of the age most likely to have children;
 - negative transformations in the institution of the family (high divorce rate, growing number of single-parent families with children, growing number of orphans, etc.).
34. In the information sector, internal sources of threats to national security include the:
- dissemination of false or intentionally distorted information that can cause damage to the national interests of the Republic of Belarus;
 - dependence of the Republic of Belarus on imports of information technologies, hardware, software and information protection means, and their unregulated use in systems, the failure or collapse of which can cause damage to national security;
 - inconsistency of the quality of national content with global standards;

- insufficient development of the state system for regulating the process of introducing and using information technologies;
 - rise in criminal activities connected to the use of information and communication technologies;
 - limited efficiency of information support for state policy;
 - weak information security for critical IT facilities.
35. In the military sector, the main internal sources of military threats include the:
- weakening of patriotism in society, the readiness of citizens for armed defence of the independence, territorial integrity, sovereignty and the constitutional system of the Republic of Belarus;
 - reduction of the Armed Forces' capabilities of strategic deterrence against aggression and the accomplishment of other peacetime missions, as well as armed defence of the country in case of hostilities against it.
36. In the environmental sector, internal sources of threats to national security include the:
- high concentration of environmentally hazardous facilities on the territory of Belarus, and their location close to residential areas and life support systems;
 - radioactive pollution of the environment as a result of the Chernobyl disaster;
 - generation of large volumes of industrial and household waste with a low rate of recycling and hi-tech reprocessing, and elevated levels of pollutant emissions;
 - insufficient development of legal and economic mechanisms for environmental security, including systems to account for natural resources, and to monitor emergency situations and environmental quality.

CHAPTER 6. EXTERNAL SOURCES OF THREATS TO THE NATIONAL SECURITY

37. In the political sector, the main external sources of threats to national security include the:
- existence of substantial contradictions among key global actors combined with a reduction in the efficiency of international and regional security systems;
 - conflicting geopolitical interests of leading states or groups of states during the process of transitioning from a unipolar to a multipolar world order;
 - use of pressure or economic and resource advantages by states or groups of states to promote their interests;
 - interference of certain forces not recognized as actors in international processes;
 - international terrorism and the illegal circulation of dual-use technologies and equipment, arms, ammunitions, radioactive, chemical, biological and other hazardous substances and materials;
 - weakening of integration structures and international organizations in which the Republic of Belarus participates;
 - activities of special services, other organizations and representatives of foreign states aiming to damage to the national interests of the Republic of Belarus.
38. In the economic sector, the main external sources of threats to national security include the:
- deterioration of the conditions necessary for foreign trade, and in credit and investment resources as a result of volatility in the global financial market;
 - adoption of protectionist measures by foreign states, and the imposition of barriers and discriminative conditions for export and import of goods and resources;
 - development of transit corridors and energy resource transportation systems not available to the Republic of Belarus, and the purposeful limitation of transit capacities of the Republic of Belarus;
 - discrimination against the Republic of Belarus by international unions and associations.
39. In the science and technology sector, the main external sources of threats to national security include the:
- limited access of Belarusian researchers and business entities to advanced technologies, and world-class research and development;

- targeted policies of foreign states and companies to encourage the emigration of highly skilled scientists and professionals from the Republic of Belarus.
40. In the social sector, the main external sources of threats to national security include the:
- weakening of the natural and cultural identity of Belarusian diaspora, and the substantial impairment of the legitimate rights and interests of compatriots;
 - expansion in the scale of transborder crime, and the activity of transnational or foreign criminal organizations and groups involving infringement upon life, health, freedom or social rights of Belarusian citizens.
41. In the demographic sector, the main external source of threats to national security concerns growth in illegal migration flows into Belarus or through its territory.
42. In the information sector, external sources of threats to national security include the:
- vulnerability of the information space of the Republic of Belarus to external influences;
 - monopolization of the global information space by foreign states, and of key areas of the information market by foreign entities;
 - information activities of foreign states, international and other organizations, or separate persons causing damage to the national interests of the Republic of Belarus, and the purposeful creation of information pretexts for its defamation;
 - growth of information confrontation between global centres of power, and preparation for-and conduct of hostilities in the information space by foreign states;
 - development of information manipulation technologies;
 - prevention of the dissemination of information produced by the Republic of Belarus abroad;
 - spread of consumer products contrary to pan-human and national spiritual and moral values in the global information space;
 - unauthorized attempts to access the information resources of the Republic of Belarus originating from outside its border, resulting in damage to its national interests.
43. In the military sector, the main external sources of military threats include the:
- attempts of by foreign states or groups of states to resolve existing issues through the use of military force;
 - proliferation of mass destruction weapons, their components and production technologies;
 - expansion or creation in Europe of military-political unions, and the strengthening of their offensive strike capabilities, leading to the disruption of the existing balance of power, as well as the build-up of military infrastructure close to the borders of the Republic of Belarus;
 - reduction in the potential and capabilities of military-political unions to which the Republic of Belarus is involved in order to guarantee collective security.
44. In the environmental sector, external sources of threats to national security include the:
- global changes in the natural environment related to climate change, the depletion of the ozone layer and loss of biodiversity;
 - transborder movement of pollutants into the territory of the Republic of Belarus by air and water, and the penetration of invasive species of animals and plants from adjacent countries;
 - placement of large environmentally hazardous facilities close to the borders of Belarus, and the disposal of nuclear waste on adjacent territories.

SECTION IV. PROVISION OF NATIONAL SECURITY OF THE REPUBLIC OF BELARUS

CHAPTER 7. GOAL, TASKS AND PRINCIPLES OF PROVISION OF NATIONAL SECURITY

45. The provision of national security concerns the activities of national security subjects involved in the protection of individuals, society and the state from internal and external threats; the attainment of national interests; and the creation of the necessary conditions for sustainable development of the Republic of Belarus.

National security subjects include:

- the state, exercising its powers in this sector via the legislative, executive and judicial bodies;
- public and other organizations;
- citizens.

National security objects include:

- individuals: their constitutional rights, freedoms and legitimate interests;
- society: its material and spiritual values, and the system of social relations protected by norms of law;
- the state: its independence, territorial integrity, sovereignty and constitutional system.

46. The goal of the provision of national security is to achieve and maintain the level of protection necessary for the defence of individuals, society and the state from internal and external threats in order to guarantee the sustainable development of the Republic of Belarus and the attainment of its national interests.
47. The key tasks for the provision of national security include the:
- development and implementation of state policy for the provision of national security;
 - determination and maintenance of the required balance of interests of individuals, society and the state;
 - neutralization of sources of internal threats and protection against external threats to national security;
 - provision for the attainment of national interests and sustainable development of the Republic of Belarus;
 - creation of a system for the protection of national security and its efficient functioning.
48. The principles of the provision of national security include the:
- legitimacy and observance of constitutional human rights and freedoms;
 - humanism and social justice;
 - publicity;
 - maintaining a balance of interests between individuals, society and the state;
 - integrated approach to solving tasks related to the provision of national security;
 - unity and interrelation of forms and directions intended to ensure national security;
 - participation in international and regional collective security systems;
 - delineation of the areas of responsibility and powers of state bodies responsible for the provision of national security;
 - priority of legal, political, economic and information measures for the provision of national security;
 - promptness, timeliness, preventive character, and proportionality of measures to neutralize sources of internal threats and for the protection against external threats.

National security is provided in accordance with the key spheres of activities undertaken by individual, society and the state.

CHAPTER 8. KEY DIRECTIONS OF NEUTRALIZATION OF INTERNAL SOURCES OF THREATS AND PROTECTION AGAINST EXTERNAL THREATS TO NATIONAL SECURITY

49. In the political sector, the neutralization of internal sources of threats to national security is ensured through timely and efficient measures for the removal of conditions and prerequisites for the emergence of political and socio-economic tension in society, practical implementation of the principles of a democratic social state ruled by law, and the mutual responsibility of individuals, society and the state for the provision of national security.

In the long-term, the neutralization of internal threats and the protection against external threats to national security will be achieved through perfecting mechanisms for the protection of constitutional rights and freedoms; the legitimate interests of individuals, society and the state, and the openness of all sectors of state activity to society.

Key areas include the retention of the state's role as a guarantor of personal safety and the perfection of processes for preventing and fighting crime, primarily corruption, terrorism and extremism, as well as separatism and racial and religious intolerance.

Continuous improvement in the efficiency of all branches of power and the system of state governance aims to satisfy social interests and protect the rights of individuals. Further, the de-bureaucratization of social relations and the expansion of the practice and perfection of public-private partnership mechanisms are necessary to ensure improvements in the activities of public associations and the wider population, and to provide the basis for the formation and development of Belarusian civil society.

Protection measures against external threats to national security include:

- the pursuance of a consistent and balanced multi-vector foreign policy based on the principles of mutual respect, equality and partnership, and non-interference in the affairs of sovereign states;
- the timely identification, prevention and suppression, by political and diplomatic methods, of attempts to interfere in the internal affairs of the Republic of Belarus by foreign states and their special services, international organizations, as well as other forces not recognized as actors within the domain of international relations;
- opposition to the implementation of economic, political and other coercive measures in international practice aimed at impairing the sovereign rights of states, or encouraging such measures;
- the resolute protection of national interests in international organizations and unions, including regional entities, and helping to strengthen the credibility of the Republic of Belarus and the standing of those structures within the system of international relations;
- the preservation of the global role of the UN and the UN Security Council in the provision of international stability and security;
- the furtherance of a consistent policy in the field of nuclear disarmament, participation in non-proliferation regimes, and the discharge of mediator functions in conflict resolution and peacekeeping activities under the auspices of the UN;
- the development of international cooperation on issues related to combatting transnational organized crime, in particular terrorism, illegal migration, human trafficking, and drug dealing;
- the active participation of the Republic of Belarus in activities of the OSCE, including through contributing to improving its functioning and institutional framework;
- the establishment of a comprehensive, efficient and mutually advantageous customs union and the Single Economic Space within EurAsEC, without unnecessary exemptions or restrictions;
- increased participation of the Republic of Belarus' in mutually advantageous initiatives and projects in key sub-regional organizations, including the Commonwealth of Independent States, the Central European Initiative, the Black Sea Economic Cooperation, the Council of the Baltic Sea States, etc.;
- the creation of a 'belt of good-neighbourliness' along the external borders of the Republic of Belarus in all its dimensions: military, political, cultural, information, social and economic;
- ensuring an integrated approach to border management, the optimal combination of barrier functions with the creation of favourable conditions for active the development of economic ties, and enhancing the attractiveness of the country's tourist and business sector;
- the preservation and consolidation of the Union State's basis and the development of the Republic of Belarus' strategic partnership with the Russian Federation;
- the development of relations with European Union states, including through maintaining active dialogue with the EU on issues of mutual interest, with the prospect of concluding a Partnership and Cooperation Agreement and lifting discriminative measures against the Belarusian state;
- enhanced involvement of the Republic of Belarus in pan-European integration processes, particularly those supposing active participation in international projects associated with the production and transportation of energy resources, and the operation of transport corridors;

- the deepening of strategic partner relations with China and Venezuela, and the development of cooperation with other states of Asia, Latin America and Africa, particularly India, Vietnam and Brazil, and the increase of economic ties to the level of political relations already established with such states;
- the development of dialogue with the United States on the principles of equality, mutual respect and partnership, based mutual interests, particularly in the area of international security;
- the communication of objective information about Belarus and its stance on key international issues, foreign policy initiatives, and its achievements in culture and science to the international public;
- improved efficiency of the protection of rights and legitimate interests of Belarusian citizens and compatriots abroad.

50. A necessary condition for the neutralization of internal threats to national security in the economic sector is achieved by maintaining long-term macroeconomic stability through restructuring the economy of the Republic of Belarus on the basis of foreign direct investments; increasing labour productivity and innovation in all business sector; reducing the negative balance of foreign trade, import intensity, material intensity, and cost price; and improving the quality of manufactured products.

The restructuring of the country's economy is achieved by the accelerated development of hi-tech competitive sectors and industries using local resources; prioritizing the development of the service sector, particularly information, communication and business services; and employing the transit potential of the Republic of Belarus. Enterprises with outdated technologies, or those reliant on high levels of importation shall be restructured, including through the sale of assets to private investors and the redistribution and flow of labour, financial and material resources to new and promising sectors of the economy. Indicators for the socio-economic development of the Republic of Belarus shall be set, proceeding from the perspective structure of the economy. Indicators for efficiency and the added value shall be used as the main criteria for the assessment of work at all levels of management.

Encouraging business activity to overcome monopolies and promote competition in economic relations, encouraging business initiative, and establishing public-private partnership will be of fundamental importance.

The attraction of external resources to the economy of the Republic of Belarus should be achieved in the form of foreign direct investments in currency-repaying projects, not involving the accumulation of external obligations of the state, and should ensure the transfer of foreign knowledge and technologies, and access to new export markets with competitive products. For this purpose, a favourable investment climate shall be created; the regulatory-legal framework for business activity simplified, and international standards of accounting and financial reporting shall be introduced. In general, such measures aim to create an internally consistent, complete, and harmonized institutional and socially oriented market environment in order to become one of the top 30 global economies.

Growth of labour productivity will include an increase in the capital-labour ratio and the quality of manpower, and the growth of innovative activity in the business sector. This shall be achieved through the improvement of qualitative elements of investment processes, the formation of the stock market, the improved efficiency of sectors ensuring the reproduction of human capital (education, science, public health, culture), the implementation of large-scale infrastructure projects (energy, transport, roads, communications) through private-public funding, the development of competition; and the introduction of efficient antimonopoly regulation.

Balanced economic development shall be ensured through:

- balancing economic growth with external and domestic demand;
- the transition to a deficit-free foreign trade balance and, during the transitional period, no increase in external state debt;
- the growth of money supply (emission) with account of observance of the target parameters of the inflation rate and the set exchange rate corridor;
- the maintenance of hard budget constraints in the activity of economic entities, guarantee of timely discharge of financial obligations (payment discipline);
- the creation and maintenance of gold and foreign currency reserves at a sufficient level.

Given the globalization of international relations, the successful integration of the Republic of Belarus into the global economic space is an important factor for sustainable development of the state. Protection against external threats to national security in the economic sector is also ensured by the multi-vector foreign economic policy, the expansion of the range of products and the states to which they are exported, and the diversification of imports of raw materials and energy resources.

Improvement in the establishment and functioning of joint and foreign commercial organizations, transnational corporations (hereinafter 'TNC') and financial-industrial groups will enable the development of distribution networks, the involvement of domestic enterprises in TNC chains, the establishment of domestic TNCs with service centres and assembly facilities abroad, and will minimize opportunities for discrimination against Belarusian business entities.

An important line is presented by the enhancement of efficiency of management of the foreign debt of the Republic of Belarus, and through reducing the cost and risks of its servicing.

The creation of a positive image of the country by the international community will contribute to the development of cooperation with international financial-economic and trade organizations, integration unions, and participation in international treaties, aimed at the removal of discriminatory policies and the development of foreign trade and the stabilization of the position of domestic manufacturers on foreign markets.

51. A key means through which internal threats to national security in the science and technology sector may be neutralized concerns the creation of an efficient national innovative system and implementation of a new technological strategy for the economic development of the Republic of Belarus.

Institutional 'completion' of the national innovative system involves the creation of a modern regulatory-legal framework providing the most favourable conditions for innovative activity, the development of scientific and technological products and infrastructure, the use of venture and insurance funds, the commercialization of and growth in export of intellectual property, the frequent renovation of the material and technical basis for science, the organization of world-class technological centres capable of implementing large-scale innovative projects, attracting foreign direct investments, and providing conditions for the establishment and development of hi-tech enterprises.

Annual GDP growth in the science and technology sector and the approximation of its value and structure to that of EU countries will enhance innovative activity and receptivity of the Belarusian economy, provide for growth in applied science and improve the age-employment ratio of highly qualified professionals.

The creation of an efficient system of incentives for the development of hi-tech enterprises, a mechanism for the flow of financial, labour and material resources from contracting to growing economic sectors, and the digitization of the economy and society will enhance the technological basis of the Republic of Belarus, and result in a growth in the exports related products, the attraction of foreign investments and the integration of the national innovative system with the global innovative system.

For the protection from external threats to national security in the science and technology sector, the Republic of Belarus will pursue scientific research and development in the field of technologies, and their expanded reproduction in the structure of the national economy shall be provided. Industries of higher technological setups will be developed to provide the material and technical basis for the safe operation of critical facilities, systems and infrastructure.

A strategically important goal concerns the development of a system to access international electronic databases of scientific and technical information, the creation of a system of international scientific laboratories and centres, as well as the provision of the favourable economic conditions for research in Belarus, the attraction of investments in its scientific sector, as well as the establishment of new innovative enterprises.

The formation of a system to predict advances in the technological domain, as well as to monitor developments in scientific ideas and regulatory frameworks for the protection of intelligence property shall be of key importance.

The productive sector shall focus on the establishment of joint ventures manufacturing hi-tech and sophisticated products, and on the development of the scientific sector. The set tasks shall be achieved when the

export of capital technologies to foreign states increases, and when foreign enterprises increase their use of Belarusian technologies.

52. In the social sector, the Republic of Belarus aims to become one of the top 50 countries with the highest potential for human development. That said, actions of the state shall focus on ensuring a decent standard and quality of life, including at the expense of the growth of real wages and other incomes, the perfection of the pension system and targeted social assistance, and the development of a system of state social standards.

These tasks shall be achieved through increases in employment numbers and efficiency, rational use of labour resources, and enhancement of the quality and competitiveness of the labour market. The key tasks for developing labor relations include balancing demand and supply in the labor market, ensuring territorial mobility of labour resources, motivating the labor force, and raising social responsibility for work results. Efforts to integrate disabled persons into society and the economy will be continued.

Promoting affordable and high-quality housing and improving the level and culture of security will remain a priority.

The Republic of Belarus will continue to increase investments in public health, improve prophylaxis of epidemics, and promote accessibility to and raise the quality of healthcare services, including through the provision of medicines to the population and the promotion of healthy living.

State support for the system of education will be continued, including by raising the quality of higher education and the importance of vocational secondary education.

Importance will be attached to the spiritual and moral education of citizens, including through the development of the ideology of the Belarusian state based on the traditional values of our society. State efforts will focus on protecting and promoting the spiritual and historic-cultural potential of the country, improving the material and technical state of welfare facilities, and implementing a long-term strategy to assist the development of the Belarusian diaspora.

The perfection of state policy in the field of inter-ethnic and inter-confessional relations will provide for the consolidation of the 'Belarusian people'; promote respect for other nationalities, religions and cultures; and suppress any attempts to instigate national and religious enmity.

An important role in the provision of security in the social sector will belong to employment programmes, secondary and vocational education, prophylaxis and treatment of social diseases, the prevention of crime (particularly juvenile), housing construction, and the preservation of historic and cultural heritage, etc.

53. In the demographic sector, the main priorities for state policy include pronatalist policies aiming to increase the national birth rates, as well as support to families with three or more children.

The reduction of mortality, the growth of life expectancy, the protection of maternal and child health, and the preservation of reproductive and general health of the population will remain important tasks.

Proper attention will be paid to optimizing migration processes, creating conditions for reducing emigration and preserving the intellectual and labour potential of the Republic, as well as attracting skilled professionals from abroad. Strategies for the prevention of illegal migration will be continued.

54. With the purpose of neutralizing internal threats to national security in the information sector, the mechanisms for citizens to exercise their right to obtain, store, use and manage information shall be improved, including through the use of advanced information and communication technologies. The state guarantees access to state information resources, including remote access, and possibility of obtaining information services. An important objective concerns the development and implementation of a strategy of computerization, aimed at developing an electronic system to facilitate the provision of administrative services to citizens and business by state bodies and other organizations, and the transition of state machinery to work on the principle of information interaction. The industry of information and telecommunication technologies will be developed at an accelerated rate. Particular attention will be paid to enhancing the quality, volume and competitiveness of the national information sector, increasing its national prominence and ensuring its promotion in the external information space.

A priority area concerns improvements to the regulatory-legal framework of information security and creating a comprehensive state system of information security, including through optimizing mechanisms of state regulation for activity in this sector. That said, great importance will be placed on improving the capacity of law enforcement bodies involved in the prevention, detection, and suppression of crimes against information security, as well as the provision of information security in accordance with legislation. The development and implementation of advanced methods and means for information protection in information systems used in the infrastructure – of critical importance to the country as their failure or collapse may have a serious negative impact on national security – will be continued.

The neutralization of a number of internal threats to the national security will be facilitated by information support for state policy, comprising impartial information for citizens of the Republic of Belarus and the external audience of state policy in all sectors of society and related activities, the official stand on socially important events in the country and abroad, and the activity of state bodies. That said, expanding channels and improving the quality of information for the international public remains an important task. One integral element of information support for state policy concerns the information struggle, which assumes the integrated employment of information, technical and other methods, and the ways and means to influence the information sector with the aim of achieving political, economic and other objectives or protecting the domestic information space.

The protection from external threats to national security in the information sector shall be provided through the participation of the Republic of Belarus in international treaties regimenting global information exchanges, and the creation and use of interstate and international global information networks and systems. To prevent technological dependence, the state will retain the role of regulator for the implementation of foreign information technologies.

55. The Republic of Belarus shall provide military security based on the principles of defence sufficiency and the strategic deterrence of potential aggression, and the prioritization of non-military means.

The most important task faced by the state regarding the provision of military security is presented by the preparation of the country for defence. The following themes will be prioritized: cultivating patriotism in society, promoting a sense of responsibility of citizens for the defence of the fatherland, enhancing motivation with regards to military service, and strengthening the human potential of the Armed Forces, other troops, military formations and paramilitary organizations. Methods to improve the social protection of military servants will be further developed.

The progressive development of the Armed Forces, other troops, military formations, and paramilitary organizations shall continue. An essential condition for this task is concerns the development of timely and fully funded state defence programmes, and changes to the structure of defence expenditures with an increase in total funds allocated for the re-equipment of the Armed Forces in accordance with present-day requirements. Modernization of the Armed Forces' infrastructure will be conducted simultaneously.

To maintain the required level of military readiness, efforts to raise the competitiveness of the defence sector of the economy and its capabilities for creating modern and advanced weapons, and military and special equipment for the Armed Forces' and for developing military-technical cooperation, will be intensified.

A priority area for activities that protect against external sources of threats to the security of the Republic of Belarus in the military sector concerns the development of state policy aimed at strengthening the pan-European security system and mutual confidence, as well as the renunciation of solutions to disputed issues by use of military force.

While being engaged in military build-up jointly with the Russian Federation and promoting military-technical cooperation aimed at enhancing the defence potential of the Union State in the East European region of collective security, the Republic of Belarus also takes part in negotiating new agreements in the field of disarmament and arms control, confidence-building measures, and the resolution of issues of non-proliferation of mass destruction weapons. The Republic of Belarus stands ready for mutual cooperation with the North Atlantic Treaty Organization and the EU on strengthening European security and stability.

Consistent support for initiatives for the formation of the Euro-Atlantic collective security system on a strict legal treaty basis will take place simultaneously with activities aimed at enhancing the efficiency of CSTO, providing it with a key role as the main tool for collective security in the post-Soviet states and the expansion of military and military-technical cooperation with the CSTO member states.

56. The neutralization of internal threats to national security in the environmental sector will be facilitated by economic growth within the limits of the assimilating capacity of the biosphere and by improving the environmental situation in the Republic of Belarus on the basis of the introduction of energy and resource-saving technologies, advanced systems for the protection of environmentally hazardous facilities, and the development and implementation of environment-friendly technologies and renewable energy sources.

Comprehensive rehabilitation and the recovery of territories of the Republic of Belarus that suffered from the Chernobyl NPP shall continue. The state system for the prevention and recovery of emergency situations will be further improved to ensure the efficient protection of the population and territories from emergency situations of a natural or technical origin. During the construction and operation of the national NPP, all international rules and norms in the field of radiation, industrial and environmental safety will be strictly observed.

The development of a national environmental monitoring system, the formation of a market for environmental services, the introduction of environmental audits and insurance, and an efficient regulatory-legal framework for environmental security, including a system of charges for use of natural resources and adequate compensation of damage caused to the natural environment, will be of key importance.

Developing international cooperation in the field of environmental protection and legal solutions to transnational environmental problems; enhancing the credibility of assessments and forecasts of the state of the natural environment, climate change, hazardous weather and climatic events; adapting sectors of the economy to environmental changes; and reducing greenhouse gas emissions shall ensure protection from external threats to national security in the environmental sector.

CHAPTER 9. SYSTEM OF PROVISION OF NATIONAL SECURITY

57. The system for the provision of national security refers to all subjects of national security, and the means used by them to protect and attain national interests of the Republic of Belarus and the provision of security of individuals, society and the state.

The legal framework for the provision of national security is composed of the Constitution of the Republic of Belarus, laws of the Republic of Belarus, regulatory legal acts of the President of the Republic of Belarus, and other legislative acts regulating social relations in the field of national security, including international treaties of the Republic of Belarus.

58. Subjects of national security perform coordinated activities to attain goals and implement tasks related to the provision of national security in accordance with their legal status specified by legislation. That said:

- the President of the Republic of Belarus exercises general oversight of the national security system by exercising his powers via the Security Council of the Republic of Belarus and its working body – the State Secretariat of the Security Council of the Republic of Belarus, as well as via the Council of Ministers of the Republic of Belarus;
- the National Assembly of the Republic of Belarus adopts laws in the field of national security;
- the Security Council of the Republic of Belarus considers the domestic and foreign policy of the Republic of Belarus related to national security interests, takes decisions related to them and, in particular, nominates the state bodies responsible for the provision of national security in the key sectors of society and the state; establishes indicators for national security; and organizes the efficient functioning of the national security system;
- the Council of Ministers of the Republic of Belarus, acting within the limits of its competence, plans measures for the provision of national security, and organizes and monitors their implementation;
- state bodies subordinated (reporting) to the President of the Republic of Belarus and Republic bodies of state governance subordinated to the Government, in accordance with their competence, imple-

ment measures aimed at implementing tasks related to the provision of national security and maintaining available forces and military readiness;

- courts exercise justice in cases concerning issues related to the provision of national security;
- local authorities and self-government bodies implement tasks in the field of national security in line with their competences as established by law.

59. Citizens take part in the provision of national security by exercising their rights and duties (including through the fulfilment of the sacred duty of defence of the Republic of Belarus) provided by the Constitution of the Republic of Belarus, the laws of the Republic of Belarus, and regulatory legal acts of the President of the Republic of Belarus. They actualize values related to national interests, ways and the means of their protection through participation in elections, referenda and other forms of direct democracy, as well as through state authorities and local self-government bodies.

The participation of citizens, the public and other organizations in the provision of national security may also be exercised by means of:

- informing state bodies about the existence (emergence) of sources and factors posing a threat to national security;
- immediate defence of rights and freedoms of citizens, and interests of society by legitimate methods and means;
- drafting and submitting proposals to state bodies for the perfection of regulatory legal acts regimenting social relations in different sectors of national security;
- participating in the shaping of public opinion on issues related to the provision of national security;
- improving the political culture and responsibility of citizens, civic consciousness and the promotion of patriotism;
- assisting state bodies in the provision of national security and the achievement of public accord and stability by legitimate methods and means.

60. For the implementation of tasks related to the provision of national security in accordance with the Constitution of the Republic of Belarus, laws of the Republic of Belarus, and regulatory legal acts of the President of the Republic of Belarus, national security forces are created, including: the Armed Forces, state security bodies, border service bodies, internal troops of the Ministry of Internal Affairs, the Security Service of the President of the Republic of Belarus, the Operational and Analytical Centre under the President of the Republic of Belarus, other troops and military formations of the Republic of Belarus, the Investigative Committee, the State Forensic Examination Committee, bodies of internal affairs, bodies and units for emergency situations, financial investigation bodies, customs bodies, the body of financial monitoring, units (services) of other state bodies responsible for the safe operation of industry, the energy sector, transportation, communications and information security, environmental protection, etc.

61. The key functions of the providers of national security include the:

- perfection of the conceptual and legal framework for provision of national security;
- elaboration of the interests of individuals, society and the state in accordance with the current situation, and the formation and maintenance of their required balance;
- development and timely adjustment of indicators established for national security, and criteria to monitor the efficiency of the activity of its subjects;
- organization and conduct related to monitoring, analysing and assessing the state of national security;
- determination of priority areas and tasks related to the provision of national security in key sectors;
- forecasting and timely identification of a rise in the level of danger and an assessment of internal and external risks, as well as challenges and threats to national security;
- planning and practical implementation of a package of immediate and long-term measures to prevent and neutralize risks, challenges and threats to national security, as well as damage to the national interests and development of the Republic of Belarus;

- management of available forces and means, and their maintenance to ensure permanent readiness on the basis of organizational, human, financial, material, technical, information and other resources;
- organization for the interaction and coordination of the activities of all subjects responsible for the provision of national security, as well as the assessment of the level of efficiency of their activities;
- information to citizens about the state and the provision of national security.

62. Interaction among subjects responsible for provision of national security is organized by taking into account their legal status, competence and the nature of the set tasks, with the coordinating role assumed by the Security Council of the Republic of Belarus and its working bodies.

The national security provision system is organized and developed by further perfecting the available subsystems and mechanisms that support its reliable and steady functioning, and by considering the actual financial and material capabilities of the state.

Tasks related to the provision of national security are implemented through the systemic use of political, diplomatic, economic, legal, military, information and other means aimed at the identification, prevention and neutralization of internal and external risks, and challenges and threats to the security of individuals, society and the state, as well as the prevention or minimisation of the scale of damage to the national interests of the Republic of Belarus. The degree of concentration and scope of use of the available resources are determined, based on the probability and degree of influence of threats on the Republic of Belarus, and the actual capabilities of the state and society.

63. The efficiency of the provision of national security is achieved by the ability of the national security provision system to ensure timely detection to changes in internal and domestic challenges and threats to the national security, and to prevent or minimize in a timely manner the consequences of crises, combined with targeted activities for the protection and attainment of national interests.

State bodies belonging to the national security provision system, acting within the limits of their competence and in unison, shall respond to risks, challenges and threats to the national security arising from crises, including:

- collecting, processing and analysing information (monitoring) on the development of the situation (conditions) in the relevant sectors of the provision of national security;
- assessing the situation, including forecasting its development and possible negative effects;
- generating proposals to improve prompt responses to challenges and threats to the national security.

In case of increased danger, or the emergence of risks, challenges, and aggravation of threats to the national security during responses to crises, relevant managerial decisions are elaborated, taken and implemented, including immediate, mid-term and long-term measures.

In case of the emergence of an imminent threat(s) to national security, proposals are prepared for the President of the Republic of Belarus and the Security Council of the Republic of Belarus to take urgent measures aimed at protecting against such threat(s), preventing crisis situations or minimizing their possible negative consequences, implementing adopted decisions, and controlling the implementation and regulation of the system for the provision of national security and its organization.

64. In the interests of national security, an integrated system of strategic planning is created. Strategic planning documents, based on this Concept and on socio-economic development programmes of the Republic of Belarus, are drafted, reviewed, and approved in accordance with the procedure envisaged by the legislation.

65. The key indicators of the state of national security include the:

- GDP share of investments in fixed assets;
- level of innovative activity of industrial enterprises;
- internal expenditures on scientific research and development;
- ratio of state debt servicing payments to the Republic budget revenues;
- human development index;
- decile dispersion ratio;

- aggregate birth rate;
- depopulation rate;
- sufficiency of resources for public health and education;
- development of information technologies and telecommunications;
- filling vacant positions with military personnel;
- provision of the Armed Forces with modern weapons, military and special equipment;
- elasticity coefficient of emission, discharge of pollutants, waste production and GDP growth.

SECTION V. FINAL PROVISIONS

66. This Concept is implemented under the supervision of the President of the Republic of Belarus on the basis of the consolidation of efforts and resources of the state, civil society institutions and citizens for the protection and attainment of the national interests of the Republic of Belarus.
67. Monitoring of the progress of implementation of this Concept is performed by the State Secretariat of the Security Council of the Republic of Belarus, including as part of the preparation of the annual report of the State Secretary of the Security Council of the Republic of Belarus to the President of the Republic of Belarus on the state of national security and security building measures.

LAW OF THE REPUBLIC OF BELARUS

‘On Ratification of the Agreement on the Legal Status of the Collective Security Treaty Organization’

15 July 2003, No. 223-3

Adopted by the House of Representatives on 13 June 2003

Approved by the Council of the Republic on 30 June 2003

Article 1. To ratify the Agreement on the Legal Status of the Collective Security Treaty Organization, signed in Chisinau on 7 October 2002.

Article 2. Coordination of the implementation of the Agreement on the Legal Status of the Collective Security Treaty Organization placed with the Ministry of Foreign Affairs of the Republic of Belarus.

Article 3. Cabinet of Ministers of the Republic of Belarus to adopt the necessary measures to implement the provisions of this Law.

President of the Republic of Belarus

A. Lukashenka

AGREEMENT ON THE LEGAL STATUS OF THE COLLECTIVE SECURITY TREATY ORGANIZATION

The States Parties to the Treaty on Collective Security,
On the basis of the Treaty on Collective Security of 15 May 1992 (hereinafter ‘the Treaty’),
Guided by the universally recognized principles of international law,
Wishing to ensure the necessary conditions for the effective achievement of the
purposes and principles of the Collective Security Treaty Organization (hereinafter ‘the Organization’),
Have agreed as follows:

Article 1. For the purposes of this Agreement, the following terms shall have the meanings assigned to them hereunder:

‘The Parties’: the States Parties to this Agreement;

‘The member states’: the member states of the Organization;

‘The Council’: the Council on Collective Security established in accordance with chapter IV of the Charter of the Organization;

‘The receiving state’: the member state in the territory of which the Secretariat of the Organization is located or carries out its work;

‘The organs of the Organization’: the Council on Collective Security, the Council of Ministers for Foreign Affairs, the Council of Ministers of Defence, and the Committee of Secretaries of the Security Councils of the member states of the Organization;

‘Representatives of member states’: representatives of member states of the Organization, including heads and members of delegations participating in activities carried out within the framework of the Organization;

‘The Secretariat’: the permanent working organ of the Organization;

‘The Secretary-General’: the highest administrative official of the Organization, heading the Secretariat, and appointed by the Council;

‘Officials’: persons approved under the procedure laid down by the Organization after being nominated by member states of the Organization in accordance with the quotas of posts established for each member state, in the list determined by the Council;

‘Employees’: persons working as specialists in the Organization on the basis of contracts concluded with them;

‘Premises of the Organization’: all premises, buildings or parts of buildings used for the official purposes of the Organization and provided to the Organization by the receiving state;

'Family members': spouse, minor children and dependents of the Secretary-General, officials or employees of the Organization.

I. LEGAL CAPACITY, PRIVILEGES AND IMMUNITIES OF THE ORGANIZATION

Article 2. The Organization shall enjoy in the territory of each member state such legal capacity as is necessary for the exercise of its functions in accordance with the Charter of the Organization.

Article 3. The property and assets of the Organization shall be inviolable. They shall have immunity from every form of administrative or legal process, except for cases when the Organization itself waives its immunity.

The premises of the Organization, and also its archives and documents, including official correspondence, wherever located, shall be immune from search, requisition, attachment or any other form of interference.

Representatives of the relevant authorities and administrative bodies of the receiving state may not enter the premises of the Organization, except with the consent of the Secretary-General or his deputy.

Any actions decided upon by the relevant authorities and administrative bodies of the receiving state may be carried out in the premises of the Organization only with the consent of the Secretary-General or his deputy.

The premises of the Organization may not serve as a refuge for persons being prosecuted under the law of any of the Parties or subject to extradition to a member state or a third state.

The inviolability of the premises of the Organization shall not give rise to the right to use them for purposes incompatible with the functions of the Organization or detrimental to the security of the Parties or the interests of their physical or juridical persons.

The receiving state shall take the appropriate steps to protect the premises of the Organization against any intrusion or damage.

Article 4. The Organization shall be exempt in member states from direct taxes and charges, duties and other payments other than those that represent payment for specific services rendered.

Articles and other property intended for the official use of the Organization shall be exempt in member states from the imposition of customs duties, taxes and related charges, other than charges for cartage, storage, and customs registration in places other than those established for the purpose or outside the working hours of the competent customs organ and similar services under the procedure envisaged for other international organizations. Their use for other purposes, including their sale or transfer, shall entail the payment of customs duties and compliance with other formalities in accordance with the legislation of the receiving state.

Article 5. With regard to its official communications, the Organization shall enjoy treatment that is no less favourable than that accorded by the receiving state to diplomatic missions.

Article 6. The Organization may place the flag, emblem or other insignia of the Organization on premises occupied by it and use them on official vehicles. The placement of the insignia of the Organization in other locations shall be subject to agreement with the receiving state.

Article 7. The Organization, while complying with the legislation of member states, may, in accordance with its purposes and functions, issue and disseminate printed matter, the publication of which is envisaged by decisions of its organs.

Article 8. The receiving state shall assist the Organization in acquiring from its budgetary resources and on the basis of commercial contracts the necessary premises for the performance of its functions.

Article 9. The Organization shall engage in continuous cooperation with the authorities and administrative bodies of member states with a view to preventing any abuse of the privileges and immunities envisaged in this Agreement.

II. PRIVILEGES AND IMMUNITIES OF THE SECRETARY-GENERAL, OFFICIALS AND EMPLOYEES OF THE ORGANIZATION

Article 10. The Secretary-General, officials and employees of the Organization are international civil servants and shall not seek or receive instructions from authorities of officials of the Parties.

Each Party undertakes to strictly respect the international character of the functions of the Secretary-General, officials and employees of the Organization and not to seek to influence them.

Article 11. The Secretary-General and members of his family forming part of his household, if they are not nationals of the receiving state, shall enjoy privileges and immunities to the extent envisaged in the Vienna Convention on Diplomatic Relations of 18 April 1961.

Article 12 . Officials of the Organization and members of their families forming part of their household in the receiving state shall:

- (a) Be immune from criminal, civil and administrative liability in respect of words spoken or written and all acts performed by them in their official capacity;
- (b) Be exempt from taxation on the salaries and other emoluments paid by the Organization;
- (c) Be immune from all national service obligations;
- (d) Be immune from immigration restrictions and alien registration;
- (e) Be exempt from payment of customs duties, taxes and related charges on articles and other property intended for their first installation, other than charges for cartage, storage, customs registration in places other than those established for the purpose or outside the working hours of the competent customs organ, and similar services. The use of the aforementioned articles and property for other purposes, including the sale or the transfer of the use thereof, shall entail the payment of customs duties and compliance with other formalities in accordance with the legislation of the receiving state;
- (f) Enjoy the same privileges with regard to repatriation as are enjoyed by diplomatic representatives at times of international crisis. Subparagraphs (b), (d), (e) and (f) shall not apply to officials and members of their families who are nationals of or permanently resident in the receiving state. Officials of the Organization and members of their families who are nationals of the receiving state shall be exempt from military service if, at the request of the Organization, the competent organs of the receiving state grant the said officials the necessary deferment.

Article 13. The Secretary-General, officials and employees of the Organization shall not be entitled to engage, for personal profit or the profit of others, in any commercial or other activity other than a scientific, artistic or educational activity.

Persons who are exempt from taxes in the receiving state in accordance with Articles 11 and 12 of this Agreement shall, if they receive income from any of the activities referred to in this article, declare the aggregate income received from such activity and pay taxes in respect of it in accordance with the legislation of the receiving state.

Article 14. The Secretary-General, officials and employees of the Organization shall comply with the provisions of the legislation of the receiving state with respect to insurance against injury or damage which may be caused to the health or property of third parties from the use of any means of transport.

Article 15. Officials and employees of the Organization shall not be subject to the jurisdiction of the receiving state in respect of acts committed by them in the direct performance of their official functions except in the case of:

- (a) An action relating to compensation for damage in connection with a road transport accident caused by a vehicle belonging to the Organization or belonging to or driven by an official or employee thereof;
- (b) An action relating to death or bodily injury caused by an act of an official or employee of the Organization.

Officials of the Organization who are not nationals of the receiving state shall be immune from immigration restrictions and alien registration.

Article 16. Documents of officials or employees of the Organization shall be inviolable in the receiving state at any time and irrespective of the repository of the information.

Article 17. Residences occupied by officials and employees of the Organization who are not nationals of the receiving state shall be inviolable in the receiving state and shall be immune from search, requisition, attachment or execution.

Article 18. The privileges and immunities enjoyed by the Secretary-General, officials and employees of the Organization are granted to them not for their personal benefit but for the effective and independent exercise of their official functions in the interests of the Organization.

Article 19. The Secretary-General, officials and members of their families shall enjoy the privileges and immunities provided for in this Agreement from the moment they enter the territory of the receiving state on proceeding to take up their posts or, if they are already in its territory, from the moment when the Secretary-General or the officials begin carrying out their duties.

When the functions of the Secretary-General or an official have come to an end, his privileges and immunities, as well as the privileges and immunities of members of his family forming part of his household, shall normally cease at the moment when he leaves the receiving state or on expiry of a reasonable period in which to do so, depending on which occurs first.

The privileges and immunities of members of the family of the Secretary-General or of an official shall cease when they cease to be members of his family. If such persons intend to leave the receiving state within a reasonable period, their privileges and immunities shall subsist until the moment of their departure.

In the event of the death of the Secretary-General or of an official of the Organization, the members of his family forming part of his household shall continue to enjoy the privileges and immunities granted to them until the moment when they leave the receiving state or until the expiry of a reasonable period in which to do so, depending on which occurs first.

Article 20. Without prejudice to their privileges and immunities, it is the duty of all persons enjoying privileges and immunities under this Agreement to respect the legislation of the receiving state. They also have a duty not to interfere in the internal affairs of that state.

Article 21. The Organization may waive the immunity of one of its officials when, in the view of the Organization, immunity would impede the course of justice and could be waived without prejudice to the purposes for which it was granted. In the case of the Secretary-General, the Council shall have the right to waive immunity.

Waiver must be express.

III. PRIVILEGES AND IMMUNITIES OF REPRESENTATIVES OF MEMBER STATES

Article 22. Representatives of member states shall, while exercising their official functions and while proceeding to the place where they are to take part in activities organized by the Organization in member states, enjoy the following privileges and immunities:

- (a) Immunity from personal arrest or detention and from the jurisdiction of the receiving state in respect of all acts carried out by them in that capacity;
- (b) Inviolability of their residence;
- (c) Exemption from customs inspection of accompanying luggage and hand luggage, unless there are serious grounds for presuming that it contains articles and other property not intended for official or personal use or articles and other property the import or export of which is prohibited or controlled by the legislation of the member state. When such an inspection is necessary, it shall be conducted only in the presence of the representative of the member state in question or his authorized representative;
- (d) Exemption from immigration restrictions and alien registration.

Article 23. The privileges and immunities enjoyed by representatives of member states are granted to them not for their personal benefit but for the effective and independent exercise of their official functions in the interests of the Organization.

Representatives of member states shall not, in the receiving state, engage, for personal profit or the profit of others, in any commercial or other activity other than a scientific, artistic or educational activity.

Article 24. The premises occupied by representatives of member states, their furnishings and other property and the means of transport used by them in the exercise of their functions shall be immune from search, requisition, attachment or execution.

Article 25. Documents of representatives of member states shall be inviolable at any time, irrespective of the repository of the information.

Article 26. The sending member state may waive the immunity of its representative when, in its opinion, immunity would impede the course of justice and immunity could be waived without prejudice to the purposes for which it was granted.

Waiver must be express.

If the sending member state does not waive the immunity of its representative in respect of civil proceedings, it shall make every effort to ensure a just judgement in the case.

The initiation of proceedings by a representative of a member state shall preclude him from invoking immunity from jurisdiction in respect of any counterclaim directly connected with the principal claim.

IV. CONDITIONS OF WORK AND SOCIAL SECURITY

Article 27. The conditions of work of the Secretary-General and officials and employees of the Organization shall be determined by the Organization.

The conditions of work of the technical and service personnel of the Organization shall be governed by the national legislation of the receiving state.

Article 28. Social security (insurance) benefits for the Secretary-General, officials and employees of the Organization and members of their families shall be determined and paid in accordance with the system established by the legislation of the receiving state during the period in which the Secretary-General, officials and employees of the Organization are exercising their official functions. The funds for social and medical insurance shall be deducted from the budget of the Organization in accordance with the legislation of the receiving state.

Article 29. Pensions shall be paid to the Secretary-General, officials and employees of the Organization in accordance with the legislation of the member states of which they are nationals. Pensions established by the legislation of member states shall be paid from the budget of the Organization in the respective currency of the member states of which the Secretary-General, officials and employees of the Organization are nationals.

The costs of the pensions of the Secretary-General, officials and employees of the Organization shall be borne by the member states of which they are nationals.

Article 30. In determining pensions or social security (insurance) benefits, the period of employment as Secretary-General, official or employee of the Organization shall be included in the term of insurance or length of service in accordance with the legislation of the member state of which he is a national.

V. FINAL PROVISIONS

Article 31. Disputes concerning the application or interpretation of this Agreement shall be settled by means of consultation and negotiation between the interested Parties.

Article 32. This Agreement is subject to ratification and shall enter into force on the date of deposit of the last written notice of ratification with the depositary, who shall be the Secretary-General.

Article 33. This Agreement shall remain open for accession by any state, which becomes a member of the Organization in accordance with Article 19 of the Charter of the Organization. The instruments of accession to this Agreement shall be deposited with the depositary.

For a state acceding to this Agreement, it shall enter into force on the date of receipt by the depositary of written notice of ratification.

Article 34. Any Party may withdraw from this Agreement by sending written notice to that effect to the depositary.

This Agreement shall cease to have effect with respect to that Party on the expiry of six months from the date of receipt of such notice by the depositary.

Article 35. Amendments and additions may be made to this Agreement. They shall be drawn up in a separate protocol and shall form an integral part of this Agreement. Any of the Parties may propose amendments and additions by sending a notice to that effect to the depositary.

Protocols regarding changes and additions shall be subject to ratification and shall enter into force in accordance with the provisions of Article 32 of this Agreement.

Done at Chisinau, on 7 October 2002 in a single original in the Russian language. The single original of this Agreement shall be kept by the depositary, who shall send a certified copy thereof to each State which has signed this Agreement.

For the Republic of Armenia, R. Kocharjan; for the Republic of Belarus, A. Lukashenko; for the Republic of Kazakhstan, N. Nazarbaev; for the Kyrgyz Republic, A. Akaev; for the Russian Federation, V. Putin; for the Republic of Tajikistan, E. Rahmonov.

LAW OF THE REPUBLIC OF BELARUS 'On Accession of the Republic of Belarus to the Treaty on Cooperation among the States Members of the Commonwealth of Independent States in Combating Terrorism'

16 December 2002, No. 158-3

Adopted by the House of Representatives on 14 November 2002

Approved by the Council of the Republic on 2 December 2002

Article 1. To join the Treaty on Cooperation among the States Members of the Commonwealth of Independent States in Combating Terrorism signed in Minsk on 4 June 1999.

Article 2. In conformity with Article 3, Paragraph 1 of the Treaty on Cooperation among the States Members of the Commonwealth of Independent States in Combating Terrorism, responsibility for the implementation of the Treaty is placed with the State Security Committee of the Republic of Belarus.

Article 3. Cabinet of Ministers of the Republic of Belarus to adopt the necessary measures to implement the provisions of the Treaty on Cooperation among the States Members of the Commonwealth of Independent States in Combating Terrorism.

President of the Republic of Belarus

A. Lukashenka

TREATY ON COOPERATION AMONG THE STATES MEMBERS OF THE COMMONWEALTH OF INDEPENDENT STATES IN COMBATING TERRORISM

Done at Minsk on 4 June 1999

The States Parties to this Treaty, in the person of their Governments, hereinafter referred to as the Parties, Aware of the danger posed by acts of terrorism,

Bearing in mind the instruments adopted within the United Nations and the Commonwealth of Independent States, as well as other international instruments, relating to combating the various manifestations of terrorism,

Wishing to render one another the broadest possible assistance in increasing the effectiveness of cooperation in this field,

Have agreed as follows:

Article 1. The following definitions are used for the purposes of this Treaty:

'Terrorism': an illegal act punishable under criminal law committed for the purpose of undermining public safety, influencing decision-making by the authorities or terrorizing the population, and taking the form of:

- Violence or the threat of violence against natural or juridical persons;
- Destroying (damaging) or threatening to destroy (damage) property and other material objects so as to endanger people's lives;
- Causing substantial harm to property or the occurrence of other consequences dangerous to society;
- Threatening the life of a statesman or public figure for the purpose defaming his activities, of other public activities, or in revenge for such activity;
- Attacking a representative of a foreign State or an internationally protected staff member of an international organization, as well as the business premises or vehicles of internationally protected persons;
- Other acts classified as terrorist under the national legislation of the Parties or under universally recognized international legal instruments aimed at combating terrorism;

'Technological terrorism': the use or threat of the use of nuclear, radiological, chemical or bacteriological (biological) weapons or their components, pathogenic micro-organisms, radioactive substances or other substances harmful to human health, including the seizure, putting out of operation or destruction of nuclear, chemical or other facilities posing an increased technological and environmental danger and the utility systems of towns and other inhabited localities, if these acts are committed for the purpose of undermining public safety, terrorizing the population or influencing the decisions of the authorities in order to achieve political, mercenary or any other ends, as well as attempts to commit one of the crimes listed above for the same purposes and leading, financing or acting as the instigator, accessory or accomplice of a person who commits or attempts to commit such a crime;

'Facilities posing an increased technological and environmental danger': enterprises, installations, plants and other facilities whose inoperability may lead to loss of human life, the impairment of human health, pollution of the environment or destabilization of the situation in a given region or a given State as a whole;

'Special anti-terrorist units': groups of specialists formed by the Parties in accordance with their national legislation to combat acts of terrorism;

'Special items and supplies': materials, machinery and vehicles, personal equipment for members of special anti-terrorist units including weapons and ammunition, and special items and equipment.

Article 2. The Parties shall cooperate in preventing, uncovering, halting and investigating acts of terrorism in accordance with this Treaty, their national legislation and their international obligations.

Article 3.

1. Each of the Parties shall, on signing this Treaty or carrying out the domestic procedures required for its entry into force, indicate its competent authorities responsible for implementing the provisions of this Treaty.

The Parties shall immediately notify the depositary of any changes with regard to their competent authority.

2. In implementing the provisions of this Treaty, the competent authorities of the Parties shall maintain direct relations with one another.

Article 4.

1. In cooperating in combating acts of terrorism, including in relation to the extradition of persons committing them, the Parties shall not regard the acts involved as other than criminal.

2. The nationality of a person accused of an act of terrorism shall be deemed to be his nationality at the time of commission of the act.

Article 5.

1. The competent authorities of the Party shall, in accordance with this Treaty, other international agreements and national legislation, cooperate and assist one another by:

(a) Exchanging information;

(b) Responding to enquiries regarding the conduct of investigations;

(c) Developing and adopting agreed measures for preventing, uncovering, halting or investigating acts of terrorism, and informing one another about such measures;

(d) Adopting measures to prevent and halt preparations in their territory for the commission of acts of terrorism in the territory of another Party;

(e) Assisting in assessing the condition of the system for the physical protection of facilities posing an increased technological and environmental danger, and developing and implementing measures to improve that system;

(f) Exchanging legislative texts and materials with respect to their application;

(g) Sending, by agreement between interested Parties, special anti-terrorist units to render practical assistance in halting acts of terrorism and combating their consequences;

(h) Exchanging experience on the prevention and combating of terrorist acts, including the holding of training courses, seminars, consultations and workshops;

- (i) Training and further specialized training of personnel;
 - (j) Joint financing, by agreement between Parties, and conduct of research and development work on systems for and means of physically protecting facilities posing an increased technological and environmental danger;
 - (k) Implementating, on a contractual basis, deliveries of special items, technology and equipment for anti-terrorist activity.
2. The procedure for sending and executing requests for extradition, for the provision of legal aid in criminal cases and for the institution of criminal proceedings shall be determined by the international agreements to which the Parties concerned are signatories.

Article 6. The Parties shall, through joint consultations, draw up recommendations for achieving coordinated and common visions on the legal regulation of issues relating to the prevention and combating of terrorist acts.

Article 7.

1. Cooperation under this Treaty shall be conducted on the basis of requests by an interested Party for assistance to be rendered, or on the initiative of a Party that believes such assistance to be of interest to another Party.
2. The request for the rendering of assistance shall be made in writing. In urgent cases, requests may be transmitted orally, but must be confirmed in writing not later than 72 hours thereafter, including through the use of technical text transmission facilities.
If doubt arises as to the genuineness or content of a request, additional confirmation may be requested. Requests shall contain:
- (a) The name of the competent authority requesting assistance and of the authority requested; a statement of the substance of the matter; the purpose of and justification for the request; and a description of the nature of the assistance requested;
 - (b) Any other information that may be useful for the proper fulfilment of the request.
3. A request for the rendering of assistance transmitted or confirmed in writing shall be signed by the head of the requesting competent authority or his deputy and shall be certified by the seal of the competent authority.

Article 8.

1. The requested Party shall take all necessary measures to ensure the prompt and fullest possible fulfilment of the request.
The requesting Party shall be immediately notified of circumstances that prevent or substantially delay the fulfilment of the request.
2. If the fulfilment of the request does not fall within the competence of the requested competent authority, it shall transmit the request to an authority of its State, which is competent to fulfil it, and shall immediately inform the requesting competent authority.
3. The requested Party shall be entitled to request additional information that is, in its view, needed for the proper fulfilment of the request.
4. In fulfilling a request, the legislation of the requested Party shall be applied; however, at the request of the requesting Party, its legislation may be applied if that does not contradict fundamental principles of the legislation of the requested Party or its international obligations.
5. If the requested Party considers that immediate fulfilment of the request may impede a criminal prosecution or other proceedings taking place on its territory, it may postpone fulfilment of the request or condition its fulfilment on compliance with conditions determined to be necessary following consultations with the requesting Party. If the requesting Party agrees that assistance shall be rendered to it on the proposed terms, it shall comply with those terms.
6. The requested Party shall, at the request of the requesting Party, take the necessary measures to ensure confidentiality of the fact that the request has been received, the content of the request and accompanying documents, and the rendering of assistance.

If it is impossible to fulfil the request without maintaining confidentiality, the requested Party shall inform the requesting Party, which shall decide whether the request should be fulfilled under those conditions.

7. The requested Party shall inform the requesting Party as soon as possible about the results of the fulfilment of the request.

Article 9.

1. The rendering of assistance under this Treaty shall be denied in whole or in part if the requested Party believes that fulfilment of the request may impair its sovereignty, security, social order or other vital interests or is in contravention of its legislation or international obligations.
2. The rendering of assistance may be denied if the act in relation to which the request was made is not a crime under the legislation of the requested Party.
3. The requesting Party shall be notified in writing of a refusal to fulfil a request in whole or in part, with an indication of the reasons for refusal listed in Paragraph 1 of this article.

Article 10.

1. Each Party shall ensure confidentiality of information and documents received from another Party if they are classified as restricted or the transmitting Party considers it undesirable that they should be made public. The level of security classification of such information and documents shall be determined by the transmitting Party.
2. Results of the fulfilment of a request obtained on the basis of this Treaty may not without the consent of the Party providing them be used for purposes other than those for which they were requested and provided.
3. Transmission to a third party of information obtained by one Party on the basis of this Treaty shall require the prior consent of the Party providing the information.

Article 11. The competent authorities of the Parties shall exchange information on issues of mutual interest, including:

- (a) Materials distributed in the territory of their States containing information on terrorist threats, terrorist acts in course of preparation or committed and the identified intentions of given persons, groups of persons or organizations to commit acts of terrorism;
 - (b) Acts of terrorism in course of preparation that are directed against heads of State, internationally protected persons, staff of diplomatic missions, consular institutions and international organizations of the Parties and participants in State visits and international and national political, sporting and other activities;
 - (c) Instances of illegal circulation of nuclear materials, chemical, bacteriological (biological) weapons or their components, highly toxic chemicals and pathogenic micro-organisms;
 - (d) Terrorist organizations, groups and individuals that present a threat to the State security of the Parties and the establishment of contacts between terrorist organizations, groups or individuals;
 - (e) Illegal armed formations employing methods of terrorist activity, their structure, members, aims and objectives;
 - (f) Ways, means and methods of terrorist action they have identified;
 - (g) Supplies and equipment that may be provided by the Parties to one another to the extent of their ability;
 - (h) Practice with respect to the legal and other regulatory settlement of issues related to the subject of this Treaty;
 - (i) Identified and presumed channels for the financing and illegal delivery to the territory of their States of weapons and other means of committing terrorist acts;
 - (j) Terrorist encroachments aimed at violating the sovereignty and territorial integrity of Parties;
- Other issues of interest to the Parties.

Article 12.

1. The Parties may, at the request or with the consent of the Party concerned, send representatives of their competent authorities, including special anti-terrorist units, to provide procedural, advisory or practical aid in accordance with this Treaty.

In such cases, the receiving Party shall notify the other Party in writing of the place and time of and procedure for crossing its State border and the nature of the problems to be dealt with, and shall promote and facilitate the necessary conditions for their effective solution, including unimpeded carriage of persons and special items and supplies and cost-free accommodation, food and use of the transport infrastructure of the receiving Party.

Any movement of a special anti-terrorist unit or of individual members of such a unit within the territory of the receiving Party shall be possible only with special permission from and under the control of the head of the competent authority of the receiving Party.

2. The procedure for the use of air, road, rail, river and maritime transport to provide aid shall be determined by the competent authorities of the Parties in agreement with the relevant ministries and departments of the receiving Party.

Article 13.

1. For purposes of the effective and timely provision of aid, the Parties shall, when special anti-terrorist units cross the State border, ensure accelerated conduct of the formalities established by national legislation.
2. At the border crossing point, the commanding officer of a special anti-terrorist unit shall present the nominal role of members of the group and the list of special items and supplies certified by the competent authorities of the sending Party, together with an indication of the purposes of the Unit's arrival in the territory of the receiving Party, while all members of the group shall present their national passports and documents confirming that they belong to competent authorities for combating terrorism.
3. Special items and supplies shall be exempt from customs duties and payments and must be either used during the operation for the provision of aid or removed from the territory of the receiving Party upon its conclusion.

If special circumstances make it impossible to remove the special items and supplies, the competent authorities of the sending Party shall hand them over to the competent authorities of the receiving Party.

Article 14. The decision on the procedure for conducting special measures under this Treaty shall be taken by the competent authority of the receiving Party, taking into account the views of the commanding officer of the incoming anti-terrorist unit of the other Party. If these views are not taken into account, the commanding officer shall be entitled to refuse to participate in the conduct of the special measure.

Article 15.

1. The receiving Party shall refrain from any claims against a Party providing aid, including with regard to compensation for damages arising out of death, bodily injury or any other harm caused to the lives, health and property of natural persons located in the territory of the receiving Party, and also to juridical persons and the receiving Party itself, if such harm was inflicted during the performance of activities associated with the implementation of this Treaty.
2. If a participant in the special anti-terrorist unit of the sending Party inflicts harm on a person or organization while performing activities associated with the implementation of this Treaty in the territory of the receiving Party, the receiving Party shall make compensation for the harm in accordance with the provisions of national legislation which would be applied in the case of harm being inflicted by members of anti-terrorist units of the receiving Party in similar circumstances.
3. The procedure for repayment of expenses incurred by the sending Party, including expenses associated with the loss or complete or partial destruction of imported special items and supplies, shall be established by agreement between the Parties concerned.
4. If one of the Parties considers the damage caused by the actions of the special anti-terrorist unit to be disproportionate to the purposes of the operation, the differences of opinion that arise shall be settled at the bilateral level by the Parties concerned.

Article 16. For purposes of the implementation of this Treaty, the competent authorities of the Parties may, where necessary, hold consultations and working meetings.

Article 17. The Parties may, by mutual agreement and on the basis of separate agreements, conduct joint exercises of special anti-terrorist units and, on a reciprocal basis, organize training for representatives of another Party in their national anti-terrorist detachments.

Article 18.

1. Materials, special items, technology and equipment received by the competent authorities of the Parties pursuant to this Agreement may be transferred to a third party only with the consent of and on the terms specified by the competent authority, which provided such materials, special items, technology and equipment.
2. Information on the investigation methods of special anti-terrorist units and on the characteristics of special forces and of the items and supplies used in providing aid under this Agreement may not be disclosed.

Article 19

The Parties concerned shall, where necessary, agree on the financial, organizational and technical and other conditions for the provision of assistance under this Agreement.

Article 20.

1. This Treaty shall not limit the right of the Parties to conclude bilateral international agreements on issues that are the subject of this Treaty, and shall not affect the rights and obligations of Parties arising out of other international agreements to which they are parties.
2. The competent authorities of the Parties may conclude with one another agreements that regulate in more detail the procedure for implementation of this Treaty.

Article 21. Disputes arising out of the interpretation or application of this Treaty shall be resolved through consultations and negotiations between the Parties.

Article 22. This Treaty shall enter into force on the date of its signature, and for Parties whose legislation requires the completion of domestic procedures for its entry into force on the date of submission to the depositary of the relevant notification. The Parties shall notify the depositary within three months from the signature of this Treaty of the need to complete such procedures.

Article 23. This Treaty shall remain in force for five years from the date of its entry into force, and shall be automatically extended for further five-year periods unless the Parties adopt another procedure.

Each of the Parties may withdraw from this Treaty by sending written notification thereof to the depositary not less than six months prior to its withdrawal and after settling financial and other obligations that arose during the period for which this Treaty was in force.

The provisions of Article 18 of this Treaty shall continue to be applicable for a Party, which withdraws from the Treaty for a further 10 years, and those of Article 10 indefinitely.

Article 24. Following the entry into force of this Treaty, it may, with the consent of the Parties, be acceded to by other States, including States that are not members of the Commonwealth of Independent States, by means of the transmission to the depositary of instruments of accession. Accession shall be deemed to take effect upon the expiry of 30 days from the date of receipt by the depositary of the latest notification by the Parties of consent to such accession.

Article 25. The depositary shall immediately notify the Parties of an accession to this Treaty or of the completion of domestic procedures required for its entry into force, of the date of entry into force of the Treaty and of the receipt by it of other notifications and documents.

Done at Minsk on 4 June 1999 in one original in the Russian language.

The original shall be kept in the Executive Committee of the Commonwealth of Independent States, which shall send to each State signing this Treaty a true copy thereof.

For the Government of Azerbaijan, A. Abbasov; for the Government of the Republic of Armenia, A. Darbinian; for the Government of Georgia, V. Lordkipanidze; for the Government of the Republic of Kazakhstan, N. Balginbaev; for the Government of the Kyrgyz Republic, B. Silaev; for the Government of Moldova, I. Sturza; for the Government of the Russian Federation, S. Stepashin; For the Government of the Republic of Tajikistan, Y. Azimov.

The Treaty is not signed by the Republic of Belarus, Turkmenistan, the Republic of Uzbekistan, or Ukraine.

LAW OF THE REPUBLIC OF BELARUS

‘On Approving the Military Doctrine of the Republic of Belarus’

20 July 2016, No. 412-3

Adopted by the House of Representatives 16 June 2016

Approved by the Council of the Republic 30 June 2016

Article 1. To approve the attached Military Doctrine of the Republic of Belarus.

Article 2. To declare invalid:

The Law of the Republic of Belarus of 3 January 2002 ‘On the Approval of the Military Doctrine of the Republic of Belarus’ (National Register of Legal Acts of the Republic of Belarus, 2002, No. 6, 2/826);

Article 4. of the Law of the Republic of Belarus of 6 January 2009 ‘On Amendments and Additions to Certain Laws of the Republic of Belarus on State and Mobilization Material Reserves’ (National Register of Legal Acts of the Republic of Belarus, 2009, No. 16, 2/1560);

Article 3. of the Law of the Republic of Belarus of 26 October 2012 ‘On Amendments and Additions to Certain Laws of the Republic of Belarus on the Issues of Combating Terrorism and Countering Extremism’ (National Legal Internet Portal of the Republic of Belarus, 01.11.2012, 2/1987);

Article 1 of the Law of the Republic of Belarus of December 12, 2013 ‘On amendments and additions to the program laws of the Republic of Belarus’ (National Legal Internet Portal of the Republic of Belarus, 17.12.2013, 2/2081).

Article 3. The Council of Ministers of the Republic of Belarus in the period not later than six months shall: ensure that legislative acts are brought in line with this Law;

take other measures necessary to implement the provisions of this Law.

Article 4. This Law takes effect after its official publication.

President of the Republic of Belarus

A.Lukashenka

APPROVED
Law of the Republic of Belarus
20.07.2016 No. 412-3

MILITARY DOCTRINE OF THE REPUBLIC OF BELARUS

SECTION I. GENERAL PROVISIONS

CHAPTER 1. FUNDAMENTALS OF THE MILITARY DOCTRINE

1. The Military Doctrine of the Republic of Belarus (hereinafter referred to as ‘Military Doctrine’) is a system of officially adopted views in the Republic of Belarus on ensuring its military security. The Military Doctrine defines the military-political, military-strategic and military-economic fundamentals of the military security of the Republic of Belarus (hereinafter referred to as ‘military security’, unless otherwise specified) in the contemporary time period, including the stance of the Republic of Belarus on military conflicts and

prevention thereof, measures to ensure military security, the primary areas of military development and the procedure for the use of military force for armed defence of the Republic of Belarus.

2. The provisions of the Military Doctrine are based on the assessment of the global military-political situation, including in Europe, the forecast for its development in the medium term, and scientific research in the sphere of armed defence of the Republic of Belarus, as well as available experience in military development and military security. The provisions are further elaborated in the Defence Plan of the Republic of Belarus and other defence strategic planning documents.
3. The legal framework of the Military Doctrine comprises the Constitution of the Republic of Belarus, the National Security Concept of the Republic of Belarus, and other legislative acts, as well as generally accepted principles and norms of international law, and international agreements of the Republic of Belarus.

CHAPTER 2. KEY TERMS AND DEFINITIONS

4. The Military Doctrine uses the following terms and definitions:

- 'military security': the state of protection of the national interests of the Republic of Belarus from military threats;
- 'military danger': the current condition of the military-political situation characterized by interests, intentions, capabilities and actions of states (coalitions of states), as well as non-state actors, including terrorist and extremist organizations, which, given certain geopolitical, military-strategic, socio-political and economic conditions, may lead to military conflict;
- 'state military establishment': military and political governance bodies, including the Armed Forces of the Republic of Belarus, other troops and military formations, militarized organizations of the Republic of Belarus (hereinafter referred to as 'the Armed Forces and other troops', unless otherwise specified), the defence sector of the economy and its governance bodies, and other state agencies and organizations, the joint actions of which are aimed at ensuring military security;
- 'military policy of the Republic of Belarus' (hereinafter referred to as 'military policy'): actions of the state aimed at preparing the forces and resources of its military establishment, and at determining the procedure and means for their use to ensure military security, including for the prevention of military conflicts and for the defence of the Republic of Belarus;
- 'military threat': the highest level of military danger, during which the status of interstate or domestic relations is characterized by the actions of another state (coalition of states), as well as non-state actors, including terrorist and extremist organizations, that indicate a real possibility of military conflict;
- 'military development' (the development of the state military establishment): a system of legal, political, economic, research, military, ideological, social, organizational and other measures carried out in the interests of developing the state military establishment and increasing its military potential to ensure military security;
- 'military-political situation': a combination of conditions and factors resulting from the actions of states (coalitions of states), as well as non-state actors, including terrorist and extremist organizations, that characterize the probability, intensity and scale of their use of military force (means of warfare), whether for their own interests or to resolve antagonisms that have arisen;
- 'military conflict': a form of resolving hostilities in interstate or domestic relations with the use of military force (means of warfare) by opposing sides, including wars of various scales, international and domestic armed conflicts, and the use of military force in other forms;
- 'war': a socio-political phenomenon that represents the extreme form of resolving political, economic, ideological, national, religious, territorial and other hostilities between states, peoples, nations and social groups. In order to accomplish its goals, modern warfare utilizes political, economic, ideological, military, and other violent and non-violent means and appropriate forms of engagement;
- 'armed conflict': one of the forms of resolving interstate and domestic antagonisms by means of a limited use of military force by states (international armed conflict) or opposing sides within the terri-

tory of one state (domestic armed conflict), during which the state (states) party to the conflict do not enter a state of war;

- 'source of military threat': a factor or a sum of factors that, under certain conditions, are capable of increasing the level of military danger to that of a military threat;
- 'large-scale war': global-level armed hostilities between coalitions (unions, blocs) of states that affects a large portion of the world and that involves the interests of the entire global community;
- 'local war': a war with limited political objectives and scale that is waged primarily between two neighbouring states, affects a limited geography, and mainly involves only the interests of the opposing sides (whether such interests are territorial, political, economic or other);
- 'illegal armed formation': a governed, sustained association of persons in which at least one person is in possession of weapons (of which other members of the associations are aware), created for the purposes of committing actions aimed at forcibly overthrowing the constitutional order and/or territorial integrity of the state, seizing or holding power by unconstitutional means, and organizing, or taking part in, mass disturbances;
- 'defence infrastructure': a part of the infrastructure of the Republic of Belarus that comprises the sum of military infrastructure assets and dual-purpose civil infrastructure assets, and that is intended for ensuring the preparation and carrying out of armed defence of the Republic of Belarus;
- 'defence sector of the economy': a component of the economy of the Republic of Belarus that includes organizations that hold special permits (licences) to carry out activities related to specific goods (works, services) and research and/or manufacturing activities aimed at creating products (carrying works, providing services) for military use;
- 'period of rising military threat': a period of peacetime that precedes wartime and that is characterized by a high intensity of antagonism in interstate and domestic relations, and an intensification of direct preparation for war or armed conflict by the opposing sides;
- 'regional war': a war with three or more participant states, waged within the boundaries of a certain region (territory), usually by coalition armed forces (groups of troops (forces)) in pursuit of decisive military-political objectives;
- 'strategic deterrence': a combination of coordinated political, economic, research, military, ideological, social and other measures carried out by a state to deter a potential adversary and demonstrate its determination to defend the independence, territorial integrity, sovereignty and constitutional order of the Republic of Belarus, and to prevent military threats.

SECTION II. MILITARY-POLITICAL FOUNDATIONS OF MILITARY SECURITY

CHAPTER 3. MILITARY-POLITICAL SITUATION

5. The military-political situation surrounding the Republic of Belarus is characterized by several intensive and dynamic processes. The struggle between states (coalitions of states) for global leadership, market dominance, and control over raw material and resource flows has exacerbated the situation.

The aspiration of geopolitical centres of power to expand the areas of their strategic influence has resulted in the infringement and suppression of the interests of other states, provoked tensions, and contributed to greater international antagonism.

6. The creation and development of the architecture of a multi-polar world, combined with the activation of integration processes and the emergence of new geopolitical centres of powers, are accompanied by increased national, ethnic and religious extremism and separatism, resulting in the creation of non-state actors, including terrorist and extremist organizations that create and utilize armed formations.

7. Attempts by individual states (coalitions of states) to secure their leadership without regard for the interests of all international actors are resulting in the illegitimate acquisition by these states (coalitions of

states) of the rights and functions of international organizations in issues related to ensuring international peace and security by military means.

The use of military force, in circumvention of the effective norms of international law, destabilizes the international situation. At the same time, the use of diplomatic methods for conflict resolution and adherence to the generally accepted principles and norms of international law are not being used as the principal approaches to addressing issues of international peace and security.

8. The development of the military-political situation, fuelled by the aspiration of states (coalitions of states) and non-state actors, including terrorist and extremist organizations, to acquire economic and resource advantages in order to advance their interests, is characterized by a trend towards incitement of domestic antagonism. This is further exacerbated by individual states (coalitions of states) and non-state actors, including terrorist and extremist organizations, developing concepts and mechanisms for toppling existing governments in other states through the use of military force, or for violating their territorial integrity.

Attempted interference in the domestic matters of individual states, including European states, has provoked domestic armed conflicts with large-scale combined use of military forces, which includes the use of traditional military forms and methods, as well as subversive (guerrilla) tactics and terrorist warfare.

These conflicts are having a significant negative impact on global and regional security.

9. The main trends in the development of the military-political situation are defined by scientific and technological progress. The development of new kinds of weaponry, including space, hypersonic, remotely controlled, and automated weaponry, opens up previously unavailable opportunities for the combined operational deployment of military force with global reach.

The technological advantage of economically developed states in creating new kinds of weaponry serves as a catalyst for individual states to develop 'adequate response armaments', leading to the increased probability of proliferation of nuclear weapons and other weapons of mass destruction (hereinafter referred to as 'WMD'), and their components and production technologies, among states as well as non-state actors of international relations.

The use of information, communication and psychological methods and technologies for aggressive purposes is reaching a threatening scale.

CHAPTER 4. PRINCIPAL MILITARY DANGERS

10. Developing trends in the military-political situation are collectively expanding the range of sources of military threats to the Republic of Belarus.

The military danger at the level of military security risks and challenges arises from the existing sources of military threats in the context of the current military-political situation in Europe.

11. The following are recognized as the principal risks and challenges concerning external military dangers to the Republic of Belarus:

- 11.1. the aspirations of individual states (coalitions of states) to resolve existing antagonisms through the use of military force;
- 11.2. the proliferation of WMD, their components and production technologies; especially their deployment in the territories of states adjacent to the Republic of Belarus;
- 11.3. the expansion (creation) of military-political unions in Europe in which the Republic of Belarus is not a member, or the acquisition of global functions by such unions;
- 11.4. an increase in the offensive capabilities of states (coalitions of states), including the unilateral creation of strategic anti-missile defence systems and high-precision conventional weapons, enabling strikes on the troops (forces) and infrastructure of the Republic of Belarus with global reach, resulting in a disruption of the existing balance of power; as well as the build-up of military infrastructure in the territories of states adjacent to the Republic of Belarus;
- 11.5. a reduction in potential and capabilities to ensure the collective security of military-political unions to which the Republic of Belarus is party;

- 11.6. the emergence of areas in which armed conflicts are concentrated, and an escalation in such conflicts, using the capabilities of special operation forces, private military companies and illegal armed formations in the territories of states adjacent to the Republic of Belarus, resulting from the use of mechanisms aimed at overthrowing the state;
 - 11.7. a decrease in the time required for the preparation of military formations (including those of coalitions) located in the territories of states adjacent to the Republic of Belarus, which allows states (coalitions of states) to create strike groups of troops (forces) capable of action against the Republic of Belarus at short notice;
 - 11.8. an increase in the scale of operational and military training exercises of armed forces of other states (coalitions of states) in proximity to the State Border of the Republic of Belarus, without prior notification of the Republic of Belarus, where such training exercises are offensive in nature and involve aspects of planning and performance of large-scale military operations in the European region;
 - 11.9. the creation and operation in states (coalitions of states) of specialized militarized formations for the purposes of operating in the information space in order to exert damaging influences on the public, government and military agencies of the Republic of Belarus, and its infrastructure;
 - 11.10. activities by states (coalitions of states), as well as non-state actors, including terrorist and extremist organizations, aimed at preparing illegal armed formations to destabilize the Republic of Belarus;
 - 11.11. the infringement of the rights and lawful interests of citizens of the Republic of Belarus in other states;
 - 11.12. the introduction by other states (coalitions of states) of political and economic sanctions, as well as embargos on imports to the Republic of Belarus of pieces (systems) of armaments and military and special purpose equipment (AMSE) and their components, in order to exert pressure on the defence sector of its economy.
12. The following are recognized as the principal risks and challenges concerning domestic military dangers to the Republic of Belarus:
- 12.1. weakened patriotism within society, and the reduced readiness among citizens of the Republic of Belarus to participate in the armed defence of the Republic of Belarus;
 - 12.2. a significant increase in crime rates in the territory of the Republic of Belarus and an increase in illegal migration into the country and in the transit of illegal migrants through its territory, contributing to the illegal trafficking of weapons and ammunition, which can be used in acts of terrorism and other unlawful activities;
 - 12.3. the creation within the territory of the Republic of Belarus of terrorist and extremist organizations, and the training of their members to act as part of illegal armed formations to commit acts of terrorism and other unlawful actions aimed at destabilizing the Republic of Belarus, including for the purposes of inciting domestic armed conflict;
 - 12.4. the incitement of international and social tensions, extremism, and the fomentation of hatred or animosity on ethnic or religious grounds;
 - 12.5. a decrease in the capabilities of the Armed Forces of the Republic of Belarus (hereinafter referred to as 'the Armed Forces') for the strategic deterrence of aggression and other peacetime objectives, as well as for armed defence of the Republic of Belarus in case of military action taken against it.
13. Under certain conditions, including the following, the exacerbation of negative trends in the military-political situation may result in military danger to the Republic of Belarus increasing to the level of military threat:
- 13.1. the concentration of armed forces of another state (coalition of states) along the State Border of the Republic of Belarus, indicating an intention to use military force against the independence, territorial integrity, sovereignty and constitutional order of the Republic of Belarus;

- 13.2. the emergence of areas in which armed conflicts are concentrated and are directed against the independence, territorial integrity, sovereignty and constitutional order of the Republic of Belarus;
- 13.3. the mobilization within another state (coalition of states) for the purposes of an attack (act of armed aggression) against the Republic of Belarus (hereinafter referred to as 'attack');
- 13.4. a declaration of war against the Republic of Belarus by another state (other states);
- 13.5. other activities, including declarations and demonstration of strength, by other states (coalitions of states) and non-state actors, including terrorist and extremist organizations located in the territory of another state (other states), that are carried out in contravention of the Charter of the United Nations and that indicate preparation for an attack or the incitement of domestic armed conflict.

CHAPTER 5. FUNDAMENTALS OF THE MILITARY POLICY

14. By proclaiming a Military Doctrine that is purely defensive in nature, the Republic of Belarus proceeds from the premise that no state is its adversary.

15. The Republic of Belarus condemns any military conflict as a policy implementation measure and adheres to the principle of peaceful settlement of disputes.

At the same time, the Republic of Belarus will protect its national interests by all available means, including through the use of military force, and reserves the right to implement a set of preventive measures for strategic deterrence in order to preclude an attack or neutralize a domestic armed conflict.

The use of military force is viewed as a last-resort measure, after all political, diplomatic, legal, economic, informational, and ideological measures to ensure military security have been exhausted. At the same time, in case of an attack, the Republic of Belarus reserves the right to request assistance, including military assistance, from member states of the Collective Security Treaty Organization (hereinafter referred to as 'CSTO') and other states, in accordance with the international treaties of the Republic of Belarus.

16. The Republic of Belarus shall consider as its adversary any state (coalition of states) and non-state actor, including terrorist and extremist organizations, whose activities represent a military threat to the Republic of Belarus, result in interference in its domestic affairs, or infringe on its independence, territorial integrity, sovereignty and constitutional order.

17. The objectives of the military policy of the Republic of Belarus are as follows:

- 17.1. to protect the independence, territorial integrity, sovereignty and constitutional order of the Republic of Belarus;
- 17.2. to ensure military security;
- 17.3. to strengthen global and regional security, as well as domestic political stability, in order to prevent military conflicts;
- 17.4. to develop the state military establishment, to maintain its readiness for armed defence of the Republic of Belarus under any conditions and in any situation, and to improve the implementation forms and methods of the state military establishment.

18. In its relations with other states, the Republic of Belarus proceeds from the principles of sovereign equality of states, non-interference in domestic affairs, and other generally accepted principles and norms of international law. By implementing an independent military policy aligned with its national interests, the Republic of Belarus:

- 18.1. pursues a peaceful foreign policy and advocates the resolution of all interstate disputes exclusively through negotiation and other peaceful reconciliation methods;
- 18.2. respects the inviolability of state borders and territorial integrity, does not make any territorial claims against other states, and does not recognize such claims on the part of other states;
- 18.3. respects the political independence and state sovereignty of other states, and acknowledges their right to resolve matters of national security in alignment with their interests without prejudice to the security of other states;

- 18.4. observes the established levels of armaments and manpower of the Armed Forces, and facilitates control of military activity in the European region within the framework of the international obligations of the Republic of Belarus;
- 18.5. allowing for the unilateral reduction in military potential only if it is politically and economically feasible and still provides for the necessary level of defence capability.
19. The Republic of Belarus views its participation in the activities of the United Nations Organization (hereinafter referred to as 'UN') as the basis for improving mechanisms for ensuring global security.
Being a member of the Organization for Security and Co-operation in Europe, the Republic of Belarus advocates the development of the regional security system, with due consideration to the interests of all states and based on the principles of trust and mutual understanding.
By maintaining friendly and mutually beneficial relations with the European Union, and partner relations with the North Atlantic Treaty Organization, the Republic of Belarus strives to develop equitable dialogue, increase transparency, and foster mutual understanding in the context of strengthening regional security.
20. The Republic of Belarus defines its key priority areas in coalition military policy as strengthening collective security systems and further developing relations:
 - 20.1. with the Russian Federation, under the Treaty on the Creation of a Union State of December 8, 1999, on the following issues: maintaining the necessary military potential and implementing joint measures to prevent military threats to the Union State and repel aggression in the unified defence space, and ensuring the functioning of the regional group of troops (forces) of the Republic of Belarus and the Russian Federation;
 - 20.2. with member states of the CSTO, under the Collective Security Treaty of May 15, 1992, on the following issues: strengthening and using collective security forces, creating unified military systems, increasing the CSTO's peacekeeping potential, and strengthening the overall global standing of the CSTO;
 - 20.3. with member states of the Commonwealth of Independent States on the following issues: ensuring regional security, cooperation in the military sphere, and the development of joint (unified) systems;
 - 20.4. with other states with which the Republic of Belarus has bilateral international treaties on strategic partnership development.

CHAPTER 6. MEASURES TO ENSURE MILITARY SECURITY

21. To ensure military security, the Republic of Belarus determines and implements a set of measures aimed at the prevention of military threats, and at strengthening and ensuring the effective functioning of the state military establishment.
22. The measures to ensure military security during peacetime are as follows:
 - 22.1. continuous monitoring of the international military-political situation and the socio-political situation in the Republic of Belarus, and predicting their development for the purpose of developing comprehensive measures to ensure military security;
 - 22.2. defence planning of the Republic of Belarus that is timely, detailed and appropriate for the emerging military-political situation and the economic capabilities of the state, including to counteract the implementation of mechanisms to violate the independence, territorial integrity or sovereignty of the Republic of Belarus, or to forcibly change the constitutional order of the Republic of Belarus by provoking and subsequently maintaining a domestic armed conflict, by other states (coalitions of state) and non-state actors, including terrorist and extremist organizations;
 - 22.3. creating and implementating a consistent and peaceful national military policy; announcing and promoting initiatives aimed at creating effective systems for ensuring global and regional security, with due consideration to the interests of all international actors; and developing cooperation in the military and political spheres with other states located along the perimeter of the State Border of the Republic of Belarus;

- 22.4. determining the key areas and priorities for military development in the short, medium and long term, with due consideration to the emerging military-political situation and the forecast for the socio-economic development of the state;
- 22.5. maintaining the structural components of the state military establishment in the necessary condition and at the established level of readiness to effectively carry out intended objectives under any conditions, with due consideration to the capabilities of other states (coalitions of states) to tactically create strike groups of troops (forces) and to execute strikes with a global reach;
- 22.6. determining a feasible structure and headcount of the Armed Forces and other troops, and equipping them with AMSE;
- 22.7. implementing a government policy aimed at strengthening domestic patriotism and readiness to defend the national interests of the Republic of Belarus; fostering a conscientious attitude towards the armed defence of the Republic of Belarus among its citizens; and providing social protections to military servicemen (public servants, employees, workers) of the state military establishment agencies, as well as persons dismissed from military service (service in militarized organizations) and their families;
- 22.8. improving legislation related to ensuring military security, military development, the use of the Armed Forces and other troops, and the operation of the defence sector of the economy, in accordance with the situation's needs;
- 22.9. maintaining territorial and civil defence systems in a state of readiness to be deployed within the established timeframe and to effectively perform their intended objectives;
- 22.10. determining the financial and resource (material and technical) requirements to ensure military security, create the necessary resource base for mobilization deployment, and create and maintain a stock of material resources to provide for the needs of defence and armed protection of the Republic of Belarus;
- 22.11. designing and implementing a development strategy for the defence sector of the economy, and implementing a set of measures to create the prerequisites for the effective operation of organizations in the defence sector of the economy in order to supply, repair and modernize AMSE to meet the needs of the Armed Forces and other troops;
- 22.12. developing military science and non-military branches of science that are directly or indirectly related to defence issues and the development of military technologies, and strengthening the state military establishment's research potential;
- 22.13. providing the means to combat destructive ideologies and propaganda, as well as the use of information, communication and psychological methods and technologies aimed at violating the independence, territorial integrity, sovereignty and constitutional order of the Republic of Belarus; destabilizing the Republic of Belarus; or damaging the military security of the Republic of Belarus and the security of its allies;
- 22.14. counteracting intelligence activities by other states (coalitions of states) and non-state actors, including terrorist and extremist organizations, in order to protect information that constitutes state secrets of the Republic of Belarus;
- 22.15. creating a unified defence space within the Union State; strengthening the collective security systems of the CSTO and the Commonwealth of Independence States; creating and developing coalition groups of troops (forces), unified military structures and systems; and building CSTO's potential to serve as a tool for ensuring international security and security in the Eurasian region;
- 22.16. fulfilling international treaties of the Republic of Belarus, concluding new international treaties of the Republic of Belarus related to control over conventional armed forces in the European region and monitoring the comprehensive fulfilment of corresponding international obligations by signatory states;
- 22.17. contributing fully to the non-proliferation of WMD, their components and production technologies, and to the reduction and restriction of nuclear-missile armaments;

- 22.18. ensuring that forces and resources of state and military governance agencies operate effectively in maintaining domestic political stability, and counteracting and preventing the creation of terrorist and extremist organizations in the territory of the Republic of Belarus, the training of members of illegal armed formations, the organization of mass disturbances, and the perpetration of acts of terrorism;
 - 22.19. ensuring the inviolability of the State Border of the Republic of Belarus, and organizing for its reliable protection;
 - 22.20. preventing the illegal trafficking of weapons and ammunition and the proliferation of WMD, their components and production technologies, as well as the illegal migration for the purposes of creating illegal armed formations or participating in their activities, including by means of participation in interstate efforts aimed at fighting international terrorism and transnational crime;
 - 22.21. participating in peacekeeping operations conducted under the auspices of the UN;
 - 22.22. providing for government and civil control over decisions made in the sphere of military policy implementation.
23. During periods of rising military threat – or in response to violent disturbances or threats of violence on the part of groups of persons and organizations resulting in a danger to the life and health of the public, or to the independence, territorial integrity, sovereignty and the constitutional order of the Republic of Belarus – the following additional measures are implemented, as appropriate:
- 23.1. using diplomatic means to suppress an aggressor, prevent an attack and restore peace, including by means of addressing the UN, the CSTO, and other international organizations and interstate associations;
 - 23.2. declaring a state of emergency or martial law in the territory of the Republic of Belarus and declaring full or partial mobilization;
 - 23.3. implementing measures to strengthen the security and defence of the State Border of the Republic of Belarus;
 - 23.4. preparing to transition the economy of the Republic of Belarus to operate in wartime conditions and implementating such transition measures through the declaration of mobilization and of martial law;
 - 23.5. strengthening national-level strategic deterrence by carrying out defence measures;
 - 23.6. carrying out the strategic deployment of the Armed Forces (in part or in full) and activating other forces, military formations and militarized organizations of the Republic of Belarus to ensure they are ready to carry out the intended objectives;
 - 23.7. mounting territorial troops and deploying territorial defences, in part or in full;
 - 23.8. providing for the implementation of the approved plans for the preparation and utilization of the Armed Forces and other troops in case of a domestic armed conflict or to repel an attack;
 - 23.9. implementing civil defence measures appropriate to the situation at hand.
24. To ensure its military security and armed defence, the Republic of Belarus has the right to use the state military establishment and other necessary forces and means, as well as to accept assistance from other states under international treaties of the Republic of Belarus in the military sphere.
25. During wartime (in the course of military conflicts), a set of measures to carry out armed defence of the Republic of Belarus is implemented in the context of national defence.

SECTION III. MILITARY-STRATEGIC FUNDAMENTALS OF MILITARY SECURITY

CHAPTER 7. THE NATURE OF MODERN-DAY MILITARY CONFLICTS

26. Modern-day military conflicts, which may be initiated against the Republic of Belarus, or in which the Republic of Belarus may become involved, are classified as follows:
- large-scale war; regional war; local war;
 - international armed conflict;
 - domestic armed conflict.

27. Prior to the start of a military conflict in which the Republic of Belarus may become involved, the following is to be expected:
 - efforts on the part of the adversary aimed at garnering international opinion in support of foreign intervention;
 - an increase in political, diplomatic, economic and information pressure, and the intensified exertion of destructive forces aimed at inciting social tensions and destabilizing the Republic of Belarus.
28. Modern-day armed conflicts share the following features:
 - 28.1. the absence of the necessity of a formal declaration of war when initiating and waging military conflicts;
 - 28.2. shortened timelines for preparation of war and rapid and increasingly intense military operations;
 - 28.3. the active use by warring parties of non-military measures – primarily political, diplomatic, economic, information and ideological;
 - 28.4. information war as an inherent component of military conflicts;
 - 28.5. the increased importance of special operation forces and other special military formations, combined with the use of regular troops (forces) and irregular armed formations, including illegal armed formations, private military companies, terrorist and extremist organizations;
 - 28.6. the large-scale use of diversionary (guerrilla) and terrorist warfare methods;
 - 28.7. the concentration of warfare in mainly urban areas in order to establish control over population centres;
 - 28.8. attempts by the warring parties to disrupt the state and military governance systems;
 - 28.9. the use of high-performance, high-precision non-nuclear weapon systems, including weapons utilizing new physical principles, which provide for rapid strikes with global reach, enabling the targeting of troops (forces), logistics support facilities, economic infrastructure and communications;
 - 28.10. the catastrophic consequences of the targeting (disrupting) of critically important infrastructure of the Republic of Belarus, including energy facilities, chemical and other hazardous industries, and essential services.
29. A local or regional war may escalate into a large-scale war due to the involvement of a majority of other states. States (coalitions of states) participating in a large-scale war will be pursuing radical military-political goals.
30. In a regional war – in which the Republic of Belarus may become involved as a result of an increase in the scale of a domestic armed conflict, an international armed conflict, or a local war – military operations will be carried out, as a rule, by coalition groups of troops (forces).
31. A local war, in which the Republic of Belarus may become involved, may result from a gradual escalation of a domestic or international armed conflict, or begin due to a sudden attack by another state.
32. An international armed conflict, in which the Republic of Belarus may become involved, may result from interference by another state (other states) into the domestic affairs of the Republic of Belarus, or from attempts to resolve claims to a part of the territory of the Republic of Belarus by military means.

An international armed conflict may result from provocative acts by armed formations of another state (other states), carried out in territories adjacent to the border of the Republic of Belarus.
33. A domestic armed conflict in the Republic of Belarus may result from the escalation of domestic military dangers by terrorist and extremist organizations, or from a rapid destabilization of the situation within the Republic of Belarus due to the rise of political, national, ethnic or religious tensions, including those incited externally.
34. In all types of military conflicts that may be initiated against the Republic of Belarus or in which it may become involved, the Republic of Belarus shall pursue the objectives of preserving its independence, territorial integrity, sovereignty and constitutional order, and ceasing military operations on terms that are aligned with the national interests of the Republic of Belarus. With due consideration to each type of military conflict, these objectives shall be achieved through the following means:

- 34.1. in a regional (large-scale war), by defeating the adversary and repelling the attack while acting as part of the regional group of troops (forces) of the Republic of Belarus and the Russian Federation, as well as of coalition groups of troops (forces) of CSTO member states;
- 34.2. in a local war, by localizing areas in which tensions are concentrated, by inflicting maximum damage on the enemy, and by forcing the enemy to abandon continued armed incursion into the territory of the Republic of Belarus;
- 34.3. in an international armed conflict, by demonstrating the determination to protect the independence, territorial integrity, sovereignty and the constitutional order of the Republic of Belarus, and the inviolability of the State Border of the Republic of Belarus; by neutralizing the military threat; by blockading the area of potential military operations (provocative operations); by preventing critical infrastructure of the Republic of Belarus from being captured (targeted) by the adversary; by defeating the armed formations of the adversary taking part in the armed clash or attack; and by preventing the armed conflict from escalating into a local or regional war;
- 34.4. in a domestic armed conflict, by maintaining special legal regimes introduced in the state; by localizing the areas in which tensions are concentrated and blockading the areas of military operations; by defeating the adversary, including armed units that are part of illegal armed formations, private military companies, terrorist and extremist organizations; by preventing critical infrastructure of the Republic of Belarus from being captured by the adversary, including to disrupt the state and military governance systems or to acquire weapons or ammunition; by stabilizing the situation within the Republic of Belarus; and by preventing the armed conflict from escalating into a local or regional war.

CHAPTER 8. THE STATE MILITARY ESTABLISHMENT AND THE FUNDAMENTALS OF ITS OPERATION

35. The objectives of the Republic of Belarus in military conflicts, in the event of their initiation, and measures to ensure military security during peacetime, including periods of rising military threat, are achieved and implemented through the effective functioning of the state military establishment, which constitutes the foundation of the state's defence potential.
36. The purpose of the state military establishment is:
 - during peacetime, including periods of rising military threats – to perform the tasks required to ensure military security, minimize military security risks and challenges, eliminate military threats, prevent the destabilization of the domestic situation, or resolve a domestic armed conflict within the Republic of Belarus;
 - during wartime, to ensure the armed protection of the Republic of Belarus and achieve the objectives stipulated in Paragraph 34 of the Military Doctrine.
37. The President of the Republic of Belarus, being the Commander in Chief of the Armed Forces, is responsible for the overall governance of the preparation and utilization of the state military establishment for the purposes of ensuring military security.

The Security Council of the Republic of Belarus is the supreme collegiate coordination and political body created for the purposes of exercising the authority of the President of the Republic of Belarus as the Head of State and the Commander in Chief of the Armed Forces, in the sphere of ensuring national security. The scope of competence of the Security Council of the Republic of Belarus includes foreign and domestic policy issues that involve interests of national security and defence of the Republic of Belarus, as well as principal (critical) decisions related to ensuring military security.

The working body of the Security Council of the Republic of Belarus is the State Secretariat of the Security Council of the Republic of Belarus, which provides information, analytical, legal, organizational and technical support for its activities.

Once a state of martial law is declared, the General Staff of the Armed Forces shall function as the executive body of the Security Council of the Republic of Belarus in the system of strategic governance of the Armed Forces and other forces under direct command of the Commander in Chief of the Armed Forces.

The Council of Ministers of the Republic of Belarus handles, and is responsible for: issues related to the comprehensive satisfaction of the requirements of the Armed Forces and other troops regarding financial, material and other resources necessary for the armed protection of the Republic of Belarus; organizing the outfitting of the Armed Forces and other forces with AMSE and other material assets and resources as per their orders; overseeing civil defence, the work of national state governance agencies, local executive and regulatory agencies, and other state agencies aimed at preparing the economy of the Republic of Belarus for operating in wartime conditions, as well as their mobilization deployment; and organizing the development and creation of the state defence order and economy mobilization plans, as well as plans for the transition of the economy to operating in wartime conditions.

Government agencies define indicators to determine the status of national security in the Republic of Belarus in the military sphere and, in accordance with the potential level of military danger, take measures to ensure military security.

Local executive and regulatory bodies, within the scope of their authority, implement a set of measures to prevent the destabilization of the region, carry out direct preparation and governance of the territorial defence of their respective area (district), as well as civil defence within the respective territory; determine budget allocation amounts for territorial and civil defence needs; create the necessary stock of material resources, and ensure their accumulation, storage and timely renewal; in the event of martial law being declared, carry out measures to transition their subordinate organizations and other organizations within respective territories to operating in wartime conditions; provide for the implementation of mobilization plans; and assist military enlistment offices with mobilization work during peacetime and once mobilization is declared.

38. The objective of military development is to create an effective state military establishment that, during peacetime, reliably performs the tasks required to ensure military security and, during wartime, provides for armed protection of the Republic of Belarus and for accomplishing its political goals in an armed conflict.

The fundamentals of operation of the state military establishment, as well as its composition and structure, are determined in the course of military development by appropriate regulatory legal acts of the President of the Republic of Belarus, and further specified in the objectives of the state military establishment agencies, as established by legislative acts.

39. The key areas in which the state military establishment is currently undergoing development include:

- 39.1. improving the regulatory legal framework for the development and operation of the state military establishment;
- 39.2. increasing the operational effectiveness of the state and military governance systems in various military-political circumstances;
- 39.3. optimizing the structure, composition and headcount of the state military establishment agencies in accordance with the aims of ensuring military security and the economic capabilities of the state;
- 39.4. improving the system for the economic provision of the operation of the state military establishment;
- 39.5. improving the quality of training of military servicemen (public servants, employees, workers) of the state military establishment agencies in preparation for carrying out intended objectives;
- 39.6. improving the staffing system of the Armed Forces and other forces;
- 39.7. improving means to achieve and maintain high morale among military servicemen and civilians; to increase the patriotism of the citizens of the Republic of Belarus; and to strengthen the rule of law, order, and military (work) discipline among military servicemen (public servants, employees, workers) of the state military establishment agencies;
- 39.8. improving the planning and operation systems of the state military establishment;
- 39.9. strengthening the resource base, developing AMSE and increasing the effectiveness of AMSE systems for production, procurement, operation, repair and maintenance, as well as AMSE modernization;

- 39.10. improving the system of information and research support for decisions made related to ensuring military security;
- 39.11. improving territorial and civil defence;
- 39.12. increasing the prestige of military service and preparing citizens of the Republic of Belarus for military service.
40. In order to implement measures for the armed protection of the Republic of Belarus, the Armed Forces – and other troops that constitute the power component of the state military establishment – must be prepared to:
 - 40.1. perform tasks as part of the state response system to acts of terrorism, the operation of terrorist organizations and illegal armed formations, and mass disturbances;
 - 40.2. carry out a set of deterrence, preventive and preparatory measures to increase their readiness for armed protection of the Republic of Belarus in any military-political conditions, as appropriate to the level of military danger;
 - 40.3. in the event of a domestic or international armed conflict, or a local war, ensure the stabilization of the situation within the Republic of Belarus and carry out active military operations aimed at preserving the independence, territorial integrity, sovereignty and constitutional order of the Republic of Belarus;
 - 40.4. in the event of a regional or large-scale war, carry out joint military action as part of coalition groups of troops (forces) and ensure conditions for the cessation of war (conclusion of peace) on terms that do not conflict with the national interests of the Republic of Belarus.
41. Territorial defence is organized for the purposes of strengthening the protection of the State Border of the Republic of Belarus, protecting assets of strategic importance, participating in efforts to enforce martial law, conducting joint military action with the Armed Forces and other troops, and other measures aimed at ensuring the armed protection of the Republic of Belarus.

The objectives of territorial defence are:

 - increasing the defence capability of the state;
 - ensuring an nation-wide (popular) struggle against the adversary;
 - contributing to the stable functioning of government agencies and organizations, sectors and assets of the economy, and the infrastructure of the Republic of Belarus in wartime conditions;
 - increasing the operational effectiveness of the Armed Forces and other troops.

The composition and objectives of territorial defence forces, as well as the procedure for their use and cooperation, are determined by the legislation of the Republic of Belarus.
42. Armed protection of the Republic of Belarus in the event of military conflicts initiated against it is organized and carried out in accordance with the documents that stipulate the strategic defence planning of the Republic of Belarus, as well as Directives of the President of the Republic of Belarus as the Commander in Chief of the Armed Forces, and other regulatory legal acts.
43. Issues related to the organization of the use of military force by the Republic of Belarus to ensure military security of the Union State and for its armed protection are stipulated in international treaties of the Republic of Belarus concluded with the Russian Federation, and addressed by the regional group of troops (forces) of the Republic of Belarus and the Russian Federation.

For the purposes of commanding the regional group of troops (forces) of the Republic of Belarus and the Russian Federation, a collegiate military command body – the United Command of the Regional Group of Troops (Forces) of the Republic of Belarus and the Russian Federation – is created upon the decision of the Supreme State Council of the Union State during the period of rising military threat.

Issues related to organizing and ensuring military security of the Republic of Belarus and the Union State during periods of rising military threat, including the creation of the collegiate military command body, are regulated by the legislation of the Republic of Belarus and regulatory legal acts of the Union State.
44. Government agencies and other organizations not included in the state military establishment, as well as citizens of the Republic of Belarus, take part in ensuring military security in accordance with the legislation of the Republic of Belarus.

SECTION IV. MILITARY AND ECONOMIC FOUNDATIONS OF MILITARY SECURITY

CHAPTER 9. FUNDAMENTALS OF ECONOMIC PROVISION OF MILITARY SECURITY

45. The objective of economic provision of military security is comprehensive and timely satisfaction of the needs of the state military establishment for financial, material and other resources, based on the economic potential of the Republic of Belarus and the capabilities for military-economic (military-technical) cooperation between the Republic of Belarus and other states.
46. The main principles of economic provision of military security are:
 - 46.1. alignment between the degree of financial and material support of the state military establishment, the needs of military security and the economic capabilities of the state;
 - 46.2. centralized state governance over military-economic processes with the use of market mechanisms;
 - 46.3. concentration of financial, material and other resources for carrying out key tasks needed to ensure military security;
 - 46.4. development of high-priority competitive and import-substituting technologies and production facilities for the needs of military security.
47. The main areas of economic provision for carrying out state military establishment tasks are:
 - 47.1. improving legislation that regulates relations in the military-economic sphere and clearly dividing and coordinating the functions of government bodies and organizations when carrying out tasks related to the economic provision of military security;
 - 47.2. improving the system for assessing, planning and financing military needs of the state, within the framework of a comprehensive system for the strategic planning of national defence support, based on macroeconomic forecasts of the socio-economic development of the state;
 - 47.3. effectively utilizing the capabilities of the state defence order system, with due consideration to market mechanisms;
 - 47.4. optimizing the expenditure of financial, material and other resources directed at ensuring military security;
 - 47.5. preparing the economic governance system for stable functioning in both peacetime and wartime;
 - 47.6. creating the necessary stock of material assets in the state material reserve and the mobilization of material reserves to provide for the needs of the state military establishment and ensure the stable functioning of the economy during wartime;
 - 47.7. improving the state system for mobilization preparation of the economy;
 - 47.8. efficient use and development of, and government support for research, technical and manufacturing opportunities related to the defence sector of the economy in the interests of ensuring military security;
 - 47.9. effectively utilizing the opportunities for mutually beneficial military-economic (military-technical) cooperation between the Republic of Belarus and other states, including in terms of military exports.
48. To ensure readiness for the armed protection of the Republic of Belarus, mobilization efforts are carried out during peacetime to prepare the economy and the state military establishment for accomplishing the aforementioned task, and to provide for the needs of the Republic of Belarus and its population during wartime.
49. Mobilization preparation of the economy of the Republic of Belarus is aligned with the system for mobilizing the deployment of troops (forces), as well as the territorial and civil defence systems, in order to increase the operational stability of branches and assets of the economy and to ensure the timely deployment of manufacturing military and civilian products as per mobilization plans.

This entails:

- 49.1. regulating financial and economic relations, including the operation of financial, credit and fiscal systems, as well as business and economic activity;
 - 49.2. maintaining the economic potential of the Republic of Belarus to meet the needs of the state military establishment and the population during wartime;
 - 49.3. redistributing the financial, material and other resources necessary for the military establishment to carry out its tasks and to ensure the stable functioning of the economy in wartime conditions;
 - 49.4. creating special formations intended for use during wartime for the benefit of the economy and defence of the Republic of Belarus;
 - 49.5. preparing and organizing for the rationed supply of basic foodstuffs and other essential goods to citizens of the Republic of Belarus.
50. Operational equipment of the territory of the Republic of Belarus is carried out for the creation, maintenance and development of the defence infrastructure and the timely strategic deployment of the Armed Forces, ensuring readiness of other troops, military formations and militarized organizations of the Republic of Belarus to perform intended objectives, and ensuring the use of the Armed Forces and other troops under the command of the Council of Ministers of the Republic of Belarus.
51. During peacetime, the Armed Forces and other troops, as well as government agencies and organizations, in accordance with the legislation of the Republic of Belarus, create and maintain stocks of material resources for the deployment of forces (troops) and their combat operations.
The creation and maintenance of stocks of material resources is organized by the Council of Ministers of the Republic of Belarus.
52. The General Staff of the Armed Forces, in close cooperation with government agencies and organizations, carries out and oversees the planning and preparation of trained reservists, its military registration, as well as the registration of vehicles transferred to the Armed Forces and other troops during their deployment.
53. Preparation for civil defence of the state is carried out during peacetime and in advance of war of conflict. Civil defence is organized and carried out in accordance with the legislation of the Republic of Belarus.

CHAPTER 10. DEFENCE SECTOR OF THE ECONOMY AND MILITARY-TECHNICAL COOPERATION

54. The preparation of the defence sector of the economy aims to ensure its effective functioning as a high-tech multi-profile sector capable of meeting the needs of the state military establishment for modern units (systems) of AMSE and other material resources.
55. The main areas for the development of the defence sector of the economy are:
- 55.1. designing and implementing a development strategy and implementing a set of measures aimed at creating the prerequisites for organizations to function effectively;
 - 55.2. developing multi-functional (multipurpose) units (systems) of AMSE and other material resources, with the use of uniform components and with long-term modernization potential;
 - 55.3. designing, producing and repairing AMSE using the maximum amount of domestic components and elements;
 - 55.4. combining the supply of new mass-produced armaments with timely repair, the extension of guaranteed service life and the modernization of existing AMSE units (systems);
 - 55.5. developing cooperation links between organizations in the defence sector of the Republic of Belarus with similar organizations in the Russian Federation, other CSTO member states and member states of the Commonwealth of Independent States.
56. The Republic of Belarus carries out international military-technical cooperation in accordance with legislative acts and international treaties of the Republic of Belarus, governed by considerations of economic feasibility and foreign policy, as well as those of ensuring military security.

SECTION V. FINAL PROVISIONS

57. In declaring this Military Doctrine, the Republic of Belarus guarantees firm and consistent adherence to its provisions and confirms its unwavering commitment to maintaining international peace and security.
58. Changes to and expansions in the range of military threats to the Republic of Belarus, transformations in the nature of contemporary military conflicts, and changes to the tasks necessary ensure military security, including in the area of defence and development of the Republic of Belarus, may result in clarifications and additions to the provisions of this Military Doctrine, made via amendments according to established procedures.
59. Other regulatory legal acts in the sphere of military policy, military development and regulation of the state military establishment are developed (specified) based on the provisions of this Military Doctrine.

Law of the republic of Belarus ‘On defence’

3 November 1992, No. 1902-XII

(in the wording of the Laws of the Republic of Belarus of 7 July 2002, No. 129-3; of 19 July 2006, No. 150-3 of 10 May 2007, No. 227-3; of 26 December 2007, No. 300-3; of 5 January 2008, No. 319-3; of 6 January 2009, No. 8-3; of 9 November 2009, No. 51-3; of 31 December 2009, No. 114-3; of 13 December 2011, No. 325-3; of 22 December 2011, No. 328-3; of 1 January 2015, No. 232-3; of 4 January 2015, No. 233-3; of 17 July, 2018 No. 126-3)

This Law establishes the fundamentals of defence of the Republic of Belarus, the scope of authority of the President of the Republic of Belarus and government agencies, and the obligations of organizations and citizens of the Republic of Belarus related to ensuring armed protection of the Republic of Belarus.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Key Terms and Definitions Used by This Law

This Law uses the following key terms and definitions:

- defence of the Republic of Belarus (hereinafter referred to as ‘defence’): a system of legal, political, economic, military, social and other measures that ensure military security of the Republic of Belarus;
- armed protection of the Republic of Belarus: activities of the state aimed at preserving and strengthening the sovereignty, independence, territorial integrity and constitutional order of the Republic of Belarus through the use of military force (means of armed struggle);
- repulsion of attack (act of armed aggression) (hereinafter referred to as ‘repulsion of attack’): a set of nationwide measures and activities of the state military establishment aimed at disrupting an aggressor’s intention to use force, or at compelling the aggressor to cease using force in violation the sovereignty, independence, territorial integrity and constitutional order of the Republic of Belarus;
- declaration of war: a statement made to the Republic of Belarus by another state (other states) declaring a cessation of peaceful relations and a move into a state of war, or a statement made by the Republic of Belarus to another state (other states) to declare a cessation of peaceful relations with it (them) and a move into a state of war;
- state of war: relations between the Republic of Belarus and another state (other states) from the moment of the declaration of war by another state (other states) to the Republic of Belarus, an attack against the Republic of Belarus by another state (other states), or a declaration of war by the Republic of Belarus on another state (other state), until the conclusion of peace between the warring parties;
- wartime: the period during which the state is in a state of war;
- operational equipment of the territory of the Republic of Belarus: the sum of organizational, engineering, technical and other measures to create, develop and maintain the defence infrastructure.

Article 2. Fundamentals of Defence

Defence is among the critical functions of the state and is a nationwide concern.

For defence purposes, the Republic of Belarus has at its disposal the Armed Forces of the Republic of Belarus, internal troops of the Ministry of Internal Affairs of the Republic of Belarus, agencies of the border service, national security agencies, the Presidential Security Service of the Republic of Belarus, territorial troops, and other military formations created in accordance with the legislation of the Republic of Belarus (hereinafter referred to as ‘the Armed Forces, other troops and military formations’). Internal affairs agencies, the Investigative Committee of the Republic of Belarus, the State Forensic Examination Committee of the Republic of Belarus, financial investigation bodies of the State Control Committee of the Republic of Belarus, and emergency agencies and departments are also involved in defence.

Government agencies, other organizations, and the citizens of the Republic of Belarus take part in ensuring defence and are responsible for carrying out tasks they are charged with, within the scope of competence and obligations established by the legislation of the Republic of Belarus.

The Armed Forces, other troops and military formations carry out defence tasks in accordance with the defence plan of the Republic of Belarus.

The defence plan of the Republic of Belarus includes a set of mutually coordinated military planning documents, developed in accordance with the Provision on Military Planning in the Republic of Belarus and approved by the President of the Republic of Belarus.

Article 3. Regulatory Framework in the Defence Sector

The regulatory framework in the defence sector is based on the Constitution of the Republic of Belarus, international treaties of the Republic of Belarus, this Law, and other regulatory legal acts of the Republic of Belarus.

If an international treaty of the Republic of Belarus stipulates rules other than those stipulated by this Law, the rules of the international treaty shall take precedence.

Article 4. Defence Preparation

Defence preparation includes:

- analysing, assessing and forecasting developments in the military-political situation;
- developing the main military policy areas and the Military Doctrine of the Republic of Belarus;
- legal regulation in defence sector;
- creating and ensuring effective operation of the state military establishment;
- creating, preparing and maintaining a state of appropriate mobilization readiness of government agencies and other organizations included in the state military establishment, as well as transport and communications;
- building and developing the Armed Forces, other troops and military formations, as well as planning for their utilization;
- improving and preparing the governance system of the state military establishment, as well as of the economy of the Republic of Belarus, for functioning under wartime conditions;
- ensuring the protection of the State Border of the Republic of Belarus;
- defining the main areas of development of armaments and military equipment, and formulating and implementing arms programmes and the state defence order on the development, manufacture, supply, improvement and repair of armaments and military equipment;
- developing and improving the information support system for the state military establishment;
- planning and implementing territorial and civil defence measures;
- preparing the population and territory of the Republic of Belarus for defence;
- planning for the transition of the government agencies, other organizations, and the economy of the Republic of Belarus for functioning in wartime conditions;
- accumulating material assets in the state material reserve and the mobilization material reserve;
- conducting research, engineering and design activities to support defence preparation;
- financing defence expenditures;
- controlling expenditure for defence funding and the operation of the Armed Forces, other troops and military formations;
- ensuring the protection of information that constitutes state and official secrets in the defence sector;
- international cooperation to ensure collective military security, and participation in the development and implementation of international agreements in the area of disarmament and arms control;
- accumulating, registering and training mobilization resources among draftees and persons liable for military service;
- pre-draft and physical training in accordance with the educational standards in educational institutions in the course of training and education at level III of general secondary education;
- other measures provided for by the legislation of the Republic of Belarus.

CHAPTER 2. SCOPE OF AUTHORITY OF THE PRESIDENT OF THE REPUBLIC OF BELARUS AND GOVERNMENT AGENCIES IN THE DEFENCE SECTOR

Article 5. Scope of Authority of the President of the Republic of Belarus in the Defence Sector

The President of the Republic of Belarus, as the Commander in Chief of the Armed Forces, is responsible for the overall governance of and preparation for the use of the state military establishment for the purposes of ensuring military security of the Republic of Belarus.

The President of the Republic of Belarus:

- forms and chairs the Security Council of the Republic of Belarus;
- appoints and dismisses the State Secretary of the Security Council of the Republic of Belarus;
- appoints and dismisses the supreme command of the Armed Forces;
- in the event of an imminent military threat or attack, declares a state of emergency in the territory of the Republic of Belarus and declares partial or full mobilization by submitting the relevant resolution for approval by the Council of the Republic of the National Assembly of the Republic of Belarus within three days;
- determines the tasks of the government agencies for the organization of armed protection of the Republic of Belarus;
- appoints and dismisses ministers of defence, ministers of internal affairs, ministers of emergency situations, chairs and deputy chairs of the National Security Committee of the Republic of Belarus, the State Border Committee of the Republic of Belarus, the commander of internal troops of the Ministry of Internal Affairs of the Republic of Belarus, and the head of the Department of Transport Support of the Ministry of Defence of the Republic of Belarus;
- approves the defence plan of the Republic of Belarus and determines the tasks of the state military establishment on the organization of armed protection of the Republic of Belarus;
- submits for approval to the National Assembly of the Republic of Belarus the Military Doctrine of the Republic of Belarus, and proposals on the amounts of budgetary allocations to defence;
- approves the concepts for military development and development of the Armed Forces;
- plans for the build-up, development and utilization of the Armed Forces, other troops and military formations, and for the state programme for operational equipment of the territory of the Republic of Belarus, the civil defence plan and the provision on territorial defence;
- issues legal acts related to issues of military readiness, military planning and military activities of the Armed Forces, other troops and military formations;
- approves mobilization plans of the Republic of Belarus;
- approves the plan for the accumulation of material assets in the state material reserve, and the plan for accumulation of material assets in the mobilization material reserve;
- approves the state arms programme;
- approves the structure and headcount of the Armed Forces, other troops and military formations, as well as their disposition;
- carries out strategic governance of the state military establishment via the General Staff of the Armed Forces in the event of a military threat to the Republic of Belarus, or during the repulsion of an attack by another state (other states);
- creates government bodies of military administration in periods of wartime, in accordance with the legislation of the Republic of Belarus;
- resolves issues related to the dispatching of military servicemen, as well as members of the rank and file and command staff of agencies, the Investigative Committee of the Republic of Belarus, the State Forensic Examination Committee of the Republic of Belarus, financial investigation bodies of the State Control Committee of the Republic of Belarus, and emergency agencies and departments, as well as procurator

officers, beyond the borders of the Republic of Belarus to carry out international obligations of the state, according to the procedure established by legislative acts of the Republic of Belarus and international treaties of the Republic of Belarus. The dispatch of the aforementioned persons outside of the Republic of Belarus is carried out with their personal written consent;

- approves provisions on the Ministry of Defence of the Republic of Belarus, the General Staff of the Armed Forces, the Department for Transport Support of the Ministry of Defence of the Republic of Belarus, the Ministry of Internal Affairs of the Republic of Belarus, the main directorate of the commander of internal troops of the Ministry of Internal Affairs of the Republic of Belarus, the Ministry of Emergency Situations of the Republic of Belarus, the National Security Committee of the Republic of Belarus, the State Border Committee of the Republic of Belarus and transport troops of the Republic of Belarus;
- issues decrees on the transfer into servicemen who have completed compulsory military service into the reservists and members of the reserve who have completed the set term of conscription of military service or reserve service, and on the drafting of citizens of the Republic of Belarus for compulsory military service and reserve service;
- confers state awards on military servicemen and civilian personnel of the Armed Forces, and other troops and military formation, and bestows the military rank of Colonel and high officer ranks;
- conducts negotiations and signs international treaties in the sphere of defence;
- exercises other authority provided for by the Constitution and the legislation of the Republic of Belarus in the sphere of defence.

Article 6. Scope of Authority of the Security Council of the Republic of Belarus in the Defence Sector

The Security Council of the Republic of Belarus is the supreme collegiate coordination and political body created for the purposes of exercising the authority of the President of the Republic of Belarus as the Head of State and the Commander in Chief of the Armed Forces in order to ensure national security of the Republic of Belarus.

The Security Council of the Republic of Belarus:

- submits proposals to the President of the Republic of Belarus on issues of state policy in the sphere of national security of the Republic of Belarus and determines the key military policy areas of the Republic of Belarus, the principles of military development and the development of the Armed Forces, other troops and military formations, and the fundamental provisions of the Military Doctrine of the Republic of Belarus;
- organizes the sustainable functioning of the state military establishment in any military-political environment;
- determines the structure and headcount of the Armed Forces, other troops and military formations with due consideration of their objective sufficiency for defence and the economic capabilities of the state, and submits the respective proposals for approval to the President of the Republic of Belarus;
- submits proposals to the President of the Republic of Belarus on issues related to the declaration, extension and lifting of martial law or the state of emergency;
- coordinates the transition of the economy of the Republic of Belarus to operating in wartime conditions;
- receives reports from the heads of national state governance agencies on issues of defence and national security of the Republic of Belarus;
- determines the main areas of international military-political activities, and the tasks for developing union and partner relations with other states;
- exercises other authority provided for by the legislation of the Republic of Belarus in the defence sector.

Article 7. Scope of Authority of the National Assembly of the Republic of Belarus in the Defence Sector

The Chamber of Representatives of the National Assembly of the Republic of Belarus reviews draft defence sector legislation, including those on declaring war and concluding peace, and those on martial law and the state of emergency.

The Council of the Republic of the National Assembly of the Republic of Belarus:

- approves or declines drafts defence sector legislation passed by the Chamber of the Representatives of the National Assembly of the Republic of Belarus;

- cancels resolutions of local Councils of Deputies in the area of defence, if they do not adhere to the legislation of the Republic of Belarus;
- reviews decrees of the President of the Republic of Belarus on the declaration of martial law, a state of emergency, or full or partial mobilization, and adopts appropriate resolutions within three days.

Article 8. Scope of Authority of the Council of Ministers of the Republic of Belarus in the Defence Sector

Acting within the scope of its authority, the Council of Ministers of the Republic of Belarus resolves issues of, and is responsible for meeting the needs of the Armed Forces, other troops and military formations for financial and material resources necessary to ensure armed protection of the Republic of Belarus, and to carry out international treaties in the areas of collective security, disarmament and arms control.

The Council of Ministers of the Republic of Belarus:

- organizes the development and formulation of the state defence order, and the supply of the Armed Forces, other troops and military formations with weapons, military equipment, and other material supplies and resources as per their order;
- determines the volumes of material resources and budgetary allocations for defence needs, as well as for research, engineering and design in the sphere of defence;
- determines the procedure for military registration of draftees and persons liable for military service with military enlistment offices (separate subdivisions of military enlistment offices), local executive and regulatory bodies, and other organizations, as well as the procedure for military registration of persons liable for military service with national security bodies;
- oversees the preparation of citizens of the Republic of Belarus for military training and their conscription for military service and reserve services, and ensures the creation of a trained military reserve;
- submits for approval to the President of the Republic of Belarus the mobilization plans of the Republic of Belarus, the plan for the accumulation of material assets in the state material reserve and the plan for the accumulation of material assets in the mobilization material reserve, and organizes the development of mobilization plans for the economy of the Republic of Belarus and its transition to operating in wartime conditions;
- ensures the creation and safety of the state material reserve and the mobilization material reserve, and oversees the mobilization preparation of the economy of the Republic of Belarus and its transition to operating in wartime conditions;
- within the scope of its authority, oversees military mobilization;
- approves state programmes on research, engineering and design in the interests of the defence and security of the Republic of Belarus;
- passes resolutions to create defence infrastructure assets in the territory of the Republic of Belarus, and establishes the procedure for their exploitation;
- within the scope of its authority, concludes and denounces international treaties in the sphere of defence;
- organizes the implementation of international treaties in the sphere of ensuring collective security, disarmament and arms control;
- passes and organizes the implementation of resolutions in the issues of housing, material and financial support of military servicemen, persons dismissed from military service, and their families;
- governs the civil defence and operational equipment of the territory of the Republic of Belarus;
- organizes the oversight of the implementation of the state defence order by organizations, as well as the export of arms, military equipment, strategic materials and technologies, and dual-purpose products;
- exercises other authority provided for by the Constitution and the legislation of the Republic of Belarus in the sphere of defence.

Article 9. Scope of Authority of the Ministry of Defence of the Republic of Belarus in the Defence Sector

The Ministry of Defence of the Republic of Belarus is a nationwide state governance agency that, within the scope of its competence, implements the state defence policy and governs the Armed Forces and their preparation for performing tasks to ensure military security and armed protection of the Republic of Belarus, its sovereignty, independence, territorial integrity and constitutional order.

The Ministry of Defence of the Republic of Belarus:

- prepares proposals on issues of defence and the formulation of the state defence policy, including military policy and the Military Doctrine of the Republic of Belarus, and participates in their implementation;
- within the scope of its competence and the competence of the General Staff of the Armed Forces, adopts (issues) regulatory legal acts of the Republic of Belarus and oversees their implementation;
- organizes the interaction and coordination of the activities of state agencies and other organizations in the area of defence;
- takes part in the development of long-term state programmes in the interests of defence, as well as the state arms programme, and prepares proposals for the state defence order;
- organizes the coordination of regular combat activities of the Armed Forces, as well as operational training of the Armed Forces military administration bodies;
- within the scope of its authority, prepares proposals on defence expenditures for the draft of the national budget for the next financial year;
- takes part in the design and implementation of concepts and programmes of military development, and designs and implements programmes and plans for the build-up and development of the Armed Forces, components of Armed Forces, branches of troops, special troops and support systems, as well as the Transport Troops of the Republic of Belarus;
- takes part in the organization of mobilization preparation of the economy of the Republic of Belarus, and oversees plans to prepare organizations to perform the mobilization tasks assigned to them;
- oversees the development of military research and scientific studies conducted in the interests of the Armed Forces;
- organizes the supply of the Armed Forces with armaments and military equipment, as well as all types of material resources and provisions;
- supplies territorial troops with armaments, military and special equipment according to the Armed Forces nomenclature;
- develops and submits to the Council of Ministers of the Republic of Belarus proposals on the nomenclature, amounts, standards and procedure for the supply, storage, transportation, maintenance and utilization of material assets of the state material reserve and the mobilization material reserve to provide for the requirements of the state during periods of mobilization and in wartime;
- takes part in the military and military-technical cooperation of the Republic of Belarus with foreign states and international organizations, and concludes inter-agency international agreements according to the established procedure;
- provides for social protection of military servicemen, civilian personnel of the Armed Forces, persons dismissed from military service, and their family members;
- oversees the development of the system for training military personnel for the Armed Forces, other troops and military formation according to the procedure established by the legislation of the Republic of Belarus;
- exercises other authority provided for by the legislation of the Republic of Belarus in the sphere of defence.

Article 10. Scope of Authority of the General Staff of the Armed Forces in the Defence Sector

The General Staff of the Armed Forces (hereinafter referred to as 'General Staff') is the central military administration body responsible for exercising operational functions related to commanding the Armed Forces, ensuring their combat effectiveness, organizing for the interaction and coordination between the structural components of the state military establishment in the defence sector, both during peacetime and wartime.

The General Staff:

- in collaboration with military command bodies of other troops and military formations, analyses the military-political and military-strategic situation, and assesses the nature and level of military threats to the Republic of Belarus;
- maintains the combat effectiveness and combat readiness of the Armed Forces;

- coordinates the activities of state agencies, other state organizations, bodies of military command of the Armed Forces, other troops and military formations in the course of strategic and operational planning of joint utilization of the Armed Forces, other troops and military formations, and while carrying out territorial defence;
- develops the Provision on Military Planning in the Republic of Belarus, and develops and clarifies the plan for the utilization of the Armed Forces, other troops and military formations during wartime, the mobilization plan of the Armed Forces and the plan of operational equipment of the territory of the Republic of Belarus for defence purposes;
- by order of the President of the Republic of Belarus, provides for the strategic administration of the state military establishment during wartime;
- plans measures to develop the Armed Forces, and organizes their implementation, and drafts proposals on the structure, tactical composition, disposition and headcount of the Armed Forces, as well as the structure and headcount of territorial troops;
- organizes territorial defence and oversees its deployment and implementation;
- plans and organizes information counter-measures in the Armed Forces, and coordinates related operations of military administration bodies of the Armed Forces, other troops and military formations;
- organizes and ensures the coordination of the Armed Forces with other troops and military formations in the sphere of defence;
- plans and organizes operational equipment of the territory of the Republic of Belarus;
- plans for and organizes the implementation of measures to maintain combat and mobilization readiness of the Armed Forces, other troops and military formations in the interests of defence, and oversees their state of readiness;
- determines the requirements of the Armed Forces on armaments, military equipment, ammunition and other material resources, and carries out current and prospective planning of the mobilization deployment of the Armed Forces;
- within the scope of its competence, determines the personnel headcount in Armed Forces components, branches of troops, special troops, educational institutions, and military departments of secondary specialized educational institutions and higher educational institutions involved in the training of personnel in professions (fields, specializations) relevant to the Armed Forces, other troops and military formations, and other organizations of the Armed Forces, in accordance with the Concept of the Armed Forces Development;
- plans for and organizes the dispatch of citizens of the Republic of Belarus who have been drafted to compulsory military service (reserve service) to military units, and for the dismissal of conscripted military servicemen (reservists) from military service (reserve service);
- carries out training and retraining of persons liable for reserve service, and plans for and organizes the drafting of citizens of the Republic of Belarus to military service during mobilization, and for the dismissal of military servicemen from military service during demobilization, in accordance with the legislation of the Republic of Belarus;
- plans for and organizes the implementation of measures to protect state secrets and information resources, covertly command troops of the Armed Forces and counteract technical reconnaissance equipment of foreign states;
- exercises other authority provided for by the legislation of the Republic of Belarus in the defence sector.

Article 11. Scope of Authority of Other Government Agencies That Entail Military Service in the Defence Sector
Other government agencies that entail military service carry out defence tasks jointly with the Armed Forces.
Other government agencies that entail military service:

- take part in developing the utilization plan of the Armed Forces, other troops and military formations; state arms programmes; programmes for operational equipment of the territory of the Republic of Belarus; and proposals on creating the state defence order and developing the defence sector of the economy;
- organize the preparation for joint activities with the Armed Forces, other troops and military formations, for defence purposes;

- coordinate with the General Staff on issues of defence preparation, and provide it with information necessary for defence planning and preparation;
- exercise other authority provided for by the legislation of the Republic of Belarus in the sphere of defence.

Article 12. Scope of Authority of Bodies of Local Government and Self-Government in the Sphere of Defence

Bodies of local government, within the scope of their competence, take part in state and community measures in the defence sector.

Bodies of local government:

- provide for the needs of the Armed Forces, other troops and military formations for material resources, energy resources, other resources and services, as per their orders, and allocate land plots for defence purposes;
- provide military units, military education institutions, and organizations of the Armed Forces, other troops and military formations with service premises, housing, utilities, municipal services and other services in accordance with the legislation of the Republic of Belarus;
- in accordance with the legislation of the Republic of Belarus, organize and prepare pre-draftees and draftees for military service, plan for the patriotic upbringing of the public, draft citizens of the Republic of Belarus for compulsory military service and reserve service, and assist in reserve training and special training for persons liable for military service, as well as graduation training exercises involving citizens of the Republic of Belarus enrolled in reserve officer training programmes in the military departments of secondary specialized educational institutions and higher educational institutions;
- provide for the social protection of military servicemen, persons dismissed from military service, persons liable for military service, and their family members;
- exercise their vested authority and functions in the sphere of mobilization and mobilization preparation;
- provide for the implementation of the state defence order by organizations within the relevant territory;
- organize the planning and ensure the implementation of measures related to territorial defence and operational equipment of the territory of the Republic of Belarus;
- form territorial troops and organize the deployment of territorial defence;
- organize and, jointly with the Armed Forces, carry out training exercises with persons liable for military service assigned to territorial defence command bodies, military units and territorial troop units;
- organize the implementation of measures provided for by civil defence plans;
- coordinate their activities during wartime with military command bodies, in accordance with the defence plan.

Bodies of local self-government, within the scope of their authority, take part in measures to ensure defence, in accordance with the legislation of the Republic of Belarus.

CHAPTER 3. RESPONSIBILITIES OF ORGANIZATIONS AND CITIZENS OF THE REPUBLIC OF BELARUS IN THE DEFENCE SECTOR

Article 13. Responsibilities of Organizations to Fulfil the Needs of Defence

Organizations:

- fulfil contractual obligations to implement the state defence order for the design, production, supply and repair of armaments, military equipment, and other military assets;
- provide the Armed Forces, other troops and military formations with energy resources and other resources in accordance with the legislation of the Republic of Belarus;
- provide for the completion of contracted works and the provision of services for the Armed Forces, other troops and military formations;
- fulfil obligations in the sphere of mobilization preparation and mobilization, as well as obligations arising from the legislation of the Republic of Belarus on martial law;
- provide for the implementation of territorial and civil defence measures.

Article 14. Responsibilities of Citizens to Protect the Republic of Belarus

The protection of the Republic of Belarus is an obligation and sacred duty of all citizens of the Republic of Belarus.

The obligation to perform military service is established for citizens of the Republic of Belarus in accordance with the legislation of the Republic of Belarus. Types of military service and military service regulations are determined by the legislation of the Republic of Belarus.

During wartime, citizens of the Republic of Belarus are obligated to provide – upon the request of government agencies – buildings, structures and other property in their ownership for defence needs, with subsequent compensation of the incurred expenses according to the procedure established by the Republic of Belarus. Citizens of the Republic of Belarus fulfill their military transport obligation according to the procedure established by the legislation of the Republic of Belarus.

Article 15. Responsibilities of Nationwide Government-Civic Associations and Non-Government Civic Associations in the Defence Sector

Nationwide government-civic associations, as well as veteran, youth and other civic associations contribute to patriotic upbringing of citizens and the strengthening of defence, in accordance with their charters.

The nationwide government-civic association ‘The Voluntary Association of Assistance to the Army, the Air Force and the Navy of the Republic of Belarus’ provides training to the public for the protection of the Republic of Belarus, and promotes technical, aviation-related and paramilitary sports, as well as engineering creativity among the youth.

The nationwide government-civic association ‘The Voluntary Association of Assistance to the Army, the Air Force and the Navy of the Republic of Belarus’ – commissioned by the Ministry of Defence of the Republic of Belarus and other government agencies that entail military service – provides, on a contractual basis, training for specialists intended for the Armed Forces, other troops and military formations, as well as specialists in general technical professions of paramilitary importance.

During wartime, the nationwide government-civic association ‘The Voluntary Association of Assistance to the Army, the Air Force and the Navy of the Republic of Belarus’ takes part in military training of the public of the Republic of Belarus.

CHAPTER 4. THE ARMED FORCES, OTHER TROOPS AND MILITARY FORMATIONS

Article 16. The Armed Forces

The purpose of the Armed Forces, their development principles, staffing and operation, tasks and composition, and the procedure for their deployment, command, and interaction with other troops and military formations in the sphere of defence are determined by the Law of the Republic of Belarus ‘On the Armed Forces of the Republic of Belarus’ and other legislative acts of the Republic of Belarus.

The creation and operation of other troops and military formations of the Republic of Belarus are carried out in accordance with the legislation of the Republic of Belarus.

Article 17. Other Troops and Military Formations

Other troops and military formations:

- take part in repelling attacks against the Republic of Belarus jointly with the Armed Forces and according to a unified plan;
- provide for measures on operational equipment of the territory of the Republic of Belarus and the preparation of communications for defence purposes;
- are involved in joint operational and mobilization preparations with the Armed Forces;
- cooperate with the Armed Forces on defence planning and preparation issues;
- exercise other authority in the defence sector in accordance with the legislation of the Republic of Belarus.

Staffing of other troops and military formations is carried out according to the principles and procedures established for the Armed Forces.

The headcount of other forces and military formations may include civilian personnel supporting their operations.

CHAPTER 5. ECONOMIC PROVISION FOR DEFENCE

Article 18. Types of Economic Provision for Defence

The economic provision of defence includes:

- the material and technical capabilities of the economy of the Republic of Belarus for supplying the Armed Forces, other troops and military formations with armaments, military equipment, and other assets, as well as for carrying out works and providing services for these purposes;
- labour and mobilization resources required for defence needs;
- key branches of the economy related to providing for defence;
- financial resources allocated by the state to defence needs;
- defence infrastructure in the form of stationary assets intended for support, stationing, training and deployment of troops, and for conducting military operations.

The economic provision of defence is organized via the supply of material assets to meet the current and prospective needs of troops, and by preparing the economy of the Republic of Belarus to provide for defence during wartime.

Preparation of the economy of the Republic of Belarus to provide for defence is organized according to the legislation of the Republic of Belarus.

Article 19. Logistics Support. Funding of Defence

Logistics support for the needs of the Armed Forces, other troops and military formation is carried out on the basis of the state arms programme and the state defence order, which provides for supplies of products (goods, works, services) aimed at maintaining the defence capability of the Republic of Belarus at the necessary level. The state defence order is formed in accordance with the legislation of the Republic of Belarus.

To provide for defence needs, the research and engineering capabilities, as well as operational capacities, are used for the manufacturing and repair of weapons and military equipment; preparation of necessary resources and assets is also carried out.

Funding of defence is carried out at the expense of the national budget and other sources in accordance with the legislation of the Republic of Belarus.

Monetary funds are allocated and earmarked for maintaining and training the Armed Forces, other troops and military formation; the procurement of armaments, military equipment, material resources and other military assets; research; engineering and design works; major construction works; retirement benefits; mandatory state life and health insurance of military servicemen and persons liable for military service for the duration of training; civil defence measures, and mobilization preparation of the Armed Forces, other troops and military formations organized in the interests of defence.

Article 20. Defence Infrastructure

The defence infrastructure is created, developed, and maintained to provide for the functioning of the Armed Forces, other forces, and military formations, and to enable them to carry out military (combat) operations.

To position and maintain defence infrastructure assets, land plots, as well as other natural and industrial resources, are allocated for permanent or temporary use, in accordance with the legislation of the Republic of Belarus.

CHAPTER 6. WARTIME, MARTIAL LAW, MOBILIZATION, AND TERRITORIAL AND CIVIL DEFENCE

Article 21. Wartime

Wartime begins from the moment war is declared or an attack is made against the Republic of Belarus. The start of wartime is the day and hour of the declaration of war or of an attack made against the Republic of Belarus. The end of wartime is the declared day and hour of the conclusion of peace between the warring parties.

In case of a surprise attack against the Republic of Belarus, the Armed Forces, other troops and military formations, and government agencies must take every measure to repel the attack without awaiting a formal declaration of war.

Article 22. Martial Law

Martial law is declared to eliminate a military threat or repel an attack against the Republic of Belarus.

The legal framework of martial law, its declaration and lifting, and measures to ensure martial law in the territory of the Republic of Belarus are determined in accordance with the legislation of the Republic of Belarus.

Article 23. Mobilization

Full or partial mobilization is declared to transition the economy of the Republic of Belarus and its government agencies to operating in wartime conditions, and to provide for mobilization deployment measures of the Armed Forces, other troops and military formations.

The legal framework of state regulation in the sphere of mobilization – as well as the rights, obligations and responsibilities of government agencies, other organizations and citizens – are determined by the legislation of the Republic of Belarus.

Article 24. Territorial Defence

Territorial defence is a component of the defence measures of the Republic of Belarus.

Territorial defence is organized according to the principles of the territory and zone. The territory of the Republic of Belarus is divided into territorial defence zones and districts.

The tasks of territorial defence, the procedure for its preparation, deployment, and support, as well as the authority of government agencies and organizations in the area of territorial defence, are determined by the President of the Republic of Belarus.

Territorial troops are created to carry out the tasks of territorial defence.

Article 25. Civil Defence

Territorial defence is a component of the defence measures of the Republic of Belarus.

The organization of civil defence – as well as tasks related to the preparation for and actual protection of the population of the Republic of Belarus and assets of material, historical and cultural value in the territory of the Republic of Belarus against dangers that may arise (or have arisen) during or as a result of military operations – are determined by the legislation of the Republic of Belarus.

CHAPTER 7. INTERNATIONAL COOPERATION IN THE DEFENCE SECTOR

Article 26. International Cooperation in the Defence Sector

The Republic of Belarus cooperates with foreign states and international organizations to provide for international military security and strategic stability.

Cooperation of the Republic of Belarus with foreign states to ensure joint defence and international peace and security is developed according to the provisions of the Charter of the United Nations on the right of individual or collective self-defence, as well as in accordance with the generally accepted principles and norms of international law.

CHAPTER 8. LIABILITY FOR VIOLATION OF THE LEGISLATION OF THE REPUBLIC OF BELARUS IN DEFENCE SECTOR, AND SUPERVISION OF ITS IMPLEMENTATION

Article 27. Liability of Officials and Citizens of the Republic of Belarus in the Defence Sector

In the event of a violation of the legislation of the Republic of Belarus in the area of defence, officials of government agencies and other organizations, as well as citizens of the Republic of Belarus, shall be held liable according to the procedure established by the legislation of the Republic of Belarus.

Article 28. Supervision of the Implementation of the Legislation of the Republic of Belarus in the Defence Sector

The Prosecutor General of the Republic of Belarus and their subordinate prosecutors supervise the accurate and uniform implementation of the regulatory legal acts of the Republic of Belarus in the sphere of defence.

**DECREE OF THE PRESIDENT
OF THE REPUBLIC OF BELARUS
'Issues of Central Military Command Bodies of the Armed
Forces of the Republic of Belarus'**

7 December 2006, No. 719

Amendments and additions: Decree of the President of the Republic of Belarus of 28 May 2008, No. 286 (National Registry of Legal Acts of the Republic of Belarus, 2008, No. 133, 1/9730);

For the purposes of further improvement of the operation of central military command bodies of the Armed Forces of the Republic of Belarus, I hereby order as follows:

1. Adopt the enclosed:
Provision on the Ministry of Defence of the Republic of Belarus;
Provision on the General Staff of the Armed Forces of the Republic of Belarus.
2. For official use.
3. Declare null and void the Decree of the President of the Republic of Belarus of 19 November 2001, No. 685 'On the Ministry of Defence of the Republic of Belarus and the General Staff of the Armed Forces of the Republic of Belarus'.
4. This Decree comes into force on the day of its signature.

President of the Republic of Belarus

A. Lukashenko

APPROVED
Decree of the President
of the Republic of Belarus of 07 December 2006, No. 719

PROVISION ON THE MINISTRY OF DEFENCE OF THE REPUBLIC OF BELARUS

CHAPTER I. GENERAL PROVISIONS

1. The Ministry of Defence of the Republic of Belarus (hereinafter referred to as 'Ministry of Defence') is central government administrative body that, within the scope of its competence, implements state policy in the defence sector, and governs the Armed Forces of the Republic of Belarus (hereinafter referred to as 'Armed Forces') and their preparation for carrying out tasks aimed at ensuring military security and armed defence of the Republic of Belarus, its sovereignty, independence, territorial integrity and constitutional order.
2. The Ministry of Defence is governed by the Constitution of the Republic of Belarus and legislative acts in the sphere of military development and national security, including this Provision and other legislative acts of the Republic of Belarus.
3. The Ministry of Defence is a central body of military administration and consists of departments (including those with legal entity status), chief directorates, command staffs (acting with chief directorate rights), administrations, divisions and groups (acting with sector rights). Institutionally, the Ministry of Defence includes the General Staff of the Armed Forces.

4. The Ministry of Defence holds a legal entity status, an independent balance, bank accounts, a seal depicting its name and the State Coat of Arms of the Republic of Belarus, and a blazon – the emblem of the Ministry of Defence of the Republic of Belarus.
5. Assets of the Ministry of Defence are the property of the Republic of Belarus and are held by the former on the right of operational administration.

CHAPTER II. MAIN TASKS OF THE MINISTRY OF DEFENCE

6. The main tasks of the Ministry of Defence are:
 - 6.1. preparing proposals on issues of defence and on the formulation of the state defence policy, including military policy and the Military Doctrine of the Republic of Belarus, and taking part in their implementation;
 - 6.2. contributing to the improvement of legal regulations in the defence sector;
 - 6.3. organizing the cooperation and coordination of activities of government agencies and other organizations in the defence sector;
 - 6.4. taking part in mobilization preparation for the economy of the Republic of Belarus and overseeing the preparation of organizations to fulfill the mobilization tasks assigned to them;
 - 6.5. preparing for the use of the Armed Forces in accordance with the legislation, including international treaties of the Republic of Belarus;
 - 6.6. developing and implementing measures aimed at maintaining military capabilities, including ensuring that the level of combat and mobilization readiness of the Armed Forces is sufficient for the strategic deterrence and prevention of military threats during peacetime, and for the armed protection of the state, repulsion of attacks and engagement of the enemy during wartime;
 - 6.7. organizing the management of daily and combat activities of the Armed Forces, as well as operational preparations for military administration bodies of the Armed Forces;
 - 6.8. organizing the supply of the Armed Forces with armaments, military equipment and all types of material assets and provisions;
 - 6.9. taking part in the design and implementation of measures aimed at preserving and increasing patriotic sentiment among the public, ensuring that each citizen of the Republic of Belarus understands their constitutional obligation to defend the Fatherland, and increasing the prestige of military service;
 - 6.10. implementing the ideological policy of the Belarusian state in the Armed Forces;
 - 6.11. organizing personnel management in the Armed Forces, and developing the military education system;
 - 6.12. managing the development of military science and scientific research in the interests of the Armed Forces;
 - 6.13. ensuring the social protection of military servicemen, civilian personnel of the Armed forces, citizens dismissed from military service, and their family members;

CHAPTER III. FUNCTIONS OF THE MINISTRY OF DEFENCE

7. In accordance with the main tasks vested in it, the Ministry of Defence:
 - 7.1. prepares proposals on issues of defence and the formulation of state defence policy, including military policy and the Military Doctrine of the Republic of Belarus, and contributes to their implementation;
 - 7.2. consolidates the practice of applying laws and other regulatory legal acts of the Republic of Belarus in the sphere of military development and national security, and develops proposals for their improvement;
 - 7.3. within the scope of its competence, carries out the legal regulation of the operations of the Armed Forces and organizes legal work in the Armed Forces;

- 7.4. within the scope of its competence and the competence of the General Staff, adopts (issues) regulatory legal acts and oversees their implementation;
- 7.5. organizes the cooperation and coordination of activities of government agencies and other organizations in the defence sector;
- 7.6. contributes to the development and implementation of military development concepts and programmes, and develops and implements programmes and plans for the development of the Armed Forces, components of the Armed Forces, branches of troops, special troops and support systems, as well as the Transport Troops of the Republic of Belarus (hereinafter referred to as 'Transport Troops');
- 7.7. takes part in the development of long-term state programmes in the interests of defence, as well as state arms programmes, and prepares proposals for the state defence order;
- 7.8. organizes the security and defence of the State Border of the Republic of Belarus within the airspace of the Republic of Belarus, contributes to ensuring the security of the airspace of the Republic of Belarus, carries out general state regulation of the use of the airspace of the Republic of Belarus;
- 7.9. develops and, according to the established procedure, submits to the President of the Republic of Belarus for review proposals on the structure and headcount of the Armed Forces and, within the scope of its competence, determines their tactical composition;
 - 7.9.1. carries out measures to implement decisions on the formation (creation), reorganization, disbandment (liquidation), positioning and repositioning of military administration bodies, tactical organizations and military units, as well as on the formation (creation), reorganization and disbandment (liquidation) of Armed Forces' organizations;
- 7.10. takes measures to optimize the positioning of troops (forces) and air force systems, manages the accommodation of troops (forces), determines the procedure for design and construction activities related to military assets, and organizes their construction and utilization;
- 7.11. improves the resource base for the mobilization deployment of the Armed Forces intended to ensure their transition from peacetime to wartime, as well as their strategic deployment and the performance of wartime tasks;
- 7.12. organizes the consistent and purpose-oriented preparation and accumulation of a trained military reserve, as well as the accumulation, staging, positioning and maintenance of stocks of material resources to provide for the mobilization deployment and military operations of the Armed Forces;
- 7.13. manages the planning, execution and monitoring of operational and military training in the Armed Forces and the Transport Troops;
- 7.14. organizes inspections (checks) on the status of the Armed Forces;
- 7.15. takes measures to create a system for the comprehensive support of troops (forces) during preparations for military operations;
- 7.16. develops and submits to the Council of Ministers of the Republic of Belarus proposals on the nomenclature, volumes, norms and procedures for the supply, storage, transportation, maintenance and use of material resources of the state material reserve and the mobilization of the material reserve, to provide for the needs of the state during the mobilization period and wartime;
- 7.17. organizes the storage, accumulation and renewal of weapons, military equipment and material resources of the Armed Forces Strategic Reserve of Armaments, Military Equipment and Material Resources;
- 7.18. organizes the transportation of units of the Armed Forces, other troops and military formations, military products, military units and individual military passengers according to the established procedure, by rail, motor, river or air transport;

- 7.19. provides for oversight of the state of military arsenals, and the timely disposal of ammunition and its components;
- 7.20. provides for the security and protection of armaments, military equipment and military assets of the Armed Forces;
- 7.21. submits forecast calculations on revenues and expenses for the upcoming financial year to the Ministry of Finance, and notifications on the amounts allocated for state capital investments to the Ministry of Economy;
- 7.22. organizes the financing of the Armed Forces according to the established procedure;
 - 7.22.1. carries out:
 - the supervision of operations that relate to state aviation and ensuring flight safety for aircrafts of the Republic of Belarus;
 - the oversight of potentially dangerous assets and manufacturing facilities with military application features, and operations related to them, the list of which is approved by the Council of Ministers of the Republic of Belarus;
 - the governance of military administration bodies, tactical organizations, military units of the Armed Forces and the Transport Troops, educational institutions of the Military Academy of the Republic of Belarus, military enlistment offices, and organizations of the Armed Forces, by regulating their activities and exercising ownership authority, including though an analysis of their operational efficiency and the development of improvement proposals;
- 7.23. organizes the leasing of unused and inefficiently used assets assigned to the Ministry of Defence under the right of operational management, the provision of paid services, and the reclamation of secondary raw materials and precious metals according to procedures established by the legislation of the Republic of Belarus;
- 7.24. finances the construction and improvement of assets that are part of the Armed Forces training infrastructure;
- 7.25. provides for the registration, storage and utilization of material and financial resources in the Armed Forces according to the established procedure and standards;
- 7.26. organizes technical and logistical support for the Armed Forces and Transport Troops;
- 7.27. oversees the development, testing and manufacturing of armaments, military equipment and military-technical assets;
- 7.28. organizes cataloguing, certification, standardization and metrology activities, as well as innovation and efficiency improvement projects in the Armed Forces;
- 7.29. carries out legal, organizational, technical and other measures to protect state secrets and information resources of the Armed Forces, as provided for by the legislation of the Republic of Belarus;
- 7.30. organizes responses to information attacks against the Armed Forces, and creates and deploys an information support system for the Armed Forces that utilizes innovative information technologies;
- 7.31. ensures the implementation of international treaties of the Republic of Belarus on issues of defence and military security by the Armed Forces, and oversees the fulfilment of contractual obligations by other states that are party to agreements in the area of arms control;
- 7.32. takes part in military and military-technical cooperation of the Republic of Belarus with foreign states and international organizations, and concludes inter-agency international treaties according to the established procedure;
- 7.33. provides foreign states with services related to the training of national military personnel, according to the established procedure;
- 7.34. takes part in cultivating an understanding among the international community of the military policy of the Republic of Belarus as grounded in the prevention of war and maintenance of peace;

- 7.35. creates safe conditions for military service and working in the Armed Forces, and oversees the organization and implementation of measures to ensure military service safety and workplace safety in the Armed Forces;
- 7.36. instils loyalty to the Republic of Belarus and dedication to military and official duty among military servicemen and civilian personnel of the Armed Forces;
- 7.37. supports the moral and psychological well-being of military servicemen and ensures it is maintained at a level necessary for the completion of tasks vested in the Armed Forces;
- 7.38. organizes ideological work in the Armed Forces, and cooperates with government agencies, public associations and organizations for this purpose;
- 7.39. carries out measures to prevent breaches of law, as well as to strengthen discipline and law and order in the Armed Forces, according to the established procedure;
- 7.40. governs the development of the system for the staffing of troops (forces), the training of officers, warrant officers and junior commanders, and the military education and training of military personnel for the Armed Forces, other forces and military formations, according to the procedure established by the legislation of the Republic of Belarus;
 - 7.40.1. sets the standard format for the service number identification tag of an Armed Forces serviceman, and establishes the procedure for their issue, registration and storage, as well as the procedure for assigning service numbers;
 - 7.40.2. determines the procedure for the issuing and use of official IDs of state officials of the Ministry of Defence;
- 7.41. carries out the overall management of the staff reserve in the Armed Forces, and ensures the quality of its composition and the efficiency of its use;
- 7.42. provides for the implementation of a uniform state policy in the sphere of military education;
- 7.43. organizes scientific research in the interests of the Armed Forces;
- 7.44. within the scope of its competence, organizes scientific, engineering and design works aimed at the modernization of existing weapons and military equipment, and the creation of prospective ones;
- 7.45. ensures the promotion of physical education and sports in the Armed Forces, including physical training for children and young people, and training of a sports reserve according to the procedure established by the legislation of the Republic of Belarus; creates representative teams in the Armed Forces in different sports, and ensures training and participation in sporting events, including international ones;
- 7.46. according to the procedure established by the legislation of the Republic of Belarus:
 - organizes the retirement and social provision of citizens dismissed from military service and their family members, as well as family members of killed (deceased) military servicemen;
 - develops and implements a set of measures aimed at protecting and promoting the health of military servicemen, civilian personnel of the Armed Forces, citizens dismissed from military service, and their family members;
- 7.47. develops proposals for improving the social protection of military servicemen, civilian personnel of the Armed Forces, citizens dismissed from military service and their family members, as well as family members of killed (deceased) military servicemen;
 - 7.47.1. organizes the provision of military servicemen with housing;
 - 7.47.2. according to the procedure established by the legislation of the Republic of Belarus, requests and receives from government agencies and other organizations documents, materials and other information on issues within the scope of competence of the Ministry of Defence; without the written approval of citizens of the Republic of Belarus, receives information on the above issues from information systems that contain personal data; and receives access to information systems that contain such personal data, via written

- query or based on information-sharing agreements between the Ministry of Defence and other government agencies (organizations);
- 7.47.3. receives, processes and stores personal data on conscripts, military servicemen, reservists, persons liable for military service, citizens of the Republic of Belarus provided with benefits by the Ministry of Defence, as well as citizens of the Republic of Belarus that own vehicles provided to the Armed Forces, other troops and military formations during military deployment, without written approval of the above;
- 7.48. carries out other functions in accordance with the legislative acts of the Republic of Belarus.

CHAPTER IV. LEADERSHIP OF THE MINISTRY OF DEFENCE

8. The Ministry of Defence is headed by the Minister of Defence, who is appointed to, and dismissed from, their post by the President of the Republic of Belarus.
The Minister of Defence carries out their functions on the principle of sole command and is personally responsible for the fulfilment of tasks vested in the Armed Forces.
Rank-wise, the Minister of Defence is a member of the Security Council of the Republic of Belarus.
9. The Minister of Defence is directly subordinated to the President of the Republic of Belarus. On issues included in the scope of competence of the Council of Ministers of the Republic of Belarus according to the Constitution of the Republic of Belarus, laws of the Republic of Belarus and acts of the President of the Republic of Belarus, the Minister of Defence is also subordinated to the Prime Minister of the Republic of Belarus.
10. The Minister of Defence has deputies, including the First Deputy – Head of the General Staff of the Armed Forces. Their number is determined by the President of the Republic of Belarus.
Deputy Ministers of Defence are appointed to, and dismissed from, their posts by the President of the Republic of Belarus on the suggestion of the Minister of Defence.
11. The Minister of Defence:
- 11.1. directly governs the Armed Forces and is personally responsible for their military and mobilization readiness, the state of ideological work, the preparation of troops and staff for carrying out tasks to ensure military security, and the armed protection of the Republic of Belarus, its sovereignty, independence, territorial integrity and constitutional order;
 - 11.2. manages the organization of the cooperation and coordination of activities of government agencies and other organizations in the defence sector;
 - 11.3. oversees the transition of the Armed Forces from peacetime to wartime, and the organization of their utilization;
 - 11.4. carries out the overall management of the Transport Troops;
 - 11.5. according to the established procedure, submits for approval to the President of the Republic of Belarus and the Council of Ministers of the Republic of Belarus drafts of legal acts on issues included in the competence of the Ministry of Defence and the General Staff of the Armed Forces;
 - 11.6. according to the established procedure, submits for review to the President of the Republic of Belarus:
 - proposals on issues of defence and state policymaking in the defence sector, including military policy and the Military Doctrine of the Republic of Belarus;
 - analytical reports on the military-political situation and reports on the implementation of training plans of the Armed Forces, as well as their level of combat readiness and capability;
 - drafts of government programmes, plans for the development of the Armed Forces, and for the supply and improvement of standard weapons systems and military equipment;
 - proposals for improving the management systems of troops (forces) and territorial defence of the Republic of Belarus;

- drafts of the plan on the use of the Armed Forces to repel aggression against the Republic of Belarus, and for operational equipment of the Republic of Belarus in the interests of defence;
 - proposals on the formation (creation), reorganization, disbandment (liquidation), positioning and repositioning of bodies of military administration, tactical organizations and military units, as well as on the formation (creation), reorganization and disbandment (liquidation) of Armed Forces' organizations;
 - drafts of plans for the housing of troops (forces), the construction of housing and defence and other assets;
 - proposals for establishing rank insignia for military servicemen of different Armed Forces' components, branches of troops and special troops;
 - proposals for appointing officers to military posts that require the appointment of high-ranking officers of the Armed Forces;
- 11.7. submits to the Council of Ministers of the Republic of Belarus:
- proposals on drafts of the national budget for the next financial year and the state defence order, as well as reports on their implementation;
 - estimates of the Armed Forces' needs for ongoing supplies of necessary material resources, weapons, military equipment and military-technical assets, as well as estimates of the Armed Forces' needs related to ensuring the mobilization preparation and complete mobilization of troops;
 - proposals on the military registration procedure for conscripts and persons liable for military service, and on the organization of training and retraining of persons liable for military service, and the training of conscripts for compulsory military service (reserve service) and their drafting;
 - proposals for allowance rates for military uniforms and accessories, and the provision of food and monetary allowances (salaries) to military servicemen (civilian personnel of the Armed Forces);
 - proposals on the use of the Armed Forces capabilities in the interests of socio-economic development of the Republic of Belarus, including on the procedure for the transfer and sale of infrastructure assets, equipment and other property of the Armed Forces that are not in use or being used inefficiently (except for military products and property that contain state secrets);
- 11.8. approves:
- training plans for the Armed Forces, components of the Armed Forces, and the Transport Troops for the training year, as well as plans for joint operational and combat training events for the Armed Forces, other forces and military formations;
 - provisions on structural components of the Ministry of Defence (except provisions on departments of the Ministry of Defence), commands of the Armed Forces components, operations command administration, other military administration bodies and organizations of the Armed Forces that ensure the performance of the functions of the Ministry of Defence;
 - the organizational and staffing structure of the Ministry of Defence (by approval of the President of the Republic of Belarus), the organizational and staffing structure of the General Staff of the Armed Forces and other military administration bodies of the Armed Forces, the Armed Forces components, troop branches and special troops, associations, tactical organizations, military units and the Armed Forces' organizations within the established headcount and maintenance expenditures;
- 11.9. divides responsibilities between their deputies and aides, with due consideration of the authority of the First Deputy – Head of the General Staff of the Armed Forces, as determined by the President of the Republic of Belarus. If necessary, delegates part of their authority to their deputies and aides, by issuing appropriate orders;
- 11.9.1. from among the Armed Forces' organizations, appoints authorized organizations in the issues of administrative procedures related to housing;
- 11.10. according to the established procedure administers funds allocated to the Ministry of Defence from the national budget;

- 11.11. acts on behalf of the Ministry of Defence without a power of attorney, represents its interests in government agencies and other organizations; administers its funds and property assigned to it, as per the established procedure; and issues powers of attorney to represent the interests of the Ministry of Defence;
- 11.12. organizes financial and economic activities in the Armed Forces according to the procedure established by the legislation of the Republic of Belarus;
- 11.13. according to the established procedure, introduces into service new and modernized armaments and military equipment, and removes from service obsolete ones;
- 11.14. determines the procedure for writing-off armaments, military equipment, military-technical assets and other material resources from the books of the Armed Forces;
- 11.15. establishes allowances for the creation, accumulation and use of military, operational and strategic stocks of armaments, military equipment, military-technical assets and other material resources;
- 11.16. within the scope of their competence, makes decisions on the issues related to discharge from military service;
- 11.17. assigns military ranks, up to and including Lieutenant Colonel, to military servicemen, and approves the procedure for assigning qualification grades to military servicemen;
- 11.18. (this clause is annulled);
- 11.19. awards military servicemen and civilian personnel of the Armed Forces with state awards of the Republic of Belarus, according to the established procedure;
- 11.20. within the scope of their competence, issues orders and directives;
- 11.21. withdraws legal acts of Armed Forces officials that contradict the legislation of the Republic of Belarus;
- 11.22. according to the legislative acts of the Republic of Belarus, appoints and dismisses heads of Armed Forces' organization, and concludes, amends and terminates contracts with them;
- 11.23. in accordance with the labour legislation of the Republic of Belarus, concludes and terminates contracts with civilian personnel of the Ministry of Defence;
- 11.24. implements a staffing policy directed at staffing of the Armed Forces with qualified specialists; within the scope of their authority, ensures their selection, appointment and professional training; and organizes the training of military specialists;
 - 11.24.1. in accordance with the legislation of the Republic of Belarus, determines the procedure and terms for the payment of monetary allowances to military servicemen of the Armed Forces;
 - 11.24.2. by approval with relevant government agencies, determines the procedure and terms for calculating the length of service of military servicemen for the purposes of paying long-service bonuses;
- 11.25. exercises other authority in accordance with the legislative acts of the Republic of Belarus.
12. In order to review the critical issues of the Armed Forces operations, a board is created within the Ministry of Defence, comprising the Minister of Defence (chair of the board), the State Secretary of the Security Council of the Republic of Belarus, the Head of the General Staff of the Armed Forces – First Deputy of the Minister of Defence, deputies of the Minister of Defence, and commanders of the Armed Forces components that are members of the board based on their official rank. Other officials may also be members of the board.

The headcount and membership of the board are approved by the President of the Republic of Belarus on the proposal of the Minister of Defence.

Meetings of the board are conducted by the Minister of Defence and, in their absence, by the First Deputy Minister of Defence; meetings are called as necessary, but at least once every two months.

A meeting of the board is considered duly convened if attended by at least half of the board members. The board passes resolutions by a qualified majority vote.

The procedure for preparing materials for board review, as well as the session procedure, are determined by the Minister of Defence.

PROVISION ON THE GENERAL STAFF OF THE ARMED FORCES OF THE REPUBLIC OF BELARUS

CHAPTER I. GENERAL PROVISIONS

1. The General Staff of the Armed Forces of the Republic of Belarus (hereinafter referred to as 'General Staff') is the central military administration body, the purpose of which is to carry out the operational functions of managing the Armed Forces of the Republic of Belarus (hereinafter referred to as 'Armed Forces'), ensuring their combat capability, and organizing cooperation and coordination between structural components of the state military establishment in the performance of defence tasks during both peacetime and wartime.

Upon the declaration of martial law, the General Staff assumes the functions of the executive body of the Security Council of the Republic of Belarus in the system of strategic command of the Armed Forces, other troops and military formations, under direct command of the Commander-in-Chief of the Armed Forces of the Republic of Belarus.

During wartime, the General Staff, by instruction of the President of the Republic of Belarus, ensures the strategic management of the state military establishment.

2. In its operation, the General Staff is governed by the Constitution of the Republic of Belarus and legislative acts in the sphere of military development and national security, including this Provision and other legislative acts of the Republic of Belarus.
3. Institutionally, the General Staff is part of the Ministry of Defence, and comprises main directorates, administrations and other structural components.
4. The General Staff holds a legal entity status, a seal depicting its name and the State Coat of Arms of the Republic of Belarus, a banner, and a blazon – the emblem of the General Staff of the Armed Forces of the Republic of Belarus.

CHAPTER II. MAIN TASKS OF THE GENERAL STAFF

5. The main tasks of the General Staff are:
 - 5.1. taking part in the preparation and implementation of proposals on state policymaking in the defence sector, including military policy and the Military Doctrine of the Republic of Belarus;
 - 5.2. organizing national defence strategic planning;
 - 5.3. planning for the utilization of and commanding the Armed Forces;
 - 5.4. planning for the joint utilization of the Armed Forces, other troops and military formations (including those allocated as part of the regional group of troops (forces) of the Russian Federation and the Republic of Belarus), and organizing all types of strategic support for such utilization;
 - 5.5. organizing the cooperation and coordination of activities of structural components of the state military establishment during strategic planning and during the implementation of defence measures both in peacetime and wartime;
 - 5.6. managing the creation and development of the unified state system of state governance in the presence of military threats and during wartime;
 - 5.7. maintaining the combat capability and combat readiness of the Armed Forces, organizing and carrying out continuous management of the Armed Forces, and overseeing the strategic deployment of the Armed Forces, other troops and military formations;
 - 5.8. organizing and implementing measures for operational and mobilization training of the Armed Forces, and coordinating operational and mobilization training of other troops and military formations for the purposes of defence of the Republic of Belarus;

- 5.9. planning and organizing the implementation of measures related to the development of the Armed Forces;
- 5.10. planning military reserve training and organizing its military registration and the registration of vehicles provided by government agencies, other organizations and citizens to the Armed Forces, other troops and military formations during their mobilization deployment;
- 5.11. planning and organizing for the protection of state secrets, information resources, covert troop command and troop service;
- 5.12. developing military theory, developing new forms and means of utilization of the Armed Forces, other troops and military formations for the armed protection of the state (including jointly with the General Staff of the Armed Forces of the Russian Federation, on issues related to the use of the regional group of forces (troops) of the Republic of Belarus and the Russian Federation).

CHAPTER III. FUNCTIONS OF THE GENERAL STAFF

6. In accordance with the tasks vested in it, the General Staff:
 - 6.1. plans and organizes intelligence activities in the interests of defence and military security of the Republic of Belarus;
 - 6.2. in collaboration with military administration bodies of other troops and military formations, conducts analysis of the military-political and military-strategic situation, and assesses the nature and level of military threats to the Republic of Belarus;
 - 6.3. determines trends in the development of armed combat, and forms and means of warfare;
 - 6.4. takes part in the planning and implementation of measures for strategic deterrence and the prevention of military threats to the Republic of Belarus;
 - 6.5. organizes and provides for the interaction of the Armed Forces with other troops and military formations in the defence sector, including on issues of mobilization preparation, and involves heads of components of the state military establishment in resolving issues in the defence sector as well as those concerning national security of the state;
 - 6.6. takes part in the planning of mobilization preparation of the economy of the Republic of Belarus and oversight of the performance of mobilization tasks by organizations of the Republic of Belarus;
 - 6.7. within the scope of its competence, takes part in international military and military-technical cooperation with the armed forces of other states;
 - 6.8. organizes the development and clarification of plans for defence of the Republic of Belarus, and of timely preparation of the Republic of Belarus for defence;
 - 6.9. develops and clarifies the plan for the utilization of the Armed Forces, other troops and military formations during wartime, the mobilization plan of the Armed Forces, and the plan for operational equipment of the territory of the Republic of Belarus for defence purposes;
 - 6.10. researches lines of operations, and plans and organizes operational equipment of the territory of the Republic of Belarus and the development of communications and military infrastructure of the Republic of Belarus;
 - 6.11. determines operational and other tasks for components of the Armed Forces, operational commands of the Army, tactical organizations and military units of central subordination, and organizes oversight of their implementation;
 - 6.12. plans and implements information counter-measures in the Armed Forces;
 - 6.13. organizes comprehensive solutions regarding electronic warfare in the Armed Forces, plans and determines the procedure for using the radio frequency spectrum for defence purposes, and provides for electromagnetic compatibility of electronic facilities;
 - 6.14. plans and organizes all types of strategic support for the joint utilization of the Armed Forces, other troops and military formations (including those allocated as part of the regional groups

- of troops (forces) of the Republic of Belarus and the Russian Federation) for armed protection of the state;
- 6.15. organizes territorial defence of the state and manages its deployment and implementation;
 - 6.16. determines the list, allowances and stock volumes of weapons, military equipment, and military-technical assets for territorial troops according to the Armed Forces' nomenclatures;
 - 6.17. plans for measures aimed at ensuring the regime of martial law;
 - 6.18. organizes the implementation by military administration bodies of measures to ensure military law in territories affected by military operations;
 - 6.19. coordinates the activities of:
 - 6.19.1. government agencies, other state organizations, military administration bodies of the Armed Forces, other troops, and military formations:
 - in the course of strategic and operational planning of the joint utilization of the Armed Forces, other troops and military formations;
 - in the course of carrying out territorial defence missions of the Republic of Belarus;
 - 6.19.2. military administration bodies of the Armed Forces, other troops, and military formations:
 - while preparing, and in the course of implementing, measures to ensure martial law;
 - in the sphere of information counter-measures;
 - 6.19.3. national government administration bodies and other government agencies subordinated to the Government of the Republic of Belarus, in the course of implementing measures to create and develop a unified system for state governance in the presence of military threats and in wartime conditions;
 - 6.20. approves manning documents and the organizational structures of military administration bodies, tactical organizations and military units involved in defence tasks, for government agencies that entail military service;
 - 6.21. carries out the functions of the Ministry of Defence on state regulation of the use of the airspace of the Republic of Belarus;
 - 6.22. develops the command and control system of the Armed Forces, other troops and military and manages the development and implementation of automated troops (forces) command systems;
 - 6.23. within the scope of its competence, plans and organizes for the implementation of measures aimed at improving the national telecommunications network of the Republic of Belarus with regard to defence needs, as well as the integration of the telecommunications network of the Armed Forces, other troops and military formations with other telecommunications networks;
 - 6.24. organizes and carries out continuous management of the Armed Forces;
 - 6.25. plans and organizes the implementation of measures to maintain combat and mobilization readiness of the Armed Forces, other troops and military formations in the interests of defence, and oversees its status;
 - 6.26. via appropriate government agencies, oversees the level of mobilization readiness of territorial troops, as well as other forces and means of territorial defence;
 - 6.27. plans and organizes:
 - the improvement of the material resource base for mobilization deployment of the Armed Forces intended to ensure their transition from peacetime to wartime, strategic deployment, and performance of wartime tasks;
 - the operational deployment of the Armed Forces, other troops and military formations in sectors of operations, as well as strategic regrouping of troops (forces), and the creation and utilization of strategic reserves;
 - 6.28. determines the needs of the Armed Forces for weapons, military equipment, ammunition and other material resources, and carries out current and prospective planning for the mobilization deployment of the Armed Forces;

- 6.29. manages combat alert duty in the Armed Forces and oversees the implementation of its tasks;
- 6.30. plans, organizes and oversees operational and mobilization preparation in the Armed Forces and the Transport Troops, and organizes and oversees combat training in tactical organizations and military units directly subordinated to the General Staff;
- 6.31. develops and submits for approval to the Minister of Defence training plans for the Armed Forces, as well as plans for joint operational and combat training events involving the Armed Forces, other troops and military formations (including those allocated to the regional group of troops (forces) of the Republic of Belarus and the Russian Federation);
- 6.32. approves training plans for components of the Armed Forces, the Transport Troops, operational commands of the Army, troop branches, special troops, tactical organizations and military units of central subordination, for each training year;
- 6.33. develops drafts of concept documents and regulatory acts of the Republic of Belarus related to the development of the Armed Forces;
- 6.34. develops proposals on the structure, composition, positioning and headcount of the Armed Forces, as well as the structure and headcount of territorial troops;
- 6.35. provides for the fulfilment of the Ministry of Defence functions on the development and implementation of measures to prevent, identify and thwart terrorist activity in the Armed Forces, as well as on counter-terrorist operations and ensuring the security of the airspace of the Republic of Belarus;
- 6.36. takes part in drafting the state arms programme and the state defence order;
- 6.37. accounts for the composition and positioning of troops, and plans and implements organizational measures, including managing staff and organizational structures of military administration bodies, associations, tactical organizations, military units and organizations of the Armed Forces;
- 6.38. within the scope of its competence, determines the headcount of components of the Armed Forces, troop branches, special troops, educational institutions, and military departments of secondary specialized educational institutions and higher educational institutions involved in the training of personnel in professions (fields, specializations) relevant to the Armed Forces, other troops and military formations, and other organizations of the Armed Forces, in accordance with the Concept of the Armed Forces Development;
- 6.39. drafts proposals on the number of citizens of the Republic of Belarus liable for compulsory military service and reserve service, and their distribution among the Armed Forces, other troops and military formations;
- 6.40. takes part in the drafting of citizens of the Republic of Belarus for compulsory military service (reserve service);
- 6.41. plans and organizes the dispatch of citizens of the Republic of Belarus who have been drafted to compulsory military service (reserve service) to military units, and for the dismissal of conscripted military servicemen (reservists) from military service (reserve service);
- 6.42. oversees the staffing of the Armed Forces with military servicemen, as well as the training and allocation of junior commanders and specialists for the Armed Forces;
- 6.43. organizes the hiring of citizens of the Republic of Belarus to contract military service for positions requiring private and sergeant ranks;
- 6.44. plans and carries out the drafting of citizens of the Republic of Belarus to military service during mobilization, and the dismissal of military servicemen from military service during demobilization, in accordance with the legislation of the Republic of Belarus;
- 6.45. takes part in the training of citizens of the Republic of Belarus for military service, their drafting to compulsory military service (reserve service), and carries out training and retraining of persons liable for reserve service;
- 6.46. estimates the needs of the Armed Forces for material resources included in the state material reserve, the mobilization material reserve and the Armed Forces Strategic Reserve of Armaments, Military Equipment and Material Resources;

- 6.47. drafts proposals on the distribution of armaments, military equipment, ammunition and other material resources among components of the Armed Forces, troop branches, special and territorial troops, tactical organizations, military units of central subordination, and the Armed Forces' organizations;
- 6.48. coordinates the developments of regulations for stocks of armaments, military equipment, ammunition and other material resources;
- 6.49. takes part in developing proposals for the draft of the national budget for the next financial year as it relates to national security expenditures;
- 6.50. carries out the overall management of military enlistment offices, and organizes their work on registering and planning the drafting of citizens of the Republic of Belarus to compulsory military service (reserve service), as well as the supply of vehicles to the Armed Forces, other troops and military formations in the event of mobilization, and to create the mobilization material reserve;
- 6.51. plans and coordinates the implementation of measures to improve and standardize military registration in the Republic of Belarus;
- 6.52. carries out personnel accounting and registration in the Armed Forces;
- 6.53. plans and organizes the implementation of measures to protect state secrets and information resources, covertly command troops of the Armed Forces and counteract the operations of technical reconnaissance equipment of foreign states;
- 6.54. organizes troop service and oversees its status, organization, and the implementation of measures related to strengthening discipline and maintaining law and order in the Armed Forces;
- 6.55. determines the principal development courses of military strategy and the art of strategy;
- 6.56. takes part in deciding on new directions for the development of armaments and military equipment;
- 6.57. develops new forms and means of using the Armed Forces;
- 6.58. in collaboration with military administration bodies of other troops and military formations, works on theoretical issues related to increasing the defence capability of the state;
- 6.59. carries out other functions in accordance with the legislative acts of the Republic of Belarus.

CHAPTER IV. COMMAND OF THE GENERAL STAFF

7. The General Staff is headed by the Head of the General Staff of the Armed Forces – the First Deputy Minister of Defence (hereinafter referred to as 'Head of the General Staff'), who is appointed to and dismissed from their post by the President of the Republic of Belarus on the proposal of the Minister of Defence.

The Head of the General Staff is subordinated to the Minister of Defence and personally responsible for the performance of tasks vested in the General Staff.

The Head of the General Staff is the direct military commanding officer of all personnel within the Armed Forces; in addition, during wartime, while the General Staff is carrying out strategic command of the state military establishment by order of the President of the Republic of Belarus, the Head of the General Staff acts as the senior commanding officer of the personnel of other troops and military formations.

Rank-wise, the Head of the General Staff is a member of the Security Council of the Republic of Belarus.

The Head of the General Staff has deputies, including one First Deputy.

8. The Head of the General Staff;
 - 8.1. commands the General Staff and organizes its work;
 - 8.2. carries out the operational command of the Armed Forces;
 - 8.3. according to the established procedure, carries out the transition of the Armed Forces from peacetime to wartime;
 - 8.4. organizes inspections of combat and mobilization readiness in the Armed Forces;
 - 8.5. manages combat alert readiness in the Armed Forces and oversees the performance of its tasks;
 - 8.6. oversees adherence to the legislation of the Republic of Belarus in the Armed Forces;

- 8.7. organizes operational and mobilization training in the Armed Forces, oversees measures to ensure their combat and mobilization readiness for the performance of tasks related to military security and armed protection of the Republic of Belarus, its sovereignty, independence, territorial integrity and constitutional order;
- 8.8. within the scope of their competence, issues orders and directives, and gives instructions and organizes and monitors their implementation. While carrying out the instructions of the Minister of Defence, gives orders on behalf of the latter;
- 8.9. takes part in the implementation of the staffing policy aimed at staffing the Armed Forces with qualified specialists and, within the scope of their competence, ensures staff selection, appointment and professional training;
- 8.10. divides responsibilities among their deputies, and determines the responsibilities of the heads of organizational units of the General Staff;
- 8.11. approves provisions on organizational units of the General Staff and other military administration bodies and organizations of the Armed Forces that provide for the functioning of the General Staff;
- 8.12. acts on behalf of the General Staff without a power of attorney, represents its interests in government agencies and other organizations; administers its funds and property assigned to it, as per the established procedure; and issues powers of attorney to represent the interests of the General Staff;
- 8.13. according to the established procedure and within the scope of their competence, issues orders that are mandatory for national government agencies, local executive and regulatory bodies and other organizations, and organizes the monitoring of their implementation;
- 8.14. exercises other authority in accordance with the legislative acts of the Republic of Belarus.

LAW OF THE REPUBLIC OF BELARUS

‘On Martial Law’

13 January 2003, No. 185-3

Adopted by the House of Representatives 11 December 2002
Approved by the Council of the Republic 20 December 2002

National Register of Legal Acts of the Republic of Belarus, 15 January 2003, No. 6, 2/934;
(in the wording of the Laws of the Republic of Belarus on 10 January 2015, No. 244-3; on 17 July 2018,
No. 126-3)

This Law establishes the legal framework of martial law in the territory of the Republic of Belarus, the procedure for its imposition and lifting; determines the measures to ensure martial law, and the legal status of citizens and organizations during a period of martial law.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Key Terms and Definitions

This Law uses the following key terms and definitions:

- military censorship: a system of state control over the content of messages and materials prepared for publication in mass media outlets and broadcasting via telecommunication networks, as well as the content of correspondence, established for the period of martial law;
- martial law: a special legal regime temporarily introduced in the territory of the Republic of Belarus in the event of a military threat or an attack (act of armed aggression) against the Republic of Belarus (hereinafter referred to as ‘attack’), under which government agencies, military administration bodies and local defence councils are granted the authority required to eliminate the military threat or repel the attack, and under which the rights and freedoms of citizens of the Republic of Belarus, foreign nationals and stateless persons (hereinafter, unless specified otherwise, referred to as ‘citizens’) and organizations are temporarily restricted, and they are charged with obligations established in accordance with this Law;
- internment: forced reassignment to specified locations of nationals of the attacking foreign state (foreign states) who are present in the territory of Belarus during wartime;
- curfew: a specified time of the day during which citizens are forbidden from leaving residential premises and moving between settlements without personal identification and permits to leave residential premises and move between settlements (hereinafter referred to as a ‘permit’).

Article 2. Legal Framework of Martial Law

The legal framework of martial law consists of the Constitution of the Republic of Belarus, this Law, orders and decrees of the President of the Republic of Belarus, and other legislative acts, including international treaties of the Republic of Belarus.

If an international treaty of the Republic of Belarus establishes rules other than those stipulated by this Law, the rules of the international treaty shall take precedence.

Article 3. Purpose of Martial Law Imposition

The purpose of imposing martial law is to create the necessary prerequisites for eliminating a military threat or repelling an attack.

CHAPTER 2. IMPOSITION AND LIFTING OF MARTIAL LAW

Article 4. Grounds for Imposing Martial Law

A military threat or an attack constitute grounds for imposing martial law in the territory of the Republic of Belarus.

Any of the following actions constitute a military threat:

- a declaration of war on the Republic of Belarus by another state (other states) without any of the actions stipulated in Part 3 of this Article;
- the concentration of armed forces of another state (other states) along the State Border of the Republic of Belarus, which indicates a realistic intention to use armed force against the independence, territorial integrity, sovereignty and constitutional order of the Republic of Belarus;
- the emergence of areas in which armed conflicts are concentrated and are directed against the independence, territorial integrity, sovereignty and constitutional order of the Republic of Belarus;
- mobilization for the purposes of attack, conducted by another state (other states);
- other actions by another state (other states) or by extremist, including terrorist, organizations located in the territory of another state (other states), including statements and demonstrations of force that are carried out in contravention of the United Nations Charter and that indicate preparation for an attack.

In accordance with the generally accepted principles and norms of international law, regardless of whether there has been a declaration of war by another state (other states), any of the following actions shall constitute an attack:

- an invasion of armed forces of another state (other states) into the territory of the Republic of Belarus, military occupation, however temporary in nature, or the annexation of the territory of the Republic of Belarus, or part thereof, with the use of armed forces;
- missile air strikes made by armed forces of another state (other states) on the territory of the Republic of Belarus, or the use of any other weaponry by another state (other states) against the Republic of Belarus;
- armed influence by another state (other states) on the Armed Forces of the Republic of Belarus, or other troops and military formations of the Republic of Belarus (hereinafter referred to as 'Armed Forces, other troops and military formations');
- actions by another state (other states) that allow a third state (third states) to use its (their) territory to enable an attack;
- the dispatching onto the territory of the Republic of Belarus by another state (other states), or on behalf of another state (other states), of armed gangs (groups), irregular forces, mercenaries or units of regular forces that use armed force against the Republic of Belarus;
- an act of armed aggression on the part of any state or group of states perpetrated against a member state of the Collective Security Treaty Organization;
- other actions related to the use of armed force against the independence, territorial integrity, sovereignty and constitutional order of the Republic of Belarus by another state (other states) by any other means incompatible with the United Nations Charter.

Article 5. Imposition of Martial Law

Martial law is imposed by order of the President of the Republic of Belarus; the respective decision is submitted to the Council of the Republic of National Assembly of the Republic of Belarus for approval within three days.

Article 6. Content of the Order of the President of the Republic of Belarus to Impose Martial Law

The order of the President of the Republic of Belarus to impose martial law shall state:

- the circumstances that constitute the grounds to impose martial law;
- the time and date martial law takes effect.

Article 7. Publication of Orders of the President of the Republic of Belarus on the Imposition and Lifting of Martial Law, and on the Distribution of Information on the Temporary Restriction of Civil Rights and Freedoms

Orders of the President of the Republic of Belarus on the imposition and lifting of martial law are subject to immediate official publication and promulgation via other mass media outlets or other publicly accessible means of communication.

Government agencies whose scope of competence includes issues covered by the International Covenant on Civil and Political Rights of 16 December 1966 (hereinafter referred to as 'International Covenant on Civil and

Political Rights') shall, no later than the day after the imposition of martial law, inform the Ministry of Foreign Affairs of the Republic of Belarus of the provisions of the International Covenant on Civil and Political Rights that the Republic of Belarus has deviated from, and the reasons for such decisions.

The Ministry of Foreign Affairs of the Republic of Belarus shall immediately inform other party states of the International Covenant on Civil and Political Rights, via the Secretary-General of the United Nations, of the provisions of the International Covenant on Civil and Political Rights that the Republic of Belarus has deviated from, and the reasons for such decisions, as well as the date on which such deviations shall cease.

Article 8. Approval of the Order of the President of the Republic of Belarus to Impose Martial Law

The Council of the Republic of the National Assembly of the Republic of Belarus shall review the order of the President of the Republic of Belarus to impose martial law and, within three days of the order being submitted, pass the resolution to approve or disapprove it.

After publication of the order of the President of the Republic of Belarus to impose martial law, members of the Council of the Republic of the National Assembly of the Republic of Belarus shall arrive at the place of session in the shortest time feasible, without special summons.

The public is immediately informed, via mass media outlets or other publicly accessible means of communication, of the resolution made by the Council of the Republic of the National Assembly of the Republic of Belarus.

The order of the President of the Republic of Belarus to impose martial law that has not been approved by a majority vote of the Council of the Republic of the National Assembly of the Republic of Belarus shall become null and void starting from the date and time when the Council of the Republic of the National Assembly of the Republic of Belarus passed the resolution to disapprove it.

The order of the President of the Republic of Belarus to impose martial law shall not be reviewed by the Council of the Republic of the National Assembly of the Republic of Belarus if the President of the Republic of Belarus has lifted martial law prior to the review of the respective order by the Council of the Republic of the National Assembly of the Republic of Belarus.

Article 9. Lifting of Martial Law

Martial law is lifted by order of the President of the Republic of Belarus, after the circumstances that had resulted in the imposition of martial law have been eliminated; the order specifies the date and time of the lifting of martial law.

Legislative acts adopted (issued) to ensure martial law are not applied and are subject to recall by government agencies (public officials) that had adopted (issued) them, starting from the time when martial law is lifted, unless otherwise provided for by the legislative acts.

Government agencies, bodies of military administration and local defence councils cease exercising their authority to ensure martial law starting from the time when martial law is lifted, according to the procedure established by the President of the Republic of Belarus.

CHAPTER 3. LEGAL STATUS OF CITIZENS AND ORGANIZATIONS DURING THE PERIOD OF MARTIAL LAW

Article 10. Guarantees of Legitimacy During the Period of Martial Law

During the period of martial law, the Council of the Republic of the National Assembly of the Republic of Belarus and the Chamber of Representatives of the National Assembly of the Republic of Belarus cannot be disbanded; and elections and referendums cannot be held during the period of martial law.

If the term of authority of elected government agencies and public officials expires during the period of martial law, their term of authority is extended until the end of the period of martial law, unless their authority is suspended according to the procedure provided for by legislative acts.

Article 11. Legal Status of Citizens During the Period of Martial Law

During the period of martial law, citizens enjoy all rights and freedoms established by the Constitution of the Republic of Belarus, with the exception of the rights and freedoms curtailed under this Law and other

legislative acts in the interests of national security, public order, protection of morality and public health, and the rights and freedoms of other citizens.

During the period of martial law, citizens shall:

- comply with lawful demands of government agencies, bodies of military administrations, local defence councils and their officials in accordance with this Law and other legislative acts on martial law;
- when summoned, arrive at government agencies, bodies of military administrations and local defence councils at the set time and place;
- participate in works related to defence, remediation activities, the restoration of damaged (destroyed) economic infrastructure, essential services and military assets, emergency disaster relief, and the work of organizations subject to the transition to operating in wartime conditions (applies to able-bodied citizens aged 16–60 for males and citizens aged 16–55 for females);
- provide their property as necessary for defence needs, including residential and non-residential premises for housing or accommodation of citizens temporarily relocated to safety from areas affected by military operations, from disaster areas and from areas considered at risk of attack;
- while outside residences, carry personal identification and permits, in cases provided for by this Law and other legislative acts.

Citizens are entitled to receive compensation from the state for the value of the property they have provided for defence needs, including expenses incurred to provide for the housing or accommodation of citizens temporarily relocated to safety from areas affected by military operations, from disaster areas and from areas considered to be at risk of attack, in accordance with this Law and other legislative acts.

During the period of martial law, citizens are forbidden from:

- purchasing weapons, ammunition, or explosives;
- organizing and participating in assemblies, rallies, marches, demonstrations, pickets and other mass gatherings;
- producing and distributing information about government agencies, bodies of military administrations, local defence councils; about actions of the Armed Forces, other troops and military formations, or militarized organizations involved in ensuring martial law; or about the military and economic state of the Republic of Belarus, without the permission of authorized officials of military administration bodies, issued in accordance with the legislation on issues of military censorship.

Citizens of the Republic of Belarus that are liable to military duty are forbidden from leaving their home or place of residence from the moment martial law is declared without permission of a military enlistment office or a separate branch of a military enlistment office.

Article 12. Legal Status of Organizations During the Period of Martial Law

Activities of organizations during the period of martial law may be curtailed in order to eliminate a military threat or repel an attack, in accordance with this Law and other legislative acts.

During the period of martial law, organizations shall:

- comply with lawful demands of government agencies, bodies of military administrations, local defence councils and their officials in accordance with this Law and other legislative acts on martial law;
- provide their property as necessary for defence needs, including residential and non-residential premises for housing or accommodation of citizens temporarily relocated to safety from areas affected by military operations, from disaster areas and from areas considered at risk of attack;
- while outside residences, carry personal identification and permits, in cases provided for by this Law and other legislative acts.
- carry out tasks (orders) for defence needs in accordance with the legislation;
- suspend insolvency (bankruptcy) proceedings and cancel decisions to change the form of ownership or suspend operations, on the demand of government agencies and in accordance with this Law;
- carry out other obligations in accordance with this Law and other legislative acts.

Organizations are entitled to receive compensation from the state for the value of the property they have provided for defence needs, including expenses incurred to provide for the housing or accommodation of citizens temporarily relocated to safety from areas affected by military operations, from disaster areas and from areas considered at risk of attack, in accordance with this Law and other legislative acts.

Article 13. Liability for Violation of the Legislation on Martial Law

Citizens, officials of organizations, and organizations shall be held liable for violation of the legislation on martial law in accordance with legislative acts.

Article 14. Relief from Administrative Liability for Violation of the Legislation on Martial Law

The lifting of martial law constitutes grounds to terminate proceedings on administrative liability for violation of the legislation on martial law, and to terminate execution of the resolution to impose administrative penalty.

CHAPTER 4. ENSURING MARTIAL LAW

Article 15. Measures to Ensure Martial Law

During the period of martial law, the President of the Republic of Belarus, government agencies, bodies of military administration and local defence councils, in accordance with this Law and other legislative acts, may use the following measures to ensure martial law:

- involve the Armed Forces, other troops and military formations, and militarized organizations in ensuring martial law;
- introduce changes to the list of checkpoints at the State Border of the Republic of Belarus (hereinafter referred to as 'border checkpoints'), and establish a special procedure for crossing the State Border of the Republic of Belarus for citizens, vehicles and goods;
- establish a special legal regime for the use of the airspace of the Republic of Belarus;
- impose a curfew;
- check personal identification documents of citizens, carry out personal searches of citizens, inspect their possessions and documents, inspect vehicles and items carried in them, and inspect dwellings and other lawful property of citizens, as well as the premises and other facilities of organizations;
- restrict or ban sales of weapons, ammunition, explosives, explosive devices, specialized items, toxic substances, and alcohol; establish a special regime for the distribution of medicines, narcotic drugs, psychotropic substances, and their precursors. Temporarily confiscate from citizens and organizations weapons, ammunition and toxic substances; from organizations, also temporarily confiscate combat and training military equipment, explosive, radioactive and chemically hazardous substances;
- via government agencies, bodies of military administrations and other organizations, pass additional measures to protect state secrets;
- create bodies of military censorship, impose military censorship, establish restrictions on the search, procurement, transfer, production and distribution of information; temporarily confiscate or arrest printed media, as well as radio broadcasting equipment, that contains information specified in Article 11, Part four, Paragraph Four of this Law and that is being produced and distributed in violation of the requirements of this Law; and establish a special procedure for journalist accreditation;
- strengthen the protection of public order, of facilities that provide for essential services and transport operations, of organizations involved in printing and publishing, as well as of facilities that pose an increased threat to life, public health and the environment;
- supply the Armed Forces, other forces and military formations, and militarized organizations with additional material assets and other resources;
- involve citizens (able-bodied citizens aged 16–60 for males and 16–55 for females) in works related to defence, remediation activities, restoration of damaged (destroyed) economic infrastructure, essential services and military assets, emergency disaster relief, and the work of organizations subject to the transition to operating in wartime conditions;

- temporarily remove citizens from areas affected by military operations, from disaster areas and from areas considered to be at risk of attack, while providing them with residential or non-residential premises for housing or accommodation;
- evacuate material valuables and items of historical and cultural significance to safe areas, in the event of a realistic threat of theft, destruction or damage;
- impose restrictions on the freedom of movement within the Republic of Belarus, and impose bans or restrictions on the freedom of movement;
- impose restrictions or bans on the entry of foreign nationals and stateless persons into the Republic of Belarus;
- confiscate property from citizens and organizations as necessary for defence needs, including residential and non-residential premises for housing or accommodation of citizens temporarily relocated to safety from areas affected by military operations, from disaster areas and from areas of considered to be at risk of attack, with subsequent state compensation of the value of said property and expenses incurred to provide for the housing or accommodation of such citizens;
- establish special (ration-based) procedures for preparing and organizing the rationed supply of basic foodstuffs and other essential goods to citizens of the Republic of Belarus;
- intern citizens of the attacking foreign state (foreign states);
- change work and leave (time off) schedules for specific categories of workers;
- make changes to the system of state benefits paid to families with children, compensation provided for by labour legislation, as well as the procedure and terms for providing state social benefits and social services;
- limit or suspend banking operations and other activities carried out by banks and non-bank credit and finance organizations;
- limit or suspend insurance activities and gambling operations;
- forbid or suspend insolvency (bankruptcy) procedures, and forbid changes to the form of ownership or suspension of operations of companies that provide for defence needs;
- suspend activities of political parties, other civil organizations and their unions (associations) if they violate the legislation on martial law, by decision of the registration authority;
- forbid the creation of political parties, other civil organizations and unions (associations);
- forbid the holding of, or suspend ongoing, strikes, for a period of no more than three months;
- fully or partially suspend the authority of certain government agencies and public officials, unless otherwise provided for by the Constitution of the Republic of Belarus;
- forbid or limit the transportation of freights and passengers by air, rail and motor transport domestically and/or internationally, including transit through the territory of the Republic of Belarus;
- restrict the movement of vehicles;
- use material resources in the state and/or mobilization material reserves, re-structure organizations for the manufacturing of products for defence needs, and make other changes to economic and business activities;
- appoint representatives in organizations to oversee and ensure the fulfilment of tasks (orders) for defence needs;
- use organizations involved in postal services, telecommunications, transportation, trade, public catering, municipal services, and printing and publishing, as well as manufacturing facilities, for defence needs;
- suspend state registration (re-registration) of mass media outlets, printed media publishers, and producers and distributors; suspend the issuing of licences for printing and broadcasting operations, and of permits to purchase printing equipment; and suspend the distribution of foreign mass media in the territory of the Republic of Belarus;
- suspend publication in mass media outlets and the distribution of foreign mass media products in the territory of the Republic of Belarus, with the exception of those specified by the Ministry of Information of the Republic of Belarus;

- suspend licences for printing and broadcasting operations, and state registration certificates of printed media publishers, producers and distributors, with the exception of those specified by the Ministry of Information of the Republic of Belarus;
- annul state registration certificates of mass media outlets and printed media publishers, producers and distributors, if they violate the legislation on martial law;
- annul licences for printing and broadcasting operations if the licensees violate the legislation on martial law;
- annul permits to distribute foreign mass media products in the territory of the Republic of Belarus if they violate the legislation on martial law;
- take additional measures to ensure the security of persons and assets subject to state protection, and ensure the prerequisites for their operation during the period of martial law.

During the period of martial law, in addition to the measures stipulated in Part One of this Article, the President of the Republic of Belarus, government agencies, bodies of military administration and local defence councils can implement other measures to ensure martial law, as provided for by legislative acts.

Article 16. Enforcement of Martial Law by the Armed Forces, Other Troops and Military Formations, and Militarized Organizations Involved in Ensuring Martial Law

Unless otherwise specified in this Law, the Armed Forces, other troops and military formations, and militarized organizations involved in the enforcement of martial law, within the scope of their competence, ensure that military servicemen and employees (workers of financial investigation bodies of the State Control Committee of the Republic of Belarus, workers of emergency agencies and departments of the Republic of Belarus (hereinafter referred to as 'workers')) of militarized organizations exercise their authority to enforce martial law, in accordance with this Law and other legislative acts.

Article 17. Authority of Military Servicemen and Employees (Workers) of Militarized Organizations Involved in the Enforcement of Martial Law

Military servicemen and employees (workers) of militarized organizations involved in the enforcement of martial law, within the scope of their competence and in accordance with this Law and other legislative acts, shall:

- secure public order, facilities that provide for essential services and transport operations, organizations involved in printing and publishing, as well as facilities that pose an increased threat to life, public health and the environment;
- ensure security or take part in ensuring the security of persons and assets subject to state protection;
- take part in the cordoning off disaster areas and engagement areas (areas in which armed conflict is concentrated), and carry out patrol and inspection services;
- allow the crossing of the State Border of the Republic of Belarus by citizens, vehicles and goods in accordance with the established special procedure for the functioning of border checkpoints and the special procedure for the crossing of the State Border of the Republic of Belarus;
- take part in emergency rescue and other urgent works, as well as disaster relief, in the territory of permanent military camps and residential areas of military garrisons;
- restrict the movement of vehicles, inspect vehicles and items carried in them, and detain vehicles;
- check identification documents and permits carried by citizens, conduct personal searches of citizens, inspect their possessions and documents, and seize documents, possessions and items;
- inspect dwellings and other lawful property of citizens, as well as the premises and other facilities of organizations;
- seize property from citizens and organizations as required for defence needs;
- use physical force and special means of impact (including batons, stun guns, gas cylinders and water cannons); store, carry and use weapons; and use military and specialized equipment;
- temporarily confiscate or arrest printed media, as well as radio broadcasting equipment, that contains information specified in Article 11, Part Four, Paragraph Four of this Law and that is being produced and distributed in violation of the requirements of this Law;

- temporarily confiscate from citizens and organizations weapons, ammunition and toxic substances; and from organizations, temporarily confiscate combat and training military equipment, explosive, radioactive and chemically hazardous substances;
- deliver to military commandant's offices or hand over to territorial law enforcement bodies of the Republic of Belarus citizens detained for violating legislation on martial law, citizens suspected of criminal offences, nationals of the attacking foreign state (foreign states) who are present in the territory of Belarus during wartime and are subject to internment;
- Suppress disobedience or resistance to lawful demands of a military serviceman or employee (worker) of a militarized organization involved in ensuring martial law, as well as administrative and criminal offences;
- detain citizens for violation of legislation on martial law, and detain citizens suspected of criminal offences.

In addition to the scope of authority listed in Part One of this Article, military servicemen and employees (workers) of militarized organizations involved in the enforcement of martial law can be granted other authority in accordance with this Law and other legislative acts.

Article 18. Terms and Limits of Application of Physical Force, Special Means of Impact, Weapons, Military and Specialized Equipment by Military Servicemen and Employees (Workers) of Militarized Organizations Involved in the Enforcement of Martial Law

Military servicemen and employees (workers) of militarized organizations involved in the enforcement of martial law have the right to use physical force, special means of impact (including batons, stun guns, gas cylinders and water cannons), weapons, and military and specialized equipment, if carrying out their obligations by other means is not possible.

Physical force, special means of impact (including batons, stun guns, gas cylinders and water cannons), weapons, and military and specialized equipment shall be used by military servicemen and employees (workers) of militarized organizations involved in enforcing martial law based on the circumstances at hand and at their discretion, in cases provided for by this Law. The use of physical force, special means of impact (including batons, stun guns, gas cylinders and water cannons), weapons, and military and specialized equipment must be preceded with a warning, issued by the military serviceman or employee (worker) of a militarized organization involved in enforcing martial law and clearly communicated to the citizen against which these means be used, except in cases when the delay to use such means will endanger the life of the military serviceman or employee (worker) of a militarized organization involved in enforcing martial law, endanger the lives of other citizens, or may bring about other grave consequences.

In the event that the use of physical force, special means of impact (including batons, stun guns, gas cylinders and water cannons), weapons, and military and specialized equipment cannot be avoided, the military serviceman or employee (worker) of a militarized organization involved in enforcing martial law must strive to cause minimum possible harm to the life, health, honour, dignity and property of citizens, and take measures to provide immediate medical and other necessary aid to the injured parties.

The use of weapons, and military and special equipment is not permitted:

- in the presence of significant numbers of people, when bystanders may be harmed;
- in the direction of warehouses (storage facilities) containing flammable, explosive and highly toxic substances and their transportation means;
- against women, citizens with visible signs of disability, known or obvious minors, except in the event that such citizens are committing an armed or concerted attack, or other actions that threaten the life and health of a military serviceman or employee (worker) of a militarized organization involved in enforcing martial law, or other citizens.

The use of physical force, special means of impact (including batons, stun guns, gas cylinders and water cannons), weapons, or military and specialized equipment must be immediately reported by the military serviceman or employee (worker) of a militarized organization involved in enforcing martial law to their direct superior.

The wounding or killing of a citizen as a result of the use of physical force, special means of impact (including batons, stun guns, gas cylinders and water cannons), weapons, or military and specialized equipment against them by a military serviceman or employee (worker) of a militarized organization involved in enforcing martial law must be immediately reported to the respective prosecutor.

A military serviceman or employee (worker) of a militarized organization involved in enforcing martial law shall not be held liable for damages caused in connection with the use of physical force, special means of impact (including batons, stun guns, gas cylinders and water cannons), weapons, or military and specialized equipment in cases provided for by this Law, or under circumstances that preclude the act from being construed as a crime or an administrative offence, as established by the Criminal Code of the Republic of Belarus and the Code of the Republic of Belarus on Administrative Offences, respectively.

The use of physical force, special means of impact (including batons, stun guns, gas cylinders and water cannons), weapons, or military and specialized equipment in violation of the requirements of this Law shall create liability as established by legislative acts.

Article 19. The Use of Physical Force by Military Servicemen and Employees (Workers) of Militarized Organizations Involved in Enforcing Martial Law

Military servicemen and employees (workers) of militarized organizations involved in enforcing martial law have the right to use physical force (including combat manoeuvres and items on hand) to prevent and thwart administrative and criminal offences, to detain citizens that have committed those offences, in self-defence, and to overcome resistance to their lawful demands, if this is impossible to achieve by non-violent means.

Article 20. The Use of Special Means of Impact by Military Servicemen and Employees (Workers) of Militarized Organizations Involved in Enforcing Martial Law

Military servicemen and employees (workers) of militarized organizations involved in ensuring martial law have the right to use handcuffs, rubber truncheons, means of restraint, specialized chemical substances, flash-bang diversion devices, means to gain entry to premises, means to forcibly stop the movement of vehicles, and other special means of impact ((including batons, stun guns, gas cylinders and water cannons) in the event of:

- repelling an assault on a military serviceman or employee (worker) of a militarized organization involved in enforcing martial law, or other citizens;
- repelling an assault on buildings, premises, structures or vehicles of the Armed Forces, other troops and military formations, or militarized organizations;
- thwarting disobedience or resistance to a lawful demand of a military serviceman or employee (worker) of a militarized organization involved in enforcing martial law;
- the detention and delivery to a criminal prosecution body of suspects or alleged offenders if the latter are displaying disobedience or offering resistance, as well as citizens detained on the immediate suspicion of a crime, and citizens held under guard, if the latter are displaying disobedience or offering resistance, or if there are grounds to expect they may attempt to escape or cause harm to others or to themselves;
- in other cases determined by the President of the Republic of Belarus.

The type of special means of impact (including batons, stun guns, gas cylinders and water cannons) and the intensity of their application are determined by the military serviceman or employee (worker) of a militarized organization involved in enforcing martial law, at their discretion with regard to the situation at hand, the nature of the offence, and the particulars of the offender.

Special means of impact (including batons, stun guns, gas cylinders and water cannons) may not be applied against women with visible signs of pregnancy, citizens with visible signs of disability, known or obvious minors, except in the event that such citizens are committing an armed or concerted attack, or other actions that threaten the life and health of a military serviceman or employee (worker) of a militarized organization involved in enforcing martial law, or other citizens.

Article 21. The Use of Weapons by Military Servicemen and Employees (Workers) of Militarized Organizations Involved in Enforcing Martial Law

Military servicemen and employees (workers) of militarized organizations involved in enforcing martial law have the right to use weapons against citizens who are:

- committing an assault on a military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law, or on other citizens, which constitutes a danger to their life and health;
- committing an assault on residential premises or other lawful property of citizens, or the premises or other assets of organizations, acting as part of a group or with the use of weapons, explosions, arson, or other means that present a danger to the public, as well as vehicles, equipment or devices;
- committing acts with the direct intention of forcibly acquiring weapons, ammunition or special means of impact (including batons, stun guns, gas cylinders and water cannons) from a military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law;
- caught in the process of committing the acts described in Paragraph Two to Four of this part, and attempting to flee, and when in order to avoid being detained the citizen in question is threatening to use, or actually using, weapons, explosive substances, explosive devices or other items that pose a danger to the life and health of a military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law, or the life and health of other citizens;
- refusing to comply with a lawful request of a military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law to immediately surrender (put down) weapons, explosive substances, explosive devices or other items, the use of which may endanger the life of a military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law, or the life or health of other citizens.

A citizen carrying out actions that have been lawfully forbidden by a military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law – including an attempt to approach a military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law to a distance closer than specified, to retrieve something from their clothes or carry-on luggage, or any other action that a military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law may interpret as a threat to use violence that may pose a danger to their life and health, or the life and health of other citizens – shall give rise to the right of the military serviceman or the employee (worker) of a militarized organization involved in enforcing martial law to use weapons in accordance with this Law.

A military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law has the right to use weapons to:

- sound an alarm or call for assistance;
- neutralize an animal that presents a direct threat to the life and health of a military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law, or the life and health of other citizens;
- stop a vehicle by damaging it, if the driver does not comply with known and obvious lawful demands to stop the vehicle, made multiple times by a military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law, if the driver's actions endanger the life and health of a military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law, or the life and health of other citizens, or in the presence of reliable information that the vehicle is being operated by a citizen who has committed a grave or very grave crime.

Military servicemen or employees (workers) of militarized organizations involved in enforcing martial law have the right to use weapons in other cases determined by the President of the Republic of Belarus.

A military serviceman or an employee (worker) of a militarized organization involved in ensuring martial law has the right to prepare their weapon for firing, if they believe that the situation at hand may necessitate the use of weapons.

Article 22. The Use of Military and Specialized Equipment by Military Servicemen and Employees (Workers) of Militarized Organizations Involved in Enforcing Martial Law

A military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law has the right to use military and special equipment in the event of:

- an armed or concerted assault on, or other actions that threaten the life and health of, a military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law, or the life and health of other citizens, if it is not possible to thwart the assault by other means;
- suppress the resistance of armed citizens who refuse to comply with lawful demands to cease unlawful actions and surrender weapons, ammunition, explosive substances, explosive devices, and military equipment;
- in other cases determined by the President of the Republic of Belarus.

Article 23. The Right of Military Servicemen and Employees (Workers) of Militarized Organizations Involved in Enforcing Martial Law to Reasonable Professional Risk

Military servicemen or employees (workers) of a militarized organization involved in enforcing martial law have the right to reasonable professional risk. Damage caused by them while undertaking duties considered reasonable professional risk does not constitute an offence. Professional risk is deemed reasonable if the act committed by a military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law results from the objective handling of the situation and when their goal could not have been achieved by other means, and if the military serviceman or the employee (worker) of a militarized organization involved in enforcing martial law has used all possible means to prevent damage to interests protected by law.

A military serviceman or an employee (worker) of a militarized organization involved in enforcing martial law shall not bear liability for damage caused in connection to the use of physical force, special means of impact (including batons, stun guns, gas cylinders and water cannons), weapons, or military and specialized equipment, in cases provided for by this Law and other legislative acts, if:

- they did not exceed the limits of justifiable defence or measures required to detain citizens who committed criminal or administrative offences;
- they acted on binding orders or instructions issued according to the established procedure, unless they were committing a deliberate crime in the course of carrying out a knowingly criminal order or instruction;
- they acted within the framework of reasonable professional risk or extreme necessity.

Article 24. Other Rules for the Use of Physical Force, Special Means of Impact, Weapons, Military and Specialized Equipment by Military Servicemen and Employees (Workers) of Militarized Organizations Involved in Enforcing Martial Law

In addition to the rules established in Articles 18-22 of the present Law, legislative acts may establish other rules governing the use of physical force, special means of impact (including batons, stun guns, gas cylinders and water cannons), weapons, military and specialized equipment by military servicemen and employees (workers) of militarized organizations involved in enforcing martial law, or those ensuring the security of persons and assets subject to state protection, and the prerequisites for their operation during the period of martial law.

CHAPTER 5. THE AUTHORITY OF THE PRESIDENT OF THE REPUBLIC OF BELARUS, GOVERNMENT AGENCIES, MILITARY ADMINISTRATION BODIES AND LOCAL GOVERNMENT BODIES IN ENFORCING MARTIAL LAW

Article 25. Authority of the President of the Republic of Belarus

In the course of enforcing martial law, the President of the Republic of Belarus:

- oversees the overall organization the enforcement of martial law;
- determines the procedure for the operation and cooperation of government agencies and military administration bodies for the purposes of enforcing martial law;
- monitors the implementation of measures to enforce martial law;

- decides on the use of the Armed Forces, other troops and military formations, and militarized organizations for enforcing martial law, and determines their tasks;
- as necessary, changes the structure of the Council of Ministers of the Republic of Belarus for the duration of the period of martial law;
- forbids or suspends strikes for a period of no more than three months;
- approves changes made to the list of border checkpoints, and establishes a special procedure for their operation and a special procedure for the crossing of the State Border of the Republic of Belarus by citizens, vehicles and goods during the period of martial law;
- establishes a special legal regime for the use of the airspace of the Republic of Belarus;
- imposes restrictions on freedom of movement within the Republic of Belarus, and introduces a special regime for entry to and exit from the Republic of Belarus;
- decides on the imposition of bans or restrictions on the freedom of movement;
- changes work and leave schedules for specific categories of workers;
- makes changes to the system for state benefits paid to families with children, compensations provided for by the labour legislation, as well as the procedure and terms for providing state social benefits and social services;
- decides whether to temporarily relocate citizens to safety from areas affected by military operations, from disaster areas and from areas considered at risk of attack, with the provision of residential or non-residential premises for their housing or accommodation;
- decides whether to intern citizens of the attacking foreign state (foreign states), and establishes the procedure for internment in accordance with the generally accepted principles and norms of international law;
- imposes military censorship, establishes the procedure for its implementation, and creates military censorship bodies;
- cancels or suspends legislative acts of government bodies for the duration of martial law if they are in conflict with legislative acts that regulate the issues of enforcing martial law, unless otherwise provided by the Constitution of the Republic of Belarus;
- determines other measures to enforce martial law, and the authority of government agencies, military administration bodies and local defence councils on their application, in accordance with the present Law;
- exercises other authority provided for by the Constitution of the Republic of Belarus, the present Law and other legislative acts.

Article 26. Authority of the Security Council of the Republic of Belarus

While enforcing martial law, the Security Council of the Republic of Belarus:

- coordinates the operations of legislative and executive bodies in the process of preparing and implementing the adopted decisions to impose and lift martial law;
- submits proposals to the President of the Republic of Belarus on granting government agencies, military administration bodies and local defence councils the authority necessary to eliminate a military threat or repel an attack; on involving the Armed Forces, other troops and military formations, and militarized organizations in enforcing martial law; on charging citizens and organizations with obligations in addition to those stipulated in Article 11, Part 2, and Article 12, Part 2 of the present Law; and on creating new agencies or reforming existing ones for the duration of martial law, and their authority;
- hears from heads of government agencies, military administration bodies and local defence councils on issues related to enforcing martial law;
- organizes cooperation with other states on issues of international security during the period of martial law;
- exercises other authority to enforce martial law, in accordance with legislative acts.

Article 27. Authority of the Council of Ministers of the Republic of Belarus

While enforcing martial law, the Council of Ministers of the Republic of Belarus:

- within the scope of its competence, organizes the work of government agencies and other organizations to enforce martial law;

- according to the established procedure, organizes the transition of the economy to operating in wartime conditions;
- organizes the financing of measures to enforce martial law;
- determines the procedure for the conclusion of agreements (contracts) with organizations to carry out tasks (orders) for defence needs, as well as the procedure for the termination of previously concluded agreements (contracts);
- limits or suspends the issue, circulation and redemption of securities;
- within its competence, passes regulatory legal acts forbidding and restricting the transportation of freights and passengers by air, rail and motor transport domestically and/or internationally, including transit through the territory of the Republic of Belarus;
- decides on the use of material assets from the state and/or mobilization material reserves, organizes the re-profiling of organizations towards the manufacturing of goods required for defence needs, and makes other changes to business and economic activity;
- determines the procedure for the temporary relocation of citizens to safety from areas affected by military operations, from disaster areas and from areas considered at risk of attack, with the provision of residential or non-residential premises for their housing or accommodation;
- decides on whether to relocate material, historical and cultural assets to safe areas, in the event of a realistic threat of their theft, destruction or damage;
- establishes the procedure for involving citizens (able-bodied citizens aged 16–60 for males and 16–55 for females) in works related to defence, remediation activities, the restoration of damaged (destroyed) economic infrastructure, essential services and military assets, emergency disaster relief, and the work of organizations subject to the transition to operating in wartime conditions;
- establishes the procedure for the confiscation of property from citizens and organizations as necessary for defence needs, including residential and non-residential premises for housing or accommodation of citizens temporarily relocated to safety from areas affected by military operations, from disaster areas and from areas considered at risk of attack, and the procedure for subsequent state compensation of the value of said property and expenses incurred to provide for the housing or accommodation of such citizens; as well as the list of property of citizens and organizations that cannot be confiscated for defence needs;
- restricts or bans sales of weapons, ammunition, explosives, explosive devices, specialized items, toxic substances, alcohol; establishes a special regime for the distribution of medicines, narcotic drugs, psychotropic substances, and their precursors. Makes the decision to temporarily confiscate from citizens and organizations weapons, ammunition and toxic substances; and from organizations, to temporarily confiscate combat and training military equipment, explosive, radioactive and chemically hazardous substances;
- organizes supplying the Armed Forces, other troops and military formations, and militarized organizations with additional material assets and other resources in accordance with this Law and other legislative acts;
- establishes a special (ration-based) procedure for preparing and organizing the rationed supply of basic food and other essential goods to citizens of the Republic of Belarus;
- drafts regulatory legal acts of the President of the Republic of Belarus on changes to the structure of the Council of Ministers of the Republic of Belarus for the duration of martial law; the list of border checkpoints; the special procedure for their operation and the special procedure for crossing the State Border of the Republic of Belarus by citizens, vehicles and goods during the period of martial law; restrictions on freedom of movement within the Republic of Belarus; and bans or restrictions on the choice of place of dwelling and residence;
- organizes the implementation of other measures to enforce martial law, in accordance with the present Law and other legislative acts.

Article 28. Authority of the General Staff of the Armed Forces of the Republic of Belarus and Military Administration Bodies of the Armed Forces of the Republic of Belarus

While enforcing martial law, the General Staff of the Armed Forces of the Republic of Belarus (hereinafter referred to as 'General Staff'):

- functions as the executive body of the Security Council of the Republic of Belarus in the strategic governance system of the Armed Forces, other troops and military formations, during the imposition of martial law;
- within its competence, organizes the planning and implementation of measures to enforce martial law by government agencies included in the state military establishment, military administration bodies, local executive and regulatory bodies, and local defence councils;
- drafts decrees of the President of the Republic of Belarus on the imposition and lifting of martial law;
- drafts and submits to the Security Council of the Republic of Belarus proposals on involving the Armed Forces, other troops and military formations, and militarized organizations in enforcing martial law, in accordance with their purpose and operational specifics;
- requests from nationwide government agencies, local executive and regulatory bodies, local defence councils, and other organizations information necessary to prepare measures to enforce martial law;
- plans and coordinates the activities of government agencies, military administration bodies, and other organizations involved in carrying out the tasks of territorial defence, and oversees the carrying out of territorial defence;
- organizes the implementation by military administration bodies of measures to enforce martial law on territory affected by military operations;
- governs the use of the airspace of the Republic of Belarus;
- prepares drafts regulatory legal acts of the President of the Republic of Belarus on the special legal regime for the use of the airspace of the Republic of Belarus;
- determines the needs of, and takes part in planning the additional supply of, the Armed Forces, other troops and military formations with the necessary material assets and other resources, in accordance with the present Law and other legislative acts;
- approves development programmes of other troops and military formations pertaining to national defence, as well as the preparation plans of their administration bodies, tactical associations and military units in the interests of performing the tasks of national defence;
- establishes a special procedure for journalist accreditation;
- exercises other authority to enforce martial law, in accordance with legislative acts.

Military administration bodies of the Armed Forces, with the involvement of other troops, military formations, and militarized organizations involved in enforcing martial law on territory affected by military operations, shall provide for:

- the protection of public order, of facilities providing essential services and transport operations, of organizations involved in printing and publishing, as well as of facilities that pose an increased threat to life, public health and the environment;
- within their competence, adherence to established special procedures for border checkpoint operations and for the crossing of the State Border of the Republic of Belarus by citizens;
- adherence to established restrictions on the freedom of movement through the territory of military garrisons;
- the participation of available forces and resources in emergency rescue and other urgent works, disaster relief, in the territory of permanent military camps and residential areas of military garrisons;
- the restriction of the movement of vehicles, the organization of inspections of vehicles and items carried in them, and the detention of vehicles in accordance with this Law and other legislative acts;
- the monitoring of public compliance with restrictions while curfews are in effect;
- check identification documents and permits carried by citizens, and personal searches of citizens, inspection of their possessions and documents, inspection of dwellings and other lawful property of citizens, as well as the premises and other facilities of organizations, with the involvement of garrison commandant's offices;

- the detention of citizens for violating martial law legislation;
- the detention of citizens suspected of offences, in accordance with this Law and other legislative acts;
- the seizure from citizens and organizations of property as required for defence needs, in accordance with this Law and other legislative acts;
- the implementation of additional measures to protect state secrets;
- the carrying out of military censorship within the scope of its authority;
- the overseeing of the use of telecommunication networks by military administration bodies;
- the thwarting of activities of illegal armed formations, as well as terrorist and subversive operations;
- the use of other measures to enforce martial law, in accordance with this Law and other legislative acts.

Within the boundaries of the territories affected by military operations and in the course of implementing measures to enforce martial law, military administration bodies of the Armed Forces issue orders that are binding for local defence councils, citizens and organizations.

Article 29. Authority of Internal Affairs Bodies of the Republic of Belarus

While enforcing martial law, the Ministry of Internal Affairs of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to enforce martial law;
- jointly with the Armed Forces, carries out defence preparation, and takes part in the creation of a unified system for state governance during wartime;
- plans measures to strengthen the protection of public order, of facilities that provide for essential services and transport operations, of organizations involved in printing and publishing, and of facilities that pose an increased threat to life, public health and the environment, and to ensure the security of assets subject to state protection;
- organizes the internment of citizens of the attacking foreign state (foreign states);
- determines standards related to passes and permits, procedures for their issuing and replacement, and the government agencies authorized to issue them;
- with the involvement of the forces and resources of territorial bodies of internal affairs of the Republic of Belarus, provides for the restriction of movement of vehicles;
- organizes cooperation with the internal troops of the Ministry of Internal Affairs of the Republic of Belarus, government agencies, military administration bodies and other organizations;
- determines procedures for the temporary confiscation from citizens and organizations of weapons, ammunition and toxic substances; for the temporary confiscation from organizations of combat and training military equipment, explosive, radioactive and hazardous chemical substances; and for the transfer of temporarily confiscated weapons, ammunition, explosive substances, combat and training military equipment to units of the Armed Forces, other troops and military formations;
- plans and carries out supplying the internal affairs bodies of the Republic of Belarus with additional material assets and other resources in accordance with the present Law and other legislative acts;
- drafts regulatory legal acts of the President of the Republic of Belarus on restrictions or bans on the entry to the Republic of Belarus of foreign nationals and stateless persons, and on the internment of citizens of the attacking foreign state (foreign states);
- prepares proposals to involve units of the Armed Forces, other troops and military formations, and militarized organizations in the strengthening of the protection of facilities that pose an increased threat to life, public health and the environment;
- exercises other authority to ensure martial law, in accordance with legislative acts.

While enforcing martial law, territorial internal affairs bodies of the Republic of Belarus:

- ensure public order, and protect facilities that provide for essential services and transport operations, organizations involved in printing and publishing, as well as facilities that pose an increased threat to life, public health and the environment, and ensure the security of assets subject to state protection;
- take part in the cordoning off of disaster areas and areas in which armed conflict is concentrated, and carry out patrol and inspection services;

- restrict the movement of vehicles, inspect vehicles and items carried in them, and detain vehicles in accordance with the present Law and other legislative acts;
- check identification documents and permits carried by citizens, conduct personal searches of citizens, inspect their possessions and documents, and seize documents, possessions and items, in accordance with the present Law and other legislative acts;
- inspect dwellings and other lawful property of citizens, as well as premises and other facilities of organizations;
- seize from citizens and organizations property necessary for defence needs, in accordance with the present Law and other legislative acts;
- temporarily confiscate or arrest printed media, as well as radio broadcasting equipment, that contains information specified in Article 11, Part Four, Paragraph Four of this Law and that is being produced and distributed in violation of the requirements of this Law;
- temporarily confiscate from citizens and organizations weapons, ammunition and toxic substances, and from organizations temporarily confiscate combat and training military equipment, explosive, radioactive and hazardous chemical substances, in accordance with the present Law and other legislative acts;
- detain citizens for violating martial law legislation, as well as citizens suspected of offences, in accordance with the present Law and other legislative acts;
- ensure the relocation and security of nationals of the attacking foreign state (foreign states), who are being interned in accordance with the present Law;
- protect and escort citizens being temporarily relocated to safety from areas affected by military operations, from disaster areas and from areas considered at risk of attack;
- protect and escort material valuables and items of historical and cultural significance being evacuated to safe areas, in the event of a realistic threat of their theft, destruction or damage;
- keep records of the citizens (able-bodied citizens aged 16–60 for males and 16–55 for females) involved in works related to defence, remediation activities, the restoration of damaged (destroyed) economic infrastructure, essential services and military assets, emergency disaster relief, and the work of organizations subject to the transition to operating in wartime conditions;
- exercise other authority to enforce martial law in accordance with the present Law and other legislative acts.

Article 30. Authority of Emergency and Disaster Relief Agencies and Departments of the Republic of Belarus

While enforcing martial law, the Ministry of Emergency Situations of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to enforce martial law, including emergency prevention and disaster relief during the period of martial law;
- jointly with the Armed Forces, carries out defence preparation, and takes part in the creation of a unified system for state governance during wartime;
- organizes emergency rescue and other urgent tasks;
- informs the public, government agencies and other organizations of dangers that arise (have arisen) during emergencies;
- carries out the control, permit and other special functions related to operations with material assets from the state and/or mobilization material reserves;
- plans for and provides additional supplies of material assets and other resources to emergency and disaster relief agencies and departments of the Republic of Belarus, in accordance with the present Law and other legislative acts;
- exercises other authority to enforce martial law in accordance with legislative acts.

While enforcing martial law, territorial emergency and disaster relief agencies of the Republic of Belarus and emergency and disaster relief departments of the Republic of Belarus:

- take part in organizing and carrying out emergency rescue and other urgent works, the temporary relocation of citizens to safety from territories affected by military operations, disaster areas and areas of

considered at risk of attack, and the evacuation of material valuables and items of historical and cultural significance to safe areas, in the event of a realistic threat of their theft, destruction or damage;

- exercise other authority to enforce martial law in accordance with the present Law and other legislative acts.

Article 31. Authority of National Security Bodies of the Republic of Belarus

While enforcing martial law, national security bodies of the Republic of Belarus:

- provide the General Staff with information necessary to implement measures to enforce martial law;
- jointly with the Armed Forces, carry out defence preparations and take part in the creation of a unified system for state governance during wartime;
- within their scope of competence, provide information necessary to make decisions on implementing restrictions or bans on the freedom of movement;
- within the scope of their competence, implement measures related to restrictions or bans on the freedom of movement, as defined by the President of the Republic of Belarus;
- determine the procedure for the introduction and implementation of additional measures to strengthen the protection of state secrets, and to coordinate the operations of government agencies and other organizations in implementing additional measures to protect state secrets;
- determine the list of citizens of the attacking foreign state (foreign states) who are subject to internment;
- provide for the participation of subordinated forces and resources in the implementation of military censorship, within the scope of their authority;
- draft regulatory legal acts of the President of the Republic of Belarus on procedures for the creation and operation of military censorship bodies, the implementation of military censorship, and the temporary confiscation of radio broadcasting equipment;
- prepare proposals for the inclusion into drafts regulatory legal acts of the President of the Republic of Belarus of restrictions or bans for foreign nationals or stateless persons entering the Republic of Belarus;
- organize the continuous collection and analysis of up-to-date information on foreign and domestic threats to the national security of the Republic of Belarus, and monitor changes to the situation inside the Republic of Belarus as well as abroad, for the purpose of developing measures aimed at implementing martial law;
- implement measures to strengthen and intensify the set of measures to conduct foreign intelligence and counter-intelligence activities in order to prevent, uncover and thwart activities aimed at damaging the national security of the Republic of Belarus;
- discover and shut down the unauthorized use of radio and electronic equipment and/or high-frequency devices;
- exercise other measures to enforce martial law in accordance with legislative acts.

Article 32. Authority of State Border Guard Service Bodies of the Republic of Belarus

While enforcing martial law, the State Border Committee of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to enforce martial law;
- jointly with the Armed Forces, carries out defence preparation and takes part in the creation of a unified system for state governance during wartime;
- implements additional measures to secure the state border of the Republic of Belarus;
- within their scope of its competence, provides information necessary to make decisions on implementing restrictions or bans on the freedom of movement;
- within the scope of its competence, implements measures related to restrictions or bans on the freedom of movement, as defined by the President of the Republic of Belarus;
- determines the procedure for the introduction and implementation of additional measures to strengthen the protection of state secrets, and to coordinate the operations of government agencies and other organizations in implementing additional measures to protect state secrets;

- plans and provides the Border Guard Service of the Republic of Belarus with additional material assets and other resources in accordance with this Law and other legislative acts;
 - within its competence, provides for the implementation of measures related to bans or restrictions on the freedom of movement, as determined by the President of the Republic of Belarus;
 - prepares proposals for the inclusion into regulatory legal acts of the President of the Republic of Belarus of changes to the list of border checkpoints and the establishment of a special procedure for their operation and a special procedure for crossing the State Border of the Republic of Belarus by citizens, vehicles and goods during the period of martial law;
 - submits for approval to the President of the Republic of Belarus proposals to establish the boundaries of the border area;
 - exercises other authority to enforce martial law in accordance with legislative acts.
- While enforcing martial law, territorial and other bodies of the Border Service of the Republic of Belarus:
- uncover and thwart criminal and administrative offences that present a threat to border security;
 - within the scope of their competence, ensure adherence to the special procedure for the operation of border checkpoints and the special procedure for the crossing of the State Border of the Republic of Belarus by citizens and vehicles;
 - conduct inspections of dwellings and other lawful possessions of citizens, as well as premises and other assets of organizations;
 - conduct searches of citizens, inspections of their possessions and documents, inspections of vehicles and items carried in them, and seize documents, possessions and items, in accordance with this Law and other legislative acts;
 - hand over to territorial law enforcement bodies of the Republic of Belarus citizens detained for violating martial law legislation, citizens suspected of criminal offences and nationals of the attacking foreign state (foreign states) who are subject to internment, in accordance with this Law and other legislative acts;
 - exercise other authority to enforce martial law, in accordance with this Law and other legislative acts.

Article 33. Authority of Customs Bodies of the Republic of Belarus

While enforcing martial law, the State Customs Committee of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to enforce martial law;
- prepares proposals for the inclusion into regulatory legal acts of the President of the Republic of Belarus of changes to the list of border checkpoints and the establishment of a special procedure for their operation and a special procedure for crossing the State Border of the Republic of Belarus by citizens, vehicles and goods during the period of martial law;
- exercises other authority to enforce martial law in accordance with legislative acts.

Within the scope of their competence, customs offices ensure adherence to the special procedure for the operation of border checkpoints and the special procedure for crossing of the State Border of the Republic of Belarus by citizens and vehicles.

Article 34. Authority of the State Guard Body of the Republic of Belarus

While enforcing martial law, the State Guard Body of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to ensure martial law;
- jointly with the Armed Forces, carries out defence preparation and takes part in the creation of a unified system for state governance during wartime;
- within the scope of its competence, plans and implements state protection measures;
- according to the procedure established by the legislation, involves the forces and resources of national security bodies of the Republic of Belarus, internal affairs bodies of the Republic of Belarus, internal troops of the Ministry of Internal Affairs of the Republic of Belarus, the Armed Forces, the Border Guard Service bodies of the Republic of Belarus, emergency bodies and departments of the Republic of Belarus, other government agencies, and other organizations, in ensuring the security of persons and assets subject

to state protection, and coordinates the operations of these government agencies in the sphere of state protection;

- manages the forces and resources of government agencies and other organizations involved in ensuring the security of persons and assets subject to state protection;
- implements additional measures to ensure the security of persons and assets subject to state protection;
- prepares drafts of regulatory legal acts of the President of the Republic of Belarus on issues related to ensuring the security of protected persons and protected assets during the period of martial law, including on whether they are subject to restrictions established in connection with the imposition of martial law;
- exercises other authority to enforce martial law in accordance with legislative acts.

Article 35. Authority of the Ministry of Foreign Affairs of the Republic of Belarus

While enforcing martial law, the Ministry of Foreign Affairs of the Republic of Belarus:

- within the scope of its competence, carries out a set of political, diplomatic and information measures to protect the interests of the Republic of Belarus during the period of martial law;
- provides information and submits proposals to the President of the Republic of Belarus on imposing and lifting martial law;
- provides the General Staff with information necessary to implement measures to ensure martial law;
- submits proposals on suspending international treaties of the Republic of Belarus in the sphere of international security, or for secession from such international treaties, and prepares drafts of relevant regulatory legal acts;
- employs existing international security instruments to inform the international community of the inadmissibility of aggressive actions against the Republic of Belarus;
- assists government agencies on the issues of observing the international obligations of the Republic of Belarus during the period of martial law, organizing exchange of interned citizens, and cooperation with other states in the sphere of international security;
- cooperates with the diplomatic corps accredited in the Republic of Belarus on issues related to the enforcement of martial law;
- via the Secretary General of the United Nations, immediately informs other states that are party to the International Covenant on Civil and Political Rights of the provisions of the International Covenant on Civil and Political Rights that the Republic of Belarus has deviated from, the reasons motivating such a decision, and the date when such deviation is to be ceased;
- organizes the transition of subordinated organizations to operating in wartime conditions;
- carries out the accreditation of foreign mass media journalists according to the procedure established by the General Staff;
- exercises other authority to enforce martial law in accordance with this Law and other legislative acts.

Article 36. Authority of the National Bank of the Republic of Belarus

While enforcing martial law, the National Bank of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to enforce martial law;
- limits or suspends banking operations and other activities carried out by banks and non-bank credit and finance organizations;
- exercises other authority to enforce martial law in accordance with legislative acts.

Article 37. Authority of the Ministry of Economy of the Republic of Belarus

While enforcing martial law, the Ministry of Economy of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to enforce martial law;
- determines the lists of organizations with state-owned property (shares) that are involved in the manufacturing and repair of military and dual-purpose products during the period of martial law, in accordance with mobilization tasks (orders);
- coordinates operations to re-structure organizations with state-owned property (shares) for the manufacture of products for defence needs, and other changes to their business and economic activity;

- drafts regulatory legal acts of the President of the Republic of Belarus on banning or suspending insolvency (bankruptcy) proceedings, and on banning changes to the form of ownership or suspension of operations of organizations that provide for defence needs;
- exercises other authority to enforce martial law in accordance with this Law and other legislative acts.

Article 38. Authority of the Ministry of Finance of the Republic of Belarus

While enforcing martial law, the Ministry of Finance of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to enforce martial law;
- restricts or suspends insurance operations;
- organizes the implementation of special financing procedures for organizations in connection with the fulfilment of the state defence order and the need to ensure uninterrupted operations of key branches of the economy;
- exercises other authority to enforce martial law in accordance with this Law and other legislative acts.

Article 39. Authority of the Ministry of Trade of the Republic of Belarus

While enforcing martial law, the Ministry of Trade of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to ensure martial law;
- determines the stocks of basic foods and essential goods, and the list of organizations authorized to prepare and organize for the rationed supply of basic food and essential goods to the public;
- develops the procedure for the operation of companies authorized to prepare and organize the rationed supply of basic food and essential goods to the public, and the oversight procedure of their activities;
- exercises other authority to enforce martial law in accordance with this Law and other legislative acts.

Article 40. Authority of the Ministry of Taxes and Duties of the Republic of Belarus

While enforcing martial law, the Ministry of Taxes and Duties of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to enforce martial law;
- limits or suspends gambling operations;
- jointly with the Ministry of Trade of the Republic of Belarus, establishes restrictions or bans on the sale of alcohol;
- exercises other authority to enforce martial law in accordance with this Law and other legislative acts.

Article 41. Authority of the Ministry of Industry of the Republic of Belarus

While enforcing martial law, the Ministry of Industry of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to ensure martial law;
- within the scope of its competence, determines the list of facilities that provide essential services, as well as facilities that pose an increased threat to life, public health and the environment;
- organizes the labelling of facilities that pose an increased threat to life, public health and the environment, in accordance with the norms of international humanitarian law;
- determines the list of organizations that provide for defence needs;
- organizes the transition of organizations within the structure of the Ministry of Industry of the Republic of Belarus to operating in wartime conditions;
- jointly with the Ministry of Economy of the Republic of Belarus, prepares proposals on bans and restrictions applying to organizations that provide for defence needs;
- oversees the manufacture and supply of products for needs of defence and the national economy, as part of the state defence order;
- exercises other authority to enforce martial law in accordance with this Law and other legislative acts.

Article 42. Authority of the State Military-Industrial Committee of the Republic of Belarus

While enforcing martial law, the State Military-Industrial Committee of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to enforce martial law;
- organizes the transition of organizations within the structure of the State Military-Industrial Committee of the Republic of Belarus to operating in wartime conditions;

- within the scope of its competence, prepares proposals on bans and the suspension of insolvency (bankruptcy) procedures, and on the prohibition of changes to forms of ownership or the suspension of operations for organizations that provide for defence needs;
- oversees the manufacture and supply of products for needs of defence and the national economy, as part of the state arms programme and the state defence order;
- takes measures to ensure the fulfilment of international treaties between the Republic of Belarus and other countries on the supply of military-technical products;
- exercises other authority to enforce martial law in accordance with this Law and other legislative acts.

Article 43. Authority of the Ministry of Health of the Republic of Belarus

While enforcing martial law, the Ministry of Health of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to enforce martial law;
- organizes the provision of medical aid to nationals of the attacking foreign state (foreign states) that have been interned, in accordance with this Law and other legislative acts;
- organizes the operation of medical and psychological aid stations for citizens temporarily relocated to safety from areas affected by military operations, from disaster areas and from areas of considered at risk of attack, in accordance with this Law and other legislative acts;
- takes part in drafting regulatory legal acts of the Council of Ministers of the Republic of Belarus on establishing a special (ration-based) procedure for preparing and organizing the rationed supply of basic food and essential goods to the public;
- organizes state sanitary monitoring of facilities that provide for essential services;
- submits to the Council of Ministers of the Republic of Belarus proposals for establishing a special regime for the distribution of medicines, narcotic drugs, psychotropic substances, and their precursors;
- organizes and ensures the provision of medical aid to citizens of the Republic of Belarus;
- exercises other authority to enforce martial law in accordance with this Law and other legislative acts.

Article 44. Authority of the Ministry of Labour and Social Protection of the Republic of Belarus

While enforcing martial law, the Ministry of Labour and Social Protection of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to enforce martial law;
- determines the categories of citizens to be supplied with basic food and essential goods, and clarifies allowances for the supply of basic food and essential goods for different citizen categories;
- prepares drafts of regulatory legal acts of the President of the Republic of Belarus on making changes to the system for state benefits paid to families with children, compensation provided for by labour legislation, the procedure and terms for providing state social benefits and social services, and work and leave (time off) schedules for specific categories of workers;
- exercises other authority to enforce martial law in accordance with this Law and other legislative acts.

Article 45. Authority of the Ministry of Information of the Republic of Belarus

While enforcing martial law, the Ministry of Information of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to enforce martial law;
- oversees the operation of mass media outlets, organizations involved in printing and broadcasting, as well as printed media publishers, producers and distributors;
- carries out the accreditation of journalists, except for journalists of foreign mass media, according to the procedure established by the General Staff;
- suspends state registrations (re-registrations) for mass media outlets, printed media publishers, producers and distributors, and suspends the issuing of licences for printing and broadcasting operations, permits to purchase printing equipment, and permits to distribute foreign mass media in the territory of the Republic of Belarus;
- suspends the issuing of domestic and foreign mass media products in the territory of the Republic of Belarus; suspends licences for printing and broadcasting operations; suspends state registration certificates of printed media publishers, producers and distributors; annuls state registration certificates of mass

media outlets and printed media publishers, producers and distributors; annuls licences for printing and broadcasting operations; annuls permits to distribute foreign mass media products in the territory of the Republic of Belarus; and annuls licences for printing and broadcasting operations, in accordance with this Law and other legislative acts;

- determines the list of mass media outlets, including foreign mass media outlets, as well as the list of organizations involved in printing and broadcasting, and publishers, producers and distributors of printed media authorized to operate during the period of martial law;
- exercises other authority to enforce martial law in accordance with this Law and other legislative acts.

Article 46. Authority of the Ministry of Communications and Informatization of the Republic of Belarus

While enforcing martial law, the Ministry of Communications and Informatization of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to enforce martial law;
- oversees the operations of organizations working in the sphere of communications and informatization;
- exercises other authority to enforce martial law in accordance with this Law and other legislative acts.

Article 47. Authority of the Ministry of Transport and Communications of the Republic of Belarus

While enforcing martial law, the Ministry of Transport and Communications of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to enforce martial law;
- determines the list of facilities that provide for transportation, as well as transportation infrastructure facilities that pose an increased threat to life, public health and the environment;
- organizes the marking of transportation infrastructure facilities that pose an increased threat to life, public health and the environment, in accordance with the norms of international humanitarian law;
- organizes and carries out measures to ensure the uninterrupted functioning of facilities that provide for transportation;
- organizes measures to temporarily relocate to safety citizens from areas affected by combat operations, from disaster areas and from areas of considered at risk of attack;
- organizes and carries out measures to evacuate material valuables and items of historical and cultural significance to safe areas, in the event of a realistic threat of their theft, destruction or damage;
- organizes measures to ensure the transportation of civilian components of civil defence to areas of interest;
- informs foreign states of the restrictions of movement on public highways;
- prepares proposals on changes to the routes of road passenger transport during regular international and inter-regional passenger service;
- jointly with military administration bodies, plans the main and reserve (bypass) routes for passenger and freight transport, including transit transport, when the movement of transport is restricted;
- regulates the operations of motor transport, domestic water transport, railway transport and civil aviation;
- based on the resolution of the head of a local defence council, provides high-priority transportation for forces and resources, as well as material assets required for evacuation measures;
- submits to the General Staff proposals on a special legal regime for the use of the airspace of the Republic of Belarus;
- exercises other authority to enforce martial law in accordance with this Law and other legislative acts.

Article 48. Authority of the Ministry of Justice of the Republic of Belarus

While enforcing martial law, the Ministry of Justice of the Republic of Belarus:

- provides the General Staff with information necessary to implement measures to enforce martial law;
- suspends activities of political parties, other civil organizations and their unions (associations) if they violate legislation on martial law, based on the information provided by the Ministry of Internal Affairs of the Republic of Belarus or the State Security Committee of the Republic of Belarus;
- exercises other authority to enforce martial law in accordance with this Law and other legislative acts.

Article 49. Authority of Other Government Agencies

While enforcing martial law, other government agencies, within the scope of their authority:

- provide the General Staff with information necessary to implement measures to enforce martial law;
- exercise other authority to enforce martial law in accordance with this Law and other legislative acts.

Article 50. Authority of Local Executive and Regulatory Bodies, and Local Defence Councils

Local executive and regulatory bodies, within the scope of their competence, plan for measures provided for by the legislation on martial law, and ensure their preparation and implementation.

Upon imposition of martial law in regions, districts and cities, local executive and regulatory bodies create local defence councils.

Local defence councils are a component of the defence system of the Republic of Belarus, and are subordinated to the Security Council of the Republic of Belarus.

The direct governance of local defence councils is carried out by the heads of respective local executive and regulatory bodies. Rank-wise, the head of the local executive and regulatory body, the military commissioner, and the heads of internal affairs bodies of the Republic of Belarus and emergency agencies and departments of the Republic of Belarus are members of the local defence council. Other members of the local defence council are appointed by the head of the respective local executive or regulatory body.

While enforcing martial law, local defence councils, within the scope of their competence:

- provide the General Staff with information necessary to implement measures to ensure martial law;
- oversee adherence to this Law and other legislative acts by citizens and organizations;
- organize and carry out defence works, remediation activities, the restoration of damaged (destroyed) economic infrastructure, essential services and military assets, and emergency disaster relief;
- organize material and logistics supplies for territorial troops and civil defence forces;
- implement measures to strengthen the protection of public order, of facilities that provide essential services and transport operations, and of organizations involved in printing and publishing, as well to secure assets subject to state protection;
- determine the list of facilities that provide essential services and transportation and facilities that pose an increased threat to life, public health and the environment; ensure their sustained operation;
- mark facilities that pose an increased threat to life, public health and the environment, in accordance with the norms of international humanitarian law;
- determine the list of settlements and territories affected by bans or restrictions on the freedom of movement, as established by the President of the Republic of Belarus;
- decides to impose a curfew and organize its implementation;
- ensure the implementation of measures to temporarily relocate citizens to safety from areas affected by military operations, from disaster areas and from areas considered at risk of attack, and to evacuate material valuables and items of historical and cultural significance to safe areas, in the event of a realistic threat of their theft, destruction or damage; and determine the list of residential and non-residential premises for the housing or accommodation of such citizens;
- monitor the adherence by citizens of bans on the organization of and participation in assemblies, rallies, marches, demonstrations, pickets and other mass gatherings;
- organize the confiscation from citizens and organizations of property necessary for defence needs, in accordance with this Law and other legislative acts;
- establish restrictions on the movement of vehicles, conduct searches of vehicles and items carried in them, and detain vehicles in accordance with this Law and other legislative acts;
- determine storage sites for property that has been confiscated from citizens and organizations for defence needs, as well as for detained vehicles;
- determine sites for the forced relocation of nationals of the attacking foreign state (foreign states) who are present in the territory of Belarus during wartime, and take measures to secure these territories;
- take measures to provide the public with food, other goods, and medical services;

- involve citizens (able-bodied citizens aged 16–60 for males and 16–55 for females) in works related to defence, remediation activities, restoration of damaged (destroyed) economic infrastructure, essential services and military assets, emergency disaster relief, and the work of organizations subject to the transition to operating in wartime conditions;
- exercise other authority to enforce martial law in accordance with this Law and other legislative acts.

Article 51. Justice, Oversight, and Operation of Pre-Trial Investigation Bodies During the Period of Martial Law
During the period of martial law, courts operate in accordance with the legislative acts that are in effect at the time martial law is imposed.

Oversight of accurate and uniform adherence to the legislation during the period of martial law is carried out by the Prosecutor General of the Republic of Belarus and their subordinate prosecutors, in accordance with the legislative acts that are in effect at the time martial law is imposed.

Pre-trial investigation bodies during the period of martial law operate in accordance with the legislative acts that are in effect at the time martial law is imposed.

President of the Republic of Belarus

A. Lukashenka

LAW OF THE REPUBLIC OF BELARUS

‘On the State of Emergency’

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CHAPTER 1. GENERAL PROVISIONS

Article 1. The Concept of State of Emergency

A State of Emergency is understood as a temporary legal regime of operation of the bodies of state authority, other organizations, of their officials, introduced in accordance with the Constitution of the Republic of Belarus and this Law throughout the territory of the Republic of Belarus, which allows for restrictions (and their termination) as stipulated by this Law of the rights and freedoms of citizens of the Republic of Belarus, foreign citizens, persons without citizenship (hereinafter referred to as ‘citizens’, the rights of organizations and additional obligations imposed on them.

Article 2. Objectives of Introduction of a State of Emergency

The objectives of the introduction of a State of Emergency are to eliminate the circumstances that served as grounds for its introduction, safeguard the rights and freedoms of people, and eliminate the threat to the territorial integrity and existence of the State.

CHAPTER 2. GROUNDS AND PROCEDURE FOR INTRODUCTION OF A STATE OF EMERGENCY

Article 3. Grounds for the Introduction of a State of Emergency

A State of Emergency is introduced in the presence of circumstances that pose a direct threat to the life and security of people, and the territorial integrity and existence of the State, the elimination of which is not possible without the application of emergency measures. Such circumstances shall include:

- nature or technology-induced states of emergency, emergency ecological situations, including epidemics and epizootics occurring as a result of accidents, hazardous natural phenomena, calamities, natural and other disasters that entailed (or that may entail) human casualties, the infliction of damage to the health of people and the environment, considerable material losses and disturbance to vital activities of the population that require the major emergency, rescue and other urgent operations;
- riots accompanied by violence or the threat of violence from a group of individuals and organizations which endanger the life and health of people, and the territorial integrity and existence of the State.

Article 4. Introduction of a State of Emergency

A State of Emergency throughout the territory of the Republic of Belarus or within its individual localities shall be introduced by a decree of the President of the Republic of Belarus giving a notification not later than three days to the Council of the Republic of the National Assembly of the Republic of Belarus.

Article 5. The Content of the Decree of the President of the Republic of Belarus on the Introduction of a State of Emergency

The decree of the President of the Republic of Belarus on the introduction of a State of Emergency normally specifies:

- the circumstances that served as the grounds for the introduction of the state of emergency, and arguments to justify the introduction of the state of emergency;

- borders of the territory in which the state of emergency is imposed;
- forces and means to ensure a regime of the state of emergency;
- a list of emergency measures and limits of their operation, and an exhaustive list of temporary restrictions on the rights and freedoms of citizens, and the rights of organizations;
- state bodies and officials responsible for the implementation of measures to be applied in the conditions of the state of emergency;
- the effective period of the state of emergency and the effective date of the decree.

Article 6. Publication of the Decree of the President of the Republic of Belarus On the Introduction of a State of Emergency

The Decree of the President of the Republic of Belarus On the Introduction of a State of Emergency shall be immediately published in the press and released through all media instruments, communication and alert channels.

Article 7. Approval by the Council of the Republic of the National Assembly of the Republic of Belarus of the Decree of the President of the Republic of Belarus on the Introduction of a State of Emergency

Upon the publication of a Decree of the President of the Republic of Belarus on the introduction of a state of emergency, members of the Council of the Republic of the National Assembly of the Republic of Belarus are obliged to arrive at the place of meeting of the Council of the Republic of the National Assembly of the Republic of Belarus within the shortest possible time and without a special summons.

The Council of the Republic of the National Assembly of the Republic of Belarus shall within three days of the notification consider a decree of the President of the Republic of Belarus on the introduction of a state of emergency and take a corresponding decision.

A Decree of the President of the Republic of Belarus on the introduction of a state of emergency that is not approved by the majority of the members of the Council of the Republic of the National Assembly of the Republic of Belarus shall become invalid immediately after the adoption of the corresponding decision by the Council of the Republic of the National Assembly of the Republic of Belarus; the population of the Republic of Belarus or of its respective individual localities shall be informed in the same manner as it was for the introduction of the state of emergency.

Article 8. Peculiarities of Operation of the National Assembly of the Republic of Belarus During the Effective Period of a State of Emergency Throughout the Territory of the Republic of Belarus

Upon the introduction of a state of emergency throughout the territory of the Republic of Belarus, the Chamber of Representatives and the Council of the Republic of the National Assembly of the Republic of Belarus shall not be disbanded and shall continue their work throughout the effective period of the State of Emergency.

Article 9. Effective Period of a State of Emergency

The effective period of a state of emergency introduced throughout the territory of the Republic of Belarus may not exceed 30 days while that introduced within its individual localities may not exceed 60 days.

Upon the expiration of the period specified in Part One of this article, the state of emergency shall be regarded as terminated. In the event that within that period the objectives of the introduction of the state of emergency are not achieved, its effective period may be extended by a decree of the President of the Republic of Belarus subject to compliance with the requirements established by this Law with respect to the introduction of the state of emergency.

Article 10. Revocation by the President of the Republic of Belarus of a State of Emergency

Upon the removal of the circumstances that served as the grounds for the introduction of the state of emergency ahead of the date fixed under this Law, the President of the Republic of Belarus shall revoke the state of emergency either wholly or in part; and the population of the Republic of Belarus or of its respective individual localities shall be informed in the same manner as it was for the introduction of the state of emergency.

CHAPTER 3. EMERGENCY MEASURES AND TEMPORARY RESTRICTIONS (SUSPENSION) APPLIED IN THE CONDITIONS OF A STATE OF EMERGENCY

Article 11. Emergency Measures and Temporary Restrictions (Suspension) Applied in the Conditions of a State of Emergency

The Decree of the President of the Republic of Belarus on the introduction of a state of emergency may for the effective period of the state of emergency provide for the imposition of the following measures and temporary restrictions (suspension):

- total or partial suspension in the territory in which the state of emergency is introduced of the powers of executive authorities, unless otherwise provided by the Constitution of the Republic of Belarus;
- the imposition of restraints on the freedom of travel throughout the territory in which the state of emergency is introduced and also the introduction of a special regime of entry into and exit from that territory, including the establishment of restrictions on the entry into and stay within that territory of foreign citizens and persons without citizenship;
- the strengthening of law and order, and the enhancement of security of installations subject to state protection and of facilities providing for the vital activities of the population and the operation of transport;
- the imposition of restraints on individual types of financial and economic activities, including the transfer of goods, services and financial means;
- the establishment of a special procedure for the sale, acquisition and distribution of food products and objects of everyday necessity;
- a ban on or restriction of meetings, rallies, meetings, marches, demonstrations and picketing by individuals and organizations, whose actions precipitated the introduction of the state of emergency;
- the postponement of strikes or their suspension on the territory from the introduction of the state of emergency for a period not exceeding three months;
- traffic restrictions and inspections of transport vehicles;
- the suspension of operation of hazardous production facilities and the activities of organizations determined by decree of the President of the Republic of Belarus upon the introduction of a state of emergency that use explosives, radioactive, chemically and biologically hazardous agents;
- the evacuation of material and cultural values to safer areas in case there exists a real danger of them being destroyed, misappropriated or damaged in connection with emergency circumstances.

Article 12. Emergency Measures and Temporary Restrictions Imposed in the Conditions of a State of Emergency Introduced in the Presence of Emergency Circumstances

In the event of the introduction of a state of emergency in the presence of circumstances specified under the Second Paragraph of Article 3 of this Law, the Decree of the President of the Republic of Belarus on the introduction of a state of emergency may provide, in addition to the measures and temporary restrictions specified in Article 11 hereof, with respect to the territory in which the state of emergency is introduced, the following measures and temporary restrictions:

- the temporary resettlement of residents to safer areas through the provision of temporary living accommodation;
- the imposition of a quarantine, and the implementation of sanitation, anti-epidemic, veterinary and other activities;
- the utilization of the governmental and/or mobilization material reserves, and the mobilization of resources of organizations, the alteration of their work regime, the reorientation of the said organizations towards the manufacture of products essential in the conditions of the state of emergency and also other changes in production and commercial activity as may be necessary in the conditions of the state of emergency;
- the suspension from work during the effective period of the state of emergency of directors of governmental organizations in connection with the improper performance by those directors of their obligations and the appointment of other persons to act temporarily for those directors;

- the suspension from work during the effective period of the state of emergency of directors of non-governmental organizations in connection with the failure to perform or improper performance by them of measures envisaged under the eighth paragraph of Article 11 hereof and the fourth paragraph of this Article and appointment of other persons to act temporarily for those directors;
- in exceptional cases associated with the necessity to carry out and provide for emergency, rescue and other urgent operations, the mobilization of the able-bodied population and the utilization of transport vehicles of citizens to execute said operations subject to compliance with labour safety requirements.

Article 13. Emergency Measures and Temporary Restrictions (Suspension) Imposed in the Conditions of a State of Emergency, Introduced in the Presence of Riots

In the event of the introduction of a state of emergency in the presence of circumstances specified in the third paragraph of Article 3 of this Law, a Decree of the President of the Republic of Belarus on the introduction of a state of emergency may provide, in addition to the measures and temporary restrictions (suspension) specified in Article 11 hereof, with respect to the territory where the state of emergency is introduced, the following measures and temporary restrictions:

- the introduction of a curfew – that is, the requirement to remain indoors between specified hours unless in possession of specially issued passes and/or identification papers;
- the restriction of freedom of the press and other media of mass information by introducing censorship, indicating the conditions and procedure for carrying out such censorship, as well as the temporary confiscation or arrest of printed matter, radio-transmitting and sound-amplifying equipment, and copying machines, and the establishment of a special procedure for the accreditation of journalists;
- the suspension of activities of political parties and other societal associations with political agendas that may hamper the elimination of circumstances that served as grounds for the introduction of the state of emergency;
- checks of identification papers of citizens, inspections of individuals, their possessions, dwellings and cars;
- a restriction or ban on the sale of weapons, ammunition, explosives, special devices, and poisonous substances, and the establishment of a special regime for the sale of medicines and drug-containing preparations, psychotropic agents, and potent agents. In exceptional cases, the temporary confiscation from citizens of weapons, ammunition, poisonous substances and from organizations is permitted, as well as the temporary confiscation of weapons, ammunition and poisonous substances and of military training hardware, explosive and radioactive substances;
- the deportation in the prescribed manner of persons violating the regime of the state of emergency who are not residents of the territory in which the state of emergency is introduced, beyond its boundaries, either at their own expense or if they have insufficient means – by using the funds of the Republic budget to be subsequently compensated for through a court procedure.

Article 14. Restriction of the Right of Citizens of the Republic of Belarus to Participate in Elections and Referendums in the Conditions of a State of Emergency

In the territory where the state of emergency is introduced, elections and referendums shall not be held throughout the effective period of the state of emergency. In the event of the expiration during the effective period of the state of emergency of a term in office of relevant elected bodies of state authority and officials, the term in office of those bodies and persons shall be extended until the expiration of the effective period of the state of emergency, unless their powers are to be suspended in the manner prescribed under this Law.

Article 15. Cancellation or Suspension of Legal Acts of State Authorities in the Effective Period of the State of Emergency

The President of the Republic of Belarus shall have the right to suspend any legal acts of Republic state authorities, legal acts of local executive and self-administration bodies, and to suspend the decisions of local elected Councils that are valid in the territory where the state of emergency is introduced, in the event that those acts contradict the decree of the President of the Republic of Belarus on the introduction of a state of emergency within the given territory, unless stipulated otherwise by the Constitution of the Republic of Belarus.

CHAPTER 4. FORCES AND MEANS ENSURING THE REGIME OF THE STATE OF EMERGENCY

Article 16. Forces and Means to Ensure the Regime of the State of Emergency

In order to ensure the regime of the state of emergency, use shall be made of forces and means of internal affairs bodies, state security bodies, internal troops and forces and means of emergency situations response agencies.

Article 17. The Use of Additional Forces and Means to Ensure the Regime of the State of Emergency

In exceptional cases, on the basis of a Decree of the President of the Republic of Belarus, in addition to the forces and means specified in Article 16 of this Law, in order to ensure the regime of the state of emergency, use may be made of the Armed Forces of the Republic of Belarus, other troops and military formations. The border control bodies shall be used exclusively to ensure the regime of a state of emergency only for purposes of security of the State border of the Republic of Belarus.

The Armed Forces of the Republic of Belarus, other troops and military formations shall be used to fulfil the following tasks:

- the maintenance of a special regime of entry in the territory where the state of emergency is introduced and exit therefrom;
- the guarding of installations providing for the vital activity of the population, the functioning of transport and also of installations presenting an increased danger to the life and health of people and the environment;
- the participation in the liquidation of emergency situations and salvation of human lives as part of the forces of the state system for prevention and liquidation of emergency situations.

The tasks stated in the third and fourth paragraphs of Part Two of this Article shall be implemented by servicemen of the Armed Forces of the Republic of Belarus, other troops and military formations jointly with the officials of internal affairs bodies, state security bodies and the servicemen of the internal troops. Herewith, the servicemen of the Armed Forces of the Republic of Belarus, of other troops and military formations shall be subject to the provisions of the legislation of the Republic of Belarus on the internal troops insofar as it concerns the conditions, procedure and limits of use of physical force, special means, arms, combat and special-purpose equipment; guarantees of personal security for servicemen and members of their families; and guarantees of their legal and social protection.

Article 18. Commandant of the Territory Where the State of Emergency Is Introduced

To exercise the uniform command and control of forces and the means of ensuring the regime of the state of emergency, the President of the Republic of Belarus by his decree shall appoint a commandant of the territory where the state of emergency is introduced.

The commandant of the territory where the state of emergency is introduced shall:

- give, within his respective powers, orders and directives related to ensuring a regime of the state of emergency, which are binding for execution in a respective territory upon all organizations and officials, citizens and also heads (commanders) of internal affairs bodies, state security bodies, agencies and units for affairs of civil defence, emergency situation response agencies and military formations located (deployed) in the territory where the state of emergency is introduced whose services are also engaged in ensuring the state of emergency regime;
- establish the hours and duration of a curfew;
- determine a special regime of entry into the territory where the state of emergency is introduced and exit therefrom;
- institute a special regime for the sale of arms, ammunition, alcohol-containing products, medicines and preparations containing narcotic drugs, psychotropic substances and potent substances;
- determine the procedure and designate places for the storage of confiscated weapons, ammunition, substances and military hardware specified in the sixth paragraph of Article 13 of this Law;
- carry out the deportation in the established manner beyond the boundaries of the territory where the state of emergency is introduced of persons violating the regime of the state of emergency;

- make proposals to the President of the Republic of Belarus on the necessity to apply, in the territory where the state of emergency is introduced, measures and temporary restrictions envisaged by Articles 11–13 of this Law;
- notify the population through mass media of a respective territory of the procedure for the imposition of individual measures applicable in the conditions of the state of emergency;
- institute a special procedure for the accreditation of journalists in the territory where the state of emergency is introduced and the procedure for their work.

The commandant of the territory where the state of emergency is introduced shall have the right to take part in all the meetings of the Republic state authorities and the meetings of the local executive and self-administration bodies operating in the territory where the state of emergency is introduced, and put forward proposals on issues assigned by this Law and other statutory acts of the Republic of Belarus to his/her competence.

The commandant of the territory where the state of emergency is introduced shall exercise control over of the commandant's office of said territory.

The establishment of the commandant's office in the territory where the state of emergency is introduced shall not suspend the activity of the local executive and self-administration bodies operating within said territory, unless stipulated differently by decree of the President of the Republic of Belarus on the introduction of a state of emergency.

Article 19. Coordination of Forces and Means of Ensuring the Regime of the State of Emergency

To coordinate the forces and means of ensuring the state of emergency regime, and incorporated as part of the commandant's office of the territory where the state of emergency is introduced, a combined operational staff comprising representatives of the bodies ensuring the regime of the state of emergency may be created by a decree of the President of the Republic of Belarus.

The combined operational staff shall be controlled by the commandant of the territory where the state of emergency is introduced.

Article 20. Peculiarities of Operational Subordination of Troops and Military Formations in the Case of Introduction of a State of Emergency throughout the Territory of the Republic of Belarus

In the case of the introduction of a state of emergency throughout the territory of the Republic of Belarus all troops and military formations shall be placed under the operational subordination of a state executive authority to be designated by the President of the Republic of Belarus.

Article 21. Guarantees and Compensations to Persons Involved in Ensuring the Regime of the State of Emergency

The officials of internal affairs bodies, workers of bodies and units of emergency situation response, state security bodies, servicemen of the state security bodies, internal troops and the Armed Forces of the Republic of Belarus, other troops and military formations and also other persons involved in ensuring the state of emergency regime shall have the right to additional guarantees and compensations envisaged under the legislation of the Republic of Belarus.

The registration of persons specified in Part One of this Article shall be effected in the manner established by the Government of the Republic of Belarus.

Article 22. Financing Operations of Elimination of Consequences and Circumstances That Served as the Ground for the Introduction of a State of Emergency

The scope of the mobilized state and/or mobilization reserves; the amount of and procedure for the financing of material and technical support for operations to eliminate the consequences of the emergency situation, and the circumstances that served as the grounds for the introduction of the state of emergency; the procedure for the financing of social payments and compensations to citizens who suffered damage as a result of the circumstances that served as the ground for the introduction of the state of emergency; measures of temporary resettlement of residents to safer areas, in connection with the application of other measures envisaged by Chapter III hereof; and also a procedure for the payment of compensation to organizations that sustained damage in connection with the application of measures envisaged by Chapter III hereof shall be determined by the Government of the Republic of Belarus.

The financing of operations to eliminate the consequences of the emergency situation shall be done at the expense of organizations located on the territory where the state of emergency was introduced, assets of the Republic state executive bodies, relevant budgets, insurance funds and other sources.

In the event of insufficient budgetary allocations set aside to finance the said costs aimed at eliminating the consequences of the emergency situation shall be transferred from the Republic budget.

CHAPTER 5. GUARANTEES OF THE RIGHTS OF CITIZENS AND RESPONSIBILITY OF CITIZENS AND OFFICIALS IN THE CONDITIONS OF A STATE OF EMERGENCY

Article 23. Limits of Application of Measures and Temporary Restrictions (Suspension) in the Conditions of a State of Emergency

Emergency measures applied in the conditions of a state of emergency entailing the limitation (suspension) of powers of state authorities, the rights and freedoms of people and citizens, the rights of organizations established by the Constitution of the Republic of Belarus and other statutory acts of the Republic of Belarus shall be carried out within such limits as may be required by the seriousness of a given situation.

Emergency measures specified in Part One of this Article shall correspond to the Constitution of the Republic of Belarus, international obligations of the Republic of Belarus in the field of human rights and shall not entail any discrimination against individual persons or groups of the population exclusively on the basis of sex, race, nationality, language, origin, property and official position, place of residence, attitude towards religion, convictions, affiliation with societal associations or by virtue of other circumstances.

Article 24. Guarantees of Property and Social Rights of Citizens and Organizations During the Effective Period of the State of Emergency

Citizens mobilized to carry out and provide emergency, rescue and other urgent operations in accordance with the seventh paragraph of Article 12 hereof shall be guaranteed payment for their labour as envisaged under the legislation on labour of the Republic of Belarus.

Emergency circumstances and emergency response measures may cause suffering to citizens. In such cases, citizens shall be provided with residential premises, receive compensation for inflicted material damage, be assisted with employment and be provided with necessary assistance on the conditions and according to the procedure established by the Government of the Republic of Belarus.

Organizations whose property and resources were used in accordance with the fourth paragraph of Article 12 hereof shall have the right to receive compensation for the inflicted damage in the manner and the amounts as prescribed by the Government of the Republic of Belarus.

Article 25. Procedure for and Conditions of Application of Physical Force, Special Means, Combat and Special-Purpose Equipment

The procedure for and conditions of application of physical force, special means, weapons, combat and special-purpose equipment established by the legislation of the Republic of Belarus shall not be subject to alteration in the conditions of a state of emergency.

Article 26. Procedure for Detention of Citizens Who Violate Curfew Rules

Citizens who violate the curfew rules laid down in accordance with second paragraph of Article 13 hereof shall be detained by the forces enforcing the state of emergency regime until the end of the curfew, while citizens not in possession of identification documents shall be detained pending the establishment of their identity, for not more, however, than three days by decision of the head of an internal affairs body or his deputy. By court decision, the said period may be extended for not more than ten days. Detained persons and items or vehicles in their possession may be subject to inspection.

The decision of the head of an internal affairs body or his deputy on detention may be appealed against before a superior state body, higher official, procurator or in court.

In the event of the introduction of a quarantine as a consequence of a threat of the dissemination of infectious diseases, or animals and plants in the territory where the state of emergency is introduced, citizens to be deported beyond its boundaries in accordance with the seventh paragraph of Article 13

hereof, shall be detained on equal terms until the expiration of the pre-set term of observation over such citizens.

Article 27. Responsibility for Violation of the Requirements of the Regime of a State of Emergency

Citizens, officials and organizations in violation of the requirements of the state of emergency regime established in keeping with this Law shall be responsible under the legislation of the Republic of Belarus.

Article 28. Legal Consequences of Termination of a State of Emergency

The decrees of the President of the Republic of Belarus and other statutory acts of the Republic of Belarus adopted for the purposes of ensuring the state of emergency regime and associated with the temporary restriction (suspension) of rights and freedoms of citizens and also the rights of organizations shall become invalid at the same time as the termination (cancellation) of the effective period of the state of emergency without any special notification thereof.

The termination (cancellation) of the effective period of the state of emergency shall entail the termination of administrative proceedings in cases of violation of state of emergency regime and the immediate release of persons subjected to administrative detention or arrested for said grounds.

Article 29. Responsibility of Persons Involved in Ensuring the Regime of a State of Emergency

The unjustified use of physical force, special means, weapons, combat and special-purpose equipment by officials of internal affairs bodies, workers of bodies and units of emergency situation response, servicemen of state security bodies, internal troops and the Armed Forces of the Republic of Belarus, of other troops and military formations and also the abuse by officials of forces ensuring the state of emergency regime of official powers, including the violation of guarantees of the rights and freedoms of people and citizens as established by this Law shall entail responsibility in accordance with the legislation of the Republic of Belarus.

Article 30. Administration of Justice in the Territory Where a State of Emergency Is Introduced

Justice in the territory where a state of emergency is introduced shall be administered only by court of law. Said territory shall fall under the jurisdiction of all the courts established in accordance with the Constitution of the Republic of Belarus.

Justice in the courts shall be administered in accordance with the legislation of the Republic of Belarus in force at the time of the introduction of the state of emergency.

The institution of emergency courts is forbidden.

Article 31. Activity of the Prosecutor's Office in the Territory Where a State of Emergency Is Introduced

The activity of the prosecutor's office of the Republic of Belarus in the territory where the state of emergency is introduced shall be conducted in the manner established by the legislation of the Republic of Belarus.

In case of the introduction of the state of emergency in territories of several regions of the Republic of Belarus, the Prosecutor General of the Republic of Belarus shall have the right to set up an interregional prosecutor's office for the territory where the state of emergency is introduced.

CHAPTER 6. FINAL PROVISIONS

Article 32. Notification of the Organization of the United Nations of the Introduction (Termination) of a State of Emergency

In case of the introduction of a state of emergency in compliance with this Law, the Republic state executive authority in charge of foreign affairs shall, in accordance with the international obligations of the Republic of Belarus ensuing from the International Covenant on Civil and Political Rights, within a three-day period notify the Secretary General of the United Nations of the temporary restrictions (suspension) of rights and freedoms of citizens constituting a deviation from the obligations under the said international agreements, of the scope of those deviations and the causes of such a decision.

The Republic state executive authority in charge of foreign affairs shall inform the Secretary General of the United Nations of the date of termination (cancellation), in accordance with this Law, of the state of emergency and the full resumption of the validity of provisions of the International Covenant on Civil and Political Rights.

Article 33. Notification of Neighbouring States of the Introduction of a State of Emergency

In the event of the introduction of a state of emergency in individual localities of the Republic of Belarus, the Republic state executive authority in charge of foreign affairs shall within twenty-four hours of the adoption by the Council of the Republic of the National Assembly of the Republic of Belarus of a decision to approve the decree of the President of the Republic of Belarus on the introduction of a state of emergency, notify neighbouring states of the circumstances that served as the grounds for the introduction of the state of emergency.

Article 34. International Humanitarian Aid

International humanitarian aid in the territory where the state of emergency is introduced shall be provided in accordance with international agreements of the Republic of Belarus in the manner established by the President of the Republic of Belarus.

Article 35. Entry into Force of This Law

This Law shall come into force on the day of its official publication.

Article 36. Legislation of the Republic of Belarus to Be Brought into Accord with This Law

Council of Ministers of the Republic of Belarus during the period of three months since this Law comes into force shall:

- bring the statutory acts of the Republic of Belarus in line with this Law;
- adopt any other measures necessary for implementation of this Law.

President of the Republic of Belarus

A. Lukashenka

LAW OF THE REPUBLIC OF BELARUS

'On Mobilization Preparation and Mobilization'

26 October 2000, No. 449-3

Adopted by the House of Representatives on October 2 2000

Approved by the Council of the Republic on October 12 2000

Registered in the National Register of the Legal Acts of the Republic of Belarus on 28 November 2000, No. 112, 2/224.

(in the wording of the Laws of the Republic of Belarus of 16 May 2001, No. 23-3; of 6 January 2009, No. 8-3; of 4 January 2012, No. 338-3; of 17 July 2018, No. 126-3)

This Law defines the legal fundamentals for government regulation in the field of mobilization preparation and mobilization in the Republic of Belarus, and establishes the rights, obligations and responsibilities of state bodies, organizations, regardless of the form of ownership (hereinafter referred to as 'organizations'), and citizens of the Republic of Belarus (hereinafter referred to as 'citizens') in this sphere.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Basic Definitions of This Law

This Law uses basic definitions as follows:

- 'mobilization preparation': a system of measures employed in peacetime to prepare the economy of the Republic of Belarus, state bodies, the Armed Forces of the Republic of Belarus, other troops and military formations created in accordance with the legislation of the Republic of Belarus, as well as ad hoc formations created by the state bodies (hereinafter – the 'ad hoc formations') to ensure the protection of the sovereignty, independence, territorial integrity and constitutional order of the Republic of Belarus and to satisfy the demands of the state and needs of the population in wartime;
- 'mobilization': a set of measures employed to transfer the economy of the Republic of Belarus and the state bodies to work in wartime conditions, as well as a set of measures of military mobilization;
- 'military mobilization': a set of measures employed to transfer the Armed Forces of the Republic of Belarus, other troops and military formations to a wartime organizational and staff structure, as well as to man them in accordance with the personnel charts and standards of wartime within the established deadline, and provide them with weaponry, military equipment and material assets that have been created during peacetime at the expense of the state and/or mobilization material reserves and resources of the economy of the Republic of Belarus.

Mobilization in the Republic of Belarus can be complete or partial.

Article 2. Legal Fundamentals of Mobilization Preparation and Mobilization

The legal fundamentals of mobilization preparation and mobilization in the Republic of Belarus are the Constitution of the Republic of Belarus, international treaties of the Republic of Belarus, the Civil Code of the Republic of Belarus, this Law and other laws and regulations of the Republic of Belarus that regulate issues related to mobilization preparation and mobilization.

Article 3. Basic Principles of Mobilization Preparation and Mobilization

The basic principles of mobilization preparation and mobilization are:

- centralized management;
- proactive and planned nature, and control;
- integrated and consistent approach.

Article 4. Subject Matter of Mobilization Preparation and Mobilization

The subject matter of mobilization preparation and mobilization is:

- the elaboration of mobilization plans for the economy of the Republic of Belarus, the Armed Forces of the Republic of Belarus, other troops, military and ad hoc formations;

- statutory regulation in the field of mobilization preparation and mobilization;
- the determination of working conditions and preparation of the state bodies and organizations for work during the period of mobilization and wartime;
- scientific and methodological support for mobilization preparation and mobilization;
- the determination of mobilization material needs and the generation of a state defence order for wartime;
- the preparation of the economy of the Republic of Belarus for work during the period of mobilization and wartime;
- preparation for military mobilization and its implementation;
- the preservation and advancement of existing – and the creation of new – mobilization capacities and facilities for the production of products that are required to satisfy the demands of the economy of the Republic of Belarus, the Armed Forces of the Republic of Belarus, other troops, military and ad hoc formations, as well as the needs of the population in wartime;
- the creation and preparation of ad hoc formations intended for use in wartime in the best interests of the economy and defence of the Republic of Belarus;
- the preparation of equipment intended for strengthening the Armed Forces of the Republic of Belarus, other troops, military and ad hoc formations during the period of mobilization and wartime;
- the accumulation, storage and replenishment of material assets in the national and mobilization material reserves;
- the creation and preservation of the backup set of documentation for weaponry and military equipment, high-threat facilities, critical non-defence products, life support systems for the population and objects that are classified as national treasures;
- preparation and arrangement for the standardized supply of the population with basic food commodities and other essential goods, medical care, as well as the provision of communications tools and vehicles during the period of mobilization and wartime;
- the creation and preparation of alternate control posts of ministries and other national structures of governance, local government and self-government bodies for work in wartime conditions;
- the preparation of the media for work during the period of mobilization and wartime;
- arrangements for military registration with the state bodies and organizations for conscripts and persons eligible for military service;
- the training of citizens in military occupational specialties to man the Armed Forces of the Republic of Belarus, other troops, military and ad hoc formations in peacetime and in wartime;
- the reservation of inactive citizens and those working in the government agencies, organizations;
- an assessment of the mobilization readiness of the Republic of Belarus;
- conducting mimetic warfare and trainings in mobilization deployment and the implementation of mobilization plans;
- carrying out measures on transition of the state bodies, organizations to work in wartime conditions;
- military mobilization;
- carrying out measures on transition of the economy of the Republic of Belarus to work in wartime conditions;
- the preparation and advanced training of employees of the mobilization bodies;
- international cooperation in the field of mobilization preparation and mobilization.

CHAPTER 2. GOVERNMENT CONTROL IN MOBILIZATION PREPARATION AND MOBILIZATION

Article 5. Powers of the President of the Republic of Belarus in the Field of Mobilization Preparation and Mobilization

The President of the Republic of Belarus:

- determines the goals and objectives of mobilization preparation and mobilization in the Republic of Belarus;

- approves mobilization plans of the Republic of Belarus, and plans for the accumulation of material assets in the mobilization material reserve;
- ensures the coordinated functioning and interaction of state bodies during mobilization preparation and mobilization;
- imposes martial law on the territory of the Republic of Belarus in cases of military threat or attack, and declares complete or partial mobilization with the submission of the adopted decision for approval by the Council of the Republic of the National Assembly of the Republic of Belarus within three days;
- establishes the working pattern of state bodies and organizations during the period of mobilization and wartime;
- negotiates and signs international treaties of the Republic of Belarus on cooperation in the field of mobilization preparation and mobilization;
- establishes the right for the postponement of mobilization call-ups for certain categories of citizens;
- issues decrees, ordinances and orders relative to mobilization preparation and mobilization;
- establishes the procedure for the submission of annual reports on mobilization readiness of the Republic of Belarus by the Council of Ministers of the Republic of Belarus;
- exercises other powers provided for by the legislation of the Republic of Belarus.

Article 6. Powers of the Security Council of the Republic of Belarus in the Field of Mobilization Preparation and Mobilization

The Security Council of the Republic of Belarus:

- develops key directions of the strategy in the field of mobilization preparation and mobilization;
- submits motions to the President of the Republic of Belarus for making decisions related to mobilization preparation and mobilization;
- coordinates the activities of state bodies in the process of preparation and implementation of decisions related to mobilization preparation and mobilization adopted by the President of the Republic of Belarus;
- settles other tasks in accordance with legislation of the Republic of Belarus.

Article 7. Powers of the Council of Ministers of the Republic of Belarus in the Field of Mobilization Preparation and Mobilization

The Council of Ministers of the Republic of Belarus:

- within the limits of its authority, supervises mobilization preparation and mobilization;
- carries out activities to ensure mobilization preparation and mobilization;
- arranges the elaboration of economical mobilization plans of the Republic of Belarus;
- determines the procedure for concluding contracts for the implementation of mobilization assignments (orders) by organizations and supporting these assignments (orders) with material and technical resources;
- determines the procedure and funding sources for carrying out measures on ensuring mobilization preparation and mobilization;
- arranges the fulfilment of obligations of the Republic of Belarus contained in international treaties on cooperation in the field of mobilization preparation and mobilization;
- elaborates drafts of law and regulations that are subject to effectuation during the period of mobilization and wartime, as well as drafts of laws and regulations in the field of mobilization preparation;
- within the limits of its authority, exercises control over military mobilization;
- in accordance with the established procedure, arranges for the transition of the economy to work in wartime conditions;
- arranges for military registration of conscripts and persons eligible for military service, exemption of inactive citizens and those working in government agencies or organizations for the period of mobilization and wartime;
- arranges for mimetic warfare and trainings in mobilization deployment and the implementation of mobilization plans;

- determines the procedure for creating and preparing ad hoc formations;
- determines the procedure for the preservation and advancement of existing – and the creation of new – mobilization capacities and facilities for the production of products that are required to satisfy the demands of economy of the Republic of Belarus, the Armed Forces of the Republic of Belarus, other troops, military and ad hoc formations, as well as the needs of the population in wartime;
- determines the procedure for creating and preserving the backup set of documentation for weaponry and military equipment, high-threat facilities, critical non-defence products, life support systems for the population and objects that are classified as national treasures;
- submits mobilization plans of the Republic of Belarus and the plan for material assets accumulation in the mobilization material reserve for approval to the President of the Republic of Belarus;
- establishes the procedure for monitoring the mobilization preparation and mobilization readiness of organizations and the economy sectors;
- within the limits of its authority, settles issues related to funding mobilization preparation and mobilization from the budget of the Republic;
- approves the list of critical objects associated with material support of the Armed Forces of the Republic of Belarus, other troops, military and ad hoc formations and the population during wartime;
- approves the lists, standards and volumes of material resources required for the mobilization deployment of the Armed Forces of the Republic of Belarus, other troops, military and ad hoc formations, and the arrangement of standardized supply of the population with basic food commodities and other essential goods during wartime;
- arranges scientific, methodological and informational support of mobilization preparation and mobilization;
- arranges cooperation with other states on issues of economical mobilization preparation of the Republic of Belarus;
- arranges preparation and advanced training of employees of mobilization bodies;
- determines the procedure for the transfer of property of military camps that became available to the local executive and administrative bodies for free use during the period of mobilization and wartime, unless otherwise provided for by legislative acts of the Republic of Belarus;
- exercises other powers in accordance with the current legislation of the Republic of Belarus.

Article 8. Powers and Functions of State Bodies, with the Exception of Local Executive and Administrative Bodies, in the Field of Mobilization Preparation and Mobilization

The state bodies, with the exception of local executive and administrative bodies, within the limits of their powers:

- create mobilization bodies;
- organize preparation and advanced training of employees of mobilization bodies;
- elaborate and implement mobilization plans;
- ensure mobilization preparation of relevant industries and subordinate organizations and, in the event of the imposition of martial law, arrange for their transition to working in wartime conditions;
- arrange the conclusion of contracts for the implementation of mobilization assignments (orders) by subordinate organizations;
- elaborate draft instructions (regulations) on the mobilization preparation of relevant industries;
- arrange the military registration of conscripts and persons eligible for military service in the subordinate organizations, exemption of inactive citizens and those working in government agencies and in subordinate organizations for the period of mobilization and wartime, and ensure the presentation of reports on reservation in the manner determined by the Council of Ministers of the Republic of Belarus;
- in accordance with the mobilization assignments approved by the Council of Ministers of the Republic of Belarus, create ad hoc formations used in wartime in the interests of economy and defence of the Republic of Belarus;

- coordinate and control the implementation of measures on mobilization preparation in subordinate organizations and provides methodological support for such activities.

Article 9. Powers and Functions of Local Executive and Administrative Bodies in the Field of Mobilization Preparation and Mobilization

Local executive and administrative bodies, within the limits of their powers:

- create mobilization bodies or appoint employees who will perform the functions of mobilization bodies;
- develop mobilization plans;
- in the event of the imposition of martial law, carry out measures for the transition of local executive and administrative bodies, subordinate organizations, and corresponding territories to working in wartime conditions;
- conduct measures on the mobilization preparation of local executive and administrative bodies, as well as organizations that do not fall under the supervision of other state bodies;
- arrange for the military registration of conscripts and persons eligible for military service, exemption of inactive citizens and those working in these bodies, as well as in organizations that do not fall under the supervision of other state bodies;
- ensure the implementation of measures provided for by the legislation of the Republic of Belarus on mobilization preparation and mobilization;
- coordinate and control the implementation of measures on mobilization preparation in subordinate organizations, and provide methodological support for such activities;
- in cooperation with other state bodies, carry out measures that ensure the implementation of mobilization plans;
- render assistance to military commissariats, state security bodies in mobilization activities in peacetime and in the event of mobilization proclamation;
- in the prescribed manner, arrange for the timely notification and appearance of citizens subject to mobilization call-up, the supply of equipment according to the orders of military commissariats to collecting points (notification and collecting points) or to military units, and the provision of buildings, structures, communications, land plots, vehicles and other property items according to mobilization plans;
- ensure the submission of information on organizations' registration to the military commissariats.

**CHAPTER 3. RESPONSIBILITIES OF ORGANIZATIONS AND CITIZENS IN THE FIELD
OF MOBILIZATION PREPARATION AND MOBILIZATION**

Article 10. Responsibilities of Organizations in the Field of Mobilization Preparation and Mobilization

Within the limits of their authority, organizations shall:

- create mobilization bodies or appoint employees who will perform the functions of mobilization bodies;
- elaborate mobilization plans within the limits of their authority;
- carry out measures on preparation of production for the implementation of mobilization assignments (orders) during the period of mobilization and wartime;
- conclude contracts for the implementation of mobilization assignments tasks (orders) in the events and in the manner prescribed by law;
- implement mobilization assignments (orders) in accordance with the concluded contracts in order to ensure mobilization preparation and mobilization;
- conduct measures on the transition of production to working in wartime conditions;
- ensure the timely notification and appearance of citizens subject to mobilization call-up, who are in an employment relationship with the organizations, at collecting points (notification and collecting points) of the military commissariats, state security agencies or military units;
- ensure the supply of equipment to collection points (notification and collecting points) of military commissariats, state security agencies or military units in accordance with mobilization plans;
- in accordance with the legislation of the Republic of Belarus, provide buildings, structures, communications, land plots, vehicles and other property items in accordance with the mobilization plans with

compensation of the incurred losses by the state in the manner provided for by the Council of Ministers of the Republic of Belarus;

- maintain the military registration of conscripts and persons eligible for military service, exemption of inactive citizens and those working in organizations for the period of mobilization and wartime, and render assistance to military commissariats and state security bodies for mobilization activities.

Organizations do not have the right to refuse to conclude contracts for the execution of mobilization assignments (orders) in order to ensure the defence and security of the state, if, with due account for the mobilization deployment of production, these organizations are capable of fulfilling these mobilization assignments (orders).

The recovery of losses incurred by the organizations in connection with the fulfilment of mobilization assignments (orders) shall be performed in the manner determined by the legislation of the Republic of Belarus.

Article 11. Responsibilities of Citizens in the Field of Mobilization Preparation and Mobilization

The citizens shall:

- appear in response to summons at the collecting points (notification and collecting points) of military commissariats, state security agencies or military units during the period of mobilization and wartime;
- fulfil the requirements set forth in the received mobilization designation, agendas, referrals and orders of the military commissariats and state security agencies;
- in accordance with this Law, provide buildings, structures, vehicles and other property items owned by them during wartime for the purposes of ensuring security and defence of the state, with compensation for the value of the alienated property and reimbursement of incurred losses by the state in the manner prescribed by the legislation of the Republic of Belarus.

During the period of mobilization and wartime, citizens shall be involved in the performance of works targeted at ensuring security and defence of the state and shall be also enrolled in ad hoc formations in the prescribed manner.

Those citizens who underwent military registration shall not leave their place of residence without the permission of the military commissar, and those persons who are liable for military service and are listed in the reserve of the state security bodies shall not leave their place of residence without the permission of the head of the regional department of the State Security Committee of the Republic of Belarus, the department of the State Security Committee of the Republic of Belarus in the city of Minsk and Minsk region from the moment of mobilization proclamation.

Those citizens who are subject to mobilization call-up and who have not appeared at the mobilization call-up events in response to summons or referrals from the military commissariat (a separate subdivision), or another body that carries out military registration, are obliged to arrive at the military commissariat (a separate subdivision), the regional department of the State Security Committee of the Republic of Belarus, the department of the State Security Committee of the Republic of Belarus in the city of Minsk and the Minsk region, in which they underwent the military registration, and to submit documents stating the reasons why these did not attend within five working days from the date of completion of circumstances that prevented them from appearing at these events.

The citizens shall bear responsibility for the failure to fulfil their obligations in the field of mobilization preparation and mobilization in accordance with the legislation of the Republic of Belarus.

CHAPTER 4. ORGANIZATIONAL FRAMEWORK FOR MOBILIZATION PREPARATION AND MOBILIZATION

Article 12. Mobilization Bodies

The state bodies and organizations with mobilization assignments (orders) or tasks related to mobilization work shall create mobilization bodies with the purpose of arranging measures on mobilization preparation and mobilization, as well as to control their implementation.

The structure and staffing of mobilization bodies are determined based on the nature and volume of mobilization assignments (orders) or tasks related to mobilization work. Depending on the volume of the specified

assignments (orders) or tasks, employees may be appointed to perform functions of the mobilization bodies instead of the creation of mobilization bodies.

The heads of mobilization bodies or employees performing the functions of the mobilization bodies shall report directly to the heads of the relevant state bodies and organizations.

The functions, rights and obligations of the mobilization bodies that are created in the state bodies and organizations shall be determined in accordance with the Regulations on mobilization bodies approved by the Council of Ministers of the Republic of Belarus.

Officials of the state bodies and organizations shall create the necessary conditions for employees of the mobilization bodies so that employees can fulfil the assigned duties.

Article 13. Military Transport Obligation

To provide the Armed Forces of the Republic of Belarus, other troops, military and ad hoc formations with vehicles during the period of mobilization and wartime, a military transport obligation is established in the Republic of Belarus.

The military transport obligation applies to state bodies and organizations, including river ports, wharves, airports, oil depots, petrol filling stations, repair stations and other organizations that ensure the operation of vehicles, as well as those citizens who own a vehicle.

The procedure for fulfilling the military transport obligation is determined by the Regulations on the military transport duty, approved by the President of the Republic of Belarus.

Article 14. Pattern of Conducting Mobilization Preparation and Mobilization

Arrangement of work and information protection in the field of mobilization preparation and mobilization are carried out in accordance with the legislation of the Republic of Belarus on state secrets.

CHAPTER 5. EXEMPTION OF INACTIVE CITIZENS FOR THE PERIOD OF MOBILIZATION AND WARTIME, MOBILIZATION CALL-UP, SENDING CITIZENS TO THE SERVICE IN THE STATE BODIES AS A RESULT OF MOBILIZATION TO MAN THE AD HOC FORMATIONS

Article 15. Reservation of Inactive Citizens for the Period of Mobilization and Wartime

The enlistment of inactive citizens and citizens who work in organizations for the period of mobilization and wartime is carried out in accordance with this Law and other instruments of the legislation of the Republic of Belarus.

The enlistment of inactive citizens is carried out in order to ensure activity of the state bodies and organizations for the period of mobilization and wartime.

Persons liable for military service, who are subject to enlistment, are exempt from mobilization call-up and subsequent call-ups in wartime for the period of the deterrent.

Article 16. Mobilization Call-up

The mobilization call-up is carried out in accordance with the legislation of the Republic of Belarus.

Article 16.1. Sending Citizens to the Service in the State Bodies as a Result of Mobilization in Order to Man the ad hoc Formations

Inactive citizens who do not have the right of exemption from mobilization call-ups shall be sent to the service in the state bodies in order to man ad hoc formations.

The sending of citizens to serve in state bodies as a result of mobilization in order to man ad hoc formations is carried out by military commissariats in the manner determined by the Ministry of Defence of the Republic of Belarus jointly with the military commissariats.

Article 17. Right to Deferment of Mobilization Call-up

Citizens have the right to the exemption from mobilization call-ups:

- if they are exempt in the manner determined by the Council of Ministers of the Republic of Belarus;
- if they are deemed temporarily unfit for military service in wartime for health reasons – for up to six months;
- if they have disabled family members who require constant physical assistance for health reasons in accordance with the findings of the medical consulting board (medical rehabilitation and expert board) and

who are not fully supported by the state – in the absence of other able-bodied persons residing in the territory of the Republic of Belarus, who are obliged to support these family members and take care of them in accordance with the legislation of the Republic of Belarus, regardless of whether they live with the disabled family member or not;

- if they have four or more dependent children under the age of 16 (female citizens – one child), a spouse who is a category I disabled person;
- if their mother (or father) has four or more other children under the age of eight and are raising the children without a partner.

A deferment of mobilization call-up may also be granted to other categories of citizens by the decision of the President of the Republic of Belarus.

CHAPTER 6. FUNDING OF MEASURES ON MOBILIZATION PREPARATION AND MOBILIZATION

Article 18. Funding of Measures on Ensuring Mobilization Preparation and Mobilization

The funding of measures to ensure mobilization preparation and mobilization is carried out at the expense of the national and local budgets, as well as funds of the organizations and other sources provided for by the legislation of the Republic of Belarus.

The work carried out in order to ensure the defence and security of the state is subject to funding from the national budget.

Work on mobilization preparation carried out to increase the sustainability of functioning of local executive and administrative bodies and their subordinate organizations is subject to funding from local budgets.

Mobilization preparation activities initiated by the organizations themselves in order to increase the sustainability of their functioning are subject to funding from the budgets of these organizations.

The funding of measures on mobilization preparation and mobilization is carried out in the manner determined by the Council of Ministers of the Republic of Belarus.

Benefits shall be granted to state bodies and organizations performing work on mobilization preparation in accordance with the legislation of the Republic of Belarus.

CHAPTER 7. LIABILITY FOR THE VIOLATION OF LEGISLATION ON MOBILIZATION PREPARATION AND MOBILIZATION

Article 19. Liability for the Violation of Legislation on Mobilization Preparation and Mobilization

Liability for the violation of legislation on mobilization preparation and mobilization is established by the legislative acts of the Republic of Belarus.

CHAPTER 8. FINAL PROVISIONS

Article 20. Entry into Force

This Law shall come into force from the day of its official publication.

Article 21. Harmonization of Instruments of Legislation with This Law

Within six months from the date of entry into force of this Law, the Council of Ministers of the Republic of Belarus shall:

- harmonize the decisions of the Government of the Republic of Belarus with this Law;
- ensure the revision and cancellation of laws and regulations issued by the bodies of state administration that are subordinate to the Council of Ministers of the Republic of Belarus if these laws and regulations contradict this Law.

President of the Republic of Belarus

A. Lukashenka

PART II

THE LEGISLATIVE FRAMEWORK FOR THE ACTIVITY OF THE ARMED FORCES

LAW OF THE REPUBLIC OF BELARUS

‘On the Armed Forces of the Republic of Belarus’

3 November 1992, No. 1904-XII

(in the wording of the Laws of the Republic of Belarus of 4 September 1996, No. 568-XIII; of 9 November 1999, No. 307-3; of 24 July 2002, No. 135-3; of 12 May 2009, No. 18-3; of 4 January 2015, No. 233-3; of 30 June 2016, No. 388-3; of 17 July 2018, No. 126-3)

This Law specifies the purpose, tasks, composition, strength, principles of formation, and activity of the Armed Forces of the Republic of Belarus; the manning and disposition, and command and control of the Armed Forces of the Republic of Belarus; and their interaction with other troops and military formations of the Republic of Belarus, paramilitary organizations of the Republic of Belarus (hereinafter – ‘paramilitary organizations’).

CHAPTER 1. GENERAL PROVISIONS

Article 1. Main Terms and Definitions Used in This Law

This Law uses the following main terms and definitions:

- Armed Forces of the Republic of Belarus (hereinafter the ‘Armed Forces’): a structural component of the military organization of the state intended for the provision of military security and armed defence of the Republic of Belarus, its sovereignty, independence, territorial integrity and constitutional system;
- Other troops and military formations of the Republic of Belarus (hereinafter – ‘other troops and military formations’): state military organizations, as a rule, subordinated to state bodies, in which military service is envisaged. Other troops and military formations include transport troops of the Republic of Belarus, internal troops of the Ministry of Internal Affairs of the Republic of Belarus, state security bodies of the Republic of Belarus, border service bodies of the Republic of Belarus, the Security Service of the President of the Republic of Belarus, territorial troops and other state military organizations established in accordance with the legislation of the Republic of Belarus;
- State bodies, in which military service is envisaged: state bodies performing special functions for the organization of the defence of state sovereignty, its independence, territorial integrity, constitutional system and citizens. State bodies, in which military service is envisaged, include the Ministry of Defence of the Republic of Belarus (hereinafter – the ‘Ministry of Defence’), the Ministry of Internal Affairs of the Republic of Belarus, the State Security Committee of the Republic of Belarus, the State Border Committee of the Republic of Belarus, and the Security Service of the President of the Republic of Belarus.

Article 2. Legal Basis for the Armed Forces Activity

The activity of the Armed Forces rests on the Constitution of the Republic of Belarus, international treaties of the Republic of Belarus, this Law and other regulatory legal acts of the Republic of Belarus regulating the activity of the Armed Forces.

If an international treaty of the Republic of Belarus establishes rules other than those contained in this Law, the rules of the international treaty shall apply.

CHAPTER 2. TASKS, COMPOSITION, STRENGTH, PRINCIPLES OF FORMATION AND ACTIVITY, AND THE MANNING AND DISPOSITION OF THE ARMED FORCES**Article 3. Tasks of the Armed Forces**

The main tasks of the Armed Forces include:

In peacetime:

- maintaining the fighting potential, including combat and mobilization readiness, of troops (forces) at a level that ensures the repulsion of a local attack, including in the period of rising military threat;
- providing information security for their activity;
- ensuring the early detection of any signs of preparation for an attack on the Republic of Belarus;
- guarding the State Border of the Republic of Belarus in the airspace;
- creating multifunctional defensive systems to comprehensively resolve tasks related to the provision of military security and armed defence of the Republic of Belarus;
- all-round preparation for military mobilization;
- ensuring readiness for the strategic deployment of the Armed Forces (full or partial) during the country's transition to wartime conditions;
- implementing programmes and plans for operational, combat and mobilization training; the introduction of new forms and methods of fighting; and new military technologies for training and combat practice for troops (forces);
- maintaining arms and military equipment in a state of permanent technical readiness for combat use;
- perfecting air defence, as an integral combat defensive system of the Union State;
- participating in the resolution of internal armed conflicts;
- enforcing martial law and the state of emergency, jointly with other troops and military formations, and paramilitary organizations;
- conducting military mobilization and the strategic deployment of the Armed Forces (full or partial);
- maintaining a high morale among personnel;

In wartime:

- the armed defence of the Republic of Belarus;
- the repulsion of an attack under any strategic situation, independently or jointly with allied armed forces;
- defeating the enemy and creating the preconditions for the cessation of hostilities (conclusion of peace) on conditions that are not contrary to the national interests of the Republic of Belarus.

Article 4. Composition of the Armed Forces

The Armed Forces make up the backbone of the military organization of the state.

The Armed Forces consist of:

- central military command and control bodies of the Armed Forces;
- branches of the Armed Forces;
- arms;
- special forces;
- the armament service of the Armed Forces;
- the logistic service of the Armed Forces;
- military educational establishments, military registration and enlistment offices, and organizations of the Armed Forces.

The central military command and control bodies of the Armed Forces include the Ministry of Defence and the General Staff of the Armed Forces (hereinafter – the ‘General Staff’). Organizationally, the General Staff forms part of the Ministry of Defence.

Branches of the Armed Forces include:

- Ground Forces;
- Air and Air Defence Forces.

Branches of the Armed Forces, arms, special forces, the armament service of the Armed Forces, and the logistic service of the Armed Forces consist of military command and control bodies, large units, formations, military units and organizations of the Armed Forces. Military units and formations enjoy the status of legal entities. Military command and control bodies and organizations of the Armed Forces may enjoy the status of legal entities in accordance with the documents prescribing their legal status and procedures of activity.

Military registration and enlistment offices are local military command and control bodies.

Article 5. Strength of the Armed Forces

The strength of the Armed Forces is determined by the Security Council of the Republic of Belarus and approved by the President of the Republic of Belarus.

The Armed Forces strength includes both military servants and civilian personnel.

Article 6. Principles of Formation and Activity of the Armed Forces

The key principles of the formation and activity of the Armed Forces include ensuring:

- the centralization of supply management;
- unity of command;
- permanent combat and mobilization readiness;
- organizational and staff structures, and the composition and strength of fighting troops (forces) correspond to their responsibilities, international commitments and the economic capabilities of the Republic of Belarus;
- legal and social protection for military servants, citizens enjoying the status of military servants and citizens eligible to certain social benefits, rights and guarantees provided by the legislative acts of the Republic of Belarus for military servants and civilian personnel;
- equality for all military servants under the law;
- publicity;
- acceptance of civilian control, and the participation of all citizens in strengthening the defence capability of the Republic of Belarus.

Article 7. Manning of the Armed Forces

The Armed Forces are manned on the basis of combining military duty with voluntary enlistment for military service under a contract.

The manning of the Armed Forces is performed in accordance with the procedure established by the legislation of the Republic of Belarus.

Article 8. Disposition of the Armed Forces

The disposition of the Armed Forces is decided by the Ministry of Defence within territories delivered for its use, and beyond those territories – upon agreement with the concerned state bodies, and approved by the President of the Republic of Belarus.

CHAPTER 3. COMMAND AND CONTROL OF THE ARMED FORCES AND INTERACTION OF THE ARMED FORCES WITH OTHER TROOPS, MILITARY FORMATIONS AND PARAMILITARY ORGANIZATIONS

Article 9. Command and Control of the Armed Forces

The general command and control of the Armed Forces is exercised by the President of the Republic of Belarus – the Commander-in-Chief of the Armed Forces, and by the Council of Ministers of the Republic of Belarus within the limits of powers delegated to it by the President of the Republic of Belarus.

The Minister of Defence of the Republic of Belarus exercises immediate command and control of the Armed Forces, and bears personal responsibility for their combat and mobilization readiness, the state of ideological work in the Armed Forces and preparing troops (forces) and headquarters to implement tasks related to the provision of military security and armed defence of the Republic of Belarus, its sovereignty, independence, territorial integrity and constitutional system.

The Ministry of Defence bears responsibility for developing the Armed Forces and preparing them to implement tasks related to the provision of military security and armed defence of the Republic of Belarus, its sovereignty, independence, territorial integrity and constitutional system.

The Ministry of Defence provides logistical and resource support for everyday and combat activity of troops (forces), takes part in developing and implementing concepts and programmes for strengthening the military, develops and implements programmes and plans for building and development of the Armed Forces, participates in drafting the State Armaments Programme, prepares proposals for the formation of the state defence order, and organizes the funding of the Armed Forces in accordance with the established procedure.

The General Staff exercises operational functions of command and control of the Armed Forces, ensures their high combat efficiency, organizes the interaction and coordination of activities of structural components of the military organization to evaluate the implementation of tasks: in the field of defence both in peace and in wartime.

Article 10. Interaction of the Armed Forces with Other Troops, Military Formations and Paramilitary Organizations

In peacetime, the Armed Forces perform tasks related to the provision of military security and armed defence of the Republic of Belarus, its sovereignty, independence, territorial integrity and constitutional system jointly with other troops, military formations and paramilitary organizations.

In wartime – with a view to ensuring the armed defence of the Republic of Belarus, its sovereignty, independence, territorial integrity and constitutional system, and on the basis of unified strategic planning – the Armed Forces are used in a centralized manner, jointly with other troops, military formations and paramilitary organizations in accordance with their functions determined by the legislation of the Republic of Belarus.

CHAPTER 4. MISCELLANEOUS PROVISIONS

Article 11. Employment of the Armed Forces for the Performance of Tasks Not Related to the Provision of Military Security and Armed Defence of the Republic of Belarus, Its Sovereignty, Independence, Territorial Integrity and Constitutional System

The employment of the Armed Forces for the performance of tasks unrelated to the provision of military security and armed defence of the Republic of Belarus, its sovereignty, independence, territorial integrity and constitutional system shall not be allowed, except if needed to protect and provide assistance to the population in the event of an emergency situation in accordance with the legislation of the Republic of Belarus, as well as in other cases specified by the legislative acts of the Republic of Belarus.

Article 11.1. Employment of the Armed Forces for Augmenting the Security of Critical Facilities

The Armed Forces may be employed to augment the security of critical facilities in cases specified by the legislative acts of the Republic of Belarus.

Article 12. Participation of the Armed Forces in Combat Actions and Peacekeeping Operations beyond the Republic of Belarus

The deployment of military servants beyond the Republic of Belarus for the fulfilment of international commitments of the state and participation in combat actions and peacekeeping operations shall be performed in accordance with the procedure established by the legislative acts of the Republic of Belarus and international treaties of the Republic of Belarus.

Article 13. Legal and Social Protection in the Armed Forces

In the Armed Forces, legal and social protection for military servants, citizens enjoying the status of military servants and citizens eligible to certain social benefits, rights and guarantees provided by the legislative

acts of the Republic of Belarus for military servants and civilian personnel is provided in accordance with the legislation of the Republic of Belarus.

Article 14. Activity of Political Parties, Other Public Associations and Religious Organizations in the Armed Forces

The activity of political parties and other public associations pursuing political goals in the Armed Forces shall be prohibited.

The establishment of religious organizations in the Armed Forces shall not be allowed. Said organizations shall act in the Armed Forces in accordance with the legislation of the Republic of Belarus.

Article 15. Funding of the Armed Forces

The Armed Forces are funded at the expense of the Republican budget funds and from other sources not prohibited by the legislation of the Republic of Belarus.

Article 16. International Military Cooperation of the Ministry of Defence

International military cooperation of the Ministry of Defence is a set of multilateral and multilateral measures implemented by the Ministry of Defence in the field of defence building and planning, armed forces training, arms control, military education, science, culture and sports, as well as in the military-technical sector.

Article 17. Control of the Armed Forces Activity

Control of the activity of the Armed Forces is exercised by the President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, and other state bodies within the limits of their powers.

*After 'President of the Republic of Belarus', the words 'Parliament – National Assembly of the Republic of Belarus' are omitted.

Article 18. Oversight of the Enforcement of Legislation of the Republic of Belarus in the Armed Forces

The Prosecutor General of the Republic of Belarus and his subordinate prosecutors oversees the exact and uniform enforcement of the legislation of the Republic of Belarus in the Armed Forces.

Chairman of the Supreme Council of the Republic of Belarus

S. Shushkevich

LAW OF THE REPUBLIC OF BELARUS

‘On Military Duty and National Military Service’

5 November 1992, No. 1914-XII

(in the wording of the Laws of the Republic of Belarus of 13 April 1995, No. 3735-XII; of 12 May 1999, No. 260-3; of 31 December 1999, No. 351-3; of 15 May 2000, No. 385-3; of 22 July 2003, No. 229-3; of 19 July 2006, No. 150-3; of 20 July 2007, No. 275-3; of 16 July 2008, No. 413-3; of 31 December 2009, No. 114-3; of 19 July 2010, No. 171-3; of 27 December 2010, No. 224-3; of 25 November 2011, No. 318-3; of 13 December 2011, No. 325-3; of 22 December 2011, No. 328-3; of 4 January 2014, No. 100-3; of 4 June 2015, No. 277-3; of 9 January 2017, No. 19-3; of 17 July 2018, No. 126-3; of 23 July 2019, No. 231-3.)

This Law establishes the legal and organizational fundamentals for implementing military service obligations (the constitutional duty to defend the Republic of Belarus) by citizens of the Republic of Belarus through undertaking national military service, as well as the grounds and conditions for exemption from national military service.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Basic Terms and Definitions of this Law

This Law uses the following basic terms and definitions:

- ‘military duty’: an obligation of citizens of the Republic of Belarus (hereinafter referred to as ‘citizens’), imposed for the creation and uninterrupted operation of a system of measures aimed at ensuring the defence of the Republic of Belarus, the undertaking of national military service by citizens, and their preparation for the armed defence of the Republic of Belarus;
- ‘national military service’: a special type of public service that includes the undertaking of military service or reserve service, reservist training or special training while serving in the inactive reserve of the Armed Forces of the Republic of Belarus (hereinafter – the ‘Armed Forces’) or other troops and military formations of the Republic of Belarus (hereinafter – ‘other military formations’);
- ‘military service’: the main type of national military service that involves citizens fulfilling compulsory military service (the constitutional duty to defend the Republic of Belarus) as part of the Armed Forces and other military formations. Military service is subdivided into conscript military service and volunteer military service;
- ‘conscript military service’: mandatory military service for citizens that have qualified as fit for military service. The conscript military service is subdivided into: the basic military service, the military service of conscripted officers and – during periods of mobilization, state of martial law, and wartime – the mobilization military service;
- ‘volunteer military service’: the military service of citizens undertaken voluntarily in accordance with the legislation of the Republic of Belarus under the terms of the concluded contract, in order to fulfil their constitutional duty to defend the Republic of Belarus;
- ‘reserve service’: a type of national service that involves the compulsory fulfilling of military service by citizens eligible for military service by serving in military units, other organizations of the Armed Forces or mobility forces of the Republic of Belarus (hereinafter – the ‘mobility forces’) during classes and training assemblies in order to obtain a military occupational specialty without the interruption of labour activity;
- ‘pre-conscript’: a male citizen who undergoes preparations for military service before registration with the enlistment office;
- ‘conscript’: a male citizen who has registered with the enlistment office;
- ‘serviceman’: a citizen performing military service in the Armed Forces or other military formations;
- ‘reservist’: a citizen performing reserve service;
- ‘junior leaders’: servicemen and reservists serving in the ranks of a squad commander, deputy platoon sergeant, company sergeant major or in other equal ranks;

- 'person liable for military service': a citizen who is registered with the inactive reserve of the Armed Forces or other military formations;
- 'inactive reserve of the Armed Forces and other military formations' (hereinafter – the 'inactive reserve'): a reserve of persons liable for military service, intended for manning of the Armed Forces and other military formations during wartime, unless otherwise provided for by this Law;
- 'military registration': the state system of the accounting and analysis of conscript and draftable resources;
- 'military arts divisions': structural subdivisions of advanced educational institutions and higher education establishments, intended for training citizens as part of preparation programmes for junior leaders and inactive reserve officers;
- 'reservist training': a type of national military service that involves persons liable for compulsory military service undergoing preparations for being appointed to higher military positions, improving their knowledge of military science and mastering new types of weaponry and military equipment, training in specialties required for manning the Armed Forces and other military formations during wartime, maintaining weaponry and military equipment of the emergency stock, and participating in activities on the verification of combat and mobilization readiness of military units, military commissariats, other organizations of the Armed Forces, as well as other military formations;
- 'special training': a type of national military service that involves persons liable for compulsory military service participating in measures to respond to natural and man-made emergencies;
- 'military educational institutions': educational establishments, as well as military science departments of advanced educational institutions and higher education establishments (hereinafter – the 'departments') that carry out the training of personnel in specialties (fields of specialties, specializations) for the Armed Forces and other military formations;
- 'medical inspection': measures – carried out by members of the medical board or medical specialists – to determine the fitness classification of citizens and their assignment for military service; for the reserve service for health reasons; for training in military educational institutions or military arts divisions; and to determine whether medical care is necessary;
- 'medical check-up': an assessment – carried out in public healthcare organizations – of the state of health and physical development of citizens in order to establish a diagnosis;
- 'medical examination': an assessment of the state of health and physical development of citizens by the medical board or medical specialists in order to conduct an additional control of the validity of previously drawn conclusions as to the physical profile and classification of health-related fitness for military service or to identify new circumstances that prevent citizens from being called up for military service owing to their state of health;
- 'medical re-inspection': measures that are periodically carried out by the medical board in order to determine the physical profile and classification of the health-related fitness of citizens for military service;
- 'military commissariat': a local military agency that carries out military mobilization and registration and conscription activities on the territory of one or several administrative divisions. Military commissariats are created in the manner prescribed by the Government of the Republic of Belarus;
- 'standalone subdivision of a military commissariat (hereinafter – the 'standalone subdivision')': a structural unit of a military commissariat that performs some of its functions for carrying out military mobilization and registration and conscription activities on the territory of an administrative division (district that has no military commissariat. Standalone subdivisions are created in the manner prescribed by the Government of the Republic of Belarus;
- 'enlistment office': a territory within the boundaries of an administrative division, where the corresponding military commissariat (a standalone subdivision) registers male citizens in the year they turn 16, and regular call-ups of male citizens for basic military service or the reserve service are carried out;

- 'recruiting (collecting) points': specially equipped buildings and utility rooms with adjoining territory for registering citizens with enlistment offices; conducting medical inspections, examinations and re-inspections; and carrying out call-ups for basic military service and the reserve service, and the collection and departure of conscripted citizens for military service;
- 'collecting (notification and collecting) points': equipped buildings and utility rooms with the adjacent territory for the notification, collection, call-up and departure of conscripted citizens for mobilization military service, reservist training and special trainings.

Article 2. Sphere of Application of this Law

This Law regulates social relations relating to compulsory military service, including:

- military registration;
- compulsory preparation for military service;
- conscription;
- undertaking military conscription service;
- call-up for reserve service and undertaking reserve service;
- inactive duty;
- call-up for reservist training and special training (hereinafter, unless otherwise specified – the 'training') and undergoing training.

During periods of mobilization, state of martial law and wartime, the implementation of compulsory military service for citizens provides for the call-up for mobilization military service and the undertaking of military service in accordance with this Law and other legislative acts of the Republic of Belarus.

Citizens have the right to undergo voluntary preparation for military service and to fulfil the constitutional duty to defend the Republic of Belarus by voluntary enrolment in the manner prescribed by this Law and other instruments of legislation of the Republic of Belarus.

Article 3. Legislation of the Republic of Belarus Related to the Implementation of Military Duty

Legislation of the Republic of Belarus related to the implementation of compulsory military service (the constitutional duty to defend the Republic of Belarus) is based on the Constitution of the Republic of Belarus and comprises this Law, international treaties and other instruments of legislation of the Republic of Belarus.

Article 4. Military Duty

Military duty is fulfilled by male citizens who are deemed fit to undertake it on their state of health and physical development, regardless of their background, social and property status, race and nationality, education, language, attitude to religion, type and nature of occupation, political and other beliefs, as well as by female citizens who meet the established requirements and have received training in the specialties necessary for the Armed Forces and other military formations.

Compulsory military service does not apply to foreign citizens and stateless persons residing on the territory of the Republic of Belarus.

Citizens are exempt from call-up for military service and reserve service on grounds and conditions provided for by this Law and other legislative acts of the Republic of Belarus.

The implementation of compulsory military service for citizens is ensured by the Republican state administration bodies, local executive and administrative bodies, other state bodies, and other organizations and their officials, within the limits of their competence.

Citizens who are obliged to fulfil compulsory military service in accordance with this Law are divided into pre-conscripts, conscripts, servicemen, reservists and persons liable for military service.

Article 5. National Military Service, and Servicemen and Reservists

National military service takes priority over other types of public service and labour activity, which implies the termination (suspension) of work, study and other activities by citizens when conscripted or voluntarily engaged in military service or called up for reserve service or training, as well as an increased level of social security for citizens performing military service or reserve service.

The status of a serviceman is acquired by citizens from the first day of their active military service and is terminated from the day following the last day of their active military service. The duration of active military service of the citizens is included in the length of service and length of service in the specialty (in the industry) on the conditions and in the manner prescribed by the legislation of the Republic of Belarus.

The duration of active military service of citizens who have entered public service is included in the civil service experience in the manner prescribed by the legislation of the Republic of Belarus.

Reservists have the status of servicemen undergoing military service while attending classes or training assemblies determined by the reservist preparation programmes. The time spent by reservists in classes and training assemblies is included in the time in service for the award of pensions and payments of longevity increments, and for the length of service in the awarded military rank and in the field (in the industry) in the manner prescribed by the legislation of the Republic of Belarus.

Article 6. Benefits and Reimbursements to Citizens in Connection with the Implementation of Military Duty

Citizens undergoing preparations for military service or called up for or engaged in military or reserve service are provided with benefits and reimbursements at the place of work established by the labour legislation and other legislative acts of the Republic of Belarus.

Those citizens who study in educational institutions (organizations that implement educational programmes for postgraduate education) and who are called up for or engaged in military or reserve service are paid an allowance equal to the cost of a two-week educational scholarship at the place of study.

Those citizens who study in educational institutions (organizations that implement educational programmes for postgraduate education) are exempt from studies for the period required to register with the enlistment offices, for the formalization of conscription or entry to military or reserve service, and for military registration – with the preservation of scholarships at the place of study.

For those citizens who study in educational institutions (organizations that implement educational programmes for postgraduate education) and who are sent for a medical inspection, medical check-up, treatment or medical re-inspection, the place of study and scholarship are retained for the period of stay in the health care organization, and expenses associated with the travel to and from the place of medical inspection, medical check-up, treatment or medical re-inspection are reimbursed according to the standards established by the Government of the Republic of Belarus.

The transportation of citizens called up for or voluntarily engaged in military or reserve service to the place of service and the provision of food throughout the journey, as well as the transportation of citizens to and from the location of entrance examinations to military educational institutions, are carried out at the expense of the Ministry of Defence of the Republic of Belarus and other state agencies that provide for military service.

Citizens called up for training are provided with benefits and reimbursements established by the labour legislation of the Republic of Belarus at their place of work.

Individual entrepreneurs, persons who are temporarily unemployed, as well as the unemployed, are paid compensation by local executive and administrative bodies at the rate of fifteen base values per month for the period of training.

The duration of training is excluded from the 26-week period of payment of the unemployment allowance for unemployed citizens.

The continuation of study is guaranteed to citizens conscripted for basic military service or mobilization military service during the period of study in educational institutions (organizations that implement educational programmes for postgraduate education) after their discharge from basic military service or mobilization military service under the same conditions as educational institutions (organizations that implement educational programmes for postgraduate education), in which they have studied before the call-up for basic military service or mobilization military service in the manner prescribed by the education legislation of the Republic of Belarus.

Citizens called up for basic military service or mobilization military service who are borrowers in connection with the construction (reconstruction) or purchase of residential premises are provided with indemnities in the manner prescribed by the legislative acts of the Republic of Belarus.

Article 7. Benefits and Reimbursements to Citizens Who Fulfil Responsibilities for Ensuring the Undertaking of Compulsory Military Service for Citizens

Citizens who fulfil responsibilities related to ensuring the undertaking of compulsory military service by citizens or their engagement in volunteer military service – including chairpersons, members and secretaries of the registration commission, draft boards and medical boards, medical specialists and nursing personnel, technical workers and care taking personnel allocated for work in military commissariats (standalone subdivisions), regional departments of the State Security Committee of the Republic of Belarus, the department of the State Security Committee of the Republic of Belarus in the city of Minsk and Minsk region (hereinafter – the ‘regional departments of the State Security Committee’) and recruiting (collecting) points during the registration and conscription of citizens for military or reserve service, training, medical inspection or medical re-inspection, as well as for the departure of conscripted citizens from military commissariats (standalone subdivisions), and regional departments of the State Security Committee to collecting points or military units – are paid the average salary and are provided with reimbursement of expenses related to the rent (sublease) of residential space, travel expenses to and from another locality, and trip allowances; and in addition to that, benefits and reimbursements established by labour legislation and other legislative acts of the Republic of Belarus are provided for the period of participation in these events at their place of work.

Article 8. Funding and Logistical Support for Activities Related to the Implementation of Compulsory Military Service

Funding of activities related to the implementation of compulsory military service for citizens is carried out at the expense of the Republican and/or local budgets and organization funds in the manner established by the Government of the Republic of Belarus.

In order to carry out official activities, the registration of citizens with enlistment offices, their conscription for or voluntary engagement in military or reserve service, training, medical inspections, medical examinations, treatment or medical re-inspections of citizens that have been recognized as unfit for military service in peacetime for health reasons, and the departure of conscripted citizens from military commissariats (standalone subdivisions) to collecting points or military units – as well as to implement other measures related to conscription or voluntary engagement of citizens in military or reserve service and training – the local executive and administrative bodies are obliged to provide the military commissariats with buildings and utility rooms; the standalone subdivisions with premises; and the military commissariats (standalone subdivisions) with recruiting (collecting) points equipped with the necessary fixtures and fittings, technical means, medical equipment, medical devices and medicinal products. The local executive and administrative are also obliged to allocate the required number of medical specialists, nursing personnel, technical workers and caretaking personnel, as well as to provide military commissariats (standalone subdivisions) and regional departments of the State Security Committee with collecting (notification and collecting) points equipped with the necessary fixtures and fittings and technical means.

The funding of military commissariats, including the cost of allowances for building protection and maintenance employees established by the legislation of the Republic of Belarus, is carried out at the expense of the Republican budget.

Support for operations for recruiting (collecting) points – including funding for running and major repair costs, payments for utility services and maintenance costs, the purchase of equipment and other fixtures and fittings, as well as the purchase of record forms and books required by military commissariats (standalone subdivisions) for carrying out military mobilization, registration and conscription activities, and the purchase of record forms and books required by regional departments of the State Security Committee to conduct military mobilization activities – is carried out at the expense of local budgets.

By decision of local executive and administrative bodies, the required number of organizations’ road transport units is allocated to military commissariats (standalone subdivisions), regional departments of

the State Security Committee for the timely and proper arrangement of delivery to the military commissariats (standalone subdivisions), regional departments of the State Security Committee, recruiting (collecting) points, collecting (notification and collecting) points, and military units of citizens liable for military service, as well as citizens called up for military or reserve service, and training assemblies.

CHAPTER 2. GOVERNMENT REGULATION IN THE FIELD OF IMPLEMENTING MILITARY DUTY

Article 9. Duties of Officials of the Republican State Administration Bodies, Local Executive and Administrative Bodies, and Other Organizations to Ensure the Implementation of Military Duty by Citizens

Officials of the Republican state administration bodies, local executive and administrative bodies, and other organizations responsible for military occupational work are obliged to:

- keep records of conscripts and persons liable for military service who work (study) in these organizations and, within one month, report information about job and study admissions of citizens who have undergone or should undergo military registration, as well as about their dismissal from work (expulsion from educational institutions (organizations that implement educational programmes for postgraduate education)) to the military commissariats (standalone subdivisions), and report such information about persons liable for military service, who are registered or should be registered with the inactive reserve of the state security bodies, to the regional departments of the State Security Committee;
- upon the request of the military commissariats of regions, city districts, cities not divided into districts (hereinafter – the ‘military commissariats’) (standalone subdivisions) and state security bodies, notify citizens of the summons to the military commissariats (standalone subdivisions) or state security bodies;
- provide citizens with an opportunity to ensure their timely appearance in response to the summons of the military commissariats (standalone subdivisions), state security bodies or other bodies performing military registration;
- within one month, submit to the local executive and administrative bodies, and military commissariats (standalone subdivisions) information that needs to be entered into the military registration documents about citizens who are undergoing military registration, citizens who have undergone military registration, as well as those who have not undergone military registration and should undergo it, and submit such information in relation to citizens specified in Part Two of Article 17 hereof, citizens who are undergoing military registration, citizens who have undergone military registration, as well as those who have not undergone military registration and should undergo it; to the regional departments of the State Security Committee. Other information about conscripts and persons liable for military service is submitted to local executive and administrative bodies, military commissariats (standalone subdivisions) and other organizations that carry out military registration, upon their request.

The heads of organizations that manage the use of housing resources and (or) render housing and communal services, and officials (employees) of these organizations responsible for military occupational work, are obliged to submit registration and accounting military documents pertaining to citizens who have undergone or should undergo military registration to the military commissariats (standalone subdivisions) and local executive and administrative bodies in order to formalize military registration or reconcile accounting data, and are obliged to submit such documents pertaining to persons liable for military service who are registered or should be registered with the inactive reserve of the state security bodies to the regional departments of the State Security Committee.

Officials of the internal affairs bodies, within their competence, are obliged to:

- submit, within one week – upon the request of local executive and administrative bodies, military commissariats (standalone subdivisions), regional departments of the State Security Committee – information about citizens who have undergone or should undergo military registration, which should be entered into the military registration documents;
- submit, within one week, information about cases of identification of citizens who have not undergone military registration, but should undergo it, as well as information about persons who have received cit-

izenship of the Republic of Belarus and are subject to military registration, to local executive and administrative bodies, military commissariats (standalone subdivisions), and submit such information related to citizens specified in Part Two of Article 17 hereof to the regional departments of the State Security Committee;

- upon written requests from military commissars (heads of standalone subdivisions) and heads of regional departments of the State Security Committee, present the available information about the place of stay of citizens who are subject to call-up for national service, in the case of their failure to fulfil the obligations provided for by this Law without established cause;
- ensure the protection of public order at recruiting (collecting) points during the period of conscription and departure of conscripted citizens for military or reserve service, as well as at conscript or equipment collecting (notification and collecting) points during the period of their departure for training or for carrying out mobilization activities.

The heads of bodies that carry out civil status registration are obliged to report information about changes of surname, name, patronym, marital status, date and place of birth by citizens who have undergone or should undergo military registration, as well as about the registration of their death to military commissariats (standalone subdivisions) within one week, and are obliged to report such information related to persons liable for military service who are registered or should be registered with the inactive reserve of the state security bodies to the regional departments of the State Security Committee.

The heads of agencies of inquiry or agencies in charge of pre-trial investigations are obliged to report within one week the initiation of criminal cases against citizens who have undergone or should undergo military registration, or the identification of them as suspects, or their arraignment, as well as the transfer of criminal cases against them to the prosecutor for referral to court, or the termination of criminal prosecution to the military commissariats (standalone subdivisions), and are obliged to present such information related to persons liable for military service who are registered or should be registered with the inactive reserve of the state security bodies to the regional departments of the State Security Committee.

The presidents of the courts of the Republic of Belarus are obliged to report within one week sentences that have taken legal effect or the termination of criminal proceedings against citizens who have undergone or should undergo military registration to military commissariats (standalone subdivisions), and are obliged to present such information related to persons liable for military service who are registered or should be registered with the inactive reserve of the state security bodies to the regional departments of the State Security Committee with the submission of military documents pertaining to citizens sentenced to public or corrective labour, custodial restraint, apprehension or imprisonment to the military commissariats (standalone subdivisions) or the regional departments of the State Security Committee.

The heads of the medical rehabilitation expert board are obliged to present within one week information on approved disability of citizens who have undergone or should undergo military registration to the military commissariats (standalone subdivisions), and are obliged to present such information about persons liable for military service, who are registered or should be registered with the inactive reserve of the state security bodies, to the regional departments of the State Security Committee.

The heads of the Republican state administration bodies, local executive and administrative bodies, and other organizations are personally responsible for ensuring the implementation of compulsory military service for citizens in accordance with the legislative acts of the Republic of Belarus.

Article 10. Responsibility of Citizens, Local Executive and Administrative Bodies and Officials in Case of Violation of This Law

Citizens who fail to appear at the place and within the time specified in the summons or referrals from the military commissariat (a standalone subdivision), the state security body or another body that carries out military registration without justifiable reason, who break the obligations related to military registration, evade the draft to national service, evade reservist training or classes and drill meetings, evade military registration, or refuse to receive the summons or referral from the military commissariat (a standalone subdivision), a state

security body or another body that carries out military registration, are brought to justice in accordance with the legislative acts of the Republic of Belarus.

Justifiable reasons for the failure of a citizen to appear in response to the summons or referral from the military commissariat (a standalone subdivision), the state security body or another body that carries out military registration are:

- maiming (injury, trauma, concussion) or illness of the citizen associated with the full loss of ability to work;
- grave conditions of the father, mother, stepfather, stepmother, wife, husband, son, daughter, full brothers and sisters, grandfather, grandmother, and the conservator of the citizen, or participation in the funeral of the above persons;
- an obstacle arising as a result of force majeure, or another circumstance beyond the control of the citizen;
- other reasons recognized as justifiable by the draft board (a military commissar, head of a standalone subdivision, state security body) or by the court.

The reasons for failure to appear must be confirmed by documents from the relevant authorities or organizations.

Local executive and administrative bodies that have created the draft boards are responsible for the harm inflicted to the state and citizens by the conscription for basic of reserve military service of citizens who are not subject to being called up for the basic military service or the reserve service for health reasons or other reasons. Compensation for the harm inflicted is carried out in accordance with the procedure established by the civil legislation of the Republic of Belarus.

Medical specialists participating in medical inspections; medical examinations or medical check-ups of citizens in connection with the registration with enlistment offices; the call-up for military service, reserve service, reservist training or voluntary engagement in military service; the heads, members and secretaries of the draft boards; officials of local executive and administrative bodies and other organizations who contribute to the evasion of implementation of military service obligation by the citizens or illegal call-up of the citizens for military or reserve service, who prevent citizens from fulfilling compulsory military service, or who fail to perform their duties established by laws and regulations of the Republic of Belarus are brought to justice in the manner established by the legislative acts of the Republic of Belarus.

CHAPTER 3. MILITARY REGISTRATION OF CONSCRIPTS AND PERSONS LIABLE FOR MILITARY SERVICE

Article 11. General Rules for Military Registration

All conscripts and persons liable for military service are subject to military registration. The operation of the military registration system is ensured by the Ministry of Defence of the Republic of Belarus, the State Security Committee of the Republic of Belarus, internal affairs bodies, local executive and administrative bodies, and other organizations.

The military registration of conscripts and persons liable for military service in local executive and administrative bodies, military commissariats (standalone subdivisions) and organizations is carried out in the manner determined by this Law and the Regulations on military registration, approved by the Government of the Republic of Belarus (hereinafter – the ‘Regulations on military registration’).

The military registration of persons liable for military service with the state security bodies is carried out in the manner determined by this Law and the Regulations on military registration with the state security bodies, approved by the Government of the Republic of Belarus.

The military registration of conscripts and persons liable for military service is subdivided into quantitative, personal-qualitative and personal-primary military registration. Persons liable for military service are also subject to the general or special military registration.

Article 12. Quantitative, Personal-Qualitative and Personal-Primary Military Registration

The quantitative and personal-qualitative military registration of conscripts and persons liable for military service is carried out by the military commissariats (standalone subdivisions); the quantitative and per-

sonal-qualitative military registration of persons liable for military service who are registered in the inactive reserve of state security bodies is carried out by the regional departments of the State Security Committee.

To carry out military registration, military commissariats (standalone subdivisions) receive gratuitously the personal data of citizens who have undergone or should undergo military registration of conscripts and persons liable for military service by means of a nationwide automated information system and/or other means. The collection, processing and submission of personal data of these citizens are carried out without their written consent in compliance with requirements of legislation of the Republic of Belarus on the protection of information with limited distribution and/or submission profile.

The personal-primary military registration of conscripts and persons liable for military service in rural areas, as well as in cities and towns that have no military commissariats (standalone subdivisions), is carried out by the relevant local executive and administrative bodies.

The personal-primary military registration of working (studying) conscripts and persons liable for military service is carried out by the state bodies and other organizations with which they work (study). These bodies and organizations are also responsible for filing proposals for the reservation of persons liable for military service in their own interests to the military commissariats (standalone subdivisions), and, in relation to persons liable for military service who are in the inactive reserve of the state security bodies, to the regional departments of the State Security Committee.

Article 13. General and Special Military Registration

The general military registration is applicable to persons liable for military service who are not reserved for the republican state administration bodies, other government bodies, or other organizations for the period of mobilization and wartime.

The special military registration is applicable to persons liable for military service who are duly reserved for the Republican state administration bodies, other government bodies, or other organizations for the period of mobilization and wartime.

Article 14. Initial Admission of Citizens for Military Registration

The initial admission for military registration of male citizens in the year they reach the age of 16 is carried out during their registration with the enlistment office. Citizens are registered with the enlistment offices every year in January–April at the place of their residence.

The military registration of female citizens after they have acquired a profession, as well as the registration of male citizens who have not been registered with the enlistment office in a timely manner, is carried out throughout the calendar year.

Article 15. Registration of Citizens with the Enlistment Offices

The registration of citizens with the enlistment offices is carried out by the commissions created by the regional, city district, city (cities of regional subordination) executive and administrative bodies with the following membership:

- chairman of the commission: a military commissar of the district (city) (head of a standalone subdivision);
- members of the commission: employees of the military commissariat (a separate subdivision), as well as medical specialists of the state healthcare organizations involved in medical inspections of conscripts: a surgeon, therapist, neurologist, psychiatrist, ophthalmologist, otorhinolaryngologist, dentist, and, if necessary, doctors of other specialties;
- secretary of the commission: from among the nursing personnel of the state healthcare organizations. The nursing personnel are engaged to support the work of medical specialists. The commissions for registration of citizens with the enlistment offices are responsible for:
 - organizing medical inspections for citizens subject to registration with the enlistment offices, as well as determining their fitness classification and their assignment for military service, or reserve service for health reasons;
 - referring to the state healthcare organizations citizens who require medical check-ups, treatment and supervision;

- considering issues related to the exemption of citizens from registration with the enlistment offices;
- determining the preliminary assignment of citizens for military service;
- preparing a preliminary selection of citizens to be sent on a voluntary basis to military educational institutions;
- selecting citizens who are fit for training in specialties affined to military occupational specialties based on their physical and other characteristics.

The heads of the state bodies and other organizations submit lists of citizens that are subject to registration with the enlistment offices to the corresponding military commissariats (standalone subdivisions) annually, within the time limits established by the legislation of the Republic of Belarus.

Citizens who are subject to registration with the enlistment offices are obliged to arrive to the military commissariats (standalone subdivisions) or enlistment offices within the time limits indicated in the summons of the military commissariat (a standalone subdivision) or another body that carries out military registration, and present the necessary documents. The list of required documents is given in the summons of the military commissariat (a standalone subdivision) or another body that carries out military registration.

Medical inspections for citizens subject to registration with the enlistment offices are carried out by medical specialists of the commissions for registration of citizens with the enlistment offices. The composition of the medical specialist team and nursing personnel is agreed with the heads of the relevant state healthcare organizations and is approved by decisions of local executive and administrative bodies upon the recommendation of the military commissioners (heads of standalone subdivisions).

If it is impossible to issue a medical opinion on the classification of a citizen's fitness for military service, or the reserve service for health reasons, the commission for registration of citizens with the enlistment office sends him for an outpatient or inpatient medical check-up to the state healthcare organizations to clarify the diagnosis.

A citizen registered with the enlistment office is given an army draft card; his rights and obligations, the rules of military registration and the procedure for the compulsory preparation for military service are explained to him.

Article 16. The article was removed.

Article 17. Military Registration and Deregistration. Final Removal from Military Registration

Citizens dismissed from military service and reserve service to the inactive reserve of the Armed Forces, state security agencies, as well as other citizens subject to military registration, shall undergo military registration with military commissariats (standalone subdivisions) or regional departments of the State Security Committee at their place of residence.

Citizens with the military rank of an officer dismissed from the state security bodies, a state guard body, or the Operational and Analytical Centre under the President of the Republic of Belarus to the inactive reserve of the state security bodies shall undergo military registration with the regional departments of the State Security Committee, except for citizens dismissed from these bodies on grounds established by Paragraphs Five and Six of Part Three and Paragraphs Three to Six of Part Four of Article 59 hereof.

In the case of changes to their place of residence, conscripts and persons liable for military service are subject to military registration with the military commissariat (a standalone subdivision) and (or) another body that carries out military registration at their new place of residence, and persons liable for military service who are registered in the inactive reserve of state security bodies are subject to military registration with the regional department of the State Security Committee at their new place of residence. The deregistration of conscripts and persons liable for military service from the military commissariat (a standalone subdivision), the regional department of the State Security Committee or another body that carries out military registration at their former place of residence, is carried out on the basis of a notification of their military registration at the new place of residence from the military commissariat (a standalone subdivision), the regional department of the State Security Committee, or another body that carries out military registration.

In the event of circumstances that prevent recruitment to the state security bodies, a state guard body, or the Operational and Analytical Centre under the President of the Republic of Belarus, persons liable for military

service who have undergone military registration with the regional department of the State Security Committee are subject to deregistration from the regional department of the State Security Committee by decision of the Chairman of the State Security Committee of the Republic of Belarus and are sent for military registration to the military commissariat (a standalone unit) at their place of residence and enrolment in the inactive reserve of the Armed Forces.

Citizens dismissed from the internal affairs bodies, the Investigative Committee of the Republic of Belarus, the State Committee for Forensic Expertise of the Republic of Belarus, the financial investigation bodies of the State Control Committee of the Republic of Belarus (hereinafter – the ‘financial investigation bodies’), and bodies and minor units in charge of emergency situations, who have special ranks (with the exception of male citizens of draft age who have served in the mentioned bodies for less than 24 months and have not completed the basic military or reserve service), are registered in the inactive reserve by the military commissar and are subject to military registration of persons liable for military service in the corresponding special ranks.

Male citizens of draft age dismissed from the bodies and minor units specified in Part Five of this Article (with the exception of cadets of educational institutions of the Ministry of Internal Affairs of the Republic of Belarus and the Ministry of Emergency Situations of the Republic of Belarus), who have served in these bodies and minor units for less than 24 months and have not passed basic military service or reserve service, are subject to the military registration of conscripts.

Citizens subject to military deregistration:

- citizens performing military service;
- citizens performing reserve service;
- citizens performing alternative service;
- citizens performing service in the internal affairs bodies, the Investigative Committee of the Republic of Belarus, the State Committee for Forensic Expertise of the Republic of Belarus, financial investigation bodies, bodies and minor units in charge of emergency situations, who have special ranks;
- citizens who have received a passport of a citizen of the Republic of Belarus for permanent residence outside the Republic of Belarus;
- citizens who are serving a sentence in the form of apprehension, custodial restraint or imprisonment.

Citizens subject to final removal from military registration:

- citizens who have been duly recognized as unfit for military service with final removal from military registration;
- citizens who have reached the age limit of an inactive reservist;
- women liable for military service with two or more children under the age of 16;
- citizens whose citizenship of the Republic of Belarus has been terminated;
- citizens who are serving a life sentence, or citizens sentenced to death;
- deceased citizens or citizens who have been duly recognized as missing or declared dead.

Article 18. Obligations of Citizens Related to Military Registration

In order to ensure military registration, citizens are obliged to:

- undergo registration with the military commissariat (a standalone subdivision) at their place of residence – or in localities with no military commissariats (standalone subdivisions), with local executive and administrative bodies – and with organizations at their place of work (study). Citizens transferred to the inactive reserve of state security bodies are obliged to undergo military registration with the regional department of the State Security Committee at their place of residence;
- appear at the established time and place on an on-call basis in response to a summons from the military commissariat (a standalone subdivision) at their place of residence, the state security body or another body that carries out military registration;
- upon dismissal from military service, alternative service, or reserve service to inactive reserve – as well as from service in the bodies and units specified in Part Five of Article 17 hereof – within one month from the date of their exclusion from the muster rolls of the military unit or from the date of discharge from

alternative service, appear before the military commissariat (a standalone subdivision) at their place of residence or another body that carries out military registration – citizens specified in Part Two of Article 17 hereof are obliged to appear before the regional department of the State Security Committee at their place of residence for military registration;

- within one week, report changes of marital status, education, place of work (study), place of residence within an administrative division, or place of stay to the military commissariat (a standalone subdivision) at the place of residence or another body that carries out military registration; persons liable for military service who are registered in the inactive reserve of the state security bodies report to the regional department of the State Security Committee at the place of residence;
- in the event of a change of place of residence within the Republic of Belarus, undergo military registration within one month at their new place of residence. In the event of denial of registration at the new place of residence, the citizens are obliged, within five working days from the date of receipt of a written denial of registration at the new place of residence, to undergo military registration at their former place of residence;
- in the event of travelling abroad for a period of more than six months, appear in person before the military commissariat (a standalone subdivision) at their place of residence – persons liable for military service who are registered in the inactive reserve of the state security bodies are obliged to appear before the regional department of the State Security Committee at the place of residence, and report on travelling abroad; upon arrival from the state of temporary residence, within one month, appear in person before the military commissariat (a standalone subdivision) at the place of residence – persons liable for military service who are registered in the inactive reserve of the state security bodies are obliged to appear before the regional department of the State Security Committee at the place of residence and report about the arrival;
- have and retain an army draft card, a military record card, or a military record card of an inactive reserve officer (a temporary ID issued to replace a military record card, a military record card of an inactive reserve officer), the regulations on which are approved by the Ministry of Defence of the Republic of Belarus. In the case of document loss, citizens are obliged to enquire with the military commissariat (a standalone subdivision) within one week at the place of residence, unless they are abroad;
- have and retain a military record card of an inactive reserve officer of state security bodies (a temporary ID issued to replace a military record card of an inactive officer), the regulation on which is approved by the State Security Committee. In the case of document loss, citizens are obliged to enquire with the regional department of the State Security Committee within one week at their place of residence, unless they are abroad;
- perform other duties established by the Regulations on military registration and/or Regulations on military registration with state security bodies.

Citizens who are subject to being called up for military or reserve service who are leaving their place of residence during the call-up period for over a month should personally inform the military commissariat (a standalone subdivision) thereof at their place of residence.

CHAPTER 4. COMPULSORY AND VOLUNTARY PREPARATION OF CITIZENS FOR MILITARY SERVICE

Article 19. Compulsory Preparation of Citizens for Military Service

The compulsory preparation of citizens for military service involves:

- acquiring basic knowledge in the field of armed defence of the state;
- pre-reservist training and fitness conditioning;
- patriotic education;
- medical support for the preparation of citizens for military service;
- training as part of preparation programmes for inactive reserve medical officers.

The compulsory preparation of citizens for military service is carried out in the manner prescribed by the legislation of the Republic of Belarus.

Article 20. Acquisition of Basic Knowledge in the Field of Armed Defence of the State by the Citizens

The acquisition of basic knowledge in the field of armed defence of the state is carried out in accordance with the educational standards.

Article 21. Pre-Reservist Training and Fitness Conditioning

Pre-reservist training and fitness conditioning are organized by the Ministry of Education of the Republic of Belarus.

Pre-reservist training and fitness conditioning are carried out when the citizens are undergoing stage III general secondary education in institutions of general secondary education in accordance with the educational standards.

Pre-reservist training is carried out by the heads of pre-reservist training who have received the appropriate qualifications. Fitness conditioning is carried out by the teaching staff.

Article 22. Patriotic Education

Patriotic education is arranged by the bodies of local government and self-government and is carried out in cooperation with the state bodies that provide for military service, other state bodies, public associations and other organizations.

Article 23. Medical Support of the Preparation of the Citizens for Military Service

Medical support for citizens preparing for military service is carried out at the place of residence or work (study) of the pre-conscripts and conscripts by the relevant state healthcare organizations and involves:

- medical prevention;
- medical check-ups;
- treatment;
- medical rehabilitation and prosthetic repair;
- other activities related to medical care for the pre-conscripts and conscripts.

Medical support for citizens preparing for military service is rendered to citizens from the age of 14 until their registration with the enlistment offices and to conscripts until they reach the age of 27.

The procedure for arranging and rendering medical support for the preparation of citizens preparing for military service is established by the Ministry of Health of the Republic of Belarus in collaboration with the Ministry of Defence of the Republic of Belarus.

Article 24. Voluntary Preparation of Citizens for Military Service

The voluntary preparation of citizens for military service involves:

- engaging in applied military sports;
- training in military-technical specialties and specialties affined to military occupational specialties;
- training under programmes that provide for reservist training for citizens of minority age;
- training under the preparation programmes for junior leaders in military departments or faculties;
- training under the preparation programmes for inactive reserve officers in military departments or

faculties.

The voluntary preparation of citizens for military service is carried out in the manner prescribed by the legislation of the Republic of Belarus.

Article 25. Engagement in Applied Military Sports

Citizens who are subject to being called up for military service may be engaged in applied military sports in Republican state and public associations, public associations, educational institutions, clubs and specialized sports clubs, regardless of their departmental affiliation.

Article 26. Preparation of Citizens in Military-Technical Specialties and Specialties Affined to Military Occupational Specialties

The preparation of citizens in military-technical specialties and specialties affined to military occupational specialties is carried out by the Republican state-public association 'Voluntary Army, Aviation and Navy Aid Society of the Republic of Belarus', its organizations and educational institutions.

Male citizens who have reached the age of 17, and who are physically qualified for military service and subject to call-up for basic military service after graduation, are sent to training in military-technical specialties.

The list of specialties affined to military occupational specialties, the curricula and the procedure for the professional training are approved by the Ministry of Defence of the Republic of Belarus, other state bodies that provide for military service, in consultation with the Ministry of Education of the Republic of Belarus.

The number of citizens subject to preparation in military-technical specialties and specialties affined with military occupational specialties is determined in the manner established by the Government of the Republic of Belarus.

Article 27. Education under Programmes Providing for Reservist Training of Citizens of Minority Age

Education under programmes providing reservist training for citizens of minority age is carried out at the educational institution 'Minsk Suvorov Military School', as well as other institutions of general secondary education in the cases and manner established by the legislation of the Republic of Belarus.

Article 28. Training under the Preparation Programmes for Junior Leaders in Military Departments or Faculties

Male citizens receiving daytime vocational secondary education or degree I higher education and who have not passed basic military or reserve service can be trained in military departments or faculties under junior leader preparation programmes approved by the Ministry of Defence of the Republic of Belarus.

Article 29. Training under the Preparation Programmes for Inactive Reserve Officers in Military Departments or Faculties

Male citizens receiving daytime vocational secondary education or degree I higher education can undergo training under the preparation programmes for inactive reserve officers approved by the Ministry of Defence of the Republic of Belarus.

The training of citizens who have not completed basic military or reserve service under the preparation programmes for inactive reserve officers is carried out in military departments or faculties, with the exception of students in military occupational specialties, the list of which is approved by the Ministry of Defence of the Republic of Belarus only after they have received training under the preparation programmes for junior leaders.

Female citizens can undergo training under the preparation programmes for inactive reserve officers in certain military occupational specialties by decision of the Minister of Defence of the Republic of Belarus.

Male citizens who have completed basic military service, reserve service are enrolled for training under the preparation programmes for inactive reserve officers without completing training under the preparation programmes for junior leaders.

The education of citizens in military departments or faculties is included in the curricula as a separate academic subject.

Citizens who have completed a full course of training under the preparation programmes for inactive reserve officers and passed the final exams are awarded the military rank of 'inactive reserve lieutenant' ('junior inactive reserve lieutenant') in the order prescribed by the legislation of the Republic of Belarus.

The list of vocational secondary educational institutions and higher education establishments that train citizens in military departments or faculties is approved by the Government of the Republic of Belarus.

The list of military occupational specialties for the preparation of the citizens under training programmes for junior leaders and inactive reserve officers in military departments or faculties is approved by the Ministry of Defence of the Republic of Belarus.

Republican state administration bodies, to which vocational secondary educational institutions and higher education establishments with military departments or faculties are subordinated, create a material and technical base, and participate in the selection and preparation of academic teaching staff of military departments or faculties under the auspices of the Ministry of Defence of the Republic of Belarus.

Article 29.1. Training under Preparation Programmes for Inactive Reserve Medical Officers

Male citizens who are physically qualified for military service in wartime and who are receiving a daytime degree I higher education in specialties (fields of specialties, specializations) categorized as 'healthcare', the list of which is approved by the Ministry of Defence of the Republic of Belarus and the Ministry of Health of the Republic of Belarus, are trained in military departments and faculties under the preparation programmes for inactive reserve medical officers, approved by the Ministry of Defence of the Republic of Belarus.

Citizens who have completed a full course of training under the preparation programmes for inactive reserve medical officers and passed the final exams are awarded the military rank 'inactive reserve medical lieutenant' in the manner prescribed by the legislation of the Republic of Belarus. The Ministry of Health of the Republic of Belarus creates a material and technical base, participates in the selection and preparation of academic teaching staff of military departments or faculties of higher educational institutions that provide training with the education profile of as 'healthcare' education profile under the auspices of the Ministry of Defence of the Republic of Belarus.

CHAPTER 5. CALL-UP OF CITIZENS FOR MILITARY SERVICE OR RESERVE SERVICE

Article 30. Citizens Who Are Subject to Call-Up for Military Service or Reserve Service

Citizens who are subject to call-up for military service, or reserve service:

- for basic military service or reserve service: male citizens aged between 18 and 27 who have undergone or should undergo military registration and who are not registered in the inactive reserve (hereinafter – the 'citizens not registered in the inactive reserve');
- for military service of conscripted officers: male citizens under the age of 27 who have completed training under the preparation programmes for inactive reserve officers in military departments or faculties and passed final exams, and who are registered in the inactive reserve and have the military rank of officer (hereinafter – the 'citizens registered in the inactive reserve with the conferment of the military rank of officer');
- for mobilization military service: citizens aged between 18 and 65 who have undergone or should undergo military registration.

Citizens who, in accordance with this Law, are exempt from being called up for military service or reserve service, or citizens who have the right to a deferment from call-up, are not called up for military service or reserve service.

Article 31. Citizens Exempt from Military Service, Reserve Service or Citizens Not Liable for Military Service or Reserve Service

Citizens who are exempt from being called up for basic military service, military service of conscripted officers or reserve service:

- citizens disqualified for military service for health reasons with final removal from the military register;
- citizens whose fathers, mothers, full brothers or sisters – when serving as servicepersons, senior officers and junior enlisted soldiers of the internal affairs bodies, the Investigative Committee of the Republic of Belarus, the State Committee for Forensic Expertise of the Republic of Belarus, financial investigation bodies, and bodies and minor units in charge of emergency situations – were killed, died, or became disabled (disability group I or II) as a result of maiming (injury, trauma, concussion) or illness suffered while undertaking military service duties (official duties), as well as citizens who are orphans or deprived of parental care;
- citizens who have the right to be exempted from call-up on this basis can be called up for military or reserve at their request;
- citizens who have three or more children;
- citizens who have undertaken military service or fulfilled compulsory military service in another state.

Citizens who are disqualified for military service for health reasons with final removal from the military registration are exempt from being called up for mobilization military service.

Citizens who are not subject to call-up for basic military service, military service of conscripted officers, or reserve service:

- citizens who have served a prison sentence in correctional facilities;
- citizens who have a criminal record;
- citizens who have had compulsory security and treatment measures applied by the court– during the period of application of these measures;

- citizens who are criminally prosecuted or whose criminal case has been transferred to the prosecutor for referral to court, or for whom judicial proceedings are carried out.
Citizens who are not subject to call-up for mobilization military service:
- citizens serving a sentence in the form of imprisonment, custodial restraint or apprehension;
- citizens who have had compulsory security and treatment measures applied by the court – during the period of application of these measures;
- citizens who are criminally prosecuted or whose criminal case has been transferred to the prosecutor for referral to court, or in respect of whom the judicial proceedings are carried out.

Article 32. Deferment from Call-Up of Citizens for Military Service, Reserve Service

A deferment from call-up for basic military service or reserve service is granted to citizens:

- because of their state of health;
- who wish to continue education;
- who wish to pursue an internship and pass a qualifying exam in the internship speciality;
- because of their marital status;
- who wish to master military-technical specialties;
- in connection with the undertaking of parliamentary obligations;
- on the basis of decrees of the President of the Republic of Belarus.

A deferment from call-up for basic military service, or the reserve service for health reasons, is granted to citizens who have been deemed temporarily physically unfit for military service, or reserve service for health reasons, for a period of up to one year.

A deferment from call-up for basic military service, or reserve service for citizens who wish to continue education, is granted for the period of study:

- students completing general secondary education;
- students receiving vocational education, vocational secondary education on a daytime basis, students receiving degree I higher education on a daytime basis;
- citizens who study abroad in educational institutions on a daytime basis, including those sent to study by the Republican state administration bodies (state organizations) under state programmes.

A deferment from call-up for basic military service – or reserve service for citizens who wish to continue education, which is provided for in paragraphs three and four of part three of this Article – is granted once. This requirement does not apply to citizens studying abroad who were sent to study by the Republican state administration bodies (state organizations) under state programmes.

A deferment from call-up for basic military service, or reserve service for citizens who wish to pursue an internship and pass a qualifying exam in the internship speciality, is granted to intern doctors for the period of the internship and qualification exam in the internship speciality.

A deferment from call-up for basic military service, or reserve service because of marital status is granted to citizens who have:

- disabled parents or other family members who require constant nursing care owing to their state of health – which should be confirmed by the opinion of the medical consultative (medical rehabilitation expert) board – and who do not receive full state support, and who are – in the absence of other able-bodied persons living in the territory of the Republic of Belarus – obliged to support and take care of the said family members in accordance with the legislation of the Republic of Belarus, regardless of whether they live with them or not, or where they are undertaking basic military service, reserve service, or alternative service;
- a pregnant wife, if there are supporting documents;
- a wife and a child under the age of three;
- a wife with a group I or II disability;
- child with a disability;
- a child who is brought up without a mother;

- two children;
- a mother (or father) who is not in a registered marriage and does not have other able-bodied children, or who has one child under the age of three, two or more children under the age of 18, a disabled child under the age of 18, or a child over 18 years who is a person with a group I or II disability, or a mother who is over 28 weeks pregnant who is not in a registered marriage and does not have other able-bodied children;
- one or more full brothers and sisters under the age of 18, or over the age of 18, if they are receiving general secondary, vocational, vocational secondary education, or are persons with a group I or II disability, in the absence of other persons who can support them.

Disabled parents are a father and a mother who have reached the generally established retirement age or a father and a mother who are persons with a group I or II disability, regardless of their age. In the event that two sons are subject to call-up for basic military service or reserve service at the same time, the deferment from the conscription is granted to one of them at the request of parents or a person in loco parentis.

A deferment from call-up for basic military service, or reserve service for citizens who want to master military-technical specialties, is granted to those studying in relevant organizations, if they were sent to study by the military commissariats (standalone subdivisions), for the period of study.

A deferment from call-up for basic military service or reserve service in connection with the undertaking of parliamentary obligations is granted to citizens for the duration of their term in office or of their related duties.

A deferment from call-up for military service is applied to citizens registered in the inactive reserve with the conferment of the military rank of officer on the grounds provided for by:

- Part Two, Paragraphs Two, Five and Seven of Part Six and Part Nine of this Article;
- Paragraph Four of Part Three of this Article (in relation to citizens who were sent to study abroad by the Republican state administration bodies (state organizations) under state programmes.

Citizens not registered in the inactive reserve – if the grounds for the deferment from call-up for basic military service, reserve service granted to them became invalid, as well as citizens who have no right to this deferment, or if no grounds exist for their exemption from call-up as provided for in Article 31 hereof – who have not been conscripted for basic military service or reserve service are called up in the manner prescribed by this Law.

Citizens entitled to a deferment from call-up for basic military service or reserve service can be called up for basic military service or reserve service upon their written request.

Citizens who have been granted a deferment from call-up for basic military service or reserve service (with the exception of citizens who have been granted a deferment for health reasons) may be subject to a medical inspection and check-up before the expiration of the deferment from call-up.

The categories of citizens entitled to a deferment from call-up for mobilization military service are determined in accordance with the Law of the Republic of Belarus dd. October 26, 2000 'On mobilization preparation and mobilization' (National Register of Legal Acts of the Republic of Belarus, 2000, No. 112, 2/224).

Citizens entitled to a deferment from mobilization military service may be called up for mobilization military service upon their written request.

Article 33. Periods of Call-Up of Citizens for Military Service, Reserve Service

The call-up of citizens for basic military service or reserve service is carried out within the periods established by the decree of the President of the Republic of Belarus.

The call-up of citizens for military service of conscripted officers is carried out within the periods established by the decree of the President of the Republic of Belarus.

The call-up of citizens for mobilization military service is carried out from the day of the announcement of mobilization in the Republic of Belarus, the imposition of martial law and the onset of wartime.

Article 34. Organization of Call-Up of Citizens for Military Service, Reserve Service

The call-up of citizens for basic military service or reserve service involves the following activities:

- appearing for medical inspections or check-ups;
- carrying out medical inspections or check-ups;

- participating in meeting of the draft board;
- for conscripted citizens, appearing before the military commissariat (a standalone subdivision) or the recruiting (collecting) point for departure to the location for basic military service or reserve service preparation, or presence in the military commissariat (a standalone subdivision) or the recruiting (collecting) point for departure to the location for basic military service or reserve service preparation;
- the departure of conscripted citizens to the location for basic military service or reserve service preparation;
- for citizens for whom a decision has been made to replace national service with alternative service, appearing before the military commissariat (a standalone subdivision) or the recruiting (collecting) point to receive a referral to the labour, employment and social protection body at their place of residence, or presence in the military commissariat (a separate subdivision) or the recruiting (collecting) point before receipt of a referral to the labour, employment and social protection body at the place of residence.

The call-up of citizens for basic military service or reserve service is organized by the head of the local executive and administrative body together with the military commissar (head of a standalone subdivision). The call-up of citizens for basic military service or reserve service is carried out by the draft board.

In the event of the evasion of call-up for basic military service or reserve service by citizens – who are not registered in the inactive reserve until they reach the age of 27, which makes it impossible to notify them of the request to fulfil the measures on basic military service or reserve service call-up – or in the event of their failure to fulfil the military registration obligation established by this Law, upon the attainment of the age of 27 by these citizens, the district (city) draft board, with due account for the totality of the facts and circumstances of the committed violations, may decide, if the fact of evasion is established by the legally effective court decision, to declare such citizens as those who have not performed the conscript military service without any legal basis.

The call-up of citizens for military service of conscripted officers involves the following activities :

- appearing for medical inspections or check-ups and appearing before the military commissar for a decision on the call-up for military service;
- carrying out medical inspections or check-ups;
- appearing before the military commissariat (a standalone subdivision) and receiving orders to depart to the place of military service.

The call-up for military service of citizens specified in Part Four of this Article is arranged and carried out by the military commissar.

In the event of the evasion of call-up for military service by citizens registered in the inactive reserve with the conferment of the military rank of officer until they reach the age of 27, or in the event of their failure to fulfil the military registration obligation established by this Law, which made it impossible to notify them of the request to attend the measures on military service of conscripted officers, upon the attainment of the age of 27 by these citizens, the military commissar with due account for the totality of the facts and circumstances of the committed violations, may decide, if the fact of evasion is established by the legally effective court decision, to declare such citizens as those who have not performed the conscript military service without any legal basis.

The procedure for the call-up of citizens for military service or reserve service is established by this Law, the Regulation on call-up of citizens for basic military service or reserve service, approved by the Government of the Republic of Belarus and other instruments of legislation of the Republic of Belarus.

The call-up of citizens for mobilization military service involves the following activities:

- for citizens, appearing before the military commissariat (a standalone subdivision), the regional department of the State Security Committee, or at the collecting (notification and collecting) point or recruiting point;
- the presence in the military commissariat (a standalone subdivision), the regional department of the State Security Committee, at the collecting (notification and collecting) point or recruiting point for the departure to the location for undertaking mobilization military service;
- for conscripted citizens, departing to the location for undertaking mobilization military service;

- appearing for medical inspections or check-ups under the direction of the military commissariat or regional department of the State Security Committee;
- carrying out medical inspections or check-ups under the direction of the military commissariat or regional department of the State Security Committee.

The call-up of citizens for mobilization military service is carried out by the military commissar (in the case of persons liable for military service who have undergone military registration with the state security bodies – by the head of the regional department of the State Security Committee) together with the head of the local executive and administrative body.

Article 35. District (City) Draft Boards

To conduct the call-up of citizens for basic military service, reserve service, the regional, city district, city (cities of regional subordination) executive and administrative bodies create draft boards with the following membership:

- head of the board: a deputy head of the local executive and administrative body;
- members of the board: a military commissar of the district (city) (head of a standalone subdivision); a deputy head of the department, division of internal affairs of the city, or district executive committee (local administration); a head (deputy head) of the central district (city) healthcare organization; and a doctor supervising the work of medical specialists on medical inspections of citizens subject to call-up for basic military service or reserve service;
- secretary of the board: appointed from among the nursing personnel of the state healthcare organizations.

The personnel composition of the district (city) draft board is approved by decision of the local executive and administrative body.

Deputies, representatives of labour, employment and social protection committees of regional (Minsk city) executive committees and labour, employment and social protection departments (divisions) of city, regional executive committees, public associations and other organizations can participate in the work of the district (city) draft board.

Article 36. Obligations of the District (City) Draft Board Related to Call-Up of Citizens for Basic Military Service, Reserve Service

In the course of the call-up of citizens for basic military service or reserve service, the district (city) draft board is obliged to arrange for a medical inspection of citizens and make one of the following decisions in relation to them:

- call-up for basic military service or reserve service;
- replacement of national service with alternative service;
- refusal to replace national service with alternative service and call-up for basic military service or reserve service;
- granting of deferment from call-up for basic military service or reserve service;
- exemption from call-up for basic military service or reserve service and enrolment in the inactive reserve;
- enrolment in the inactive reserve;
- exemption from call-up for basic military service, reserve service and removal from military registration.

Decisions on the call-up of citizens for military service or reserve service can be made only after they reach the age of 18.

When deciding whether to call up a citizen for basic military service or reserve service, the district (city) draft board determines the military branch and service arm of the Armed Forces or other military formations in which the citizen can undergo basic military service or reserve service.

In the event of the evasion of call-up for basic military service or reserve service by citizens, the district (city) draft board makes a decision based on the submission of relevant materials to the territorial bodies of internal affairs at the place of residence of these citizens to bring them into line with the legislative acts of the Republic of Belarus.

The district (city) draft board is also obliged to arrange a medical inspection for citizens who wish to enrol in military educational institutions and to decide whether to allow them to pass entrance examinations or to deny such a referral.

The decision of the district (city) draft board is adopted by a majority of votes of the entire board and is announced to the conscript.

Upon the request of the conscript, in respect of whom the decision of the district (city) draft board has been made, they are given a copy of the corresponding decision.

The decision of the district (city) draft board may be appealed by the citizen to the relevant regional (Minsk city) draft board or to the court within a week of the date of such decision and its announcement to the citizen – and, in the absence of the citizen at the meeting of the draft board, within a week of the day he received a copy of this decision in the military commissariat (a standalone subdivision), which should be issued to the citizen against their written acknowledgement. In this case, the implementation of the decision of the district (city) draft board is suspended until the decision is made by the regional (Minsk city) draft board or until the court decision becomes valid.

The district (city) draft board reconsiders its decision upon the occurrence (establishment) of the circumstances specified in Articles 31-32 hereof, as well as upon its cancellation by the regional (Minsk city) draft board or entry into legal force of the court decision.

Article 37. Obligations and Powers of the Regional (Minsk City) Draft Board Related to Call-Up of Citizens for Basic Military Service, Reserve Service

To manage the district (city) draft boards and control their activities, the regional (Minsk city) executive committees create the corresponding regional (Minsk city) draft boards with the membership as follows:

- head of the board: a deputy head of the regional (Minsk city) executive committee;
- members of the board: a military commissar of the region (city of Minsk), a deputy head of the department (principal department) of internal affairs of the regional (Minsk city) executive committee and a deputy head of the healthcare department of the regional (deputy head of the healthcare committee of the Minsk city) executive committee;
- secretary of the board.

The personnel composition of the regional (Minsk city) draft board is approved by decision of the corresponding regional (Minsk city) executive committee.

Regional (Minsk city) draft boards are obliged to:

- arrange medical inspection for citizens called up for basic military service or reserve service before their departure to military units, as well as to verify the validity of the decisions of district (city) draft boards to exempt citizens from call-up for basic military service or reserve service for health reasons;
- arrange for a control medical inspection of citizens who have declared their dissent with the results of the medical inspection and the decision of the district (city) draft board;
- provide methodological guidance of the activities of the district (city) draft boards;
- monitor the validity of the call-up of citizens for basic military service or reserve service;
- consider complaints of citizens called up for basic military service or reserve service related to the decisions of district (city) draft boards.

The decision of the regional (Minsk city) draft board is adopted by a majority of votes of the entire board. In the case of an equal number of votes, the decisive vote belongs to the head of the regional (Minsk city) draft board.

The decision of the regional (Minsk city) draft board is announced to the conscript. At the request of the conscript, in respect of whom the decision of the regional (Minsk city) draft board has been made, they are given a copy of the corresponding decision.

The regional (Minsk city) draft board has the right to revise and cancel the decisions of the lower-level draft boards. In case of cancellation of the decision of the lower-level draft board, the regional (Minsk city) draft board is obliged to make one of the decisions specified in Part One of Article 36 hereof.

The decisions of the regional (Minsk city) draft board are mandatory for the lower-level draft boards.

The decision of the regional (Minsk city) draft board on the complaint of the citizen can be appealed in court within a week of the date of such decision and its announcement to the citizen – and, in the absence of the citizen at the meeting of the draft board, within a week of the day he received a copy of this decision in the military commissariat (a standalone subdivision), which should be issued to the citizen against their written acknowledgement. In this case, the implementation of the decision of the district (Minsk city) draft board is suspended until the court decision becomes valid.

Article 37.1. Obligations of the Military Commissar of the Region (City) and Head of the Regional Department of the State Security Committee Related to the Call-Up of Citizens for Mobilization Military Service

In the course of call-up of citizens for mobilization military service, the military commissar of the region (city) and the head of the regional department of the State Security Committee are obliged to make one of the following decisions in relation to the citizens:

- call-up for mobilization military service;
- granting of deferment from call-up for mobilization military service;
- exemption from call-up for mobilization military service and removal from military registration.

The decision is announced to the citizen.

In the event of the evasion of measures for call-up for mobilization military service by the citizens, the military commissar of the district (city) and the head of the regional department of the State Security Committee makes a decision based on the submission of relevant materials to the territorial bodies of internal affairs at the place of residence of these citizens to bring them in line with the legislative acts of the Republic of Belarus.

The decisions of the military commissar of the district (city) and the head of the regional department of the State Security Committee can be appealed by citizens within a week of the date of their announcement in court in the manner prescribed by the legislation of the Republic of Belarus. The implementation of the decisions of the military commissar of the region (city) and the head of the regional department of the State Security Committee shall not be suspended until the court decision becomes valid.

Article 38. Medical Inspections, Check-Ups and Examinations of Citizens Who Are Subject to Call-Up for Military Service or Reserve Service

Citizens who are subject to call-up for military service or reserve service undergo a medical inspection by medical specialists: a surgeon, therapist, neurologist, psychiatrist, ophthalmologist, otorhinolaryngologist, and dentist, and, if necessary, by other specialist doctors. Nursing personnel are involved in the medical inspection of these citizens; military medical specialists can also be involved.

If it is impossible to issue a medical opinion on the classification of fitness of the citizen for military service or reserve service during the medical inspection, the citizen is sent for an outpatient or inpatient medical check-up to the state healthcare organization to clarify the diagnosis.

In the course of measures on call-up of citizens for mobilization military service, citizens listed below are subject to compulsory medical examination:

- citizens who complained about their state of health when they were sent to the place of mobilization military service;
- citizens intended for mobilization military service in military ranks that provide for mandatory medical examinations during performance of military service.

In the course of measures for citizens for mobilization military service, citizens listed below are subject to compulsory medical inspection:

- citizens who underwent or should undergo military registration of conscripts;
- citizens who were not sent from the collecting (notification and collecting) points or recruiting points by the results of medical examination;
- citizens who were returned from the reception station of the military unit to the military commissariat (a standalone subdivision) or the regional department of the State Security Committee and were not enlisted in the Armed Forces, other military formations following the results of medical examination.

The procedure for arranging and conducting medical inspections for citizens who are subject to call-up for military service or reserve service is established by the Regulations on military medical expertise, approved by the Government of the Republic of Belarus (hereinafter – the 'Regulations on military medical expertise').

Article 39. Obligations of Citizens Who Are Subject to Call-Up for Military Service or Reserve Service, and the Procedure for Their Notification

Citizens who are subject to call-up for military service or reserve service are obliged to:

- appear in response to the summons or referrals from the military commissariat (a standalone subdivision), the regional department of the State Security Committee or another body that carries out military registration before the military commissariat (a standalone subdivision) or the regional department of the State Security Committee for a medical inspection, a medical examination, a meeting of the draft board (before the military commissar), departure to the military units for performance of military service or reserve service (to receive an order to depart to the place of military service), or to receive a referral to the labour, employment and social protection body at their place of residence, as well as to be present at the military commissariat (a standalone subdivision) or the regional department of the State Security Committee at the recruiting (collecting) point and at the collecting (notification and collecting) point before the departure to the place of military service or reserve service, or to receive a referral to the labour, employment and social protection body at the place of residence;
- receive the summons or referral from the military commissariat (a standalone subdivision), the regional department of the State Security Committee or another body that carries out military registration, against written acknowledgement.

The notification of citizens who are subject to call-up for military service or reserve service and who have not received the summons or referral related to the request to fulfil call-up measures for military service or reserve service from the military commissariat (a standalone subdivision), the regional department of the State Security Committee or another body that carries out military registration is carried out by registered mail with confirmation of the delivery at their place of residence and is considered to be duly performed.

Citizens who are subject to call-up for military service or reserve service and who have failed to fulfill call-up measures for military service or reserve service in response to the summons or referral from the military commissariat (a standalone subdivision), the regional department of the State Security Committee or another body that carries out military registration, should arrive to the military commissariat (a standalone subdivision) or the regional department of the State Security Committee in which they underwent military registration and submit documents confirming the reasons for the failure to attend within five working days of the date of completion of the circumstances that prevented them from attending the specified measures.

CHAPTER 6. ENTRY OF CITIZENS INTO VOLUNTEER MILITARY SERVICE

Article 40. Entry of Citizens into Volunteer Military Service and a Military Service Contract

Citizens who meet the requirements established by this Law may be voluntarily enrolled into military service on a contract basis.

A military service contract is concluded by a citizen with the Ministry of Defence of the Republic of Belarus or another state body that provides for military service.

The procedure for concluding the contract and its terms and conditions, as well as the form of standard contracts for military service, is established by the regulatory acts of the Ministry of Defence of the Republic of Belarus and other state bodies that provide for military service.

Servicemen appointed to the posts of the Minister of Defence of the Republic of Belarus or another head of a state body that provides for military service perform the military service without concluding a military service contract. A military service contract that has been concluded by these servicemen prior to their appointment to these positions shall be terminated. These servicemen will retain the status of voluntary enlistees.

Servicemen recruited for appointment to a position to government agencies and other organizations that perform military service in the relevant authorities under a military service contract concluded in accordance

with the established procedure with the detachment authority. After the expiration of the previously concluded contract, the subsequent contracts are concluded with the detachment authority as well.

Other relations associated with the military service contract, including the grounds for its termination or annulment, are regulated by this Law, the Regulation on the procedure for performance of military service approved by the President of the Republic of Belarus (hereinafter – the 'Regulation on the procedure for performance of military service') and other instruments of the legislation of the Republic of Belarus that determine the procedure for the performance of military service and the status of servicemen.

Article 41. Requirements to Citizens Enrolled for Volunteer Military Service

A citizen who wishes to be enrolled for volunteer military service must meet the medical, professional and psychological requirements established for undertaking military service or for a specific military occupational speciality.

To determine the compliance of a citizen with the established requirements, a medical inspection and measures on professional and psychological selection are carried out.

The medical inspection of citizens is carried out in accordance with the Regulation on military medical expertise. Based on the results of the medical inspection, a medical opinion on the classification of the health-related fitness for military service of the citizen is issued. A citizen who has been classified as fit for military service or fit for military service with minor restrictions may be admitted to the volunteer military service.

Activities related to professional and psychological selection are carried out by the relevant specialists in the manner prescribed by the regulatory legal acts of the Ministry of Defence of the Republic of Belarus and other state bodies that provide for military service. Based on the results of the selection, a medical opinion on the professional suitability of a citizen for volunteer military service in a specific military rank is issued.

In addition to the requirements specified in Part One of this Article, a citizen who wishes to be enrolled for volunteer military service must meet the requirements set for the level of education, professional and physical fitness.

Article 42. Conclusion of a Military Service Contract

A military service contract may be concluded with:

- servicemen undergoing basic military service who have served at least six months;
- servicemen called up for military service of conscripted officers after three months of military service;
- persons liable for military service;
- male citizens who are not registered in the inactive reserve and have reached the age of 18 – for the ranks of soldiers, sailors, sergeants and petty officers. These citizens are not exempt from call-up measures for basic military service or reserve service established by this Law before they conclude a military service contract;
- female citizens who are not registered in the inactive reserve and have reached the age of 19;
- servicemen whose previous military service contract is about to expire;
- other citizens on the basis of decrees of the President of the Republic of Belarus.
- citizens who meet the requirements established for the undertaking of military service may be enrolled for voluntary military service in the ranks of soldiers, sailors, sergeants and petty officers, warrant officers and midshipmen:
- citizens under the age of 35 if it is their first time undertaking military service;
- inactive reserve soldiers and sailors, sergeants and petty officers, warrant officers and midshipmen – if they are under the age of 40 and have been dismissed from military service previously on the grounds provided for in Paragraphs Three and Seven of Part Three, Paragraph Two of Part Four, Parts Five and Nine of Article 59 hereof, or dismissed on similar grounds from service in the internal affairs bodies, the Investigative Committee of the Republic of Belarus, the State Committee for Forensic Expertise of the Republic of Belarus, financial investigation bodies, agencies and units in charge of emergency situations, and in isolated cases – and if they are over the age of 40, by decision of the Minister of Defence of the Republic of Belarus or another head of a state body, which provides for military service.

Citizens who meet the requirements established for the performance of military service may be enrolled in voluntary military service in the ranks of officers:

- citizens under the age of 35 if it is their first time undertaking military service;
- inactive reserve officers – if they are under the age of 40 and have been dismissed previously from military service on the grounds provided for in Paragraph Three of Part Three, Paragraph Two of Part Four, Parts Five and Nine of Article 59 hereof, or dismissed on similar grounds from service in the internal affairs bodies, the Investigative Committee of the Republic of Belarus, the State Committee for Forensic Expertise of the Republic of Belarus, financial investigation bodies, agencies and units in charge of emergency situations, and in isolated cases – and if they are over the age of 40, by decision of the President of the Republic of Belarus.

The selection of citizens for voluntary military service and their enlistment in voluntary military service in the Armed Forces and other military formations are arranged and carried out in the manner determined by the Ministry of Defence of the Republic of Belarus and other state bodies that provide for military service, respectively.

The entry of citizens into voluntary military service in the Armed Forces or other military formations is formalized by the orders of the relevant officials.

Determination of the compliance of citizens with the requirements established for the voluntary enlistees is the responsibility of the assessment committees of military units.

The grounds for denying the conclusion of a contract to a person entering military service are:

- an absence in the Armed Forces or other military formations of vacant military ranks that correspond to the specialty acquired by the citizen and conferred qualifications, or his military occupational specialty;
- the decision of the assessment committee of the military unit, approved by the commander of the military unit, on the denial of the conclusion of the military service contract based on the results of the competitive selection;
- the opinion of the assessment committee of the military unit on the non-compliance of a citizen entering voluntary military service with the requirements established by this Law.

A military service contract cannot be concluded with the following citizens entering voluntary military service:

- citizens who are criminally prosecuted;
- citizens who have served a prison sentence in correctional facilities;
- citizens who have a criminal record;
- citizens who failed to complete the conscript military service without legal grounds, confirmed by relevant documents.

The commander of the military unit makes a decision as to whether to conclude a new military service or to deny its conclusion with a volunteer enlistee no later than two months before the expiration of the valid contract.

Male servicemen from among citizens of draft age who have not previously undertaken basic military service or reserve service, who are serving as voluntary enlistees, and whose service period under the first military service contract has not expired are, upon early termination of the contract, dismissed from military service and sent to the military commissariat (a standalone subdivision) to undergo military registration of conscripts.

Male servicemen who are serving as voluntary enlistees and whose service period under the first military service contract has not expired, who have previously completed the basic military service, military service of conscripted officers or reserve service, and whose fixed service period of basic military service, military service of conscript officers, or reserve service has not expired are forwarded to further basic military service or military service of conscripts.

Article 43. Enrolment of Citizens in Military Educational Institutions. Conclusion of Military Service Contracts with Citizens Studying in Military Educational Institutions

The categories of citizens specified below have the right to enter military educational institutions and may be admitted on a competitive basis:

- citizens aged between 17 and 21, including those who will reach the age of 17 or those who have reached the age of 21 in the year of admittance to military educational institutions (citizens under the age of 18 – upon the written consent of parents or other legal representatives);
- citizens who have completed or are performing basic military service or reserve service who have completed voluntary military service – under the age of 23;
- citizens with higher education and citizens entering military educational institutions that train personnel for the state security agencies – under the age of 30;
- servicemen undertaking voluntary military service – in the manner prescribed by a state body, which provides for military service.

Citizens who wish to be admitted to military educational institutions shall undergo occupational selection (medical inspection, professional psychological test and physical fitness test) in the manner prescribed by the state bodies that provide for military service.

Citizens who have not had a military rank before being enrolled in military educational institutions are awarded a military rank of ‘common soldier’ at the time of enrolment in military educational institutions.

The military ranks awarded to the citizens before their enrolment in military educational institutions are retained.

Servicemen holding the military rank of officer and studying in military educational institutions, clinical residency, magistracy, post-graduate military courses and doctoral programmes are students, residents, students of master’s programme, attendees of post-graduate military course and doctoral students, respectively. Other servicemen who study in military educational institutions are cadets.

The military service contracts are concluded with citizens enrolled in military educational institutions from the date of their enrolment for the period of study and for five years of military service in officer positions upon graduation from the military educational institutions, and with citizens under the age of 18 – upon the written consent of parents or other legal representatives.

Upon the enrolment of voluntary enlistees in military educational institutions, the contract previously concluded with them ceases to be valid.

Male servicemen from among the cadets expelled from military educational institutions who have previously performed basic military service or reserve service, and whose fixed service period of basic military service or reserve service has not expired, are forwarded to further basic military service. In this case, the basic military service period shall include:

- duration of basic military service before enrolment in the military educational institution;
- duration of reserve service before enrolment in the military educational institution at the rate of eight training hours for one day of basic military service;
- duration of military service during study in the military educational institution at the rate of two days of military service in the military educational institution for one day of basic military service.

Male servicemen from among the cadets expelled from military educational institutions who have not previously completed the basic military service or reserve service are dismissed from military service and sent to the military commissariat (a standalone subdivision) for the military registration of conscripts.

The duration of military service during the study in the military educational institution is included in the period of basic military service at the rate of two days of military service in the military educational institution for one day of basic military service.

Male servicemen from among the cadets expelled from military educational institutions are transferred to the inactive reserve and sent to the military commissariats (standalone subdivisions) for military registration when they:

- are expelled from military educational institutions due to illness;
- have completed the basic military service or reserve service;

- have not completed the basic military service or reserve service – upon completion of the third year of study.

Female servicemen from among the cadets expelled from military educational institutions who have not mastered a military occupational specialty may be dismissed from military service without military registration, and those who have a military occupational specialty – with a referral to the military commissariat (a standalone subdivision) at their place of residence for military registration of persons liable for military service.

For cadets expelled from educational institutions and trained in specialties (fields of specialties, specializations) for the internal affairs bodies, the Investigative Committee of the Republic of Belarus, the State Committee for Forensic Expertise of the Republic of Belarus, financial investigation bodies, bodies and minor units in charge of emergency situations the duration of basic military service is included according to Parts Seven to Nine of this Article.

During periods of mobilization, imposition of martial law or in wartime, the procedure for recruiting and preparing military personnel in military educational institutions is established by the state body, which provides for military service, in consultation with the Republican state administration bodies to which the educational institutions are subordinate.

CHAPTER 7. MILITARY SERVICE

Article 44. Procedure for Performance of Military Service

The procedure for the undertaking of military service is determined by this Law, the Regulations on the procedure for performing military service, General Military Regulations of the Armed Forces approved by the President of the Republic of Belarus (hereinafter – the ‘Regulations of the Armed Forces’), and other instruments of legislation of the Republic of Belarus.

Article 45. Period of Conscript Military Service

The period of conscript military service is established as follows:

- for servicemen without higher education who are performing basic military service – 18 months;
- for servicemen with higher education who are performing basic military service – 12 months;
- for servicemen who have been trained in military departments or faculties under the preparation programmes for junior leaders, who have passed the exams required by the preparation programmes and are performing basic military service – 6 months;
- for servicemen undergoing military service of conscripted officers – 12 months.
- The period of basic military service does not include:
 - the period of serving a sentence in the form of apprehension, with the exception of cases stipulated by the legislative acts of the Republic of Belarus;
 - the period of confinement in the guardroom during the enforcement of the apprehension imposed on the serviceman as a disciplinary measure;
 - the period of unauthorized leave from the military unit or place of military service, regardless of the reasons for leaving.

For servicemen whose service period under the first military service contract has not expired the duration of volunteer military service is included in the period of basic military service at the rate of two days of volunteer military service for one day of basic military service.

For servicemen whose service period under the first military service contract has not expired the duration of volunteer military service is included in the period of military service of conscripted officers.

In the event of declared mobilization, imposed martial law, or the onset of war, servicemen performing basic military service or military service of conscripted officers, as well as reservists attending classes or training assemblies, become servicemen performing mobilization military service. The period of mobilization military service is not established.

The conditions for the inclusion of periods of mobilization military service in the period of basic military service, military service of conscripted officers and reserve service after the announcement of

demobilization or the cancellation of martial law are determined by the President of the Republic of Belarus.

Article 46. Duration of a Military Service Contract

The duration of a military service contract for servicemen performing volunteer military service is determined by the period specified in the military service contract.

The military service contract is concluded:

- with citizens entering voluntary military service for the ranks of soldiers, sailors, sergeants and petty officers – for two years;
- with citizens entering military service for a military rank, which provides for a military position of ensign, midshipman or officer – for a period of two to five years;
- with servicemen who have entered military educational institutions, clinical residency, magistracy, post-graduate military courses and doctoral programmes – for the period of study and for five years of military service in officer positions upon graduation from the military educational institutions;
- with servicemen performing volunteer military service upon the conclusion of the second and subsequent contracts – for a period of three to five years or for a shorter period if the soldier reaches the age limit in less than three years;
- with servicemen whose service period has been extended to go beyond the age limit – for a period that does not exceed the period of extension of military service.

In the event of the announcement of mobilization, the imposition of martial law, or the onset of wartime, military service contracts are suspended, and volunteer enlistees become servicemen undertaking mobilization military service.

The conditions for the inclusion of periods of mobilization military service in the period of volunteer military service, military service of conscripted officers and reserve service after the announcement of demobilization or the cancellation of martial law are determined by the President of the Republic of Belarus.

Article 47. Commencement and Completion of Enlistment in Military Service

The commencement of enlistment in military service is:

- for citizens called up for basic military service or mobilization military service – the day of departure to the military unit;
- for citizens called up for military service of conscripted officers – the day of departure to the place of military service specified in the order from the military commissar;
- for citizens who have not performed the basic military service and entered military educational institutions – the day of enrolment in military educational institutions;
- for citizens enlisted for voluntary military service – the day the parties signed the military service contract or on the contract effective date.

The completion of enlistment in military service is the day of exclusion of the soldier from the muster rolls of a military unit.

Servicemen are excluded from the muster rolls of a military unit on the day of expiry of the period of conscript military service or the contract end date.

The period of basic military service expires on the date of the last month of the period that precedes the date of departure of the citizen called up for basic military service to the military unit.

The period of military service of conscripted officers expires on the date of the last month of the period that precedes the date of departure of the citizen called up for military service of conscripted officers to the place of military service specified in the order of the military commissar.

If completion of the period of the conscript military service falls on a month in which there is no corresponding date, the period expires on the last day of that month.

If the period of conscript military service expires on a day off, or a public holiday or government holiday that have been established and declared as non-working in accordance with the legislation of the Republic of Belarus, the soldier is excluded from the muster rolls of the unit on a pre-weekend or a pre-holiday day.

Servicemen are not excluded from the muster rolls of a military unit and the period of the contract is not terminated in cases where:

- the serviceman is in hospital treatment;
- the serviceman is in captivity, was taken hostage or has the status of an internee;
- the serviceman is missing – until he is declared unaccounted for or dead in the manner prescribed by law;
- in other cases established by the legislation of the Republic of Belarus.

A killed (deceased) serviceman is excluded from the muster rolls of a military unit on the day following the day of his killing (death), and a serviceman declared unaccounted for or declared dead in accordance with the procedure established by law – after the date of entry into legal force of the relevant court decision.

Article 48. Military Uniform and Military Rank Insignia

Military uniforms and insignia are established for the servicemen.

Samples of the military uniforms and insignia for military ranks of the servicemen are approved by the President of the Republic of Belarus.

Insignia for services of the Armed Forces, military branches and other military formations, based on their functional purpose; the personalized insignia; as well as the rules for wearing military uniforms and insignia are approved by the Ministry of Defence of the Republic of Belarus, other state bodies that provide for military service.

The servicemen are entitled not to wear military uniform outside the military unit while on vacation, on holiday or on the leave.

The wearing of military uniforms and insignia of servicemen by citizens who are not entitled thereto is prohibited and entails liability in accordance with the legislation of the Republic of Belarus.

State bodies and other organizations may introduce uniforms and insignia for their employees (members) who are not undertaking military service upon the approval of the samples of uniforms and insignia by the Ministry of Defence of the Republic of Belarus. This form of clothing and insignia should significantly differ from the military uniform and insignia of servicemen.

Article 49. Military Oath. Administration and Taking of the Military Oath

Servicemen and reservists who are being called up for (enrolled in) military service or reserve service for the first time or citizens who have not performed military service or reserve service and have been called up for training assemblies for the first time, as well as citizens studying in military departments or faculties under the preparation programmes for junior leaders and inactive reserve officers, take the oath before the National Flag of the Republic of Belarus and the Colours of the military unit:

'I, a citizen of the Republic of Belarus (last name, first name, patronym), solemnly swear to be dedicated to my people, to sacredly observe the Constitution of the Republic of Belarus and to implement the requirements of military regulations and orders of the commanders and chiefs.

I swear to undertake my military duty with dignity and to defend the independence, territorial integrity and constitutional order of the Republic of Belarus courageously and selflessly.'

The administration of the Military Oath is carried out:

- upon the arrival of a serviceman or reservist to the first place of military service or reserve service upon the completion of basic military preparation;
- upon the arrival of a citizen who has not performed military service or reserve service to the first training site upon the completion of basic military preparation;
- during training, upon the completion of preparation under programmes for junior leaders, – or during an internship, upon the completion of their preparation under programmes for inactive reserve officers.

The administration of the Military Oath is carried out in accordance with the procedure established by the Regulation on the Internal Service of the Armed Forces of the Republic of Belarus.

Until the Military Oath is taken, a serviceman cannot be involved in combat operations.

Article 50. Military Ranks

A serviceman performs military service in military ranks, with the exception of cases provided for by Part Seven of this Article.

Military ranks are subdivided into the ranks of officers, warrant officers and midshipmen, sergeants and petty officers, soldiers and sailors.

A serviceman can hold one military rank only.

The military ranks (established posts to be filled by servicemen) and the corresponding service grades that can be awarded to the servicemen holding these ranks are provided for in the manning charts of the military units (bodies of military administration, organizations, military educational institutions) on the basis of special lists.

The lists of military ranks to be filled by senior officers of the Armed Forces and other military formations, and the corresponding service grades, are approved by the President of the Republic of Belarus and the lists of other military ranks to be filled by other servicemen and the corresponding military ranks by the Minister of Defence of the Republic of Belarus and other heads of state bodies that provide for military service.

The lists of military ranks provide for military ranks that can be filled by female servicemen and/or civilian personnel.

A serviceman may not hold a military rank in the following cases:

- if a serviceman is under the command of the relevant commander (chief) in connection with organizational and staffing measures – for no more than six months with the preservation of monetary allowances and established payments that were awarded for the previous military rank;
- if a serviceman is under the command of the relevant commander (chief) in connection with criminal prosecution or consideration by the court of a criminal case against this serviceman – until the criminal prosecution is terminated or the court verdict enters into legal force;
- if a serviceman is under the command of the corresponding commander (chief) for other reasons – for no more than three months with the preservation of monetary allowances and established payments that were awarded for the previous military rank;
- if a serviceman is affiliated to the state bodies and other organizations in accordance with Part One of Article 52 hereof;
- in other cases established by the legislation of the Republic of Belarus.

Article 51. Appointment to Military Posts and Dismissal from Military Posts

The appointment to and dismissal from the posts of the Minister of Defence of the Republic of Belarus and other heads of the state bodies that provide for military service is carried out by the President of the Republic of Belarus.

Appointment to military posts and dismissal from military posts is carried:

- military posts for which the list of military posts to be replaced by senior officers of the Armed Forces and other military formations provides for the military ranks of senior officers – by the President of the Republic of Belarus;
- other military posts – in the manner prescribed by the legislation of the Republic of Belarus.

A serviceman may be entrusted with temporarily undertaking duties in a military post that he does not hold, with his release from undertaking his duties in the military post he is currently holding. As long as the serviceman is under the command of the relevant commander (chief), he may also temporarily undertake duties in a vacant post for a period established by the legislation of the Republic of Belarus.

The planned replacement of servicemen undertaking voluntary military service on the territory of radioactive contamination is carried out in the manner prescribed by the legislation of the Republic of Belarus. The periods of military service in the territory of radioactive contamination are determined by the President of the Republic of Belarus.

Article 52. Attachment and Transfer of Servicemen

Servicemen can be attached for appointment to a position to the state bodies and other organizations in accordance with the legislation of the Republic of Belarus. The procedure for the attachment of the servicemen and the specifics of their military service are established by this Law and other legislative acts of the Republic of Belarus.

In the manner established by the legislation of the Republic of Belarus, the servicemen may be transferred for further military service from one military formation to another, as well as to the internal affairs bodies and other paramilitary organizations.

Article 53. Suspension of Military Service

In the event of a serviceman being elected as a deputy of the House of Representatives of the National Assembly of the Republic of Belarus or local Councils of Deputies, or elected or appointed as a member of the Council of the Republic of the National Assembly of the Republic of Belarus and exercising his powers on a professional basis, his military service is suspended for the entire term of his powers in these state bodies, unless otherwise established by the legislative acts of the Republic of Belarus. Such servicemen are released from their posts and have the right to be dismissed from military service.

The period of suspension of military service for servicemen specified in Part One of this Article is included in the length of service for the award of pension, payments of longevity increment and in the length of service in the awarded military rank. During this period, the payment of monetary allowances and other funds established by the legislation of the Republic of Belarus to the servicemen is not made.

Article 54. Categories of Servicemen and Military Ranks

The following categories of servicemen and service grades are established in the Armed Forces and other military formations:

Category of servicemen	Service grades	
	Army	Navy
Soldiers and sailors	Private	Seaman
	Private 1st class	Senior Seaman
Sergeants and petty officers	Junior Sergeant	Petty Officer 2nd class
	Sergeant	Petty Officer 1st class
	Senior Sergeant	Chief Petty Officer
	Petty Officer	Master Chief Petty Officer
Warrant officers and midshipmen	Warrant Officer	Midshipman
	Senior Warrant Officer	Senior Midshipman
Officers:		
Junior officers	Junior Lieutenant	Junior Lieutenant
	Lieutenant	Lieutenant
	Senior Lieutenant	Senior Lieutenant
	Captain	Captain-Lieutenant
Senior officers	Major	Captain 3rd rank
	Lieutenant Colonel	Captain 2nd rank
	Colonel	Captain 1st rank
High-ranking officers	General-Major	
	General-Lieutenant	
	General-Colonel	

The word 'guards' is added before the military rank of a serviceman undertaking military service in a guard military unit.

The military rank of an officer who has a military occupational specialty and a higher legal or medical (pharmaceutical, veterinary) education is supplemented with the words 'justice' or 'medical service', respectively.

The military rank of a reservist is supplemented with the word 'reserve'.

The military rank of a citizen registered in the inactive reserve or a retired citizen is supplemented with the words 'inactive reserve' or 'retired', respectively.

Article 55. Assignment of Military Ranks

Military ranks are assigned to servicemen:

- colonel (captain) and high-ranking officers – by the President of the Republic of Belarus;
- up to and including Lieutenant Colonel (Commander) – by the officials in accordance with their competence.

The periods of military service in service grades and the procedure for awarding service grades are determined by the Regulations on the Procedure for Performance of Military Service and other instruments of legislation of the Republic of Belarus.

A military rank is awarded upon entry into service or conscription in the order of recertification in accordance with the legislation of the Republic of Belarus to citizens who have special service grades of the commanding officers and junior enlisted personnel of the internal affairs bodies, the Investigative Committee of the Republic of Belarus, the State Committee for Forensic Expertise of the Republic of Belarus, financial investigation bodies, and bodies and minor units in charge of emergency situations, and for citizens who have grade ranks of public prosecuting officers but do not have military ranks.

Article 56. Military Ranks Not Established by this Law

Servicemen, citizens registered in the inactive reserve or retired citizens retain their previously awarded military ranks that are not established by this Law.

Article 57. Withdrawal of Military Ranks, Reduction in a Military Rank, Restoration to a Military Rank

Servicemen, citizens registered in the inactive reserve or retired citizens may be deprived of their military rank by a court verdict or by decision of the President of the Republic of Belarus.

Citizens specified in Part One of this Article, after the expungement or cancellation of their criminal record, may be restored to their previous military rank by officials who have the right to confer this military rank in accordance with the legislation of the Republic of Belarus.

Servicemen undergoing military service of conscripted officers may be deprived of their military rank by decision of the Minister of Defence of the Republic of Belarus for committing misdemeanours that, in accordance with the legislation of the Republic of Belarus, are grounds for early termination of the military service contract or termination of its validity. These servicemen are transferred to the 'soldiers and sailors' servicemen category and are discharged from the military service to the inactive reserve.

The servicemen specified in Part Three of this Article may be restored to their previous military rank by decision of the Minister of Defence of the Republic of Belarus in the manner and on the grounds established by the Regulations on the Procedure for Performing Military Service.

Servicemen with military ranks (except for servicemen with military ranks of a common soldier or sailor, warrant officer or midshipman, or junior lieutenant) may be demoted in the manner established by the Disciplinary Charter of the Armed Forces of the Republic of Belarus, unless otherwise established by the President of the Republic of Belarus.

The withdrawal of military rank does not entail the withdrawal of the pension provision established for servicemen by the legislation of the Republic of Belarus. In this case, pensions for servicemen deprived of military ranks are calculated based on the pay for rank of a 'common soldier'.

Article 58. Age Limit for Performing Military Service

The age limit for performing military service is established for:

- General-Colonel: 60 years old;
- General-Lieutenant, General-Major: 55 years old;

- Colonel (Captain 1st rank): 50 years old;
- junior and senior officers (except for the colonel (captain), servicemen from among soldiers and sailors, sergeants and petty officers, warrant officers and midshipmen performing voluntary military service): 45 years.

Starting from 1 January 2017, the specified age limit for performing military service is annually increased by 6 months on 1 January to reach the age of through to 48 years.

Servicemen who have reached the age limit for performing military service are subject to dismissal from military service. If necessary, based on their state of health condition and upon their consent, some of the servicemen can continue military service for up to five years, which can be followed by another extension of the service period for up to five years. The decision to extend military service beyond the age limit for up to five years and to repeat the extension for up to five years for servicemen in the military ranks as high as lieutenant colonel (commander) is made by the Minister of Defence of the Republic of Belarus by decision of the collegium of the Ministry of Defence of the Republic of Belarus, by another head of a state body that provides for military service or by decision of the relevant collegium. The decision to extend the military service beyond the age limit, including the repeated extension, for servicemen in the military ranks of colonel (captain) and higher is made by the President of the Republic of Belarus.

During periods of mobilization, imposed martial law, or in wartime, the age limit for performing military service is the age limit for serving in the third grade inactive reserve.

Article 59. Dismissal from Military Service

The dismissal from military service of servicemen with the military rank of senior officer is carried out by the President of the Republic of Belarus, other servicemen – in the manner established by the legislation of the Republic of Belarus.

There are two types of dismissal from military service:

- dismissal to the inactive reserve, if the dismissed servicemen have not reached the age limit for serving in the inactive reserve and have been deemed physically fit by the military physician board for military service or for military service with restrictions in time of peace and war
- retirement, if the dismissed servicemen have reached the age limit for serving in the inactive reserve or have been deemed physically unfit by the military physician board for military service with final removal from the military register.

A serviceman is subject to dismissal from military service:

- for age reasons – upon reaching the military service age limit, including upon the expiration of the military service contract concluded in connection with the extension of the military service period, or following a personal request during the period of extension of the military service;
- upon the expiration of the period of conscript military service or upon the expiration of the military service contract;
- due to illness (if deemed unfit for military service in peacetime);
- in connection with the withdrawal of the military rank;
- in connection with the entry into legal force of a court verdict on the imposition of a punishment on the serviceman in the form of custodial restraint or imprisonment, life imprisonment or death penalty;
- in connection with expulsion from a military educational institution, magistracy, post-graduate military courses, doctoral programmes, clinical residency – in the event of non-compliance with the requirements for concluding a military service contract or in the absence of other grounds for dismissal from military service or transfer to another military educational institution;
- upon the establishment of facts provided for by Part three of Article 31 hereof during the period of basic military service. In this case, the serviceman is sent to the military commissariat (a standalone subdivision) for military registration of conscripts. In the event of his repeated recruitment to the basic military service, the previous period of basic military service is credited to him.

A serviceman performing volunteer military service may be dismissed from military service before the expiration of the military service contract in connection with:

- staffing measures;
- a systematic (more than twice a year) failure to implement the contract by the serviceman;
- the denial of security clearance for state secrets to the serviceman or the termination of the said clearance;
- the entry into legal force of a court verdict on the conviction of a serviceman, release of a serviceman who committed a crime from criminal liability or the discontinuation of criminal proceedings in his case for reasons other than exoneration;
- committal of an offence stipulated in the military service contract, which is the basis for early termination of the contract or determination of the contract.

A serviceman performing voluntary military service has the right to resign from military service before the expiration of the military service contract in connection with:

- illness if deemed fit for non-combatant service in peacetime;
- the violation of the terms of the contract in relation to the serviceman;
- a demotion to the rank corresponding to the military post held by the serviceman, or a decrease in the official salary fixed for the military post held by the serviceman;
- the impossibility for medical reasons of a family member of the serviceman to reside in the area where military service is being undertaken, and in the absence of possibilities for transferring the serviceman to a new place of military service that is favourable for the residence of the member of family;
- the change of military service location of a husband undertaking military service (a wife undertaking military service) owing to the need of the family to move to another locality;
- the necessity to provide constant care for the father, mother, wife (husband), full brothers and sisters, grandfather, grandmother or adoptive parents who are in need of constant nursing care owing to their state of health, which should be confirmed by the opinion of medical consultative (medical rehabilitation expert) board, in the absence of other persons who are obliged to support the said family members in accordance with the legislation of the Republic of Belarus;
- the necessity to provide care for a child under the age of 18 who is brought up by the serviceman without a mother (father) – in connection with her (his) death, deprivation of parental rights, as well as in cases where the mother (father) are unable to provide child care due to group I disability or an illness that impedes the provision of child care, which should be confirmed by the opinion of medical consultative (medical rehabilitation expert) board;
- the performance by the serviceman of the powers of a deputy of the House of Representatives of the National Assembly of the Republic of Belarus;
- the performance by the serviceman of the powers of a member of the Council of the Republic of the National Assembly of the Republic of Belarus or as a deputy of a local Council of Deputies on a professional basis.

A citizen dismissed from military service on the grounds provided for in Paragraphs Two to Four, Six, Eight to Ten of Part Five of this Article shall be lodged with rights, indemnities and benefits established by the legislation of the Republic of Belarus for citizens dismissed from military service in connection with staffing measures.

A serviceman performing basic military service has the right to early dismissal from military service in the event of the occurrence of the circumstances provided for by Paragraph Three of Part One of Article 31 or Paragraphs Two and Four to Ten of Part Six of Article 32 hereof. In the event of the occurrence of the circumstances provided for by Part Six of Article 32 hereof during the period of basic military service, citizens of draft age who have been dismissed from military service are sent to the military commissariat (a standalone subdivision) for military registration of conscripts, and citizens who have performed military service for at least six months should undergo registration as liable for military service. In the event of the repeated call-up for basic military service of citizens of draft age who underwent the military registration of conscripts, the previous period of basic military service is credited to them.

A serviceman performing military service of conscripted officers has the right to early dismissal from military service in the event of the occurrence of the circumstances provided for by Paragraph Three of Part One of Article 31 or Paragraphs Two, Five, Six and Seven of Part Six, Part Nine of Article 32 hereof.

A serviceman performing voluntary military service may be dismissed from military service before the expiration of the contract term at his own request based on the opinion of the assessment committee of a military unit if he has justifiable reasons that prevent him from performing his military service obligation.

A serviceman cannot be dismissed from military service if he is criminally prosecuted, except for cases when a serviceman is dismissed on the grounds provided for in Paragraphs Two to Four and Seven of Part Three, Paragraphs Three and Six of Part Four, Paragraph Two of Part Five of this Article upon consultation with the relevant agency in charge of pre-trial investigation or the court.

A serviceman who is performing volunteer military service and has not reached the age limit for performing military service cannot be dismissed from military service without his consent during the five years that precede the day of acquisition of the right for long-service pension upon the expiration of the term of his military service contract.

The dismissal from military service of servicemen performing mobilization military service is carried out on the basis of a decree of the President of the Republic of Belarus on demobilization.

CHAPTER 8. RESERVE SERVICE

Article 60. Citizens Called up for Reserve Service

Citizens who are subject to call-up for basic military service are called up for reserve service in the absence of the need of the Armed Forces and other military formations for servicemen doing basic military service in the manner prescribed by the President of the Republic of Belarus.

Article 61. Commencement and Completion of Reserve Service

The commencement of reserve service is the day on which the reservist is registered with a military unit or another organization of the Armed Forces or mobility force for which he will perform the reserve service.

The completion of reserve service is the day on which the reservist is removed from the register in a military unit or another organization of the Armed Forces or mobility forces for which he completed reserve service.

Article 62. Procedure for Performance of Reserve Service

The procedure for the undertaking of reserve service is determined by this Law, the Charters of the Armed Forces, the Regulations on the Procedure for Performance of Reserve Service, approved by the President of the Republic of Belarus, and other instruments of legislation of the Republic of Belarus.

Reservists undertake reserve service through their involvement in classes and training assemblies in military units and other organizations of the Armed Forces or mobility forces for which they are registered, according to the training programmes approved by the Ministry of Defence of the Republic of Belarus. During the period of attendance of the classes or training assemblies, the reservists are undertaking their military service duties.

Classes and training assemblies of reservists are conducted every year. The duration of classes and training assemblies is established as follows:

- for the first academic year – from 300 to 850 academic hours, depending on the military occupational specialty mastered by the reservist;
- for the second and third academic years – 250 academic hours per an academic year.

During the period of classes and training assemblies, the heads of organizations at the place of work of the reservists are obliged to provide the reservists with short-term unpaid leave.

During the period of classes and training assemblies, the reservists retain their place of work (position), place of study. During this period, the reservists cannot be dismissed at the initiative of the employer, except in the event of the organization's liquidation, and cannot be expelled from the educational institution (an organization that implements educational programmes for postgraduate education) at the initiative of the head of the educational institution (an organization that implements educational programmes for postgraduate education).

If mobilization is declared, martial law is imposed, or with the onset of wartime, reservists become servicemen undergoing mobilization military service from the date they receive the notification requesting them to appear at the place of service.

Article 63. Period of Reserve Service

The period of reserve service is calculated by academic hours and academic years.

Academic hours are not included in the period of reserve service if the reservists miss classes.

An academic year of reserve service is credited to the reservist if the reservist was present at all classes and training assemblies, the duration of which is established by Part Three of Article 62 hereof, for the corresponding academic year and has passed the qualification exams established by the curricula.

The period of reserve service is established as follows:

- citizens without higher education – three academic years;
- citizens with higher education – two academic years;
- citizens who have been trained in military departments or faculties under the preparation programmes for junior leaders and have passed the exams established by the preparation programmes – one academic year.

Article 64. Dismissal from Reserve Service

There are two types of dismissal from the reserve service:

- dismissal from the inactive reserve if the dismissed reservists have been deemed physically fit by the military physician board for military service or for military service with restrictions in time of peace and war;
 - retirement, if the dismissed reservists have been deemed unfit for military service by the military physician board with final removal from the military register.
- A reservist is subject to dismissal from the reserve service:
- upon the expiration of the reserve service;
 - due to illness (if deemed unfit for military service in peacetime);
 - in connection with the entry into legal force of a court verdict on the imposition of a punishment on the reservist in the form of custodial restraint or imprisonment, life imprisonment or death penalty;
 - upon the establishment of facts provided for by Paragraph Five of Part One and Part Three of Article 31 hereof during the period of reserve service. In this case, the reservist is sent to the military commissariat (a standalone subdivision) for the military registration of conscripts. In the event of his recruitment to the basic military service, the period of reserve service is credited to him at the rate of eight academic hours of training assemblies for one day of basic military service.

A reservist has the right to early dismissal from the reserve service in the event of the occurrence of the circumstances provided for by Paragraphs Three and Four of Part One of Article 31 or Paragraphs Two and Four to Ten of Part Six of Article 32 hereof. In the event of the occurrence of circumstances provided for by Part Six of Article 32 hereof during the period of reserve service, citizens of draft age who have been dismissed from the reserve service and who have undertaken reserve service for less than one year are sent to the military commissariat (a standalone subdivision) for the military registration of conscripts, and citizens who have performed reserve service for at least one academic year should undergo registration as liable for military service. In the case of citizens who are called up for basic military service of citizens having undergone military registration as liable for military service, the period of reserve service is credited to them at the rate of eight academic hours of training assemblies for one day of basic military service.

The dismissal of reservists is carried out by the order of the commander of a military unit or the head of another organization of the Armed Forces or mobility forces in which they are registered.

Article 65. Monetary and Material Support of Reservists

Reservists are provided with a cash allowance, travel documents (except for travelling in public transport), food and clothing. Monetary allowances are provided for the duration of their stay in classes and training as-

semblies in military units, other organizations of the Armed Forces or mobility forces only; travel documents (except for travel in public transport) – for travelling to the location of classes and training assemblies only, as well as back to the place of residence; food products – for the duration of their presence in classes and training assemblies in military units, other organizations of the Armed Forces or mobility forces; and clothing – for the period of the reserve service.

The payment amount and procedure for monetary allowances to reservists, the procedure for the provision of travel documents, as well as the procedure and standards for the provision of food products and clothing are established by the Government of the Republic of Belarus.

Article 66. Liability of Reservists for Violation of the Procedure for Performance of Reserve Service

In the event of the evasion of reserve service and/or other violations of procedures related to the performance of reserve service, reservists shall bear the responsibility established by the legislation of the Republic of Belarus.

CHAPTER 9. INACTIVE RESERVE OF THE ARMED FORCES AND OTHER MILITARY FORMATIONS

Article 67. Enlistment in Inactive Reserve

The following citizens from the inactive reserve of the Armed Forces:

- citizens dismissed from military service or reserve service and transferred to the inactive reserve of the Armed Forces;
- citizens who underwent training under the preparation programmes for inactive reserve officers in military departments or faculties;
- citizens exempt from military service or reserve service;
- citizens who have served a prison sentence in correctional facilities;
- citizens who have not performed military service before the age of 27;
- citizens who have performed service in internal affairs bodies, the Investigative Committee of the Republic of Belarus, the State Committee for Forensic Expertise of the Republic of Belarus, financial investigation bodies, or bodies and minor units in charge of emergency situations and who have registered in the inactive reserve of the Armed Forces;
- citizens deemed physically unfit for military service in peacetime;
- citizens who have completed alternative service;
- female citizens with a military occupational specialty;
- citizens sent for military registration to the military commissariat (a standalone subdivision) at their place of residence in accordance with Part Four of Article 17 hereof.

The inactive reserve of state security bodies is created from among citizens in military ranks of officers dismissed from state security bodies, the state guard body, the Operational and Analytical Centre under the President of the Republic of Belarus, in the manner prescribed by this Law and other instruments of the legislation of the Republic of Belarus.

Citizens who have not completed military service due to an exemption from conscription, because they have been granted deferment or for some other reasons are awarded the military rank of 'common soldier' from the moment of their enrolment in the inactive reserve by the military commissar of the region (city) who carries out military registration.

Citizens registered in the inactive reserve periodically undergo a medical inspection to determine their classification of physical fitness for military service in accordance with the Regulation on military medical examination. Citizens registered in the inactive reserve for health reasons who have not performed basic military service or reserve service are transferred to the military register of conscripts, if they are deemed physically fit for military service before reaching the age of 27.

In order to ensure the timely transfer of the Armed Forces and other military formations to the military organization and structure of wartime, inactive reserve citizens are registered in advance in military units to undertake military service in wartime in military ranks provided for by the wartime establishment.

Article 68. Categories of Inactive Reserve of the Armed Forces

The inactive reserve of soldiers and sailors, sergeants and petty officers, warrant officers and midshipmen is divided into two categories.

Category one of the inactive reserve of persons liable for military service includes citizens who have undertaken military service for at least six months and received a military occupational specialty during the period of service, as well as citizens who have performed the reserve service during the established periods of service or have performed the reserve service during a period that is less than the period established by Part Four of Article 63 hereof and received a military occupational specialty during the service period.

Category two of the inactive reserve of persons liable for military service includes citizens who have undertaken basic military service for less than six months and have not received a military occupational specialty during the period of basic military service or who have been discharged from the reserve service before the expiry of the established period of service and have not received a military occupational specialty during the period of reserve service, as well as citizens who have not been called up for basic military service and are physically fit for military service.

Persons liable for military service enlisted in category two of the inactive reserve who have received a military occupational specialty during military assemblies are transferred to category one inactive reserve.

Article 69. Age Limit for the Inactive Reserve Service. Inactive Reserve Grades

The inactive reserve of persons liable for military service is divided age-wise into three inactive reserve grades. The age limit for the inactive reserve service of a person liable for military service is the age limit for his service in grade three inactive reserve.

The following age limits are established for the inactive reserve service of persons liable for military service with the breakdown by inactive reserve grades:

Category of inactive reservists	Grade of inactive reserve		
	first	second	third
Soldiers and sailors, sergeants and petty officers	under 35 years	under 45 years	under 50 years
Warrant officers and midshipmen, junior officers	under 45 years	under 50 years	under 55 years
Majors and lieutenant colonels (captains 3 rd rank and captains 2 nd rank)	under 50 years	under 55 years	under 60 years
Colonels (captains 1 st rank)	under 55 years		under 60 years
Top-ranking officers	under 60 years		under 65 years

Female persons liable for military service, regardless of the awarded military ranks, are enlisted in the grade three inactive reserve. The following age limit is established for their enlistment in the inactive reserve:

- female persons liable for military service who hold the rank of warrant officers, midshipmen or officers – 50 years;
- the rest of the female persons liable for military service – 45 years.

Citizens who are registered in the inactive reserve and have reached the age limit of the inactive reserve service, or who were deemed unfit for military service with the final removal from the military register for health reasons, are dismissed by the military commissariat or the regional department of the State Security Committee and removed from the military register.

Article 70. Reservist Training and Special Training

Persons liable for military service can be called up for reservist training. Persons liable for military service who have completed alternative service are not called up for reservist training.

Reservist training assemblies are conducted under the leadership of officials of the Armed Forces, other military formations, and in relation to the territorial troops – under the leadership of local executive and administrative bodies in the manner established by the Government of the Republic of Belarus.

The duration of reservist training, as well as conscription limits and the supply of equipment, are established by the Government of the Republic of Belarus.

The call-up for reservist training or special training of persons liable for military service registered in the inactive reserve of the Armed Forces is arranged and conducted by the military commissar. The call-up for reservist training of persons liable for military service who are registered in the inactive reserve of the state security bodies is arranged and conducted by the head of the regional department of the State Security Committee. During reservist training or special training, persons liable for military service are assigned the status of servicemen undertaking conscript military service.

Persons liable for military service can be called up for special training for a period of up to two months by decision of the President of the Republic of Belarus.

The commencement of reservist training or special training is the day persons liable for military service appear before the military commissariat (a standalone subdivision) or the regional department of the State Security Committee for departure to the training location. The completion of reservist training or special training is the day persons liable for military service are excluded from the muster rolls of the relevant organizations.

The total period of reservist training or special training during the period of service for a person liable for military service in the inactive reserve may not exceed 12 months. The frequency of call-ups is established by the Government of the Republic of Belarus. The period of attendance of military or special training before the assignment of an officer's rank is included in the total period of military or special training of the inactive reserve officers.

During the period of stay at reservist training or special training, persons liable for military service are undertaking their military service obligation. The rights and obligations of persons liable for military service, or those called up for reservist training or special training, are established by the Regulations on the procedure for undertaking reservist training and special training, approved by the Government of the Republic of Belarus, and the charters of the Armed Forces.

Persons liable for military service, or those called up for military or special training, are provided with material and a monetary allowance for the period of training; the procedure and amount are determined by the Government of the Republic of Belarus.

Persons liable for military service, or those called up for military or special training, have the right to early dismissal from military or special training in the event of the occurrence of circumstances provided for in Paragraph Eight of Part One of Article 71 hereof or for other justifiable reasons upon the presentation of relevant documents. The dismissal of persons liable for military service is carried out by the order of the commander of a military unit, the head of another organization of the Armed Forces, another military formation, or a local executive and administrative body in which they undergo military or special training.

If mobilization is declared, martial law is imposed, or with the onset of wartime, persons liable for military service who attend military or special training become servicemen undertaking mobilization military service.

Article 71. Exemption from Reservist Training and Special Training

Persons specified below are exempt from all types of reservist training and special training:

- persons liable for military service reserved for the republican state administration bodies, other state bodies and other organizations;
- judges and public prosecution officers;
- deputies of the House of Representatives of the National Assembly of the Republic of Belarus;
- members of the Council of the Republic of the National Assembly of the Republic of Belarus;
- managers or persons from among flight and technical personnel and other employees of aviation and railway transport who directly support or carry out transportation, and who are engaged in the maintenance and repair of aircraft (helicopters), aerodrome equipment, rolling stock and railway transport devices, as

well as aviation organizations of the Republican state-public association 'Voluntary Army, Aviation and Navy Aid Society of the Republic of Belarus';

- crew members of river-type vessels – during the navigation period;
- persons liable for military service – if they have grounds for a deferment from conscription during the period of mobilization due to marital status, state of health, or if they have three or more children under the age of 18;
- students receiving vocational secondary, higher education in full-time mode of study – for the entire period of study, and students receiving vocational secondary, higher education in the external mode of study – for the period of examination sessions.

Persons specified below are exempt from reservist training and special training, with the exception of reservist training conducted by order of the President of the Republic of Belarus to verify the combat and mobilization readiness of military units, military commissariats, other organizations of the Armed Forces, as well as other military formations:

- citizens directly engaged in sowing and harvesting activities – during the period of these activities;
- teaching employees of institutions of general secondary, professional, vocational secondary, higher education and special general education schools (special general education boarding schools);
- female persons liable for military service.

In isolated cases, in the presence of justifiable reasons and upon the submission of relevant documents by a person liable for military service, the military commissar of the region (city) may make a decision to exempt a serviceman from reservist training and special training on other grounds.

Article 72. Promotion of Servicemen

Persons liable for military service may have their rank upgraded in accordance with their official assignment for the period of war in the manner established by the legislation of the Republic of Belarus.

Chairman of the Supreme Council of the Republic of Belarus

S. Shushkevich

LAW OF THE REPUBLIC OF BELARUS 'On Alternative Service'

4 June 2015, No. 276-3

Adopted by the House of Representatives on 13 May 2015

Approved by the Council of the Republic on 20 May 2015

(as amended by the Law of the Republic of Belarus 9 January 2017, No. 14-3)

CHAPTER 1. GENERAL PROVISIONS

Article 1. Alternative Service

Alternative service is an activity considered beneficial to society that is assigned to citizens of the Republic of Belarus (hereinafter referred to as citizens) instead of military service.

Alternative service is not related to service in the Armed Forces of the Republic of Belarus, other troops and military formations of the Republic of Belarus.

Article 2. Legislation on Alternative Service

Legislation on alternative service is based on the Constitution of the Republic of Belarus and includes this Law and other legal acts regulating alternative service matters.

If an international treaty ratified by the Republic of Belarus provides for rules other than those contained in this Law, the international treaty shall prevail.

Article 3. Citizens Eligible for Alternative Service

Citizens subject to conscription for military service and reserve service, and deemed fit for military service and reserve service in terms of their state of health and level of physical fitness, who personally declare that taking the Military Oath; carrying and using weapons; or directly participating in the production and maintenance of weapons, ammunition, and military equipment contradicts their religious beliefs to the extent that it becomes impossible to perform military service may be assigned to alternative service.

Persons exempt from mandatory military service or reserve service or those with the right to defer conscription or military service in reserve shall not be eligible for alternative service.

Article 4. Organizations where Citizens Perform Their Alternative Service

Citizens may perform alternative service in organizations providing services related to health care, social services, housing, communal services, agriculture and forestry, and those engaged in landscaping, construction, and the repair of roads and railways.

The list of organizations in which citizens may perform their alternative service (hereinafter referred to as the 'list of organizations') shall be established by the Ministry of Labour and Social Protection of the Republic of Belarus; the consideration of applications for inclusion in the list of organizations or exclusion from the regional (Minsk city) executive committees is based on the list of activities that may be undertaken by citizens performing alternative service established by the Council of Ministers of the Republic of Belarus.

To be included in or excluded from the list of organizations, the relevant organizations shall submit an application to the regional (Minsk city) executive committees in the form determined by the Ministry of Labour and Social Protection of the Republic of Belarus, agreed with the local executive and administrative body of the basic territorial level (or by local administrations of the district in the city of Minsk).

Article 5. Participation of Citizens Performing Alternative Service in the Elimination of Consequences of Natural and Man-Made Disasters

Citizens performing alternative service may be involved in the elimination of the consequences of natural and man-made disasters in accordance with the legislation.

Article 6. Alternative Service during Mobilization, Martial Law or in Wartime

Alternative service during the period of full or partial mobilization, martial law, and wartime shall be determined by legislative acts.

CHAPTER 2. STATE REGULATION OF ALTERNATIVE SERVICE**Article 7. State Bodies (Officials) Ensuring State Regulation in Alternative Service**

State regulation in the field of alternative service is carried out by the President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, Republican state administration bodies, local executive and administrative bodies within their competence.

Article 8. Powers of the President of the Republic of Belarus Related to Alternative Service

The President of the Republic of Belarus determines the unified state policy and implements other state regulation in the field of alternative service in accordance with the Constitution of the Republic of Belarus, this Law and other legislative acts.

Article 9. Powers of the Council of Ministers of the Republic of Belarus Related to Alternative Service

The Council Of Ministers of the Republic of Belarus in the field of alternative service shall:

- ensure the implementation of a unified public policy;
- determine the types of activities that may be performed by citizens during alternative service;
- set the procedure, terms and conditions of alternative service for citizens;
- have other powers established by the Constitution of the Republic of Belarus, this Law, and other laws and regulations issued by the President of the Republic of Belarus.

Article 10. Powers of the Ministry of Labour and Social Protection of the Republic of Belarus Related to Alternative Service

The Ministry of Labour and Social Protection of the Republic of Belarus shall have the following powers related to alternative service:

- to coordinate the work of the Committee on Labour, Employment and Social Protection of Minsk City Executive Committee, directorates (departments) on labour, employment and social protection of city and district executive committees (and, unless otherwise specified, bodies for labour, employment, and social protection), committees on labour, employment, and social protection, regional executive committees on alternative service;
- to set the list of organizations;
- to set forth the requirements for alternative service forms (hereinafter referred to as 'requirements'), the identification of citizens undertaking alternative service (hereinafter referred to as 'ID'), in coordination with the Ministry of Defence of the Republic of Belarus, in the form of an accounting card for citizens undertaking alternative service (hereinafter referred to as an 'accounting card');
- to choose from the list of organizations the organization in which citizens will undertake alternative service, as well as the day of their departure to the alternative service location, and to communicate such decision in writing to bodies on labour, employment, and social protection at the citizen's place of residence and the location of that organization;
- to keep records of citizens undertaking alternative service;
- to decide on the transfer of (or refusal to transfer) citizens performing alternative service to other organizations included in the list of organizations, including those located on the territory of other administrative divisions, for further alternative service;
- to consider, within its competence, appeals from citizens and legal entities on the issues related to alternative service;
- to provide explanations on the application of legislation on alternative service;
- to exercise other powers in accordance with this Law and other legislative acts.

Article 11. Powers of Local Executive and Administrative Bodies Related to Alternative Service

Local executive and administrative bodies of the regional territorial level shall have the following powers in the field of alternative service:

- to coordinate and control the work of local executive and administrative bodies of the basic territorial level (local administrations of city districts for Minsk) to organize alternative service for citizens on the territory of the corresponding administrative-territorial unit;
- to submit applications for the inclusion in or exclusion from the list of organizations to the Ministry of Labour and Social Protection of the Republic of Belarus.

Local executive and administrative bodies of the basic territorial level (local administrations of city districts in Minsk) for the period of alternative service for citizens in organizations located on the territory of the corresponding administrative-territorial unit are responsible for providing these citizens with habitable accommodation that meets the requirements established by the Council of Ministers of the Republic of Belarus.

Local executive bodies consider, within their competence, appeals from citizens and legal entities on issues related to alternative service.

Article 12. Powers of Labour, Employment and Social Protection Bodies Related to Alternative Service

In the field of alternative service, labour, employment, and social protection bodies shall:

- arrange the referral of citizens to alternative service in organizations according to instructions;
- draw up and issue certificates, registration cards, and instructions to citizens who are sent for alternative service;
- provide citizens who are sent for alternative service with travel documents to get to the place of alternative service, or to their place of residence for citizens who are discharged from alternative service;
- notify the Ministry of Labour and Social Protection of the Republic of Belarus and the city (district) military commissariat (a separate division of the military commissariat) at the place of citizens' residence (hereinafter referred to as the military commissariat) in writing of the citizen's arrival at the alternative service location and the start of their alternative service duties;
- manage the progression of citizens undertaking alternative service, and take measures to protect their rights and legitimate interests;
- notify in writing the bodies of inquiry (territorial bodies of internal affairs) at the location of organizations where citizens perform alternative service of the evasion of alternative service by citizens;
- make decisions on the dismissal of citizens from alternative service;
- within their competence, consider appeals from citizens and legal entities on issues related to alternative service;
- provide explanations on the application of legislation on alternative service;
- exercise other powers in accordance with this Law and other legislative acts.

Article 13. Powers of Committees for Labour, Employment and Social Protection of Regional Executive Committees Related to Alternative Service

In the field of alternative service, committees for labour, employment and social protection of regional executive committees shall:

- coordinate and manage the work of units (departments) for labour, employment and social protection of city and district executive committees on the organization of alternative service for citizens on the territory of certain administrative-territorial units;
- within their competence, consider appeals from citizens and legal entities on issues related to alternative service;
- provide explanations on the application of legislation on alternative service;
- exercise other powers in accordance with this Law and other legislative acts.

Article 14. Funding of Activities Related to Citizen's Alternative Service

Activities related to citizens' alternative service shall be funded by Republican and local budgets, as well as other sources not prohibited by law.

CHAPTER 3. REPLACEMENT OF MILITARY SERVICE WITH ALTERNATIVE SERVICE

Article 15. Applying for Replacement of Military Service with Alternative Service

A citizen, subject to conscription for military service or reserve service, eligible in accordance with Part One of Article 3 of this Law, may make a written application for the replacement of military service with alter-

native service (hereinafter referred to as an 'application') to regional (city) draft board at their place of residence (hereinafter referred to as the draft board) no later than ten calendar days before the call to military service or reserve service.

The application must include the reasons that prompted the citizen to apply to replace military service with alternative service.

The application shall be accompanied by the curriculum vitae of the citizen. Citizens shall have the right to submit other materials to prove the information contained in the application.

Applications submitted by citizens in violation of the time period established by the first part of this Article shall not be accepted for consideration.

Article 16. Consideration and Rendering Applications

Applications from citizens shall be considered at meetings of the draft board in the presence of the relevant citizen.

A citizen shall be notified in writing of the time and place of the meeting no later than two calendar days before the day of the draft board meeting.

At the request of the citizen whose application is being considered, or on the citizen's own initiative, the draft board may invite representatives of religious and other organizations to the meeting, as well as other citizens who can provide information on the merits of the application.

The draft board may request a personal reference for the citizen who submitted the application from their place of work (study), as well as other relevant information. At the meeting, the board shall notify the citizen of any documents and information about the citizen available to the board.

The draft board may decide to replace military service with alternative service if the materials and oral explanations provided by the citizen, as well as documents and information received by the draft board independently, confirm the grounds provided for in Part One of Article 3 of this Law.

Article 17. Grounds for Refusal to Replace Military Service with Alternative Service

The decision to refuse to replace military service with alternative service may be made for the following reasons:

- lack of grounds provided for in Part One of Article 3 of this Law;
- the citizen's failure to come to a meeting of the draft board without valid reasons specified in Part Two of Article 10 of the Law of the Republic of Belarus of November 5, 1992 'On Military Duty and Military Service'.
- if information essential for making a decision turned to be unreliable.

A citizen shall have the right to appeal the decision to refuse to replace military service with alternative service to the regional (Minsk city) draft board or in court.

Article 18. Referring Citizens for Alternative Service

If the draft board makes a decision to replace military service with alternative service, the military commissariat shall issue a referral to the body for labour, employment and social protection at the place of residence of the citizen within five calendar days of the meeting and, within the same period, notify the Ministry of Labour and Social Protection of the Republic of Belarus, the body for labour, employment and social protection at the place of residence of the citizen, specifying the date when the draft board made a decision to replace military service with alternative service.

The Ministry of Labour and Social Protection of the Republic of Belarus shall select an alternative service organization for a citizen from the list of organizations within one month of the receipt of information from the military commissariat, specify the citizen's date of departure to the alternative service location, and notify the bodies on labour, employment and social protection at the place of residence and the location of that organization of its decision.

The citizen must go to the body for labour, employment and social protection at the citizen's place of residence within 45 calendar days of the decision by the draft board to replace military service with alternative service. If the citizen is due to appear on a non-working day, they must appear on the fol-

lowing working day. An appearance day shall be set by a military commissariat and mentioned in a notification issued by it.

Citizen eligible for alternative service instead of military service shall report to the labour, employment and social protection body at his/her place of residence within the period specified in the notification issued by the military commissariat.

Citizens for whom a decision has been made to replace military service with alternative service who fail to appear at the labour, employment and social protection body at their place of residence without valid reasons specified in Part Two of Article 10 of the Law of the Republic of Belarus 'On Military Duty and Military Service', within the period specified in the notification sent by the military commissariat, shall be held liable in accordance with legislative acts.

Before citizens arrive at the alternative service location, the body for labour, employment and social protection shall:

- notify citizens of their rights and obligations when undertaking alternative service, and warn them of the implications of the evasion of undertaking alternative service;
- issue a certificate, registration card, order, and travel documents to citizens and notify the Ministry of Labour and Social Protection of the Republic of Belarus and the military commissariat in writing of the issuing of the above listed documents.
- Citizens for whom a decision has been made to replace military service with alternative service shall have the right to declare their desire to perform military service before the day of departure to the alternative service location. Such citizens shall be called up for military service on a general basis and may not be assigned for alternative service the second time.

CHAPTER 4. THE ALTERNATIVE SERVICE PROCEDURE

Article 19. Period of Alternative Service

The following periods of alternative service shall be established for citizens:

- 36 months for citizens without higher education;
- 24 months for citizens with higher education.

The alternative service period does not include calendar days:

- when a citizen is on vacation that has been granted for registering and studying at an educational institution or organization that implements post-graduate educational programmes (hereinafter referred to as an 'educational institution');
- for the period of serving a sentence of arrest;
- if the time period coincides with a citizen's failure to perform alternative service duties due to administrative penalties;
- when citizens performing alternative service were absent for more than three hours without a valid reason while undertaking alternative service duties or due to alcoholic intoxication; the consumption of narcotic drugs, psychotropic substances, their analogues, toxic or other intoxicating substances.

Article 20. Beginning and End of Alternative Service

Alternative service shall start when citizens arrive at the place specified in an order.

The departure day shall be no later than one month after citizens appear before the body of labour, employment and social protection at their place of residence.

The end of alternative service shall be the day when citizens are discharged from alternative service, as specified by the decision of the body for labour, employment and social protection at the location of the organization in which the citizen performs alternative service.

Article 21. Rights and Obligations of Citizens at Alternative Service

Citizens sent for alternative service must arrive at the organization specified in the order within the period established in such order.

When passing alternative service, citizens shall have the right to:

- respect for personal dignity;
- written procedures and schedules for alternative service duties and obligations, as well as appropriate conditions for the undertaking of such duties and obligations;
- safe conditions for alternative service;
- extramural and research scholar education;
- judicial and other protection of rights and legitimate interests guaranteed by law;
- file applications to the Ministry of Labour and Social Protection of the Republic of Belarus for transfer to another organization;
- other rights provided for by law.

When performing alternative service, citizens shall:

- comply with the Constitution of the Republic of Belarus, this Law and other legislative acts;
- perform alternative service duties in good faith;
- observe the schedule for the undertaking of duties during alternative service;
- execute instructions and orders of the head of the organization in which the citizen undertakes alternative service, or officials authorized by them, issued within their competence;
- notify the head of alternative service organization in writing about leaving the administrative-territorial unit (city or district) where such organization is located;
- not allow any actions preventing the personnel of alternative service organization from performing their job duties;
- observe the culture of communication.

Within one month of their dismissal from alternative service, citizens must appear at the military commissariat or any other military registration body for admission to military registration.

Article 22. Rights and Obligations of Alternative Service Organizations

Organizations in which citizens perform their alternative service shall notify the labour, employment and social protection body at the organization's location of the citizen's arrival for alternative service within three calendar days of such arrival.

Organizations in which citizens perform alternative service shall:

- ensure safe conditions for alternative service;
- provide uniforms or special clothing and personal protection equipment in accordance with the standards established for organization staff;
- upon coordination with the labour, employment and social protection body at the organization's location, establish duties, and schedules for undertaking alternative service obligations by citizens in orders (instructions) issued by the head of the organization;
- appoint employees of the organization who will be responsible for working with citizens undertaking alternative service;
- ensure that citizens comply with the duties assigned to them during their alternative service;
- suspend citizens from alternative service for alcoholic intoxication or the consumption of narcotic drugs, psychotropic substances, their analogues, toxic or other intoxicating substances while undertaking alternative service duties; or if their health condition prevents them from working according to the order (instructions) issued by the head of the organization;
- enter information about the citizen's alternative service in their account card;
- send information to the labour, employment and social protection body at its location about citizens' alternative service on a quarterly basis;
- give written notifications to the labour, employment, and social protection body at its location about the violation by a citizen undertaking alternative service of the duties established by Part Three of Article 21 of this Law, as well as about non-compliance with restrictions related to alternative service established by Article 23 of this Law, within five calendar days of the violation being known;

- on the day of the citizen's discharge from alternative service, mark the account card accordingly and deliver such card to the labour, employment and social protection body at its location within five calendar days of the discharge;
- ensure that the rights and legitimate interests of citizens are respected.
Organizations in which citizens perform alternative service may make proposals:
- about the terms of granting, increasing (as an incentive) and reducing leave to the citizen performing alternative service to the labour, employment and social protection body at their location;
- about the transfer of the citizen performing alternative service to other organizations for further alternative service, to the Ministry of Labour and Social Protection of the Republic of Belarus.

Article 23. Restrictions Related to Alternative Service

Citizens undertaking alternative service shall not be entitled to:

- take part in strikes;
- engage in other paid activities (work);
- engage in business.

Article 24. Monthly Allowance for Citizens at Alternative Service

Citizens undertaking alternative service shall be paid a monthly allowance (hereinafter referred to as the allowance) at the expense of the Republican budget.

The allowance shall be 150 percent of the largest value of minimum subsistence level on average per capita, approved by the Ministry of Labour and Social Protection of the Republic of Belarus for two recent quarters.

The allowance amount established under part 2 of this Article, may be increased in the following cases:

- by 20 percent of the subsistence minimum budget starting from the thirteenth month of the alternative service;
- by 40 percent of the subsistence minimum budget starting from the 25th month of the alternative service;
- Increased allowance provided for in paragraph three of this Article may be suspended by the labour, employment and social protection body at the location of the organization where the citizen performs alternative service, in coordination with the Ministry of Labour and Social Protection of the Republic of Belarus for the time up to three months in the event of penalties established by paragraphs two and three of part one of Article 27 of this Law.

Citizens performing alternative service shall receive an allowance during vacation, with the exception of leave for the purposes of their admission to educational institutions and further study.

Article 25. Alternative Service Hours, Days off

Alternative service time shall mean the hours when citizens must stay at alternative service organizations or anywhere else if they were assigned certain work by organization heads or their authorized officials.

The daily schedule for undertaking alternative service duties and days off shall be established by the order (instructions) of the head of the alternative service organization, in coordination with the labour, employment and social protection body at the organization's location.

Citizens must perform alternative service for no more than 48 hours per week. If that time is exceeded by no more than by 12 hours, by the decision of the alternative service organization head, such time may be compensated by a reduction in the number of hours of alternative service on other days.

Working hours shall be reduced no later than 60 calendar days after the end of the week in which the time was exceeded, except for cases when citizens were involved in the elimination of the consequences of natural and man-made disasters, but no later than the alternative service discharge day.

Article 26. Vacation

By the decision of the labour, employment and social protection body at the location of the alternative service organization, citizens performing alternative service are entitled to the following vacation periods:

- 30 calendar days after 36 months of alternative service;
- 20 calendar days after 24 months of alternative service.

Vacation established in Part One of this Article shall be granted for every 12 months of alternative service, with ten calendar days for each.

The duration of vacation established by the First Part of this Article may be increased as an incentive:

- for up to ten calendar days after 36 months of alternative service;
- for up to five calendar days after 24 months of alternative service.

If on the day of a decision regarding vacation, a citizen has outstanding penalties established by Paragraphs Two and Three of Part One of Article 27 of this Law, the duration of vacation established by Part One of this Article may be reduced as follows:

- for up to ten calendar days after 36 months of alternative service;
- for up to five calendar days after 24 months of alternative service.

The decision to change the vacation time in accordance with Parts Three and Four of this Article shall be made by the labour, employment and social protection body at the location of the organization in which the citizen performs alternative service, in coordination with the Ministry of Labour and Social Protection of the Republic of Belarus.

Citizens who undergo alternative service at the decision of the labour, employment and social protection body at the location of the alternative service organization are entitled to sick leave, educational institution admission and study leave, or any other leave for valid personal or family reasons.

Sick leave may be granted on the basis of a temporary disability certificate for the period of inpatient and outpatient treatment or medical rehabilitation.

Leave for admission to educational institutions may be granted to citizens during alternative service to enable them to submit documents to admission commissions of educational institutions in accordance with legislation, as well as to take entrance tests, pass professional selection and enrol an educational institution.

The duration of educational institution admission leave shall be determined taking into account the time required to travel to the location of the educational institution and back, as well as the period specified in the document issued by the educational institution, participate in entrance tests, pass professional selection, and enrol in an educational institution.

Study leave may be granted for participation in training sessions, internships and practical trainings, and current and final certifications for the periods specified in documents issued by educational institutions.

Leave for valid personal and family reasons of up to ten calendar days may be granted to citizens who are performing alternative service in the following cases:

- marriage;
- serious illness or death of the citizen's father, mother, adoptive parents, stepfather, stepmother, wife, children, including adopted children, siblings or grandparents;
- an emergency situation of a natural or man-made nature that has occurred to such citizens or the persons specified in the third paragraph of this part;
- any other circumstances that require the personal presence in the family of a citizen undergoing alternative service.

As a rule, valid personal and family reasons for which citizens performing alternative service are granted leave shall be confirmed with documents.

Article 27. Penalties Applied to Citizens at Alternative Service and Their Application

The body for labour, employment and social protection at the location of the organization in which a citizen performs alternative service may impose the below-listed penalties for failure to perform or improper performance of the duties provided for in Part Three of Article 21 of this Law, or failure to comply with restrictions related to alternative service provided for in Article 23 of this Law:

- warning;
- reprimand.

Reprimands may apply if a gross violation is committed or the violations are systematic (two or more warnings within 12 months).

If a citizen is absent in an alternative service organization for more than three hours without a valid reason, or if such a citizen is in a state of alcoholic intoxication or in a state caused by the consumption of narcotic drugs, psychotropic substances, their analogues, toxic or other intoxicating substances; while undertaking alternative service duties; and if a citizen refuses to perform alternative service duties or commits other violations that caused harm to life and health of citizens, such actions shall constitute gross violations.

Citizens may appeal penalty decisions made by the labour, employment and social protection body under Paragraphs Two and Three of Part One of this Article to the Ministry of Labour and Social Protection of the Republic of Belarus. If citizens disagree with decisions made by that state body, they may appeal such decisions through the procedure established by laws.

Citizens undertaking alternative service shall not be deemed penalized if they were not subjected to a new penalty within a year of the initial penalty being imposed. In this case, the penalty is cancelled automatically.

Article 28. Responsibility of Citizens for Evasion of Alternative Service

Citizens evading alternative service shall be liable in accordance with legislative acts.

The evasion of alternative service by a citizen includes:

- failure to perform or improper performance of alternative service duties stipulated by part three of Article 21 of this Law or failure to comply with the restrictions related to alternative service under Article 23 of this Law, influencing the period of alternative service and resulting in three outstanding reprimands in accordance with part five of Article 27 of this Law;
- failure to appear at the alternative service place without a valid reason, including when transferring to another organization or arriving from vacation, for a period of more than three days, or evading alternative service for the same period by forgery of documents or any other deception;
- evading alternative service by intentionally causing personal injury (self-harm) or feigning illness.

Valid reasons for failure to appear at the place of alternative service within the established period shall include:

- the citizen's illness that causes them to lose their ability to work;
- the serious health condition of the father, mother, adoptive parents, stepfather, stepmother, wife, children, including adopted children, siblings, or grandparents, or participation in the funeral of these persons;
- force majeure or any other circumstances outside of the citizen's control;
- any other reason recognized as valid by the body for labour, employment and social protection at the location of the organization where the citizen performs alternative service.

As a rule, the reasons for non-attendance must be confirmed with documents.

Article 29. Dismissal from Military Service

Citizens may be discharged from alternative service in the following cases:

- upon the expiration of the alternative service period;
- due to illness (if citizens are deemed unfit for military service in peacetime);
- the entry into force of a court verdict that imposes a sentence restricting liberty with referral to an open correctional institution, deprivation of liberty, life imprisonment, or the death penalty.

Citizens performing alternative service shall have the right to early discharge from alternative service if, during their alternative service, any circumstances arise in which they have:

- disabled parents or other family members who need permanent outside care for health reasons in accordance with the conclusion of the medical advisory commission and are not fully supported by the state, and if the citizen is legally obliged – in the absence of other capable persons living on the territory of the Republic of Belarus – to support these family members and take care of them, regardless of whether they live together with them or separately, or if such persons are performing military service, reserve service, or alternative service;
- a wife and child under the age of three;
- a wife with a group I or II disability;

- a child with a disability;
- a child raised without a mother;
- two or more children;
- a mother (father) who is not married and has no other capable children who has one child under three years old, two or more children under 18 years old, or a disabled child under 18 years old, or a child over 18 years old who has a disability of group I or II, or a mother who is over 28 weeks pregnant who is not married and has no other capable children;
- one or more siblings under the age of 18 or over the age of 18 who are receiving general secondary, vocational, or specialized secondary education or who have a disability of group I or II, if there are no other persons who can support them.

Disabled parents are considered to be the father and mother who have reached the generally established retirement age, and the father and mother of I or II category disability, regardless of age.

The labour, employment and social protection body that made the decision on a citizen's dismissal from alternative service shall notify thereof the Ministry of Labour and Social Protection of the Republic of Belarus and labour, employment and social protection body at the citizen's place of residence within five calendar days of such decision, and send a registration card from the organization where the citizen undertook alternative service to the military commissariat within five days of the receipt of such registration card.

Article 30. Enlistment in the Inactive Reserve and Inactive Reserve Status of Citizens Who Have Completed Alternative Service

Citizens discharged from alternative service shall be enlisted by the military commissar in the inactive reserve of the Armed Forces of the Republic of Belarus and belong to the second category military inactive reserve.

When citizens who have passed alternative service are registered in the military commissariat, their certificate shall be withdrawn and a military record card issued, noting the alternative service undertaken.

CHAPTER 5. SOCIAL RIGHTS AND GUARANTEES FOR CITIZENS PERFORMING ALTERNATIVE SERVICE

Article 31. Medical Care for Citizens at Alternative Service

In accordance with the law, citizens undertaking alternative service shall have the right to medical care in health organizations at the alternative service location, or at other health organizations, as well as in organizations that, along with their main activities, provide medical services, and individual entrepreneurs who provide medical services in accordance with the procedure established by laws.

Citizens undertaking alternative service shall have the right to free medicines issued by a doctor's prescription within the list of essential medicines in accordance with the procedure determined by the Council of Ministers of the Republic of Belarus.

Article 32. Insurance for Citizens at Alternative Service

The life and health of citizens undertaking alternative service are subject to mandatory state insurance at the expense of the Republican budget.

If citizens undertaking alternative service die or have a proven disability as a result of disease, a serious or less serious injury not resulting in disability, or a trivial injury that occurred while undertaking their alternative service duties, such injuries are confirmed by a medical opinion and such citizens shall be entitled to a one-time insurance payment in the following amounts:

- 250 base values to family members (heirs) of the deceased citizen who was in alternative service;
- 100 base values for the I category disabled persons;
- 75 base values for the II category disabled persons;
- 50 base values for the III category disabled persons;
- 10 base values for citizens in alternative service who received a serious injury that did not cause disability;

- 7 base values for citizens in alternative service who received a less serious injury that did not cause disability;
 - 5 base values for citizens in alternative service who received a trivial injury.
- Insurance for the same insured incident shall be paid after the deduction of all previously paid insurance payments.

If persons are found to be responsible for the death or harm to the health of citizens undertaking alternative service, such insurance amounts shall be charged from such persons.

The procedure and conditions for the payment of insurance amounts under compulsory state insurance of citizens undertaking alternative service are established by the Council of Ministers of the Republic of Belarus.

Citizens performing alternative service are not subject to mandatory state social insurance and insurance against industrial accidents and occupational diseases.

Article 33. Indemnification

Citizens performing alternative service shall be compensated for damage caused to their life and health, in accordance with the procedure established by legislative acts.

Article 34. Housing Guarantees for Citizens at Alternative Service

Citizens undertaking alternative service are exempt from payment for the use of premises provided to them and for housing and services and utilities for the period of alternative service. Housing and utilities for the period of a citizen's alternative service shall be funded from local budgets.

Citizens undertaking alternative service retain the right to be registered as those who need to improve their housing conditions at their place of residence and at their place of work (service) for the entire duration of alternative service and one year after its completion.

Citizens undertaking alternative service who are borrowers in connection with the construction (reconstruction) or purchase of residential premises shall be provided with guarantees established by law for conscripted citizens.

Article 35. Employment and Education Guarantees for Citizens at Alternative Service

Citizens discharged from alternative service shall have the following guarantees:

- the preservation of the right to return to the same employer for a post equivalent to that held before alternative service within three months of their discharge from alternative service for citizens who worked in state-owned organizations before being sent to alternative service and, in the case of illness during alternative service that does not prevent employment for the same employer, for a post equivalent to that held before being sent to alternative service, and subject to previous written notification of the employer by such citizens within three months of the restoration of working capacity or the establishment of a disability;
- one-time financial support equal to the amount of at least one minimum wage to citizens dismissed during alternative service and employed to the same place;
- the provision of the first workplace for those discharged from alternative service in accordance with legislative acts.

After being discharged from alternative service, citizens are guaranteed the right to continue their education under the same conditions in the educational institutions where they studied before being sent to alternative service.

The time spent by citizens in alternative service shall be counted in the length of service.

Article 36. Pension Provision for Citizens Who Performed Alternative Service (Their Family Members)

The pension provision for citizens who have passed alternative service (or members of their families) shall be ensured in accordance with the procedures and under the conditions established for conscripts.

CHAPTER 6. FINAL PROVISIONS

Article 37. Measures to Implement the Provisions of This Law

The Council of Ministers of the Republic of Belarus before July 1, 2016, shall:

- prepare and submit proposals on bringing legislative acts into compliance with this Law in accordance with the established procedure;

- bring the decisions of the Government of the Republic of Belarus into compliance with this Law;
- ensure that the Republican state administration bodies accountable to the government of the Republic of Belarus bring their legislative acts into compliance with this Law;
- take other measures to implement the provisions of this Law.

Article 38. Entry into Force of This Law

This Law shall come into force in the following procedure:

- Articles 1 through 36 shall come into force on 1 July 2016;
- other provisions shall come into force once this Law is published officially.

President of the Republic of Belarus

A. Lukashenka

**DECREE OF THE PRESIDENT
OF THE REPUBLIC OF BELARUS
'On the Approval of the Regulations
on the Procedure for Military Service'**

25 April 2005, No. 186

(Amendments in the Decrees of the President of the Republic of Belarus of 22 May 2006, No. 341; of 30 January 2007, No. 63; of 22 November 2007, No. 591; of 10 July 2008, No. 380; of 6 October 2008, No. 545; of 2 April 2009, No. 171; of 15 February 2010, No. 68; of 26 April 2010, No. 200; of 17 March 2011, No. 116; of September 2011, No. 439; of 30 December 2011, No. 621; of 14 August 2012, No. 364; of 29 November 2013, No. 529; of 24 January 2014, No. 49; of 28 May 2014, No. 252; of 23 February 2015, No. 95; of 2 May 2019, No. 167)

1. To approve the attached Regulations on the Procedure for Military Service.
2. To establish that the Commander of the internal troops of the Ministry of Internal Affairs is granted the rights of the head of a state body in which military service is determined by the Regulations on the Procedure for Military Service, in the manner and scope established by the President of the Republic of Belarus.
3. To declare invalid:

Decree of the President of the Republic of Belarus of July 19 2000, No. 403 'On Approval of the Regulations on the Military Service by the Officers of the Armed Forces of the Republic of Belarus' (National Register of Legal Acts of the Republic of Belarus, 2000, No. 71, 1/1456; 2002, No. 77, 1/3816);

Subparagraph 2.2 of Paragraph 2 of the Decree of the President of the Republic of Belarus of 2 July 2002, No. 345 'On improving the procedure for secondment of military personnel, privates and commanding officers of internal affairs bodies, financial investigations of the State Control Committee, bodies and divisions for emergency situations to state bodies and other organizations' (National Register of Legal Acts of the Republic of Belarus, 2002, No. 77, 1/3816).

4. The Council of Ministers of the Republic of Belarus in the period no later than six months shall: ensure that legislative acts are brought in line with this Law; take other measures necessary to implement the provisions of this Law.
5. This Decree shall enter into force one month after its official publication, with the exception of Clause 4 and this clause, which enter into force from the date of the official publication of this Decree, and Part Two of Clause 6 and Clause 160 of the attached Regulations on the Procedure for Military Service, which come into force six months from the date of the official publication of this Decree.

President of the Republic of Belarus

A. Lukashenka

APPROVED
Decree of the President
of the Republic of Belarus of 25 April 2005, No. 186

REGULATIONS 'ON THE PROCEDURE FOR MILITARY SERVICE'

CHAPTER 1. GENERAL PROVISIONS ON MILITARY SERVICE

1. These Regulations shall determine military service by citizens of the Republic of Belarus (hereinafter referred to as 'citizens') during peacetime in the Armed Forces of the Republic of Belarus, internal troops of

the Ministry of Internal Affairs, state security and border service bodies, the Security Service of the President of the Republic of Belarus, the Operational and Analytical Centre of the President of the Republic of Belarus and other military formations created in accordance with laws (hereinafter referred to as military formations), the procedure for concluding and terminating military service contracts (hereinafter referred to as 'contracts'), as well as other issues to be covered by these Regulations according to the Law of the Republic of Belarus of 5 November 1992 'On Military Duty and National Military Service' National Register of Legislative Acts of the Republic of Belarus No. 85, 2/976, 2003,) (hereinafter referred to as the 'Law').

2. A serviceman is a citizen who performs military service in military formations.
Military service by servicemen shall include:
 - appointment to a military post (hereinafter referred to as the post);
 - assignment of a military rank;
 - discharge from military service;
 - other circumstances (events) that, in accordance with legislative acts, determine the official and legal status of a serviceman.
3. Military service shall be performed in accordance with the Law, this Regulation, and other legislative acts. The specifics of military service by servicemen seconded to state bodies and other organizations, bodies of interstate entities and international organizations, as well as other categories of servicemen, shall be determined by legislative acts.
4. Military service subjects shall be:
 - soldiers, sailors, sergeants, and foremen (hereinafter referred to as 'soldiers and sergeants'), by conscription or under a contract;
 - warrant officers and sub-officers (hereinafter referred to as 'warrant officers'), under the contract;
 - officers, by conscription or under a contract.
5. Orders for the appointment (dismissal, reinstatement) of military personnel to posts, enlistment at the disposal of the relevant commanders (superiors), assignment of military rank (reduction in military rank, deprivation of military rank, restoration to military rank), and dismissal from military service must contain references to the relevant provisions of the Law and (or) these Regulations.

The form of submissions and other documents relating to the appointment (release, reinstatement) of military personnel to (from) posts, enlistment at the disposal of the relevant commanders (superiors), assignment of military rank (demotion in military rank, deprivation of military rank, reinstatement of military rank), certification, the extension of the military service term, discharge from military service, as well as the requirements for their development and presentation shall be determined by the head of the state military service body.

6. The total duration of military service by servicemen shall be determined in calendar years and include the time of their military service under conscription and (or) contract, including re-admission.

In special cases established by the President of the Republic of Belarus, the total duration of military service may be determined in preferential terms.

The term of military service shall include years of service in the Investigative Committee, the State Committee of Forensic Examinations, internal affairs bodies, financial investigation bodies of the State Control Committee, bodies and divisions for emergency situations, as well as service experience as a Prosecutor's employee for persons accepted for military service and appointed to the posts of employees of state security bodies and the operational analytical centre under the President of the Republic of Belarus.

- 6.1. Servicemen (except for conscripted servicemen) shall be prohibited from receiving documents from foreign states that grant rights to benefits and advantages in connection with political, religious views or national affiliation, as well as from using such benefits and advantages unless otherwise stipulated in international treaties of the Republic of Belarus.

When entering military service under a contract, citizens with the documents specified in Part One of this paragraph shall hand them over to the personnel department of the relevant state military service body no more than five days after the military service contract enters into force.

CHAPTER 2. PROCEDURE FOR CONCLUDING AND TERMINATING MILITARY SERVICE CONTRACTS

7. Military service contract shall be concluded in writing by and between citizens eligible for voluntary military service and a state military service body.
8. Contracts shall enter into force once they are signed by a state military service body authorized official, or on a date established in a specific contract (enforcement day), and the relevant order of a commander (superior) is issued specifying military service commencement day and service duration.
Contracts term shall be established in accordance with the Law starting after a contract enforcement day.
9. Contracts are concluded for the first time with citizens without previous voluntary military service:
 - 9.1. citizens enrolled in educational institutions and military departments of secondary special and higher education institutions that train personnel in specialties (areas of specialties, specializations) for military formations (hereinafter referred to as 'military educational institutions');
 - 9.2. conscripted servicemen;
 - 9.3. called up officers;
 - 9.4. liable for military service;
 - 9.5. citizens not registered with the inactive reserve;
 - 9.6. other citizens on the basis of decrees of the President of the Republic of Belarus.
10. Contracts shall be terminated:
 - 10.1. on the day of expiration of the term for which they were concluded;
 - 10.2. once a new contract comes into force;
 - 10.3. after the exclusion of servicemen from the lists of military personnel of a military unit upon discharge from military service because of death, or being declared missing or dead;
 - 10.4. after the appointment of the serviceman as the head of the state military service body;
 - 10.5. after military service suspension;
 - 10.6. in other cases provided by legislative acts.
11. A new contract with a serviceman wishing to continue military service under the contract shall be concluded in the following cases:
 - 11.1. upon the expiration of the existing contract;
 - 11.2. after enrolment in a military educational institution or an institution or organization for second-level higher education or postgraduate education for full-time education;
 - 11.3. the expulsion from a military educational institution or organization of persons who received the second-level higher education or postgraduate education in full-time education;
 - 11.4. the transfer from one military formation to another;
 - 11.5. the termination of grounds for suspension of military service;
 - 11.6. the release from the post of the head of the state military service body.

When transferring ordinary and commanding officers from the Investigative Committee, the State Committee of Forensic Examinations, internal affairs bodies, financial investigation bodies of the State Control Committee, and bodies and divisions for emergency situations to military formations, a contract shall be concluded with such formations.
12. Contracts with servicemen who undertake military service beyond the age limit shall be concluded for a period not exceeding the period of extended military service.
13. For servicemen who perform military service under contracts with conditions that objectively exclude the possibility of entering into a new contract (being abroad, inpatient treatment, in captivity, in the post of a hostage or internee, and under other circumstances), military service under the contract shall be extended. Upon the termination of these circumstances, servicemen enter into a new contract or are dismissed from military service on the grounds and in accordance with the procedure established by the Law and these Regulations.

14. A new contract shall be concluded with citizens who are in the inactive reserve who previously served under a contract and entered such service as soldiers, sergeants, warrant officers, and officers, as well as those enrolled in military educational institutions.
15. The form of standard contracts, their terms and conditions, as well as the rights of commanders (superiors) of military units shall be determined by legislative acts of state military service bodies.
16. Contracts shall have the following mandatory information, terms and conditions:
 - the name of the state body with which the contract is concluded, as well as the post, military rank, surname, first name, and patronymic of the official signing the contract on behalf of such body;
 - the surname, first name and patronymic of the citizen (serviceman), and military rank of the serviceman signing the contract;
 - the date of the commencement of voluntary military service (contract effective date);
 - the term of military service;
 - the basic rights and obligations of the serviceman and the state body with which the contract is concluded;
 - the list of offences that are grounds for the early termination or expiration of the contract, established by legislative acts, as well as by the head of the state military service body;
 - the grounds for the early termination or expiration of the contract.

CHAPTER 3. APPOINTMENT AND DISMISSAL PROCEDURE

17. Servicemen shall be appointed to certain posts if they meet the requirements for candidates for that post. The following aspects shall be taken into account:
 - the level of professional training of a serviceman;
 - the results achieved by the serviceman in the post held and the ability to perform the duties of the post to which they are to be appointed;
 - the moral and psychological qualities of servicemen;
 - the state of health of the serviceman;
 - recommendations of the certification commission (where applicable);
 - other requirements established in these Regulations.
18. Posts to be filled by servicemen, military ranks that correspond to those posts and may be assigned to servicemen on those posts, military professions, and military education (training) levels shall be established in staff lists of military units on the basis of special lists.

Lists of posts in military formations to be filled by senior offices and relevant military ranks shall be approved by the President of the Republic of Belarus, and the lists of other posts to be filled by other servicemen and relevant military ranks shall be approved by heads of state military service bodies.

The maximum number of posts in military formations that correspond to the military rank of 'colonel' shall be determined by the President of the Republic of Belarus.
19. As a rule, posts to be filled by officers are filled by servicemen who have graduated from military educational institutions, clinical residencies, master's, adjunct, doctoral studies, in accordance with their specialties and level of military education.
20. The appointment of servicemen to posts shall ensure their use in the main or single-profile military accounting specialty and take into account existing experience in service activities.

If officers or warrant officers are needed for military professions that are new to them, they shall, as a rule, undergo the relevant retraining before an appointment.

Conscripted servicemen who are victims of the Chernobyl disaster shall be appointed to posts in military formations outside territories of radioactive contamination.
21. For the appointment of servicemen to posts, the following conditions shall be met:
 - 21.1 posts to be filled by officers, warrant officers, soldiers and sergeants, shall be filled by the respective servicemen;

- 21.2 posts to be filled by officers may be filled by warrant officers, soldiers and sergeants serving under military service contracts, as well as with civilian personnel from military formations with higher or vocational secondary education;
- 21.3 posts to be filled by warrant officers may be filled by soldiers and sergeants serving under military service contracts, as well as those with civilian personnel of military formations;
- 21.4 posts to be filled by soldiers and sergeants serving under military service contracts may be filled by soldiers and sergeants serving under military service contracts, as well as those with civilian personnel of military formations;
- 21.5. warrant officers, soldiers and sergeants may be appointed to staff jobs considering the military occupational specialty obtained by them at training centres, schools, classes or related specialties corresponding to military occupational specialties obtained at the higher, middle or vocational educational institutions. In such instances, conscripted servicemen who are victims of the Chernobyl disaster shall be appointed to posts not related to the operation of ionizing radiation sources, ultra-high frequencies and rocket fuel components;
- 21.6. conscripted soldiers and sergeants who signed military service contract before being sent for training (retraining) shall be appointed to the corresponding vacant posts to be filled by contract servicemen;
- 21.7. female military personnel shall be appointed to the posts provided for in the lists of posts that can be filled by such military personnel;
- 21.8. vacant posts of scientific and pedagogical staff of military educational institutions or military research institutions shall be filled on a competitive basis. The procedure and conditions for the selection of candidates for these vacant posts shall be determined by the head of the state military service body. Students, residents, undergraduates, adjuncts and doctoral students after their graduation from military educational or research institutions may be appointed to the said posts on the basis of a decision of the head of the state military service body without a selective recruitment procedure;
- 21.9 servicemen enlisted at the disposal of the corresponding commanders (superiors) shall be appointed in the shortest possible time but no later than the timeframes established in Paragraphs 45 and 46 of these Regulations;
- 21.10. servicemen recognized by the military medical commission as unfit for the occupied military for health reasons (not meeting special requirements), but fit for military service or fit for military service with minor restrictions, as well as conscripted servicemen recognized by the military medical commission as unfit for out of rank service in peacetime, shall be appointed to other posts, and contract servicemen may also be dismissed from military service on the grounds and in the manner prescribed by the Law and these Regulations;
- 21.11 servicemen serving under military service contracts recognized by the military-medical commission as fit for military service out of ranks in peacetime may be appointed to another post where they are able to perform duties that consider their state of health or, at their request, discharged from military service on the grounds and in the manner established by the Law and these Regulations.
- 21.12. if servicemen are refused access to state secrets or if previously given access is terminated such servicemen shall be appointed to another post, and servicemen under contracts may also be discharged from military service on the grounds and in the manner established by the Law and these Regulations.
- 21.13. conscripted servicemen whose posts were cancelled as a result of organizational and staff activities, or whose staffing-job category was reduced or salary decreased, shall not be subject to another post; contract servicemen, with their consent, can remain in office or appointed to another post or, at their request, dismissed from military service on the grounds and in the manner established by the Law and these Regulations;

- 21.14 servicemen whose posts were cancelled due to organizational staff activities shall be appointed to other posts, and servicemen serving under military service contracts, if there are no other conditions or grounds for their appointment to other posts, may be discharged from military service on the grounds and in the manner established by the Law and these Regulations;
 - 21.15. in the cases provided for by this Regulation, servicemen shall give their consent to be appointed to another post in writing;
 - 21.16. restrictions on joint service (work) of spouses or close relatives are provided for by the anti-corruption legislation.
22. Servicemen unlawfully demoted or discharged from military service may be reinstated on the basis of the results of an internal investigation, a decision (ruling) passed by the criminal prosecution body, or a court decision that entered into force.
 23. Servicemen may be appointed to the first, higher, equal, or lower post.
The first shall be the post to which servicemen are appointed for the first time after conscription (admission) to military service.
A higher post shall mean a post requiring a higher military rank than that of the previous post and, if military ranks are equal, a higher post provides for a higher salary.
A post shall be considered equal if it provides for a military rank equal to the previous post, and an equal salary.
A lower post shall mean a post requiring a lower military rank than that of the previous post and, if military ranks are equal, a lower post provides for a lower salary.
 24. Servicemen shall be appointed to the higher posts in the following cases:
 - 24.1 as a promotion (for voluntary military service or for conscripted officers with their consent);
 - 24.2 based on the results of the competitive recruitment procedure (when appointing scientific and pedagogical staff).
 25. The pre-emptive right to be appointed to a higher post shall be granted to servicemen:
 - who are in the reserve of candidates for higher posts or have references to study;
 - who have shown high professional and organizational skills in the performance of military service duties.
 26. Candidates of officers considered for appointment to posts, the list (nomenclature) of which is approved by the head of the state military service body, shall be considered at a board meeting of the relevant state body.
 27. Servicemen may be appointed to equal posts in the following cases:
 - 27.1. based on official necessity of certain posts to be filled by a military formation, in accordance with its military profession and the level of military education (training);
 - 27.2 in the case of organizational and staff activities, considering their military professions, level of military education and professional experience;
 - 27.3. to be used more expediently for a job or to take into account service experience (with servicemen consent in case of voluntary military service);
 - 27.4. for family or other reasons that prevent the performance of duties in the post at the serviceman's request;
 - 27.5. for health reasons in accordance with the conclusion of the military medical commission;
 - 27.6 the refusal of access to state secrets or termination of the said access;
 - 27.2. based on the results of the competitive recruitment procedure (when appointing scientific and pedagogical staff);
 - 27.8. in case of the planned replacement of military personnel undergoing voluntary military service on the territory of radioactive contamination;
 - 27.9 if servicemen are convicted of a committed crime punished by the deprivation of the right to hold certain posts or engage in certain activities or military service restrictions.

28. Servicemen shall be appointed to a lower post (or reduced in post) in the following cases:
- 28.1. in case of organizational and staff activities, in the absence of conditions and grounds for appointing servicemen to equal or higher posts (only with the serviceman's consent in case of voluntary military service);
 - 28.2. for family or other reasons that prevent the performance of the post's duties, at the serviceman's request;
 - 28.3. for health reasons in accordance with the conclusion of the military-medical commission (with the serviceman's consent in case of voluntary military service);
 - 28.4. in case of the refusal of access to state secrets or the termination of the specified access (with the serviceman's consent in case of voluntary military service);
 - 28.5. in case of incompetency for the held post, after certification;
 - 28.6. demotion as the disciplinary penalty. A serviceman appointed to a lower post to implement such a penalty may be appointed to a higher post only after such penalty is cancelled;
 - 28.7. based on the results of the competitive recruitment process (when appointing scientific and pedagogical staff);
 - 28.8. with the serviceman's consent, for a more appropriate job considering their professional experience;
 - 28.9. if a military medical commission deems such serviceman as not eligible for military service for health reasons (not meeting special requirements) but fit for military service with minor restrictions.

Officers with seniority of 15 years or more in calendar years and assigned to military educational institutions (except those who were appointed on the grounds specified in Subparagraphs 28.4 to 28.6 of this paragraph) for the posts of senior management, scientific and pedagogical workers (including faculty), during the period of their military service in these military schools, as well as when calculating the pension in case of dismissal from the service of these military educational institutions by the decision of the head of the state military service body, may retain salaries according to the latest posts held prior to appointment if those salaries exceed the salaries for posts in military educational institutions.

29. Female military personnel may be appointed to a lower post with easier military service conditions in accordance with a medical certificate confirming pregnancy, at their request, with the retention of the official salary for the previously held post until the end of the maternity leave granted to them.
30. Servicemen who are being prosecuted or whose criminal cases are being considered by a court shall not be appointed to other posts or transferred to other military units.
31. Servicemen whose criminal proceedings are terminated (except for cases when criminal proceedings were cancelled due to the absence of socially dangerous acts under criminal laws, the absence of corpus delicti, or failure to prove participation of the suspect or accused of committing a crime) may not be appointed to a higher post or sent to training within one year of the relevant resolution (ruling).
32. Servicemen dismissed from their post due to criminal proceedings or a criminal case cancelled due to the absence of socially dangerous acts under criminal laws, the absence of corpus delicti, or failure to prove participation of the suspect or accused of committing a crime, and also in the case of the court's acquittal, may be appointed to other posts with their consent.
33. Servicemen dismissed from their posts because of criminal prosecution or criminal cases in which a court terminated criminal proceedings through the grounds not listed in Paragraph 32 of these Regulations may be appointed to a previous or another post.
34. Servicemen may be appointed to their previous post or another post if they were dismissed due to criminal proceedings or a criminal case considered by court and sentenced to:
- restrictions on military service;
 - arrest (after serving the sentence).

35. Servicemen dismissed as the result of criminal prosecution or after a court considered their criminal case and applied a punishment involving the deprivation of the right to occupy certain posts or engage in certain activities may be appointed to another post.
36. Servicemen dismissed due to criminal prosecution or consideration of a criminal case by court and the further conviction or release from punishment or the imposition of a fine may be assigned to their former or another post.
37. Servicemen sentenced by a court for a crime and restricted on military service may be appointed to another equal post during the term of serving the sentence. If, given the nature of the committed crime or other circumstances, convicted servicemen may no longer hold posts related to the management of subordinates, such servicemen may be appointed to other posts by the order of their commanders (superiors) both in their own or another military, and a court issuing the warrant shall be notified thereto respectively.
38. Servicemen convicted by court for a committed crime without sentencing, released from punishment or punished by a fine, or by the deprivation of the right to occupy certain posts or engage in certain activities, military service restrictions or arrest, may not be appointed to a higher post or sent to training until the criminal record has expired or been cancelled.
39. Servicemen appointed to another post must leave for a new place of military service (start performing duties in the post to which they are appointed) after handing over their duties for the previous post, but no later than one month after the military unit received an extract from the order or other written notification of servicemen appointment to another post. If servicemen are on vacation, a business trip, sick leave, or have any other valid reasons, the relevant commander (superior) may extend the duties handover time.

CHAPTER 4. TEMPORARY PERFORMANCE OF DUTIES BY SERVICEMAN

40. Due to service necessity determined by the relevant commander (superior), servicemen may be assigned to temporary duties for a vacant or non-vacant (in case of the temporary absence of the serviceman) post equal or higher to their current posts. In this case, servicemen shall be released from the duties at their current post but shall not be dismissed from the post.
Servicemen who are at the disposal of the relevant commander (superior) may be allowed to temporarily undertake duties for a vacant post equal to, higher, and/or lower in relation to the post held by them before being enlisted.
41. The continuous term for the temporary performance of duties in a post that a serviceman does not hold should not exceed:
 - six months for a vacant post;
 - four months for a non-vacant post.
42. The temporary performance of duties for vacant (non-vacant) posts may be assigned to:
 - 42.1. soldiers and sergeants for posts for which the state provides the specified military ranks, as well as military ranks of warrant and junior officers, provided that, during the performance of duties for these posts, they will not be subordinate to warrant officers and/or officers;
 - 42.2. warrant officers for posts for which the staff provides for the military ranks of warrant officers, junior and senior officers provided that, during the performance of duties for these posts, they will not be subordinate to officers;
 - 42.3. junior officers for posts for which the staff provides military ranks of junior and senior officers;
 - 42.4. senior officers for posts for which the staff provides military ranks of senior and top officers;
 - 42.5. top officers for posts for which the staff provides military ranks of top officers.
43. Senior officers may be assigned for temporary duties for vacant posts requiring senior military ranks by direct commanders (superiors) of such senior officers, with the consent of the President of the Republic of Belarus.

In other cases, temporary duties for vacant (non-vacant) posts may be assigned to servicemen by a military unit commander with equal or higher military rank who is a direct supervisor or the closest direct supervisor of the temporarily absent serviceman.

CHAPTER 5. ENROLLMENT AT THE DISPOSAL OF COMMANDERS (SUPERIORS)

44. To resolve issues of further military service, a serviceman may be placed at the disposal of the commander (superior) who has the right to be appointed to the post that such servicemen hold (held).

Servicemen in respect of whom a demotion decision has been made on one of the grounds provided for in Paragraph 28 of these Regulations may be placed at the disposal of a lower-ranking commander (superior) who has the right to appoint them to lower posts.

45. The enlistment of servicemen at the disposal of the corresponding commanders (superiors) shall be allowed in the following cases and for the following terms:

45.1. for no more than two months upon arrival at a military unit for conscript military service;

45.2. for no more than two months upon completion of education in a military educational institution (training centre) or a military research institution, if a simultaneous appointment is not made;

45.3. for no more than six months at dismissal due to organizational and staff activities (except for dismissal due to the downgrading of rank or a reduction in salary in that rank);

45.4. for no more than two months when dismissed from office due to the downgrading of rank or a reduction in salary in that post;

45.5. if a military unit is terminated and posts filled by servicemen on maternity leave were cancelled for that reason, until the expiration of maternity leave;

45.6. in the case of maternity leave, until its expiration.

Upon the expiration of maternity leave (or its early termination), servicemen may be appointed to their previous posts, or to other posts with their consent;

45.7. for no more than two months, in case of the transfer from one military formation to another;

45.8. for no more than two months upon the termination of work (service) by servicemen seconded to state body or any other organization involved in military service;

45.9. for not more than two months after the termination of grounds for the suspension of military service by servicemen;

45.10. if hospitalized, servicemen are deemed unfit for military service until the end of inpatient treatment but for no longer than the period established by the military-medical examination regulation approved by the Council of the Republic of Belarus (hereinafter referred to as the 'military-medical examination regulation');

45.11. until the end of inpatient treatment, if servicemen are hospitalized for more than three months due to a wound, contusion, injury or illness gained in the course of military service;

45.12. in case of criminal prosecution of servicemen or consideration of their criminal case by the court, until a decision is made on the criminal case;

45.13. if there is no information about the location of servicemen for more than one month, until such servicemen return to a military unit or until the court decision on the recognition of such serviceman as missing or dead comes into force;

45.14. if a serviceman is in captivity as a hostage or interned, until the release;

45.15. for no more than three months in the case of dismissal from office on other grounds stipulated by legislative acts;

45.16. for no longer than two months if a military medical commission recognized such serviceman as not eligible for military service for health reasons (not meeting special requirements) but fit for military service with minor restrictions.

The procedure of payment of monetary allowances and other payments to servicemen enlisted at the disposal of the relevant commanders (superiors) shall be established by the head of the state military service body.

46. Contract servicemen or conscripted officers, being at the disposal of the corresponding commanders (superiors), shall be appointed to their first posts no later than one month after the conclusion of military service contracts or the day of departure for the place of military service established in the order issued by military commissariat.
47. Servicemen who have reached the age limit in the military and have served for 20 years or more, shall not be sent to disposal or the relevant commanders (superiors) and discharged from military service in the manner established by the Law and these Regulations, except for in the cases described in Subparagraphs 45.8 to 45.14 of Paragraph 45 of these Regulations.
48. The period of stay at the disposal of the relevant commanders (superiors) shall not count the periods when servicemen are:
 - 48.1. on leave (excluding maternity leave);
 - 48.2. in treatment (examination) in medical institutions or in specialized tuberculosis sanatoriums;
 - 48.3. performing duties at vacant posts.

CHAPTER 6. SUSPENSION AND TEMPORARY SUSPENSION FROM DUTY

49. Servicemen may be terminated from duty in accordance with the Disciplinary Regulations of the Armed Forces of the Republic of Belarus (hereinafter referred to as the 'Armed Forces Disciplinary Regulations') approved by the Decree of the President of the Republic of Belarus No. 355 dated June 26, 2001 'On Approval General Military Regulations for the Armed Forces of the Republic of Belarus' (the National Register of legislative acts of the Republic of Belarus No. 62, 1/2794, 2001), which allow for temporarily preventing such servicemen from conducting duties at their posts for up to one month.

If servicemen are involved in criminal cases as suspects or accused, they may be temporarily suspended from work according to the procedure established by the Criminal Procedure Code of the Republic of Belarus.

50. Officers suspended from their official duties shall retain salaries and other post-related payments. If servicemen are temporarily suspended from office when they are involved in a criminal case as suspects or accused, they shall be paid a monthly state allowance according to the amount and procedure established by the Council of Ministers of the Republic of Belarus.

If servicemen are subject to restrictions in the form of detention, any allowances or other post-related payments to them shall be suspended.

At the termination of the criminal case, in the absence of socially dangerous acts under criminal law, with the lack of a crime or the lack of participation in committing a crime, or when an acquittal is granted for the entire period of provisional suspension from office, in custody, servicemen shall be paid cash allowances and other payments due at the office.

CHAPTER 7. MILITARY SERVICE SUSPENSION PROCEDURE

51. Servicemen suspended from military service under the Law shall be dismissed from their post at military formations and seconded to state bodies where they exercise their powers on a professional basis.

Suspension time shall be counted as service period for pension purposes, including for preferential pensions if servicemen exercise their powers in areas with a preferential calculation of years of service, loyalty bonuses and terms of service in military ranks.

52. During the suspension, servicemen may not be granted higher military ranks unless otherwise established by the President of the Republic of Belarus.

Servicemen suspended from military service shall be assigned a promotion of military rank after the termination of grounds for such suspension, the appointment to a post requiring equal or higher rank than that assigned to a serviceman, and subject to the expiration of the term of service in the previous military rank.

53. Upon termination of the grounds for suspension of military service for contract servicemen, they shall conclude new contracts or be dismissed on the grounds and in the manner established by the Law and these Regulations.

Suspended servicemen under contracts may be appointed at posts not lower than their current posts and, if there are no such vacant posts, they may be appointed to other posts with their consent.

54. Conscripted servicemen may be dismissed if there are no longer grounds for suspension, if their military service expired, or may resume military service under conscription for the time left.

CHAPTER 8. SERVICEMEN APPOINTMENT TO POSTS IN OTHER MILITARY UNITS

55. Serviceman may be appointed to another military unit, including in another location (with the exception of the cases listed in Paragraph 56 hereof), on the grounds and in the manner provided for in this Regulation, and after enrolment to or expelling from full-time education in a military school or a military research institution.

56. Contract servicemen may be appointed to posts in other military units in the following cases:

56.1. if, for health reasons, they are unable to serve in the area where the current military unit is located;

56.2. if servicemen or their family cannot live in a military unit location for health reasons confirmed by the medical consultation (medical rehabilitation) expert commission if they need long-term (for more than 12 months) treatment and observation in a specialized health organization;

56.3. if there is no special preschool or educational institution in the area where the serviceman will serve, in which, in accordance with the conclusion of the medical, psychological and pedagogical commission, a family member of the serviceman needs training (education);

56.4. the need for constant care of the father, mother, wife (husband), sibling, grandfather, grandmother, or adoptive parents for health reasons, in accordance with the conclusion of the medical consultation (medical rehabilitation) expert commission and in the absence of other persons who must support these people in accordance with the law;

56.5. the need to take care of a child under 18 without the other parent as the result of such parent's death, deprivation of parental rights, or when such parent cannot take care of a child as the result of a group I disability or any other disease preventing such parent from taking care of a child under the conclusion of the medical-examination (medical-consultation) expert commission.

57. Contract servicemen may be appointed to posts at military units located in other areas in case of family reasons listed in Subparagraphs 56.2 to 56.5 of Paragraph 56 of these Regulations.

58. If contract servicemen are appointed to posts in another military unit, and their family has to be dislocated for this purpose, and their spouses also serve under military service contracts, the issue of appointing spouses to posts in the same area shall be resolved at the same time as a decision on servicemen appointment to the post in another military unit is made.

If spouses may not be appointed to posts in the same locality (garrison), and if one of the spouses refuses to be dismissed, the other spouse shall not be appointed to the post in another military unit except for in cases when the appointment shall be made due to organizational staff activities.

59. Servicemen who must leave for the another military unit under the respective decision shall leave for a new military service place in the manner established by Paragraph 39 of these Regulations.

CHAPTER 9. ROUTINE REPLACEMENT OF MILITARY PERSONNEL IN THE TERRITORY OF RADIOACTIVE CONTAMINATION

60. Contractual warrant officers and officers that served in the territory of radioactive contamination (hereinafter referred to as 'areas with limited-term military service') shall be routinely replaced after five years of continuous service.

61. The procedure for the routine replacement of servicemen in areas with limited-term military service shall be established by the head of state military service body considering the requirements listed in Paragraphs 24, 27, 28, 35, 36, and 56 of these Regulations, subject to the following conditions:

61.1. servicemen subject to routine replacement or to military service in areas with limited-term military service shall not have the right to choose the place of service;

- 61.2. servicemen subject to routine replacement may refuse replacement and extend their service in the respective area for a longer period but for no longer than a year with the right to routine replacement after the expiration of that period on common terms;
- 61.3. servicemen shall be appointed to posts in the course of routine replacement in areas with limited-term military service at least three years before they reach the military service age limit and at least two years before their contracts expire;
- 61.4. servicemen may not be appointed to lower posts in areas with limited-term military service and re-sent to areas with limited-term military service without servicemen's consent.

CHAPTER 10. TRANSFER FROM ONE MILITARY FORMATION TO ANOTHER, AS WELL AS TO INTERNAL AFFAIRS BODIES AND OTHER PARAMILITARY ORGANIZATIONS

62. Servicemen may be transferred for further military service from one military formation to another, as well as to internal affairs bodies and other paramilitary organizations.
Servicemen may be transferred with their consent or request after coordination with the heads of the respective state bodies.
63. Decisions on transfers may be made by the following persons:
 - 63.1. the President of the Republic of Belarus in relation to top officers and other servicemen appointed by the Head of the State;
 - 63.2. officials determined the head of a military service body in relation to any other servicemen.
64. Servicemen who were assigned to be transferred from one military unit to another or to the bodies of internal affairs, or any other paramilitary organizations, shall be dismissed and excluded from personnel lists of a military formation in which they served, and depart to a new place of military service in the manner prescribed in Paragraph 39 hereof.

CHAPTER 11. GENERAL PROVISIONS ON MILITARY RANKS

65. Military ranks of servicemen shall be established by the Law.
66. The seniority of military ranks and composts of military personnel shall be determined by the sequence of their enumeration in the Law from 'private' military rank to higher ones and from 'soldiers and sergeants' to higher ones.
67. Military ranks shall be assigned personally to servicemen. Military rank may be awarded initially or as a result of a promotion.
68. Military ranks to servicemen may be assigned by:
 - the President of the Republic of Belarus on the recommendation of a state military service body for colonel or senior officers;
 - the head of the state military service body for senior officers up to a colonel;
 - the head of the state military service body or officials appointed by the head for any other military ranks.
69. Recertification military ranks may be assigned by:
 - the President of the Republic of Belarus on the recommendation of a state military service body for colonel or senior officers;
 - the head of the state military service body for junior and senior officers up to a colonel inclusive.

CHAPTER 12. ASSIGNMENT OF THE FIRST MILITARY RANK

70. The first military ranks for military servants shall be:
 - officers: second lieutenant and lieutenant;
 - warrant officers: warrant officer;
 - sergeants: junior sergeant;
 - soldiers: private.

Servicemen who have been awarded their first military rank shall be enrolled in the list of officers.

Servicemen who have been awarded the warrant officer military rank shall be enrolled in the list of warrant officers.

71. Second lieutenant military rank shall be assigned to contract servicemen with specialized secondary education appointed to posts appropriate for officers at least one year after their appointment to that post, finishing junior officers training courses, passing the established exams, and the certification for the first officer-level military rank.

Female contractual military personnel with vocational secondary education appointed to posts to be filled by officers may be assigned their first officers rank 'second lieutenant' at least one year after their appointment to that post, passing exams in vocational job training and the certification for the first military rank.

72. Lieutenant first military rank may be assigned to:

72.1. cadets who graduated military institutions having studied up to ten semesters consecutively and who passed the curriculum exams, after their studies (with the exception mentioned in Subparagraph 104.1 of Paragraph 104 of these Regulations), and after certification to be assigned the rank of first officer;

72.2. cadets enrolled in a military school where the curriculum is taught for eleven semesters or more who have passed the established curriculum exams at the end of the fifth year and after certification to be assigned the first military rank of officers;

72.3. cadets who have studied in higher education at the state-owned educational institution 'Institute of National Security of the Republic of Belarus' and who have passed the exams established by the training programme, at the end of the first year and after certification to be assigned the rank of first officer;

72.4. for contract servicemen with higher education who are appointed to posts to be filled by officers, at least one year after their appointment to a post to be filled by officers, including the time required to complete the junior officer's course, pass the exams established by the curriculum and after certification to be assigned the rank of first officer.

Female contractual military personnel with higher education appointed to posts to be filled by officers may be assigned the first officer rank of 'lieutenant' at least one year after they are appointed to that post, after passing exams in job training and certification for the first military rank.

73. Citizens with special rank of commander and ordinary members of the Investigating Committee, the State Committee of Forensic Examinations, internal affairs bodies, financial investigation bodies of the State Control Committee, bodies and divisions for emergency situations, and Prosecutor employees who have class ranks but not military ranks shall be assigned the following military ranks:

- equal to their existing special rank or class rank, in the order of recertification, when commencing military service;
- equal to their existing special rank or class rank, in the order of recertification, for conscripted officers called up for military service;
- private, regardless of the existing special rank or class rank, when conscripted for military service.

74. The rank of warrant officer may be assigned for servicemen in the following cases:

74.1. voluntary military servicemen appointed to posts to be filled by warrant officers or officers, having passed school or course training for warrant officers, upon finishing the said school or course, passing curriculum exams, and after certification to be assigned the rank of warrant officer;

74.2. contract servicemen with higher or secondary vocational education, at least one year after their appointment to a post to be filled by warrant officers, after passing exams in professional training and certification to be assigned the rank of warrant officer;

74.3. contract servicemen with general secondary education, at least two years after their appointment to a post to be filled by warrant officers, after passing exams in professional training and certification to be assigned the rank of warrant officer.

75. The first military rank of junior sergeant may be assigned to sergeants:
- 75.1. conscripted servicemen who have been trained in training centres for junior commanders and passed curriculum exams, when appointed to posts that require the rank of sergeant in accordance the staff list;
 - 75.2. for conscripted and contract servicemen appointed to posts to be filled by sergeants or higher military ranks, after successfully performing their duties at those posts and perfectly observing military discipline, and after the term of service established for the rank of private military;
 - 75.3. soldiers who have passed training programmes for junior commanders at military departments or faculties of higher or secondary vocational educational institutions and who have passed curriculum exams, at the time of appointment to posts requiring sergeant or higher military ranks (regardless of the term of military service in private military rank);
 - 75.4. cadets appointed to posts requiring sergeants or higher military ranks, who have successfully performed their duties in these posts, perfectly observed military discipline, and performed excellently academically, after the established term of service in private military rank.
76. Private rank may be assigned to:
- 76.1. citizens without military ranks, called up for urgent military service, at the time of enrolment for military unit personnel;
 - 76.2. citizens without military ranks enrolled in the military educational institution, at the time of enrolment in the cadets' list;
 - 76.3. citizens who are not in the inactive reserve and who entered voluntary military service, at the time of enrolment in the list of military unit personnel.

CHAPTER 13. ASSIGNMENT OF PROMOTION MILITARY RANKS, DEMOTION, DEPRIVATION, AND RESTORATION IN MILITARY RANK

77. The promotion of military ranks may be awarded to servicemen upon the expiration of the established period of service in the preceding military rank if they occupy posts requiring equal or higher military rank than that to be assigned.

78. The following terms of service in military ranks shall be established for servicemen:

78.1 for soldiers and sergeants:

- three months for private;
- five months for junior sergeant;
- nine months for sergeant;
- one year for senior sergeant;
- no special term for foreman;

78.2. for warrant officers and officers:

Military rank	Term of service in military rank	
	For flight and engineering military personnel performing flights as part of crews	For other categories of servicemen
Warrant Officer	four years	five years
Senior Warrant Officer	not applicable	not applicable
Junior Lieutenant	one year	one year
Lieutenant	one year	two years
Senior Lieutenant	two years	three years

Military rank	Term of service in military rank	
	For flight and engineering military personnel performing flights as part of crews	For other categories of servicemen
Captain	two years	three years
Major	three years	four years
Lieutenant-Colonel	four years	five years
Colonel and senior officers	not applicable	not applicable

79. For servicemen who have completed full-time education in military educational institutions, in which the curriculum is taught for ten semesters or more, the term of service in the rank of 'lieutenant' shall be one year.
80. The term of service in the assigned military rank shall be calculated from the date on which the military rank assignment order was signed as specified in such order.
81. The term of service in the assigned military rank shall include the time of military service as well as:
- a break in military service related to unlawful dismissal from military service and subsequent reinstatement in military service;
 - the suspension of military service;
 - any time spent in the inactive reserve.
- For citizens who served in internal affairs or any other paramilitary organizations and prosecutor's offices and who enrolled for military service, the term of service in the military rank shall be counted as the term of service in a special or class rank.
82. For servicemen who have been sentenced by a court in a form of military service restriction or arrest, the service of sentence time shall not be included in the term of service for the assigned military rank.
83. Servicemen who have the rank of marine corps shall be recommended for military rank promotion only after recertification for the respective marine corps ranks.
84. For servicemen who have officer military ranks and have successfully studied at military educational institutions, clinical residency, master's, adjunct or doctoral studies in full-time, military rank promotion shall be assigned as follows:
- up to the lieutenant colonel inclusive: upon the expiration of the established period of service in the previous military rank regardless of the post previously held;
 - colonel: on the expiry of the term of service in the preceding military rank, if the rank corresponds to the military rank the serviceman occupied before beginning training, excluding any changes in the post made after their admission to the training;
 - higher officers: if the assigned rank corresponds to the military rank for the staff post that they held before entering training, excluding any changes in the post made after their admission to the training.
- For servicemen with the military rank of 'warrant officer' who have successfully studied in military educational institutions in full-time education, the military rank of 'lieutenant' shall be assigned upon the expiry of the term of service in the preceding military rank, irrespective of the occupied post.
85. For servicemen with the rank of officer who shown high moral and combat qualities in the defence of the Republic of Belarus during their combat duty (service), performed other military service duties to a high level, and achieved high performance in combat training, strengthening military discipline and mastering complex military equipment and weapons, the promotion of military rank up to colonel inclusive may be assigned ahead of time as a reward, but no higher than the military rank provided for their post by the staff list.
- In this case, the military rank promotion may be assigned early after at least half of the service time in a previous military rank and not more than two times for the whole period of military service (one time for a junior officer rank and one time for a senior officer rank).

The military rank of senior warrant officer may be assigned earlier as a reward regardless of the staff post but not earlier than three years after the assignment of the rank of warrant officer.

86. Servicemen with officer ranks may be awarded a promotion of military rank one level higher than the rank established for their staff post in the following cases:

- up to a lieutenant colonel inclusive: for servicemen with 'master', 'sniper pilot', 'sniper navigator';
- up to colonel inclusive: for those who have an academic degree or an academic title.

A military rank one step higher than the military rank provided for by the full-time post may be assigned to servicemen after the expiration of the established term of service in the previous military rank and only once for the entire period of military service.

87. Positively certified officers with the rank of 'captain' who have reached the age limit in the military and have served the prescribed period of service in the military rank, or been dismissed from military service may be awarded 'major of the inactive reserve' rank regardless of the military rank required for the occupied post.

88. The rank of senior warrant officer may be assigned to servicemen who have served with the rank of warrant officer for ten years or longer, regardless of their staff post.

89. Servicemen with the rank of 'junior sergeant', 'sergeant' or 'senior sergeant' may be awarded a promotion of military rank one level higher than that of their staff post as a reward for the established service term with their previous military rank.

90. The military rank of corporal may be assigned to a private appointed for a post requiring corporal military rank, as well as for the purposes of promotion.

91. Servicemen shall not be awarded a military rank promotion in the following cases:

- 91.1. those subject to criminal prosecution or if their cases are being considered in court;
- 91.1. those subject to restrictions in military service or arrest, for the period of such punishment;
- 91.3. those whose criminal proceedings were terminated on grounds not specified in Paragraph 94 of these Regulations, within one year of the respective resolution (ruling);
- 91.4. those demoted by the imposed disciplinary penalty, until such penalty is cancelled;
- 91.5. those demoted after certification, until the certification commission decides to initiate a petition to award a military rank promotion;
- 91.6. those with an outstanding warning of incomplete official compliance or detention in a disciplinary cell;
- 91.7. those at the disposal of relevant commanders (superiors), before appointment to the post;
- 91.8. during maternity leave.

92. Servicemen on child care leave may be awarded a military rank promotion after the end of such leave (or its early termination) if they are appointed to posts requiring an equal or higher rank than that being assigned, subject to the expiration of the established term of service with a previous military rank. The time spent by a serviceman on maternity leave shall be counted in the period of service in the assigned military rank.

93. Candidates for officer's ranks recommended for 'colonel' or senior officer military rank promotions ahead of schedule or one level higher than a rank established for the staff post held by such candidates shall be considered at board meetings of state military bodies.

94. Servicemen whose criminal proceedings were cancelled due to the absence of socially dangerous acts under criminal laws, the absence of corpus delicti, or failure to prove participation of the suspect or accused of committing a crime, or if the not-guilty verdict was issued by a court, a military rank may be assigned from the date when it might be assigned considering Paragraphs 77 and 91 of these Regulations.

95. Servicemen convicted by a court for a committed crime without sentencing or released from punishment or punished with a fine, or with the deprivation of the right to occupy certain posts or engage in certain activities, may be recommended for military rank promotion considering the requirements of Paragraphs 77 and 91 of these Regulations after their criminal record has been cancelled or expunged.

96. Servicemen unlawfully discharged from military service and subsequently restored, of the term of assignment of promotion military rank expired when such servicemen were in the inactive reserve, such rank shall be assigned from the date when it might be assigned considering the requirements of Paragraphs 77 and 91 of these Regulations.
97. Servicemen with military ranks up to colonel inclusive (except for servicemen with private, warrant officer, and junior lieutenant ranks) may be demoted in rank by one level in the manner prescribed by the Disciplinary Regulations of the Armed Forces of the Republic of Belarus unless otherwise established by the President of the Republic of Belarus.
- One-level demotion may be applied to servicemen up to lieutenant colonel inclusive (except for private, warrant officer and junior lieutenant ranks) by officials authorized to apply this measure by the Armed Forces Disciplinary Regulations.
98. Servicemen are restored to their former military rank after demotion in accordance with the procedure and terms established by the Disciplinary Regulations of the Armed Forces.
- Time spent by servicemen in demoted ranks, except for unlawful demotions, shall not be counted for the purposes of the term of service for the award of a military rank promotion.
99. Servicemen may be demoted and restored in colonel and senior officers military ranks by the President of the Republic of Belarus with the recommendation of the state military service body, on the basis of the board decision of that body.
100. Servicemen may be deprived of their military rank by a court verdict or by the President of the Republic of Belarus.
- Conscripted officers may be deprived of their military ranks only by the decision of the Minister of Defence for offences that are grounds for early termination of the contract under applicable legislation.
- Citizens deprived of their military rank by a court verdict may be restored to their former military rank by officials who have the right to assign this military rank, in accordance with the law, after their criminal record has been cancelled or expunged. Citizens deprived of their military rank by the decision of the President of the Republic of Belarus may be restored to their former military rank by the President of the Republic of Belarus.
101. Resolutions (rulings) issued by a criminal prosecution body or court sentences or decisions (rulings) that come into force shall be the grounds for the recovery of the former military rank of servicemen illegally demoted or deprived of their rank based on the conclusion of the internal investigation.

CHAPTER 14. ASSIGNING MILITARY RANKS TO CITIZENS LIABLE FOR MILITARY SERVICE

102. Citizens not conscripted to military service or reserve service due to an exemption from conscription or deferment shall be assigned the military rank of 'private' at the time of registering in inactive reserve by a district (city) military commissioner.
103. The first inactive reserve officer's rank 'inactive reserve lieutenant junior' shall be assigned to citizens who have passed a full military training course for inactive reserve officers at military training departments or at secondary vocational institutions and exams established by the curriculum and been certified for the military rank of 'inactive reserve lieutenant junior' after graduation.
104. The military rank of inactive reserve lieutenant first military rank shall be assigned to:
- 104.1. cadets of military educational institutions, with an educational programme comprising up to ten semesters inclusive, who have passed the final certification and are certified as inactive reserve officers, upon their dismissal from military service due to illness or in connection with organizational and staff measures when reducing the number of military formations;
 - 104.2. citizens who completed complete military training for inactive reserve officers at the military department or faculty and passed exams established by the curriculum and certified for the first military rank of inactive reserve officer, upon graduation or no later than three years after graduation.

105. Inactive reserve lieutenant first military rank may be assigned to citizens liable for military service:
- 105.1. those with higher education who have completed training programmes for junior commanders at military departments or faculties of higher educational institutions and passed the exams established by the curriculum, as well as those who have completed military or reserve service at the time of certification for the assignment of the first military rank of inactive reserve officers;
 - 105.2. who have completed compulsive military service, voluntary military service or reserve service, have higher education in the field in military or related to military, upon the completion of military or reserve service, at the time of certification for the assignment of the first military rank of inactive reserve officers;
 - 105.3. female citizens with field higher education or related to the military, at the time of certification for the assignment of the first military rank of inactive reserve officers;
106. The first military rank for inactive reserve officers shall be assigned by the Minister of Defence or the Chairman of the State Security Committee.
107. For persons liable for military service, officers ranks shall be established after the following terms of service in the respective military ranks:
- | | |
|---|----------------|
| Inactive Reserve Second Lieutenant | – two years; |
| Inactive Reserve Lieutenant | – three years; |
| Inactive Reserve Senior Lieutenant and Inactive Reserve Captain | – four years; |
| Inactive Reserve Major | – five years; |
| Inactive Reserve Lieutenant Colonel | – six years. |
108. For citizens liable for military service with the military ranks of ‘soldiers and sergeants’, military rank promotions shall be assigned by regional military commissar subject to their successful reserve training for jobs at posts to which they are appointed in case of conscription.
109. Inactive reserve officers liable for military service (except for those in special registers) are awarded military rank promotions up to inactive reserve colonels by the Minister of Defence or the Chairman of the State Security Committee if they are assigned to military units for performing duties requiring military ranks in wartime, equal or higher than usually assigned to servicemen liable for military service upon the expiration of the term of service in previous military ranks.
110. By the decision of the Minister of Defence or the Chairman of the State Security Committee, inactive reserve officers in the special register may be awarded a military rank promotion up to inactive reserve colonel inclusive, upon the expiration of the established term of service in the previous military rank.
111. The military rank promotion of ‘inactive Reserve Colonel’ may be assigned to inactive reserve officers upon the expiration of the established term of service in the previous military rank or earlier by the decision of the President of the Republic of Belarus on the basis of the recommendation of the Ministry of Defence or the Chairman of the State Security Committee.
112. The military ranks of inactive reserve warrant officer or senior inactive reserve warrant officer shall not be assigned to citizens liable for military service.
113. No retired former servicemen (citizen liable for military service) shall be called up for training or assigned another military rank.
114. Citizens in inactive reserve or retired citizens, or those deprived of military service by a court verdict, shall be assigned the military rank of ‘private’ by the district (city) military commissar.

CHAPTER 15. CERTIFICATION AND CERTIFICATION COMMISSIONS

115. Certification is established for the purpose of a comprehensive and objective assessment of the performance of military personnel undertaking military service under contract or conscription.

The procedure for the arrangement and conducting of military personnel certification (other than those specified in Paragraph 118 of these Regulations), creating and operating certification commissions, and approving certifications shall be determined by the head of the state military service body.

116. The Chairman of the certification commission shall be the deputy commander of a military unit (or a head of the state military service body, or the unit head of such state body). Certification commissions may include other deputies of the commander of the military unit (the corresponding head or superior), heads of divisions or services (structural divisions of the state body), the council of the officers' assembly, as well as other military and civilian personnel of the military unit (state body).

Certification commissions shall be accountable to the commander of the military unit (the corresponding head or superior) in which they are created.

The chairman of the certification commission shall be responsible for managing its work.

117. The core certification objectives shall be:

- the objective assessment of service activities of servicemen, the level of their professional training and compliance with their posts and service prospects;
- the feasibility of entering into new contracts with servicemen, including those who have reached the age limit for military service;
- the selection of military personnel for appointment to posts, as well as the selection of candidates for referral to study;
- the creation of a reserve of candidates for higher posts and for referring them to study;
- the assessment of grounds for early dismissal of servicemen from military service;
- the determination of the service purpose of military educational and research institutions graduates.

118. Heads and deputy heads of military service state bodies shall be certified in accordance with the procedure determined by the President of the Republic of Belarus.

Military personnel assigned to state bodies shall be certified in accordance with the procedure determined by the heads of these state bodies, unless otherwise established by the President of the Republic of Belarus. Military personnel assigned to other organizations shall not be certified and, at the end of the secondment period, their service references shall be given by their direct superiors in these organizations. Military personnel assigned to the Republican State-Public Association Dynamo Belarusian Physical Culture and Sports Association shall be certified in accordance with the procedure determined by the chairman of the central council of the said Association.

119. Contractual officers and warrant officers (with the exception of those who reach the age limit for military service in the year of expiration of the term of military service established by the contract) shall be certified at least three months before the expiration of the term of military service established by the contract, and at least every five years of military service.

120. Officers and warrant officers who reach the age limit for military service in the year of expiration of the term of military service established by the contract shall be certified in the year preceding their reaching this age.

121. Conscripted officers shall be certified two months before the end of their term of service.

122. Servicemen who are trained in military educational and research institutions in full-time education shall be certified upon graduating from such institutions.

123. Contractual soldiers and sergeants shall be certified when considering the issue of leaving them in military service beyond the age limit of military service, as well as when assigning them the first military rank of 'warrant officer'.

124. Servicemen shall be certified when considering their appointment to a lower post on the basis provided for in Subparagraph 28.5 of Paragraph 28 of these Regulations, or when dismissed from military service to the inactive reserve on the basis provided for in Subparagraph 211.2 of Paragraph 211 of these Regulations.

125. If necessary, heads of military service state bodies shall have the right to appoint an exceptional certification of all military personnel performing military service under a contract, or of certain categories of military personnel.

126. The certification of servicemen (hereinafter referred to as the 'certification') shall be drawn up by their immediate (direct) superiors, who are personally responsible for the objectivity of the conclusions and recommendations set out in it.
127. Servicemen certification supervisors shall:
- thoroughly consider and evaluate their professional and personal qualities;
 - analyse and evaluate the specific results of their service activities in their posts and the status of affairs in military units (divisions) under their command;
 - before certification, arrange individual interviews regarding military service, the improvement of professional and job training, and style and methods of work;
 - give the necessary recommendations to eliminate shortcomings and improve professional training and the performance of official duties;
 - personally draw up certification documents, sign all copies and submit them to a senior supervisor for examination and approval.
128. Servicemen shall not be certified in the following cases:
- 128.1. appointment to posts, transfer to a new place of military service, with the exception of appointments to a lower post in the event of an official discrepancy between the post held;
 - 128.2. enrolment of candidates for referral to study;
 - 128.3. if they are recommended for state awards of the Republic of Belarus;
 - 128.4. assignment of regular military ranks;
 - 128.5. expulsion from military educational or research and scientific institutions;
 - 128.6. conclusion of new contracts with servicemen left in military service beyond the age limit of the state in military service;
 - 128.7. entering into a new contract with servicemen on parental leaves;
 - 128.8. dismissal from military service to the inactive reserve or retirement, except for cases of dismissal from military service on the grounds provided for in Subparagraph 211.2 of Paragraph 211 of these Regulations.
129. At the meeting of the certification commission, in addition to certifications of military personnel, the following issues may be considered:
- 129.1. candidates for promotion (demotion) to higher, equal and lower posts, except for promotion to higher and equal posts based on the results of the competitive recruitment process;
 - 129.2. candidates for referral to study;
 - 129.3. candidates for admission to military service under contracts;
 - 129.4. issues of expediency of new contracts with servicemen left in military service beyond the age limit of the state in military service;
 - 129.5. recommendations for awarding military personnel with state awards of the Republic of Belarus;
 - 129.6. recommendations for the awarding of military rank promotions ahead of schedule or one step higher than the military rank provided for by the occupied staff post;
 - 129.7. the awarding of military rank promotions to servicemen, which was suspended by earlier decisions to delay the awarding of the said military rank promotion;
 - 129.8. recommendations for appointment to a lower post for personal (family) reasons at the request of a serviceman;
 - 129.9. recommendations for early discharge from military service of contract servicemen at their own request, or as the result of an offence stated by a military service contract as the grounds for its early termination or expiration;
 - 129.10. prospects for further use in the military service of officers and warrant officers who have a significant disciplinary penalty 'warning of incomplete service compliance'.

In the cases specified in Part One of this paragraph, information describing servicemen and recommendations of the certification commission shall be specified in submissions and other documents drawn up for military personnel.

130. The certification commission shall be the same for all servicemen. When considering issues related to officers undertaking military service, only officers included in the commission shall be allowed to participate in the certification commission.
131. The certification commission shall have the right to hold its meeting if it is attended by at least two-thirds of its announced members, subject to the requirements of Paragraph 130.
132. The certification commission may make decisions by a majority vote of its members present at the meeting by secret ballot. If votes are equal, the decision shall be made in favour of servicemen. The said decision shall be made in writing.
- Certifications to servicemen with conclusions of their immediate (direct) superiors or the certification commission on the failure to comply with the terms of the occupied post, demotion to a lower post or transfer to the inactive reserve in connection with the systematic failure to comply with the terms of the contract shall be approved by the commander (superior) responsible for the appointment of servicemen subject to certification.
133. Servicemen, their commanders (superiors) and other officials may be invited to the certification commission meetings, if necessary, which shall be recorded in the minutes of the commission meeting.
- Servicemen whose certifications show shortcomings in their performance must attend certification commission meetings when reviewing these certifications.
134. Servicemen must be familiar with the contents of certification approved against the receipt of the first copy of the certification.

CHAPTER 16. GENERAL PROVISIONS ON LEAVE AND EXEMPTION FROM MILITARY SERVICE

135. Servicemen (with the exception of students, residents, undergraduates, adjuncts, doctoral students and cadets studying in military educational or research institutions in full-time education, as well as undertaking military service) shall be granted the following types of leave:
- 135.1. basic leave;
- 135.2. additional leave:
- for particular forms of service;
 - for particular forms of work in countries with severe climatic conditions;
- 135.3. social leave:
- maternity leave;
 - childcare leave;
 - sick leave;
 - for passing entrance exams to institutions of secondary vocational, higher and postgraduate education, with the exception of military educational or research institutions;
 - for the purposes of training in institutions of secondary special, higher and postgraduate education, with the exception of military educational or research institutions;
 - for participation in military operations in other countries (the list of such countries is approved by the Ministry of Defence);
 - in connection with the Chernobyl disaster;
 - short-term leave to work on a thesis or textbook and in other cases provided for by law;
 - for valid personal or family reasons.
136. Students, residents, undergraduates, adjuncts, doctoral students and cadets studying at military educational or research institutions in full-time education shall be granted the following types of leave:
- 136.1. vacation period;
- 136.2. after studying at a military educational or research institution;
- 136.3. social leave:
- maternity leave;
 - childcare leave;

- sick leave;
 - for valid personal or family reasons.
137. The types, duration and procedure of leave for conscripted servicemen shall be established by servicemen status legislation and by the Law of the Republic of Belarus No. 9-3 'On Social Protection of Citizens Affected by the Chernobyl Disaster and other Radiation Accidents' dated January 6, 2009.
138. Leave listed in Paragraphs 135–137 of these Regulations, with the exception of childcare leave, short-term leave to work on a thesis or textbook and in other cases provided for by law, as well as leave connected with the Chernobyl disaster, or participation in military operations in other countries, shall include the provision of monetary allowances.
139. The duration of vacation shall be calculated in days.
Periods of temporary disability of servicemen (including pregnancy and childbirth) shall not be included in basic leave and leave after graduation from military educational or research institution in full-time education.
140. Servicemen who are on basic leave; social leave due to illness, valid personal and family reasons; as well as leave due to the end of a military educational or research institution in full-time education shall be given the time necessary to travel to the place of vacation and back (if it is more than 12 hours), but no more than 15 days.
If the basic leave is granted to servicemen in parts, the time required to travel to and from the place where it is held shall be provided for one part of the leave at the serviceman's choice.
141. Additional and social leave may be granted to servicemen in addition to their basic leave.
- 141.1. On the day of medical examination or of donating blood or its components servicemen shall be released from undertaking their military service duties with the preservation of their monetary allowance for that day.
After each day of donating blood or its components, servicemen shall be granted an additional day when they are released from their military service duties with the preservation of monetary allowances. Upon servicemen's request, such a free day may be added either to basic or additional leave or used at other times.
If blood and its components are donated during the main or additional leave, on state or public holidays established and declared non-working by the President of the Republic of Belarus, or on weekends, servicemen shall be granted another free day when they are released from undertaking military service duties.

CHAPTER 17. BASIC LEAVE PROCEDURE

142. Contract servicemen shall be granted basic leave annually in accordance with the vacation schedule approved by the military unit commander in any season, taking into account vacation period rotations and ensuring that all military duties (functions) are duly performed.
At a serviceman's request, the basic leave may be divided into two parts. In this case, the duration of one part of the vacation may not be less than 15 days.
In exceptional cases, when the provision of basic leave to servicemen in a current year may adversely affect the situation in the military unit (division), it is permitted (with servicemen's consent) to postpone the part of the leave, except for 15 days, to the next year.
The unused part of the basic leave shall be added to the next calendar year leave or may be used separately at servicemen's request.
143. Basic leave shall not be missed for two consecutive years.
144. Basic leave, leave after graduation from military educational or research institution, or for servicemen not subject to discharge from military service due to reaching the age limit for military service, with the exception of 15 days, may be replaced by monetary compensation in the manner established by the head of the state military service body.
145. Basic leave to contract servicemen included in the schedule of dismissal of the military personnel who have reached the age limit in military service in the year of dismissal shall be provided so that it can be used completely before the expiration of the term of military service.

146. Contract servicemen who have not used their basic leave (a part thereof) in the year of dismissal as the result of a disease or other circumstances beyond their control shall be entitled to the unused part of the basic leave after they handover their responsibilities in an established manner and are excluded from personnel lists of a military unit (but no later than the contract expiration date) based on the duration of the leave, calculated in the manner prescribed in Paragraph 151 of these Regulations.

In this case, servicemen to be excluded from the staff list of a military unit in the following year shall be entitled to basic leave for the period of military service in the following year for the time proportional to the service period in the year when servicemen were excluded from the military unit staff list, not considering the length of service given at dismissal.

Leave granted to servicemen in accordance with the procedure specified in Parts One and Two of this paragraph may be completely replaced by monetary compensation upon the written request of the serviceman.

147. Servicemen serving outside the Republic of Belarus shall be allowed to combine basic leave, but for no more than two years. In such a case, the total duration of the leave should not exceed 60 days per year, excluding the time required to travel to the place of leave and back.

Leave not used by servicemen in the period of their stay abroad shall be provided to them within a year after returning to the Republic of Belarus or replaced in whole or in part with monetary compensation in the manner established by Part Three of Paragraphs 142, 144, 146 and 163 of these Regulations.

148. The following duration of basic leave shall be established for contract servicemen:

148.1. with the total duration of military service in calendar terms:

- 30 days for at least 10 years;
- 35 days for 10 to 15 years;
- 40 days for 15 to 20 years;
- 45 days for 20 years or longer;

148.2. 45 days for flight crew;

148.3. 45 days for those who are members of mine clearance groups and personally take part in the clearance and disposal (destruction) of mines, shells, bombs and other explosive items in the current year;

148.4. 45 days for those holding regular posts of divers and fulfilling the standards of working hours under water;

148.5. 45 days for those who perform military service in posts in the territorial bodies of the border service and the body of the special purpose border service, performing duties for the protection of the state border of the Republic of Belarus. The list of posts of the specified border service bodies performing duties on the protection of the state border of the Republic of Belarus shall be approved by the Chairman of the State Border Committee;

148.6. The Minister of Defence, the Chairman of the State Security Committee, the Chairman of the State Border Committee for the total duration of military service:

- 28 days for up to 5 calendar years;
- 30 days for 5 to 10 calendar years;
- 32 days for up to 10 calendar years.

The list of flight personnel and the standard number of hours of work under water for divers shall be approved by the state military service body.

The calculation of the length of service for determining the duration of basic leave shall be carried out under the conditions established for calculating the length of service for retirement. In this case, during the study at secondary vocational and higher educational institutions (except for study military professions (specializations, majors) for military formations, Investigative Committee, the State Committee of Forensic Examinations, internal affairs bodies, bodies of financial investigations of the State Control Committee, bodies and divisions on emergency situations), and work experience shall not be included in years in military service for the purposes of determining the duration of basic leave.

149. Conscripted officers shall be granted basic leave for the entire period of military service lasting 30 days.

When a conscription officer enters into a contract, basic leave shall be granted in accordance with the procedure and terms defined for military personnel serving under the contract.

For voluntary military servicemen in the year of entry into military service, the duration of the basic leave shall be calculated in proportion to the time served in that year.

150. Contractual or conscripted servicemen may have their basic leave decreased by the decision of the respective commander (superior) by the number of days on which they were absent for invalid reasons. In all cases, the total duration of basic leave may not be less than 21 days.

151. Basic leave for servicemen dismissed from military service on the grounds stipulated by Subparagraphs 210.1 and 210.3 of Paragraph 210; Subparagraph 211.1 of Paragraph 211; Subparagraphs 212.1, 212.4, 212.6, 212.8 to 212.10 of Paragraph 212; Subparagraph 215.2 of Paragraph 215; Subparagraph 216.2 of Paragraph 216; and Paragraph 217 of these Regulations, if such leave was not used before dismissal, shall be provided for the period specified by Paragraph 148 and the first part of Paragraph 149 of these Regulations, and for servicemen dismissed on other grounds provided by Paragraphs 210 to 212, 215 and 216 hereof (except those dismissed on the grounds provided for in Subparagraphs 210.4 to 210.6 of Paragraph 210, Subparagraphs 211.2 to 211.4 and 211.6 of Paragraph 211, Subparagraphs 215.3 and 215.4 of Paragraph 215 hereof), the basic leave shall be in proportion to the time served in the year of dismissal.

Servicemen dismissed from military service on the grounds provided for in Subparagraphs 210.4 to 210.6 of Paragraph 210; Subparagraphs 211.2, 211.4 and 211.6 of Paragraph 211; and Subparagraphs 215.3 and 215.4 of Paragraph 215 of these Regulations shall not be eligible for basic leave.

152. Servicemen who fall ill during basic leave may be given extended leave after recovery by the commander (superior) who granted such leave for the period of unused days on the basis of a temporary disability document issued by a medical institution.

Basic leave shall not be extended for servicemen in the year of discharge from military service to the inactive reserve or retirement with subsequent exclusion from the lists of military unit personnel.

153. Basic leave may be granted in summer or any other convenient time upon request to the following categories of military personnel:

153.1. participants in military operations on the territory of other states;

153.2. personnel that took part in the liquidation of the consequences of the Chornobyl disaster in 1986–1989;

153.3. those who were evacuated or resettled or who have independently moved from the territory of radioactive contamination from the evacuation (exclusion) zone or the priority or further resettlement zone (including children who were fetal at the respective time), with the exception of those who arrived on this territory after 1 January 1990;

153.4. raising a disabled child under the age of 18;

153.5. raising a child under the age of 14 without a mother (father);

153.6. women who have two or more children under the age of 14;

153.7. those whose wives are on maternity leave;

153.8. blood and blood component donors who have been awarded 'Honorary donor of the Republic of Belarus' badge.

154. Spouses performing military service under contract may request basic leave simultaneously.

Working spouses of military personnel undertaking military service under contracts shall be granted basic leave at their request at the same time as the basic leave of their spouses, and they may also be granted additional non-reimbursable leave, taking into account the duration of the basic leave of their spouses.

154.1. Basic leave to servicemen who are entitled to social childcare leave, in the year of granting the specified social leave, shall be granted for the period established in Paragraph 148 of these Regulations.

In a year when social childcare leave expires (or in case of its early termination), servicemen shall be entitled to basic leave proportional to the time served that year, regardless of the length of childcare social leave provided.

155. The military commandant of the garrison (military commissar of the district (city) on the territory of which the serviceman is on basic leave shall have the right to grant leave for valid personal and family reasons for up to 10 days in the case of:

- the serious illness or death of a close relative (mother, father, wife (husband), children, siblings, grandparents, adoptive parents or any other person they are raising);
- a fire or other natural disaster that occurred in the family or close relative of a serviceman on leave.

The circumstances specified as the grounds for leave must be confirmed with documents.

The military commandant of the garrison (military commissar of the district (city)) shall immediately notify the commander of the military unit in which a serviceman undertakes military service about the leave granted to the serviceman for valid personal and family reasons.

CHAPTER 18. LEAVE TO STUDENTS, RESIDENTS, UNDERGRADUATES, ADJUNCTS, DOCTORAL STUDENTS AND CADETS STUDYING IN MILITARY EDUCATIONAL OR RESEARCH INSTITUTIONS IN FULL-TIME EDUCATION

156. Students, residents, undergraduates, adjuncts, doctoral students and cadets who are studying in military educational or research institutions in full-time education shall be granted vacations during breaks in training sessions: 14 days in winter, and 30 days in summer.

Students, residents, undergraduates, adjuncts, doctoral students, and cadets who have outstanding programme requirements shall be granted vacation after they have used up the remaining vacation time. In this case, the duration of the summer vacation may not be less than 21 days, and the winter vacation may not be less than 7 days.

157. Leave after graduating from a military educational or research institution in full-time education shall be provided for the period established by Paragraph 148 of these Regulations.

158. Servicemen who have graduated from a military educational or research institution in full-time education shall be granted social leave in connection with participation in combat actions on the territory of other states or in connection with the Chernobyl disaster if applicable.

Servicemen entitled to social leave on two grounds at the same time shall be granted leave of their choice on one of the grounds.

CHAPTER 19. SPECIAL PROCEDURES FOR ADDITIONAL AND SOCIAL LEAVE

159. Any additional or social leave in connection with participation in combat operations on the territory of other states or in connection with the Chernobyl disaster shall be granted to eligible servicemen annually.

Social leave not specified in Part One of this paragraph shall be granted to military personnel at their request if there are appropriate grounds.

160. The Procedure and conditions for granting additional leave to military personnel shall be established by the President of the Republic of Belarus.

161. Excluded.

162. Additional leave may be granted to military personnel at the same time as basic leave.

163. Additional social leave that is not used by servicemen in the current year shall not be transferable to the following year and shall not be subject to monetary compensation except for the monetary compensation for servicemen who have not been awarded additional leave in the year of dismissal from military service.

164. Female military personnel shall be entitled to maternity and parental leave. Parental leave may be granted to a father who is a serviceman in cases provided for by Part Nine of Article 4 of the Law of the Republic of Belarus No. 100-3 of January 4, 2010 'On the Status of Military Personnel'.

The period of time spent on parental leave shall be included in the length of service for the pension and superannuation purposes.

If the duration of parental leave exceeds the term of the contract, its duration shall be determined by the terms of the contract. Upon the expiration of a contract, a new contract shall be concluded with a serviceman on general terms. In this case, at a serviceman's request, the previously granted leave may be extended until the child reaches the age of three years.

165. Sick leave shall be granted on the basis of the conclusion issued by the military medical commission to military personnel who, at the end of inpatient treatment and rehabilitation, are still unable to perform military service (official duties) for health reasons.

The procedure for granting sick leave and its duration shall be determined by the regulations on military medical examination.

Upon the expiration of the established period of continuous treatment, rehabilitation or sick leave, servicemen shall be subject to examination by the military medical commission to decide on their fitness for military service.

Sick leave shall not be granted upon discharge from military service.

166. Military personnel performing military service under a contract shall be entitled to leave for entrance examinations to institutions of secondary special, higher and postgraduate education, with the exception of military educational institutions, for the period specified in the notification certificate from an educational institution.

167. Military personnel undertaking military service under contract shall be entitled to leave for studying at institutions of secondary special, higher and postgraduate education, with the exception of military educational institutions, for the period specified in the notification certificate from an educational institution.

168. Contract servicemen (with the exception of those studying in military educational or research institutions in full-time education) from among the participants in combat operations on the territory of other countries shall be granted 14 days of social leave.

169. Contract servicemen (with the exception of students in military schools or military scientific research institutions in full-time education) from among persons who participated in the liquidation of consequences of Chernobyl disaster in 1986–1987 in the evacuation (exclusion) zone or involved during that period in operational or other activities at the station (including those temporarily directed or assigned and military personnel and conscripts called up for special training and involved in the liquidation of consequences of the accident) shall have the right to 14 days of social leave annually.

Military personnel who perform military service on the territory of radioactive contamination in the zone of priority and subsequent eviction or the zone with the right to eviction shall have the right to 14 days of social leave, and military personnel who perform military service in the zone of periodic radiation monitoring shall have the right to 7 days of social leave.

170. Leave for valid personal and family reasons of up to 10 days shall be granted to a serviceman in the following cases:

- marriage;
- the serious illness or death of a close relative (mother, father, wife (husband), children, siblings, grandparents, adoptive parents or any other person they are raising);
- fire or other natural disaster that occurred to the family or close relatives of a serviceman;
- in other exceptional cases, when the presence of a serviceman in the family is necessary.

As a rule, the circumstances specified as the ground for leave must be confirmed with documents.

171. Short-term leave of up to 30 calendar days for working on a thesis or textbooks and in other cases provided for by law, additional leave, and maternity and childcare leave for contractual military personnel shall be provided in accordance with the procedure and conditions established by the legislation on labour and status of military personnel.

CHAPTER 20. RECALL FROM VACATION

172. In cases of extreme service necessity, servicemen may be recalled from leave (with the exception of maternity and childcare leave or sick leave) by a decision of an official who has been granted such a right by the head of the state military service body.
173. Servicemen may be recalled from vacations by order of military unit commanders. In such a case, if the unused part of the leave is 10 days or more, servicemen wishing to use an unused vacation time shall also be given time for travel to the venue and back, but no further than a place from which such servicemen was withdrawn.
- At servicemen's request, the unused part of the leave may be added to basic leave in the following year or replaced with monetary compensation in the manner established by the head of the state military service body.

CHAPTER 21. EXPULSION OF CADETS FROM A MILITARY EDUCATIONAL INSTITUTION

174. Cadets may be expelled from military schools:
- 174.1. due to their unwillingness to take the Military Oath;
 - 174.2. for school failure;
 - 174.3. for poor discipline;
 - 174.4. due to unwillingness to continue their studies or to pass exams;
 - 174.5. if there are grounds for dismissal from military service provided for in Subparagraphs 210.3 to 210.5 of Paragraph 210; Subparagraphs 211.2 to 211.4 and 211.6 of Paragraph 211; Subparagraphs 212.1, 212.2 and 212.7 to 212.9 of Paragraph 212; and Subparagraph 217.2 of Paragraph 217 of these Regulations;
 - 174.6. transfer to another military educational institution.
175. Cadets may be expelled from a military educational institution by the head of the military educational institution or another official of the state military service body in accordance with the rights granted by the head of that body.

CHAPTER 22. EXPULSION OF STUDENTS, RESIDENTS, UNDERGRADUATES, ADJUNCTS, DOCTORAL STUDENTS FROM A MILITARY EDUCATIONAL OR RESEARCH INSTITUTION

176. Students, residents, undergraduates, adjuncts and doctoral students may be expelled from military educational or research institutions:
- 176.1. for school failure;
 - 176.2. for poor discipline;
 - 176.3. due to unwillingness to continue their studies or to pass exams;
 - 176.4. if there are circumstances preventing them from studying or if there are grounds for dismissal from military service provided for in Subparagraphs 210.3 to 210.5 of Paragraph 210; Subparagraphs 211.2 to 211.4 and 211.6 of Paragraph 211; Subparagraphs 212.1, 212.2 and 212.7 to 212.9 of Paragraph 212; and Subparagraph 217.2 of Paragraph 217 of these Regulations;
177. Students, residents, undergraduates, adjuncts and doctoral students may be expelled from a military educational or research institution by the head of the state military service body.
178. Students, interns, graduate students, adjuncts and doctoral students expelled from military educational or research institutions in full-time education eligible for the conclusion of new military service contracts shall be sent to new places of military service, and those who are not eligible shall be discharged from military service in the manner prescribed by the Law and these Regulations.

CHAPTER 23. REIMBURSEMENT OF TUITION FEES

179. Education charges are recoverable:
- 179.1. from cadets of military educational institutions expelled from these institutions on the grounds provided for by Subparagraphs 174.2 to 174.4 of Paragraph 174 of these Regulations, if there

- were grounds for dismissal from military service provided by Subparagraphs 211.2 and 211.6 of Paragraph 211 hereof, and in connection with the entry into force of the court verdict of their condemnation and dismissal from military service, for the period of their study;
- 179.2. from students, residents, undergraduates, adjuncts and doctoral students of military educational or research institutions of full-time education dismissed from military service on the grounds provided for in Subparagraphs 210.4-210.6 of Paragraph 210 and Subparagraphs 211.2 and 211.4 to 211.6 of Paragraph 211 of these Regulations, for the period of their study;
 - 179.3. officers that have not served for five years in the rank of officer after graduating from military educational or research institutions in full-time education as it is required by the Law and dismissed from military service on the grounds provided for by Subparagraphs 210.4 to 210.6 of Paragraph 210 and Subparagraphs 211.2 and 211.4 to 211.6 of Paragraph 211 hereof, considering the term of military service after graduation.

The procedure for calculating and reimbursing tuition fees shall be determined by the state military service bodies.

180. If the said persons refuse to voluntarily reimburse tuition fees, they may be collected in court.

If citizens re-enter military service under a contract or serve in the Investigative Committee, the State Committee of Forensic Examinations, internal affairs bodies, financial investigation bodies of the State Control Committee, or bodies and divisions for emergency situations, the executive document on the recovery of tuition fees shall be returned on the basis of the recovery request in accordance with the legislation on enforcement proceedings.

- 180.1 Citizens (servicemen) who received education in military educational institutions shall be exempt from the reimbursement of tuition fees if they belong to the category of orphans and children left without parental care, as well as orphans or children left without parental care, or persons aged 18 to 23 years who lost the last of their parents during the period of education.

CHAPTER 24. GENERAL PROVISIONS ON DISCHARGE FROM MILITARY SERVICE

181. Servicemen shall be subject to discharge in the year they reach the age limit for military service established by the Law.

If necessary, some servicemen may be left in military service for up to five years or for another five years considering their state of health and with their consent in the manner determined by the Law, but not over the age of 65.

182. Documents about the extended military service by servicemen who have reached the age limit shall be submitted to the personnel office of a state military service body before October 1, and documents about the extended military service by servicemen about whom the decisions are to be made by the President of the Republic of Belarus; such documents shall be sent to the State Secretariat of the Security Council of the Republic of Belarus before November 15 of the year preceding the year they reach the age limit in military service or the expiration of the previous term when they had extended military service.
183. Contract servicemen who have reached the age limit for military service and military personnel who have served the established period of military service on conscription shall be dismissed in a scheduled manner.
184. Servicemen considered for dismissal on the grounds provided for by Subparagraphs 210.1 to 210.3 of Paragraph 210; Subparagraphs 211.1 and 211.3 of Paragraph 211; Subparagraphs 212.1 to 212.4, 212.9 and 212.10 of Paragraph 212; Subparagraph 213.2 of Paragraph 213; Subparagraph 215.2 of Paragraph 215; and Paragraph 217 of these Regulations, to determine the category of fitness for military service for health reasons, are sent for examination by the military-medical commission, the conclusion of which is taken into account when establishing grounds for dismissal.
Medical examination can be performed on an outpatient or inpatient basis at servicemen's request.
185. Positively certified servicemen with several grounds for dismissal shall be dismissed on grounds providing them the greatest social and legal guarantees in accordance with the legislation (at the choice of servicemen).

186. Servicemen deemed by the military-medical commission as unfit for military service in peacetime (partially fit for military service in wartime) shall be recommended for dismissal from military service to the inactive reserve within ten days after the receipt by a military unit of the conclusion issued by the military-medical commission about the serviceman's state of health (subject to the requirements of Subparagraph 45.10 of Paragraph 45 hereof).
187. The medical examination or re-examination of servicemen dismissed in inactive reserve or retired servicemen at the time of their actual dismissal from military service to change the grounds for dismissal shall be arranged in the manner established by military-medical examination regulations.
188. Pregnant military personnel or those with children aged 3 to 14 years or disabled children under the age of 18 years, which they raise without the father (mother), may not be dismissed except for the cases when military personnel are subject to dismissal on the grounds provided for by Subparagraphs 210.1 and 210.3 to 210.6 of Paragraph 210; Subparagraphs 211.2, 211.4 and 211.6 of Paragraph 211; and Paragraph 217 of these Regulations or when dismissal is at their request.
189. As a rule, military personnel are dismissed from military service from their posts without being transferred to the relevant commanders (superiors).
Officers occupying posts requiring the rank of senior officer (except officers occupying posts requiring the military rank of 'colonel-general') shall be dismissed when they are released from their posts.
190. Servicemen dismissed from military service, on the day of exclusion from the muster roll of the military unit, must be fully provided with the established types of allowances.
191. Positively certified contract servicemen who have served for 20 calendar years or more and who have made distinctive contributions to the Republic of Belarus, regardless of the total duration of military service, shall be granted the right to wear military uniforms and insignia upon discharge from military service.
The right to wear military uniforms and insignia shall be granted by the President of the Republic of Belarus to military personnel who have military ranks of higher officers and who have been dismissed from military service by the President of the Republic of Belarus.
192. Servicemen dismissed on the grounds stipulated by Subparagraphs 210.1 and 210.3 of Paragraph 210; paragraph 211; Subparagraph 211.1 of Paragraph 211; Subparagraphs 212.1, 212.4, 212.6, 212.8–212 and 212.10 of Paragraph 212; Subparagraph 215.2 of Paragraph 215; or Paragraph 217 hereof shall be paid an income tax-exempt withdrawal benefit in the amount of six monthly salaries, and servicemen dismissed on other grounds provided by Paragraphs 210 to 212, 215 and 216 hereof (except dismissed on the grounds provided for by Subparagraphs 210.4 to 210.6 of Paragraph 210; Subparagraphs 211.2, 211.4 and 211.6 of Paragraph 211; and Subparagraphs 215.3 and 215.4 of Paragraph 215 of these Regulations) shall be entitled to the withdrawal benefits in the amount of two monthly salaries.
Servicemen dismissed on the grounds provided for in Subparagraphs 210.4 to 210.6 of Paragraph 210; Subparagraphs 211.2, 211.4 and 211.6 of Paragraph 211; and Subparagraphs 215.3 and 215.4 of Paragraph 215 of these Regulations shall not be eligible for dismissal pay.
193. Conscripted servicemen (except those dismissed on the grounds provided for by Subparagraphs 213.1, 213.3 and 213.4 of Paragraph 213 hereof) shall be paid income tax-exempt dismissal pay in the amount of one base value and servicemen who are orphans or children left without parental care shall be paid the dismissal pay in the amount of five base values.
Servicemen dismissed on the grounds provided for in Subparagraphs 213.1, 213.3 and 213.4 of Paragraph 213 of these Regulations shall not be eligible to dismissal pay.
194. Dismissed servicemen shall be excluded from personnel lists of a military unit after the handover of responsibilities and posts.
The day of exclusion of a serviceman from the muster roll of a military unit shall be the day of the end (last day) of military service.
195. Servicemen dismissed after the expiration of a military service contract (conscription period) must be excluded from the lists of military personnel on the day of the expiration of the contract (conscription

- period). In cases where the expiration of the contract (conscription period) falls on a month in which there is no corresponding date, the specified period expires on the last day of this month.
196. Servicemen convicted by a court for committing a crime with the penalty of the deprivation of military rank, restriction or imprisonment, life imprisonment or the death penalty, and who are under detention at the time of the entry of verdict into legal force, shall be dismissed from military service and excluded from lists of staff of military unit since the commencement of the punishment specified in a court sentence, and servicemen who are not in custody shall be dismissed from military service after a court judgment comes into force.
 197. Servicemen subject to criminal prosecution, until a decision in a criminal case, may be dismissed from military service on the grounds stipulated by Sub-paragraphs 210.1 to 210.3 and 210.6 of Paragraph 210; Subparagraphs 211.2 and 211.6 Paragraph 211; Subparagraphs 212.1 and 213.2 of Paragraph 213, Subparagraphs 215.1 and 215.2 of Paragraph 215; and Paragraph 217 hereof, and conscripted servicemen who have served the established term of military service may be dismissed on the grounds specified in Subparagraph 213.1 of Paragraph 213 hereof in coordination with the relevant pre-trial investigation body or the court.
 198. Contract servicemen convicted by a court for committing a crime without sentencing, or released from punishment, or discharged on probation or with postponed punishment, or with the restriction of liberty without being sent to open correctional institution, a fine, or the deprivation of the right to occupy certain posts or engage in certain activities may be dismissed or not dismissed after a guilty verdict comes into force. Servicemen who remain in military service shall serve in accordance with the Law and these Regulations.
 199. Contract servicemen in respect of whom a criminal procedure body terminated the criminal proceedings (except in cases of termination in the absence of a socially dangerous act under criminal law, the absence of corpus delicti or failure to prove participation of the suspect or accused of committing a crime) may be dismissed on the grounds and in the manner established by the Law and these Regulations.
 200. Servicemen serving a sentence of restriction on military service may be dismissed from military service if circumstances arise that are the basis for this in accordance with the Law and these Regulations.
 201. Servicemen serving a sentence of arrest may be dismissed from military service if circumstances arise that are grounds for their dismissal due to illness.
 202. Servicemen specified in Paragraphs 200 and 201 of these Regulations shall be dismissed from military service after the court's decision comes into force to release them from further serving their sentence or to replace the unserved part of the sentence with a more lenient punishment.
 203. Servicemen sentenced to restriction on military service or arrest having served their sentence shall continue military service in accordance with the Law and this Regulation.
 204. Servicemen dismissed on grounds not specified in Paragraphs 195 and 196 of these Regulations shall be excluded from personnel lists of a military unit no later than one month after the receipt by the military unit of a relevant extract from the order or other written notification (but no later than the date of the contract expiration), except in cases of illness, giving servicemen basic leave (a part thereof) not used in the year of dismissal from military service subject to the requirements of Paragraph 146 hereof, or any other circumstances that don't depend on serviceman's will.
 205. Killed (deceased) servicemen shall be excluded from lists of the respective troops and personnel lists of a military unit on a day following the day of their death, and servicemen recognized as missing or declared deceased in the manner prescribed by law shall be excluded from lists of the respective troops and personnel lists of a military unit on a day specified by the court decision once it has entered into legal force.
 206. The dismissal of servicemen deprived of a military rank and their exclusion from lists of personnel of military unit shall be made by the order of the commander of a military unit in which they undertook military service with the military rank of 'private'.

Servicemen deprived of military ranks shall be removed from the respective military personnel lists by the order of the official entitled to appoint to posts (except for servicemen who held posts requiring the rank of senior officer).

207. Servicemen holding posts requiring the rank of senior officer may be excluded from the list of officers by the head of the state military service body.
208. If servicemen are dismissed illegally, they may be reinstated in military service by revoking the dismissal order. The order to dismiss servicemen from military service may be cancelled by the official who issued that order, or by the official's direct commander (superior).
209. Servicemen may be dismissed by:
- the President of the Republic of Belarus for top military ranks;
 - the head of the state body in which military service is provided for junior and senior officers;
 - officials who are authorized to do so by the head of a state military service body for any other military personnel.

CHAPTER 25. DISCHARGE OF CONTRACT SERVICEMEN TO THE INACTIVE RESERVE

210. Servicemen performing military service under contracts shall be transferred to the inactive reserve:
- 210.1. by age, when they reach the maximum military service age, including upon the expiration of the contract concluded to extend the term of military service, or during the specified period at the serviceman's request;
 - 210.2. upon the expiration of a military service contract;
 - 210.3. due to health issues, being deemed unfit for military service in peacetime (limited fitness for military service in wartime) based on the conclusion of the military-medical commission;
 - 210.4. deprivation of the military rank of an officer or warrant officer;
 - 210.5. after the entry into force of a court verdict on the imposition of punishment in the form of the restriction or deprivation of liberty, life imprisonment or the death penalty on a serviceman;
 - 210.6. because of expulsion from a military educational institution, clinical residency, master's, adjunct or doctoral studies, if the requirements for entering into a contract for military service are not met, and there are no other grounds for dismissal from military service or transfer to another military educational institution.
211. Servicemen undertaking military service under contracts may be dismissed to the inactive reserve before the expiration of the military service contract in the following cases:
- 211.1. organizational and staff measures, if it is impossible to appoint a serviceman whose post has been cancelled to another post on the grounds provided for in Paragraph 24; Subparagraph 27.2 of Paragraph 27; or Sub-paragraph 28.1 of Paragraph 28 of this Regulation;
 - 211.2. a systematic (more than twice a year) failure to implement the contract;
 - 211.3. the refusal of access to state secrets or termination of the said access;
 - 211.4. after the entry into legal force of a court verdict on the conviction of servicemen, with the release of a servicemen who committed a crime from criminal liability or the termination of criminal proceedings against them on non-rehabilitating grounds;
 - 211.5. at servicemen's request, if the attestation commission of the military unit concludes that a serviceman has valid reasons that prevent the performance of military service duties;
 - 211.6. the committing of a crime by the serviceman provided for in the military service contract as grounds for its early termination or expiration.
212. Contract servicemen shall have the right to be dismissed from military service to the inactive reserve before the expiration of the military service contract in the following cases:
- 212.1. due to illness, being deemed fit for out of rank service in peacetime based on the conclusion of the military-medical commission;
 - 212.2. a systematic (more than twice a year) failure to implement the contract;

- 212.3. removed;
- 212.4. the reduction of staff and downgrading of rank for certain positions held by servicemen, or the reduction of the official salary for the post held by them;
- 212.5. if the family member of a serviceman cannot live in the area of military service for health reasons, and if such servicemen cannot be transferred to a new place of military service favourable for the residence of the family member;
- 212.6. the change of military service place by the serviceman's spouse, if such change requires the family to move to another area;
- 212.7. the need for constant care of the father, mother, wife (husband), sibling, grandfather, grandmother, or adoptive parents for health reasons, in accordance with the conclusion of the medical consultation (medical rehabilitation) expert commission, and in the absence of other persons who must support these people in accordance with the laws of the Republic of Belarus;
- 212.8. the need to take care of a child under 18 without the other parent as the result of such parent's death, the deprivation of parental rights, or when such parent cannot take care of a child as the result of a group I disability or any other disease preventing such parent from taking care of a child based on the conclusion of the medical-examination (medical-consultation) expert commission.
- 212.9. exercise of powers as a Deputy of the House of Representatives of the National Assembly of the Republic of Belarus;
- 212.10. exercise of professional powers of a member of the Council of the Republic of the National Assembly of the Republic of Belarus or a Deputy of the local Council of Deputies.

CHAPTER 26. DISCHARGE OF CONSCRIPTED SERVICEMEN

- 213. Servicemen performing military service shall be discharged to the inactive reserve in the following cases:
 - 213.1. at the expiration of the term of military service by conscription;
 - 213.2. due to health issues, being deemed unfit for military service in peacetime (limited fit for military service in wartime) based on the conclusion of the military-medical commission;
 - 213.3. after the entry into force of a court verdict on the imposition of punishment in the form of deprivation of liberty, life imprisonment or the death penalty.Servicemen performing military service shall be subject to dismissal and referral for military registration of conscripts if, during the period of military service, it is established that:
 - 213.4. the serviceman was serving a sentence of deprivation of liberty in correctional institutions;
 - 213.5. the serviceman has a criminal record;
 - 213.6. the court applied compulsory security and treatment measures against the serviceman and the term of their application has not expired;
 - 213.7. criminal prosecution or judicial proceedings are ongoing against a serviceman, or the criminal case has been transferred to the prosecutor for referral to the court.
- 214. Conscripted servicemen shall have the right to early dismissal if, during the period of military service, there are circumstances that cause him or her to be discharged:
 - 214.1. a serviceman has parents or siblings who, being military personnel or persons of the commanding and ordinary staff of the Investigative Committee, the State Committee of Forensic Examinations, internal affairs bodies, financial investigation bodies of the State Control Committee or bodies and divisions for emergency situations, died or became a person with a group I or II disability as a result of injuries (wounds, contusions) or diseases received while undertaking military service (official duties), as well as orphans and children left without parental care;
 - 214.2. a serviceman has disabled parents or other family members who need permanent outside care for health reasons, in accordance with the conclusion of the medical advisory (medical rehabilitation) expert commission, who are not fully supported by the state, and in the absence of other capable persons living on the territory of the Republic of Belarus who are legally obliged to support these

family members and take care of them, regardless of whether they live together with them or separately, or if such persons are performing military service under conscription, in reserve or alternative service;

- 214.3. who has a wife and child under the age of three;
- 214.4. who has a disabled wife of disability group I or II;
- 214.5. who has a disabled child;
- 214.6. who has a child raised without a mother;
- 214.7. who has two children;
- 214.8. who have a mother (father) who is not married and has no other capable children who has one child under three years old, two or more children under 18 years old, or a disabled child under 18 years old, or a child over 18 years old who has disability of group I or II, or a mother who is over 28 weeks pregnant who is not married and has no other capable children;
- 214.9. who have one or more siblings under the age of 18 or over the age of 18 who are receiving general secondary, vocational or specialized secondary education, or who have a disability of group I or II, if there are no other persons who can support them.

A serviceman performing military service, if the circumstances provided for in Subparagraphs 214.1 and 214.2 of this paragraph arise during the period of military service, shall be sent for the military registration of those who are liable for military service upon discharge.

Conscripted servicemen, if the circumstances provided for in Subparagraphs 214.3 to 214.9 of this paragraph arise during the period of conscript military service and if the servicemen have served in military service for less than six months, shall be sent for registration of conscripts upon discharge.

If during the period of military service the circumstances provided for in Subparagraphs 214.3 to 214.9 of this paragraph arise, and the servicemen have served in the military for six months or more before that, the servicemen shall be sent to the military registration of conscripts after discharge.

CHAPTER 27. DISCHARGE OF CONSCRIPTED OFFICERS TO THE INACTIVE RESERVE

215. Servicemen performing military service as officers under conscription shall be transferred to the inactive reserve:

- 215.1. at the expiration of the term of military service by conscription;
- 215.2. due to health issues, if deemed unfit for military service in peacetime (limited fit for military service in wartime) based on the conclusion of the military-medical commission;
- 215.3. upon the deprivation of the military rank of an officer;
- 215.4. after entry into force of a court verdict on the imposition of a punishment in the form of the restriction or deprivation of liberty, life imprisonment or the death penalty on a serviceman;
- 216. Servicemen performing military service as a conscript officer shall have the right to early transfer to the inactive reserve:
 - 216.1. for family reasons of such servicemen:
 - 216.1.1. if they have parents or siblings who, being military personnel or persons of the commanding and ordinary staff of the Investigative Committee, the State Committee of Forensic Examinations, internal affairs bodies, financial investigation bodies of the State Control Committee, or bodies and divisions for emergency situations, died or became I or II group disabled as a result of injuries (wounds, contusions) or diseases received in the performance of military service (official duties), as well as orphans and children left without parental care;
 - 216.1.2. if they have disabled parents or other family members who need permanent outside care for health reasons, in accordance with the conclusion of the medical advisory (medical rehabilitation) expert commission and are not fully supported by the state, and in the absence of other capable persons living on the territory of the Republic of Belarus, who

are legally obliged to support these family members and take care of them, regardless of whether they live together with them or separately, or if such persons are performing military service under conscription;

216.1.3. if they have a disabled wife of disability group I or II;

216.1.4. if they have a disabled child;

216.1.5. if they have a child brought up without mother as the result of the mother's death, or the deprivation of parental rights, or when such mother cannot take care of a child as the result of the group I disability or any other disease preventing such parent from taking care of a child under the conclusion of medical-examination (medical-consultation) expert commission.

216.2. exercise the powers of a Deputy of the House of Representatives of the National Assembly of the Republic of Belarus or the powers of a Deputy of the local Council of Deputies on a professional basis.

CHAPTER 28. RETIREMENT OF MILITARY PERSONNEL

217. Servicemen shall be subject to retirement from service:

217.1. by age – upon reaching the age limit of the retiree, including at the expiration of the period for which military service has been extended, or during the specified period at the personal request;

217.2. due to illness – on the serviceman being deemed unfit for military service with the exception of military registration on the basis of the conclusion of the military medical commission.

218. Servicemen deemed unfit for military service except for military registration for health reasons by the military-medical commission shall be discharged from service within one month after their military unit receives a certificate of illness (conclusion issued by the military medical commission about serviceman's state of health).

DECREE OF THE PRESIDENT OF THE REPUBLIC OF BELARUS 'On the Approval of the Regulations on the Procedure for Reserve Service'

10 March 2008, No.148

(Amendments in the Decrees of the President of the Republic of Belarus of 30 December 2011, No. 621; of 24 January 2014, No. 49).

1. To approve the attached Regulations on the Procedure for Reserve Service.
2. The Council of Ministers of the Republic of Belarus within six months shall: ensure that legislative acts are brought in line with this Decree; take other measures necessary to implement the provisions of this Decree.
3. This Decree shall enter into force one month after its official publication, with the exception of Clause 2 and this clause, which enter into force from the date of the official publication of this Decree

President of the Republic of Belarus

A. Lukashenka

APPROVED
Decree of the President
of the Republic of Belarus of 10 March 2008, No. 148

REGULATIONS 'ON THE PROCEDURE FOR RESERVE SERVICE'

CHAPTER 1. GENERAL PROVISIONS

1. These Regulations shall determine the procedure for service in reserve by the citizens of the Republic of Belarus (hereinafter referred to as 'citizens') in peacetime, as well as other issues to be covered by these Regulations in accordance with the Law of the Republic of Belarus 'On Military Duty and National Military Service' of 5 November 1992 (National Register of legislative acts of the Republic of Belarus, 2003, No. 85, 2/976) (hereinafter referred to as the 'Law').
2. A reservist is a citizen who serves in the reserve in military units, other organizations of the Armed Forces or transport troops of the Republic of Belarus (hereinafter referred to as a 'military unit').
Serving in the reserve as a reservist includes:
 - registration and de-registration in a military unit;
 - assignment of a military rank;
 - classes and training;
 - retirement from the reserve service;
 - other circumstances (events) that, in accordance with legislative acts, determine the official and legal status of a reservist.
3. Service in reserve shall be performed in accordance with the Law, these Regulations and other legislative acts.
4. Orders to register reservists in military units, assign them military ranks, organizing their classes and training camps, and discharge them from the reserve service shall have references to the relevant provisions of the Law and/or these Regulations.

5. The term of reserve service shall be calculated and established in accordance with the Law.
6. The forms of documents concerning the organization of conscription of citizens for reserve service, sending conscripted citizens to the place of reserve service, registering them in military units, assigning military rank, organizing and conducting classes and training camps, organizing the discharge from the reserve service, sending them for military service, as well as the requirements for drawing up these documents shall be established by the Ministry of Defence.
7. Reservists serve in the military units to which they were sent when they were called up for reserve service.
8. Reservists may be transferred from one military unit to another only in cases of their transfer to work in another area together with the employer, the liquidation of the military unit or the inability to continue reservist training in the military profession due to the termination of their access to state secrets.
9. Reservists may be sent for conscript military service to the military units in which they serve in the reserve and, in the absence of vacant posts in these units to be filled by conscripted military personnel, they may be sent to other military units in accordance with the procedure established by the Ministry of Defence. Reservists may be sent for mandatory military service at their request.
10. If reservists are sent for mandatory military service, their conscription period shall be included in the term of service in reserve: eight training hours in training camps as one day of mandatory military service.
11. If reservists' level of education changes, the term of reserve service shall be established in accordance with the Law.
12. During the period between classes and training camps, reservists shall have the right to temporarily travel abroad in accordance with the legislation of the Republic of Belarus.
13. Reservists may enter military educational institutions in accordance with the legislation of the Republic of Belarus.

CHAPTER 2. RECEPTION AND REGISTRATION OF RESERVISTS IN A MILITARY UNIT

14. The number of citizens to be called up for reserve service, the list of regional military commissariats, the departure time for reserve service, the list of military specialties and the list of military units where reservists will serve in the reserve shall be determined by the General Staff of the Armed Forces.
15. Reservists shall be registered in accordance with the procedure determined by the Ministry of Defence.
16. Citizens called up for the reserve service in newly created military units shall be sent from the conscription (assembly) points of military commissariats.
17. After citizens arrive to a military unit for service in reserve, employers shall be notified by the military unit commander on the commencement of reserve service by such citizens.
18. Citizens who have arrived in military units to serve in the reserve shall be registered and enrolled in the lists of military personnel, and for all types of support.
19. At the end of classes and training camps, all kinds of support for reservists shall be cancelled and they shall be sent to their place of residence (registration) until the start of regular classes and training camps. In this case, reservists shall be given documents to notify their employers about the dates of regular classes and training camps.
20. Reservists shall be registered in military units until they are dismissed from the reserve service.
21. If mobilization, martial law, or wartime is announced, reservists shall have the status of conscripted servicemen and be sent by military unit commanders for the formation of military units or to training military units for the training of junior commanders and professionals in the manner established by the Ministry of Defence.

CHAPTER 3. ASSIGNMENT OF MILITARY RANKS TO RESERVISTS

22. The seniority of military ranks and composites of military personnel shall be determined by the sequence of their enumeration in the Law from the military rank of 'private in reserve' to higher ranks and from 'soldiers' to higher ranks.

23. Military ranks shall be given to reservists in person. Military rank may be initial or promotion.
24. Reservists may be assigned the following military ranks:
 - up to master in reserve inclusive, with officials to be determined by the Ministry of Defence;
 - warrant officer rank, by the Minister of Defence.
25. The first military rank of 'reserve private' shall be assigned to citizens conscripted for service in reserve at the time of registration and enrolment to the list of military personnel.
26. Military rank promotions may be assigned to reservists upon the expiration of the established period of service in the preceding military rank if they pass professional military training and occupy posts requiring equal or higher military rank than that to be assigned.
27. The following terms of service in military ranks shall be established for reservists:
 - one academic year for a reserve private;
 - one academic year for reserve junior sergeant;
 - not established for reserve sergeant, reserve senior sergeant and reserve master.
28. Warrant officer military rank shall be assigned to reservists with higher or secondary vocational education after professional military training while being in reserve if they occupy posts requiring the military rank of 'warrant officer', upon completing reserve service and passing of qualification exams and the certification for the assignment of the military rank of 'warrant officer'.
29. Reservists may not be assigned officers' military ranks.

CHAPTER 4. ORGANIZATION OF CLASSES AND TRAINING CAMPS

30. General management of the reservists training schedules in military units shall be in the manner determined by the Ministry of Defence.
31. Reservists shall be trained in accordance with the training programmes approved by the orders of the Minister of Defence.

The duration and procedure of classes and training camps shall be established by training programmes considering military professions to be obtained by reservists.
32. Reservists will be provided with classes and training camps and with munition, military equipment and other necessary supplies in accordance with the legislative acts of the Ministry of Defence.
33. Reservists shall be given admission and access to state secrets in accordance with the legislation of the Republic of Belarus.
34. Military units commanders determine the procedure and time for the reservist's arrival to scheduled classes and training camps.
35. Valid reasons for a reservist's failure to be present at classes and training camps shall be:
 - 35.1. injury (trauma, contusion) or illness associated with the loss of the reservist's ability to work;
 - 35.2. a serious health condition of a reservist's father, mother, stepfather, stepmother, wife, child, siblings, grandfather, grandmother or guardian or the participation in the funeral of these persons;
 - 35.3. force majeure or any other circumstances outside of the reservist's control;
 - 35.4. other reasons recognized as valid by the commander of the military unit or by the court.Reasons for absence shall be confirmed by documents issued by the respective state bodies (organizations).
36. Reservists who fail to arrive at classes and training camps within the time limits set by the commander of the military unit without a valid reason shall be held liable in accordance with the legislation of the Republic of Belarus.
37. During classes and training camps, reservists may take leave for valid personal and family reasons such as:
 - 37.1. serious health condition or the death of the reservist's father, mother, stepfather, stepmother, wife, child, sibling, grandfather, grandmother or father (mother) of the wife or guardian of the reservist;
 - 37.2. fire or another natural disaster that occurred to the family or close relatives of a reservist;

- 37.3. in other exceptional cases, when the reservists have to be with their family, by the decision of the commander of the military unit.
38. Leave for valid personal and family reasons may be granted for a period of up to 10 days, not including the time required to travel to the place of leave and back.
The need to provide the reservist with the specified leave must be documented.
39. Leave for valid personal or family reasons may be extended for reservists by the military commander of the military commandant of garrison or the district (city) military commissioner at the place of leave in circumstances provided for in Paragraph 37 hereof, on the basis of submitted documents.
40. During the period between classes and training camps, reservists shall have the right to continue studying in accordance with the legislation of the Republic of Belarus. The reservist's study at educational institutions may not be the grounds for changes in scheduled classes and training camps.

CHAPTER 5. DISCHARGE FROM THE RESERVE SERVICE TO THE INACTIVE RESERVE

41. Reservists shall be discharged to the inactive reserve in the following cases:
- 41.1. upon the expiration of the service period in the reserve established by the Law;
 - 41.2. due to illness (if reservists are deemed unfit for military service in peacetime);
 - 41.3. after the entry into force of a court verdict on the imposition of punishment in the form of the restriction or deprivation of liberty, life imprisonment or the death penalty on a reservist;
 - 41.4. when establishing circumstances showing that reservists are undergoing or have passed alternative service;
 - 41.5. when establishing circumstances that indicate that reservists have completed military service or otherwise performed military duty in another state;
 - 41.6. when establishing circumstances that indicate that reservists at the time of conscription for reserve service had grounds for which, in accordance with the legislation of the Republic of Belarus, they should not have been subject to conscription for reserve service:
 - 41.6.1. serving a sentence of imprisonment in correctional institutions before being called up for reserve service;
 - 41.6.2. serving a sentence of deprivation of liberty, community service or correctional labour, restriction of liberty or arrest during conscription for reserve service;
 - 41.6.3. a criminal record that has not been cancelled or expunged in accordance with the procedure established by the legislation of the Republic of Belarus;
 - 41.6.4. compulsory security and treatment measures established by the court that have not expired in relation to them;
 - 41.6.5. current criminal prosecution against them or a criminal case that has been transferred to the prosecutor for referral to the court or ongoing judicial proceedings.ongoing.
42. Reservists shall have the right to early discharge from the reserve service to the inactive reserve if they have:
- 42.1. parents, siblings who, being military personnel or persons of the commanding and ordinary staff of the Investigative Committee, the State Committee of Forensic Examinations, internal affairs bodies, financial investigation bodies of the State Control Committee, bodies and divisions for emergency situations, died or became I or II group disabled as a result of injuries (wounds, contusions) or diseases received in the performance of military service (official duties), as well as orphans and children left without parental care;
 - 42.2. disabled parents or other family members who need permanent outside care (help, supervision) for health reasons in accordance with the conclusion of the medical advisory (medical rehabilitation) expert commission who are not fully supported by the state, in the absence of other capable persons living on the territory of the Republic of Belarus who are obliged by the laws of the Republic of Belarus to support these family members and take care of them, regardless of whether

they live together with them or separately, or if such persons are performing military service under conscription or in reserve;

- 42.3. a wife and child under the age of three;
 - 42.4. a disabled wife of disability group I or II;
 - 42.5. a disabled child;
 - 42.6. a child raised without a mother;
 - 42.7. two or more children;
 - 42.8. a mother (father) who is not married and has no other capable children who has one child under three years old, two or more children under 18 years old, or a disabled child under 18 years old, or a child over 18 years old who has a disability of group I or II, or a mother with a pregnancy of 28 weeks or more, who is not officially married and has no other capable children;
 - 42.9. who have one or more siblings under the age of 18 or over the age of 18 who are receiving general secondary, vocational, or specialized secondary education, or who have a disability of group I or II, if there are no other persons who can support them.
43. Reservists who are discharged from the reserve service to inactive reserve, based on the results of qualification exams, shall obtain a military profession and a military post for completing the Armed Forces or other troops and military formations of the Republic of Belarus for wartime.
44. Reservists who are discharged early from the reserve service to the inactive reserve shall obtain a military profession and a military post for completing the Armed Forces or other troops and military formations of the Republic of Belarus for wartime considering their level of military training.

CHAPTER 6. PROCEDURE FOR RETIREMENT FROM THE RESERVE SERVICE

45. Reservists shall be subject to retirement from the reserve service due to illness if deemed unfit for military service with the exception of military registration on the basis of the conclusion of the military-medical commission.
46. Reservists deemed unfit for military service except for military registration for health reasons by the military-medical commission shall be discharged from service no more than one month after their military unit receives a certificate of illness (conclusion issued by the military medical commission about reservist's health condition).

PART III

THE LEGISLATIVE FRAMEWORK FOR ENSURING STATE SECURITY

LAW OF THE REPUBLIC OF BELARUS 'On State Security Bodies of the Republic of Belarus'

10 July 2012, No. 390-3

*Adopted by the House of Representatives on 14 June 2012
Approved by the Council of the Republic on 22 June 2012*

(in the wordings of the Laws of the Republic of Belarus of 15 July 2015, No. 307-3;
of 19 July 2016, No. 408-3; of 09 January 2019, No. 169-3);

This Law shall define the legal and organizational basis for the activities of state security bodies of the Republic of Belarus (hereinafter referred to as 'state security bodies'), and establish the duties and rights of state security bodies and their employees, as well as guarantees of legal and social protection for employees of state security bodies and their family members.

CHAPTER 1. GENERAL PROVISIONS

Article 1. State Security Bodies and Their Purpose

State security bodies are state bodies that ensure the security of individuals, society and the state from internal and external threats within the limits of their powers.

State security bodies constitute an integral part of the national security system of the Republic of Belarus.

Article 2. Main Tasks of State Security Bodies

The main tasks of state security bodies shall include:

- protecting the independence and territorial integrity of the Republic of Belarus, as well as the national security of the Republic of Belarus in the political, economic, military, scientific, technological, information, social, demographic and environmental sphere;
- evaluating the current national security situation of the Republic of Belarus, monitoring its development and implementation to prevent and detect threats to the national security of the Republic of Belarus, and registering proposals to the President of the Republic of Belarus on ensuring the national security of the Republic of Belarus in accordance with the legislation of the Republic of Belarus;
- notifying the President of the Republic of Belarus and, on the President's behalf, the relevant state authorities and other organizations on the national security situation of the Republic of Belarus;
- developing and implementing measures to assist public authorities and other organizations in the implementation of measures related to political, socio-economic development, scientific and technological progress in the Republic of Belarus; and organizing and implementing, within its competence, activities related to counterintelligence and foreign intelligence;

- preventing, detecting and suppressing terrorist and other extremist activities; organized crime and corruption; illegal migration; illicit trafficking in narcotic drugs, psychotropic substances, their precursors and analogues, weapons, ammunition, nuclear materials and their components, as well as other items subject to export controls; smuggling; and other crimes, and organizing inquiries and preliminary investigations within the competence of state security bodies established by the legislative acts of the Republic of Belarus;
- exercising powers in the area of state secrets stipulated by the legislation of the Republic of Belarus;
- providing government and operational communications for state bodies and other organizations; within their competence; and organizing and managing the use of cryptography, encryption, and other security systems for special communications in the Republic of Belarus and organizations of the Republic of Belarus located abroad; and enforcing state control over this activity.

State security bodies may be assigned other tasks by the legislative acts of the Republic of Belarus.

State security bodies shall not be responsible for tasks that are not provided for by the legislative acts of the Republic of Belarus.

Article 3. Legal Basis for the Activities of State Security Bodies

The legal basis for activities of state security bodies shall be the Constitution of the Republic of Belarus, this Law, enactments and decrees of the President of the Republic of Belarus, and other legislative acts of the Republic of Belarus.

If an international treaty ratified by the Republic of Belarus establishes rules other than those contained in this Law, the international treaty shall prevail.

Article 4. Principles of State Security Bodies

The activities of state security bodies shall be based on the following principles:

- legality;
- respect for and observance of the rights, freedoms and legitimate interests of citizens of the Republic of Belarus, foreign citizens and stateless persons (hereinafter referred to as 'citizens' unless otherwise established by this Law);
- humanism;
- a unified system of state security bodies and their centralized management;
- a combination of open and clandestine methods and activities;
- independence from the activities of political parties and other public associations.

Article 5. Activities of State Security Bodies and the Rights of Citizens and Organizations

The state guarantees respect for and observance of the rights, freedoms and legitimate interests of citizens when state security bodies carry out their activities.

The restriction of citizens' rights and freedoms by state security bodies (their employees) shall only be allowed in cases stipulated by this Law and other legislative acts of the Republic of Belarus.

Citizens and organizations who believe that their rights and legitimate interests have been infringed by the action (inaction) of state security body officials shall have the right to appeal this action (inaction) to a higher state security body or to a higher official, prosecutor or a court.

The activities of state security bodies, as well as their methods and means, should not cause harm to individuals, the property of citizens and organizations, or the environment.

State security bodies shall not have the right to disclose information discrediting the honour, dignity or business reputation of citizens, or information about their private life, unless otherwise established by this Law and other legislative acts of the Republic of Belarus.

If employees of state security bodies violate the rights or freedoms of citizens, the head of the relevant state security body shall take measures to protect and restore these rights and freedoms, to compensate for the damage caused and to bring the perpetrators to justice, as established by the legislative acts of the Republic of Belarus.

Article 6. Interaction of State Security Bodies with other State Bodies, other Organizations and Citizens

State security bodies shall act in cooperation with other state bodies, organizations – including foreign and international ones – and citizens.

The state security bodies within their competence may use, in cases stipulated by the legislative acts of the Republic of Belarus, the forces and means of the Armed Forces of the Republic of Belarus, bodies of the border service of the Republic of Belarus, internal troops of the Ministry of Internal Affairs of the Republic of Belarus, bodies of internal affairs of the Republic of Belarus, bodies and divisions responsible for emergency situation response, and other state bodies ensuring the national security of the Republic of Belarus.

State bodies and other organizations, as well as their officials, shall provide assistance to state security bodies within their competence in performing their duties as defined by this Law and other legislative acts of the Republic of Belarus. Officials of state bodies and other organizations shall be responsible for disclosing information in the field of counterintelligence and operational search activities, and foreign intelligence, as well as other information related to the national security of the Republic of Belarus in accordance with the legislative acts of the Republic of Belarus.

Legal entities and individual entrepreneurs providing postal and telecommunication services using common telecommunication networks (excluding networks that do not have access to the common telecommunication network) shall, at the written request of state security bodies, incorporate hardware, certified additional equipment and software; provide access to the specified equipment; and create the conditions necessary for state security investigative activities following the procedures established by the legislative acts of the Republic of Belarus.

State security bodies shall interact with special services, security bodies, law enforcement agencies, and organizations of foreign states, as well as international and other organizations, on the basis of this Law and international treaties of the Republic of Belarus.

CHAPTER 2. POWERS OF THE PRESIDENT OF THE REPUBLIC OF BELARUS AND THE COUNCIL OF MINISTERS OF THE REPUBLIC OF BELARUS RELATED TO STATE SECURITY BODIES

Article 7. Powers of the President of the Republic of Belarus Related to the Activities of State Security Bodies

The President of the Republic of Belarus shall have the following powers related to the activities of state security bodies:

- to provide overall leadership of the state security bodies;
- to approve regulations on the State Security Committee of the Republic of Belarus;
- to establish the number of state security bodies, military units and other organizations and units subordinated to state security bodies (with the exception of personnel engaged in the maintenance of buildings, as well as workers and employees who are not funded by the republican budget);
- to appoint and dismiss the Chairman and the Deputy Chairmen of the State Security Committee of the Republic of Belarus, and other officers of state security bodies in cases stipulated by the legislative acts of the Republic of Belarus;
- to establish the procedure and standards of logistical support for state security bodies, unless otherwise determined by the President of the Republic of Belarus;
- to make decisions on legal and social protection for employees of state security bodies and members of their families;
- to have additional powers envisaged by this Law and other legislative acts of the Republic of Belarus.

Article 8. Powers of the Council of Ministers of the Republic of Belarus Related to the Activities of State Security Bodies

The Council of Ministers of the Republic of Belarus shall have the following powers related to the activities of state security bodies:

- to ensure implementation of decisions made by the President of the Republic of Belarus and the implementation of this Law's provisions on legal and social protection for employees of state security bodies and members of their families;
- to exercise other powers delegated to it by the President of the Republic of Belarus, as well as powers stipulated by the legislative acts of the Republic of Belarus.

CHAPTER 3. MAIN ACTIVITIES OF STATE SECURITY BODIES

Article 9. Counterintelligence Activities

Counterintelligence activities are the activities of state security bodies to, within their powers, prevent, detect and suppress intelligence and related activities carried out by the special services of foreign states and foreign, international and other organizations, as well as individuals, aimed at harming the national security of the Republic of Belarus.

Key counterintelligence activities include:

- obtaining information about intelligence and related activities carried out by the special services of foreign states and foreign, international and other organizations, as well as individuals, aimed at harming the national security of the Republic of Belarus;
- countering intelligence and related activities carried out by the special services of foreign states and foreign, international and other organizations, as well as individuals, aimed at harming the national security of the Republic of Belarus.

The grounds for state security bodies to carry out counterintelligence activities shall be:

- the need for information about events or acts that endanger the national security of the Republic of Belarus;
- evidence of intelligence and other activities carried out by the special services of foreign states and foreign, international and other organizations, as well as individuals, aimed at harming the national security of the Republic of Belarus;
- the need to ensure the protection of state secrets;
- the need to ensure information security and financial and credit system security for the defence sector; energy, transport and communication; basic services; industrial centres; and other strategic facilities, and to protect key scientific research results;
- the need to confirm citizens' identities (verification), and to provide assistance to state security bodies on a confidential basis;
- the need to ensure proper conditions for the activities of state security bodies and their personnel;
- in response to requests from special services, security bodies, law enforcement agencies and other organizations of foreign states, as well as international and other organizations, in accordance with international treaties of the Republic of Belarus.

During the course of counterintelligence activities, public and secret activities shall be carried out in accordance with the procedure established by the legislation of the Republic of Belarus.

Article 10. Foreign Intelligence

State security bodies, within their competence, shall carry out foreign intelligence in the political, economic, military, scientific and technological, information, social, demographic and environmental sphere in accordance with the legislation of the Republic of Belarus on foreign intelligence.

During the course of foreign intelligence activities, public and secret activities shall be carried out in accordance with the procedure established by the legislation of the Republic of Belarus.

Article 11. Crime Prevention

State security bodies, in accordance with the legislation of the Republic of Belarus, shall prevent, detect and suppress terrorist and other extremist activities; organized crime and corruption; illegal migration; illicit trafficking in narcotic drugs, psychotropic substances, their precursors and analogues, weapons, ammunition, nuclear materials and their components, as well as other items subject to export control; smuggling; and other crimes and shall carry out inquires and preliminary investigations that are assigned by the legislative acts of the Republic of Belarus to state security bodies.

Article 12. Organization of Government and Operational Communications

Government and operational communications are special-purpose telecommunication networks that ensure the secrecy of information transmitted through them. State security bodies organize government

communications in the interests of state agencies, and operational communications in the interests of law enforcement agencies.

State security bodies shall provide state bodies and other organizations, senior officials of the Commonwealth of Independent States (CIS) Member States during their temporary stay in the territory of the Republic of Belarus with government and operational communications, organize the activities of State administration bodies and other organizations to ensure cryptographic and engineering security of encrypted and other types of special communications in the Republic of Belarus and organizations of the Republic of Belarus located abroad, and exercise state control over these activities.

CHAPTER 4. SYSTEM OF STATE SECURITY BODIES

Article 13. System of State Security Bodies

The system of state security bodies includes:

- the State Security Committee of the Republic of Belarus;
- territorial state security bodies: the office of the State Security Committee of the Republic of Belarus in Minsk and the region of Minsk, and regional offices of the State Security Committee of the Republic of Belarus;
- the directorate of military counterintelligence of the State Security Committee of the Republic of Belarus.

State security bodies shall have educational institutions, health organizations, military units, and other organizations and divisions subordinated to them. Educational institutions, health organizations, military units and other organizations shall be created, reorganized and dissolved by the decision of the President of the Republic of Belarus. Divisions of state security bodies shall be created, reorganized and dissolved by the decision of the Chairman of the State Security Committee of the Republic of Belarus, unless otherwise determined by the President of the Republic of Belarus.

State security bodies, military units subordinate to them and other organizations are legal entities and have seals with the image of the state emblem of the Republic of Belarus.

The creation and operation of organizational structures of political parties and other public associations that pursue political goals shall be prohibited in state security bodies, military units subordinate to them, and other organizations and divisions.

Article 14. State Security Committee of the Republic of Belarus

The State Security Committee of the Republic of Belarus is a public administration body that is in charge of state security bodies system; implements state policy in the field of national security of the Republic of Belarus within its competence; regulates and manages the security of individuals, society and the state; coordinates the activities of other Republican public administration bodies in this area; and directly implements the main activities and tasks of state security bodies.

CHAPTER 5. OBLIGATIONS AND RIGHTS OF STATE SECURITY BODIES AND THEIR EMPLOYEES

Article 15. Obligations of State Security Bodies

To ensure the implementation of the tasks within their competence, state security bodies shall:

- ensure information security and financial and credit system security for the defence industry; energy, transport and communication; basic services; industrial centres; and other strategic facilities, and to protect key scientific research results
- implement counterintelligence and other measures to ensure security in state bodies and other organizations designated by the President of the Republic of Belarus;
- ensure the security of state bodies, implement measures to ensure the security of organizations and citizens of the Republic of Belarus, and assist state security bodies on issues related to their competence;
- ensure the security of organizations of the Republic of Belarus located outside the Republic of Belarus, employees of these organizations and members of their families in the host country, as well as citizens of the Republic of Belarus sent outside the Republic of Belarus who, by the nature of their activities, have access to state secrets, along with their family members who are with them;

- develop and implement preventive, security, organizational and other measures to prevent, detect and suppress terrorist and other extremist activities, and to create, improve and prepare the departmental system for responding to acts of terrorism and other extremist actions;
- carry out activities in the field of crime prevention in the manner prescribed by the legislation of the Republic of Belarus;
- carry out inquiries and preliminary investigations for crimes attributed to the jurisdiction of state security bodies by the legislative acts of the Republic of Belarus;
- conduct administrative processes in accordance with the legislative acts of the Republic of Belarus;
- search for persons who have committed or are suspects in crimes, if the inquest and preliminary investigation are referred to the jurisdiction of state security bodies by the legislative acts of the Republic of Belarus;
- maintain a register of crimes, inquests and preliminary investigations that are referred to the jurisdiction of state security bodies by the legislative acts of the Republic of Belarus; a register of administrative offences for which state security bodies are empowered to conduct an administrative process; and a register and accounting record of citizens investigated on suspicion of committing offences, in the manner prescribed by the legislation of the Republic of Belarus;
- organize cryptographic, engineering and technical security of encrypted and other types of special communication in the Republic of Belarus and organizations of the Republic of Belarus located abroad, and to serve as the central body of the encryption service of the Republic of Belarus;
- ensure state control over the condition of cryptographic, engineering and technical security of encrypted and other types of special communication in government bodies and other organizations, and encryption work in organizations of the Republic Belarus located abroad;
- exercise control over the use of emitting radio-electronic and high-frequency devices on the territory of the Republic of Belarus for any purpose, prohibit the use of emitting radio-electronic means and high-frequency devices operating in violation of the established rules for handling information containing state secrets, as well as creating radio interference through radio-electronic means using government and operational communications;
- identify radiation of radio-electronic equipment on the territory of the Republic of Belarus, the operation of which poses a threat to the national security of the Republic of Belarus, as well as radiation used for illegal purposes, and record the characteristics of signals of emitting radio-electronic equipment;
- take legal, organizational, technical and other measures to prevent the unauthorized dissemination of information containing state secrets;
- exercise control over the protection of state secrets, including control over the use of cryptographic techniques to protect state secrets;
- verify activities in cases stipulated by the legislative acts of the Republic of Belarus;
- coordinate the creation, reorganization and dissolution by state bodies and other organizations of departments for the protection of state secrets, as well as the appointment and dismissal of the heads of these departments;
- verify that the use of ciphers and other types of special communications, including cryptographic techniques to protect state secrets, are in compliance with the requirements of the technical regulatory legal acts of the Republic of Belarus regarding technical regulations and standardization, and issue certificates of conformity;
- assist the border service bodies of the Republic of Belarus and the Armed Forces of the Republic of Belarus in their activities to ensure border security of the Republic of Belarus;
- participate jointly with other state bodies in measures to ensure the safety of mass gatherings events held on the territory of the Republic of Belarus;
- participate in resolving issues related to the departure of citizens of the Republic of Belarus from the Republic of Belarus, and the entry into the territory of the Republic of Belarus and departure from the

Republic of Belarus of foreign citizens and stateless persons, including issues related to the procedure for their stay in the territory of the Republic of Belarus and the granting of refugee status, additional and temporary protection, and asylum in the Republic of Belarus;

- enforce emergency and martial-law regimes;
- take measures to ensure their own security, including the protection of the forces and means of state security bodies; to suppress illegal acts by special services of foreign states and foreign, international and other organizations, criminal organizations, organized groups, and individuals; and to prevent their unauthorized access to information protected by state security bodies;
- store operational, investigative and other materials related to the activities of state security bodies, and determine the procedure for their accounting, storage and use;
- take measures to improve and maintain the condition of combat and mobilization readiness of state security bodies, organize the preparation of forces and means of state security bodies for operations in the event of emergencies in the Republic of Belarus or adjacent states in peacetime;
- provide staffing, including organizing training, retraining and advanced training of personnel;
- provide information of and analytical support for their activities;
- conduct mandatory state fingerprint registration of citizens of the Republic of Belarus who are undertaking military service in state security bodies liable for military service;
- fulfil other duties provided for by this Law and other legislative acts of the Republic of Belarus.

Article 16. Duties of Employees of State Security Bodies

Employees of state security bodies shall perform the duties stipulated by this Law and other legislative acts of the Republic of Belarus, within their competence in accordance with their positions.

In cases of restrictions on the rights and freedoms of citizens, employees of state security bodies shall explain to them the grounds for such restrictions, as well as their related rights and obligations.

Article 17. Rights of State Security Bodies

State security bodies, when performing tasks assigned to them and within their competence, shall have the right to:

- carry out operational-search activities;
- carry out foreign intelligence in the field of cryptography and other types of special communication from the territory of the Republic of Belarus by using radio-electronic as well as other means and methods;
- on a confidential basis, build collaborative relations with citizens who have given their consent to cooperate with security bodies;
- infiltrate the special services of foreign states and foreign, international and other organizations, as well as criminal organizations and organized groups, conducting intelligence or other activities aimed at harming the national security of the Republic of Belarus;
- make decisions on the organization of counter-terrorism operations, which are binding on the subjects directly involved in the fight against terrorism;
- create special units to combat organized crime and corruption, as well as to suppress acts of terrorism and other socially dangerous encroachments;
- adopt, independently or jointly with other state bodies, legal acts, including in the field of state secrets, as well as on the organization and maintenance of the functioning and security of government and operational communications;
- submit to state bodies and other organizations mandatory submissions on measures to respond to violations of the legislation of the Republic of Belarus, including the reason and conditions conducive to the committal of crimes, the inquiry and preliminary investigation of which are referred to the jurisdiction of state security bodies by the legislative acts of the Republic of Belarus, as well as administrative offences for which state security bodies are empowered to conduct the administrative process, and to issue mandatory orders to state bodies and other organizations to respond to evident violations of the legislation of the Republic of Belarus, which may harm the national security of the Republic of Belarus;

- issue official warnings to citizens about inadmissible unlawful behaviour, the implementation of crime prevention activities, inquest and preliminary investigations referred to the jurisdiction of state security bodies by the legislative acts of the Republic of Belarus, and the prevention of administrative offences, for which state security bodies are empowered to conduct an administrative process;
- make proposals to state bodies and other organizations to restrict citizens with security clearance from crossing state borders;
- temporarily restrict citizens registered with the state security authorities in the right to leave the Republic of Belarus;
- request and receive free of charge from state authorities, other organizations and citizens information and/or the necessary materials in the manner prescribed by the legislation of the Republic of Belarus;
- have access to the information systems, databases and databanks of state bodies, other organizations and citizens in the manner prescribed by the legislation of the Republic of Belarus;
- receive radio frequency bands, radio frequency channels or radio frequencies for their exclusive use by radio electronic means and high-frequency devices used for the needs of the national security of the Republic of Belarus and government communications, in the manner prescribed by the legislation of the Republic of Belarus;
- carry out measures to allow for undercover work by employees of state security bodies and their activities through the use of certificates confirming their affiliation to other state bodies and other organizations for this purpose; to produce and use documents of other state bodies or organizations to provide alternative identities for employees, their activities and affiliation to state security bodies, and their premises and vehicles; to conduct operational search and other activities; and to carry out other encryption measures for these purposes;
- involve and coordinate with internal affairs bodies of the Republic of Belarus, bodies and departments for emergency situations of the Republic of Belarus, and employees of these bodies and departments to encrypt special events or to ensure the fulfilment of the tasks of state security bodies;
- have pre-trial detention centres, as well as premises intended for keeping persons detained for committing administrative offences, and to use them in cases stipulated by the legislative acts of the Republic of Belarus;
- conduct scientific research, experimental design, construction and production work independently and under contracts with state bodies and other organizations, and to involve experts and specialists for these purposes;
- conduct research on materials related to counterintelligence and operational-search activities, foreign intelligence, as well as expertise in criminal and administrative cases, and to keep forensic records;
- conclude contracts with state bodies and other organizations for the supply (repair, modernization) of special equipment, communications, weapons, vehicles, military equipment, their components and spare parts, military-technical property and other material resources, as well as contracts with citizens and organizations for the provision and implementation of state security body activities;
- acquire premises (buildings, structures) and other property necessary for the implementation of state security body activities, as well as the use of telecommunication services on the territory of the Republic of Belarus in the manner prescribed by the legislation of the Republic of Belarus;
- have a printed mass media, and to produce and publish special literature, educational and teaching materials;
- send official representatives of the State Security Committee of the Republic of Belarus to international organizations, foreign states in coordination with the special services, security bodies and law enforcement agencies of these states in the manner established by the legislation of the Republic of Belarus;
- exchange information with special services, security bodies, law enforcement agencies of foreign states and foreign, international and other organizations obtained as a result of counterintelligence, operational-search activities and foreign intelligence, by secret, encrypted or other means in the manner prescribed by the legislation of the Republic of Belarus.

State security bodies shall also be granted other rights in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 18. Rights of Personnel of State Security Bodies

In order to perform tasks assigned to state security bodies, their personnel shall have the following rights within their competence:

- to check identity and other documents of officials and other citizens if there are grounds to suspect them of crimes, for the purposes of inquiry and preliminary investigation within their competence established by the legislative acts of the Republic of Belarus, and for administrative offences for which the public security authorities are entitled to conduct the administrative process and to detain such persons;
- to conduct research on detained persons, including inspecting their belongings, and seizing documents and items that may serve as evidence of an offence on the basis of and in the manner stipulated by the legislative acts of the Republic of Belarus;
- to call officials and other citizens to obtain their explanations on cases and materials processed by state security bodies;
- to inspect vehicles in order to apprehend perpetrators a crime or following their escape from custody, and to search territories where they are likely to hide;
- to demand compliance with access and control restrictions applied to restricted objects of the state security bodies;
- to conduct personal inspections of citizens, their belongings, documents, vehicles and possessions to ensure the physical security of restricted objects or premises of state security bodies, including through the use of special technical means, to take measures on search and detention of intruders on the territory of the protected objects;
- to enter freely, if necessary with damage to locks and other items, at any time of the day the residential premises and other legal possessions of citizens and other facilities of state bodies and other organizations, and to examine them in relation to the prosecution of persons suspected of committing a crime or if there are reasonable grounds to believe that a crime is being or has been committed for which the state security bodies are entitled to conduct the inquiry or preliminary investigation within their jurisdiction on the basis of legislative acts of the Republic of Belarus;
- if a person is hiding from the authorities conducting criminal proceedings, and the prosecutor has been informed within twenty-four hours, to seize property and items prohibited from circulation in the territory of the Republic of Belarus, documents indicating forgery, and items indicating calls related to extremist activity or the promotion of such activity, and to make decisions in accordance with the legislation of the Republic of Belarus;
- in cases stipulated by the legislative acts of the Republic of Belarus, to take measures to prevent citizens and vehicles from entering, including diplomatic missions and consular posts, specific areas, or to remove citizens from such areas, including through the towing of vehicles;
- to use in cases of emergency, vehicles owned by organizations and citizens to prevent crimes or harassment, for the detention of persons who have committed crimes or who are suspected of committing them, while taking appropriate measures to ensure the safety of drivers and passengers of such vehicles, to deliver citizens needing urgent medical aid to health organizations or to travel to a crime scene, and to use communication means owned by state bodies, other organizations and citizens if necessary for official purposes. At the request of owners of vehicles and owners of communication devices, state security bodies shall reimburse them for expenses and/or damages in the manner prescribed by the legislation of the Republic of Belarus;
- to store and carry weapons and ammunition, special means, and military and special equipment, to use physical force, and to apply and use weapons in cases and the manner stipulated by this Law and other legislative acts of the Republic of Belarus.

Personnel of state security bodies shall also be granted other rights in accordance with this Law and other legislative acts of the Republic of Belarus.

CHAPTER 6. APPLICATION OF PHYSICAL FORCE, SPECIAL MEANS, MILITARY AND SPECIAL EQUIPMENT, USE OF WEAPONS BY PERSONNEL OF STATE SECURITY BODIES

Article 19. Conditions and Limits of Use of Physical Force, Special Means, Military and Special Equipment, Application and Use of Weapons

When carrying out their tasks, state security bodies shall have the right to use physical force, special means, military and special equipment and to apply and use weapons if they cannot perform their duties with other methods.

Physical force, special means, military and special equipment or weapons shall be used based on the current situation at the discretion of an employee of state security bodies in cases stipulated by this Law and other legislative acts of the Republic of Belarus.

The use of physical force, special means, weapons, and military and special equipment must be preceded by a clearly expressed and clear warning to the person against whom such measures are to be used by a state security body employee, providing sufficient time to fulfil their legal requirements, except in cases where a delay in their use will create an immediate danger to the life of an employee of state security bodies or other citizens, or may entail other serious consequences.

If it is impossible to avoid the use of physical force, special means, military and special equipment or weapons, an employee of state security bodies must strive to cause the least harm to the life, health, honour, dignity and property of citizens, as well as to take measures to immediately provide medical and other necessary assistance to victims.

Employees of state security bodies who have used physical force, special means, military and special equipment or weapons shall immediately report this to their director superiors.

If a person is injured or dies as a result of the use of physical force, special means, military and special equipment, or weapons by an employee of state security bodies, the relevant prosecutor shall be notified immediately.

Employees of state security bodies shall not be responsible for damage caused by the use of physical force, special means, military and special equipment or weapons in cases stipulated by this Law and other legislative acts of the Republic of Belarus, if:

- they have not exceeded the limits of necessary defence or measures necessary to prevent crimes and other offences, and if nonviolent methods do not allow them to perform such duties;
- they acted following a compulsory order or instruction in the prescribed manner, with the exception of committing a deliberate crime following an obviously criminal order or instruction;
- they operated under conditions of justified professional risk or extreme necessity.

The use of physical force, special means, military and special equipment or weapons in violation of the requirements of this Law shall entail liability provided for by the legislative acts of the Republic of Belarus.

Article 20. Use of Physical Force

Employees of state security bodies may use physical force, including combat techniques or improvised means, to prevent crimes and other offences and to detain the persons who committed them in self-defence, if non-violent methods do not allow them to perform their duties.

Article 21. Use of Special Means

Employees of state security bodies may use handcuffs, rubber sticks, devices to restrict movement, special chemicals, light and sound distraction devices, and devices for opening premises, forcibly stopping vehicles and other special means, including service animals, in the following cases:

- to repel an attack on employees of state security bodies or other citizens;
- for the release of hostages;
- in response to an attack on buildings (premises, structures) and/or vehicles, regardless of their identity or to clear illegally occupied objects;

- to suppress disobedience or resistance to the legal requirements of employees of state security bodies or other citizens performing duties related to the enforcement of civil duty law and the prevention and suppression of crimes and administrative offences;
- during the detention and handing over to state security bodies or bodies of internal affairs of the Republic of Belarus of suspects or those accused of committing crimes and those under administrative process in case of disobedience or resistance, and during the detention and escorting of citizens subject to deportation or expulsion, of persons detained for on suspicion of committing a crime, or of persons under detention, in case of disobedience or resistance or if there is reason to believe they can escape or harm others or themselves;
- to prevent mass disorder and group violations of public order or action to damage and/or destruct property;
- to stop vehicles, if drivers do not obey after numerous clear and obvious legitimate requests to stop from the employee of state security bodies or if there is credible evidence that the vehicle is controlled by a citizen who has committed a serious or a very serious offence;
- in other cases, stipulated by the legislative acts of the Republic of Belarus.

The type of special means and the intensity of their use shall be determined by employees of state security bodies, taking into account the current situation, the nature of the crime, the administrative offence and the identity of the offender.

It is forbidden to use special means against women with visible signs of pregnancy, persons with obvious signs of disability or minors – when their age is obvious or known to employees of state security bodies – except for cases when these persons commit armed or group attacks or other actions that threaten the life or health of citizens.

Article 22. Application and Use of Weapons

Employees of state security bodies shall have the right to use weapons against people:

- committing an attack on a state security body employee or any other citizen when their life or health are endangered;
- committing an attack in groups or an attack using weapons, explosives, arson or other dangerous methods, or using vehicles, machines or mechanisms on the premises or legally owned property of citizens and organizations;
- committing an act directly aimed at forcibly taking possession of arms, ammunition, combat and special equipment, or special tools from employees of state security bodies;
- holding a person hostage;
- caught committing acts specified in Paragraphs Two to Five of this part, or trying to hide to avoid detention if that person uses (threatens to use) a weapon, explosive device or other items that endanger the life or health of the employee of state security bodies or other citizens;
- attempting to escape from the custody of an escort;
- refusing to obey a legal request from a state security body employee to immediately give up (put down) a weapon, explosive device or other objects, the use of which may endanger the life or health of the state security body employee or other citizens.

If persons commit actions that are lawfully forbidden by employees of state security bodies and expressed through an attempt to approach the state security body officer closer than the specified distance, to obtain something from their clothes or baggage, or through other actions that may be interpreted by the state security body employee as a threat of violence that endangers their life or health, or that of other citizens, employees of state security bodies shall have the right to use weapons in accordance with this Law.

Employees of state security bodies shall have the right to use weapons to:

- give an alarm or a call for help;
- neutralize an animal that directly threatens the life or health of citizens;
- stop a vehicle by damaging it, if the driver does not comply with clear and repeated lawful demands of a state security officer to stop the vehicle, if the driver's actions pose a real threat to the life or health of

citizens, or if there is reliable data indicating that the vehicle is driven by a person who has committed a serious or a very serious crime.

Employees of state security bodies shall have the right to use weapons in other cases stipulated by legislative acts of the Republic of Belarus.

Employees of state security bodies shall have the right to prepare to use weapons if they believe that, in the current situation, they cannot exclude the possibility of their use.

It is forbidden to apply or use weapons:

- when a significant number of citizens and bystanders may be harmed;
- in the direction of warehouses (storage facilities) containing flammable, explosive and highly toxic substances, or vehicles transporting these substances;
- against women, persons with obvious signs of disability or minors – when their age is obvious or known to employees of state security bodies – except for cases when these persons commit an armed or group attack or other actions that threaten the life or health of citizens.

Article 23. Use of Combat and Special Equipment

Combat and special equipment may be used by state security bodies in the following cases:

- to protect citizens from an attack that threatens their life or health, if it is not possible to stop the attack in any other way;
- for the release of hostages;
- to repel an armed or group attack, including attacks using vehicles and attacks on guarded objects, buildings (premises, structures) and/or vehicles, regardless of their affiliation, or for the release of captured objects;
- to suppress resistance if armed persons refuse to comply with the legal demands of a state security officer to stop illegal actions and surrender weapons, ammunition, explosives, explosive devices and military equipment available to these persons;
- to enforce emergency and martial law;
- in other cases stipulated by the legislative acts of the Republic of Belarus.

CHAPTER 7. MANNING OF STATE SECURITY BODIES. MILITARY SERVICE IN STATE SECURITY BODIES

Article 24. Manning of State Security Bodies

State security bodies shall be manned with military and civilian personnel (civil servants, workers and employees) from among the citizens of the Republic of Belarus.

The suitability of persons admitted for service (work) in state security bodies, subordinate military units and other organizations shall be checked (including verifying the information they provide and identifying circumstances that prevent their admission to service (work) in accordance with the procedure established by the State Security Committee of the Republic of Belarus).

Article 25. Military Service in State Security Bodies

The procedure and conditions for performing military service duties by military personnel in state security bodies, subordinate military units and other organizations are established by the general military statutes of the Armed Forces of the Republic of Belarus and other legislative acts of the Republic of Belarus.

Servicemen of state security bodies shall not perform other paid work that is not connected with the performance of military duties (except when caused by service necessity), except for teaching (carrying out educational programmes); scientific, cultural, creative activities; and medical practice carried out during off-duty time on the basis of civil law contracts. Servicemen of state security bodies may be engaged in such activities in coordination with the chief of state security, the military unit commander, the head of the organization subordinate to the state security bodies in which they are serving, the chief of the territorial body of state security, the military unit commander and the head of the organization subordinate to state security bodies, in coordination with the chairman of the State Security Committee of the Republic of Belarus.

(Part Two of Article 25 as amended by the Law of the Republic of Belarus, No. 408-3 of 19 July 2016)

Article 26. Employees of State Security Bodies

State security body personnel are military personnel serving in state security bodies, military units subordinate to them (with the exception of conscripts), other organizations, as well as civilian personnel assigned to military positions.

State security body personnel may be citizens of the Republic of Belarus who are able to perform their duties due to their personal and business qualities, age, education, physical fitness and state of health.

State security body personnel shall be issued official ID in the manner established by the legislation of the Republic of Belarus, which is the official identity document confirming their employment with state security bodies and the position held.

State security body personnel, as well as civil personnel of state security bodies, subordinate military units and other organizations, shall not be engaged in business activities personally or through other persons. (As amended by the Law of the Republic of Belarus, No. 408-3 of 19 July 2016)

State security body personnel, as well as civil personnel of state security bodies, subordinate military units and other organizations must comply with restrictions related to military (state) service, as well as those established by the legislative acts of the Republic of Belarus in the field of combating corruption.

CHAPTER 8. GUARANTEES OF LEGAL AND SOCIAL PROTECTION FOR EMPLOYEES OF STATE SECURITY BODIES**Article 27. Legal Protection for Personnel of State Security Bodies**

State security body personnel in the performance of their official duties are representatives of state power and shall be protected by the state. No one shall be entitled to interfere in the official activities of employees of state security bodies, except for state bodies and officials authorized to do so by the legislative acts of the Republic of Belarus.

Legal requirements for state security body personnel shall be mandatory for officials and other citizens. Failure to comply with lawful requirements of officials of state security bodies, other actions preventing state security bodies from fulfilling their tasks and responsibilities, violence or threat of violence to their life, health, honour, dignity, property, as well as the above actions in relation to their relatives in connection with the performance of duties by state security bodies employees, shall entail liability provided for by the legislative acts of the Republic of Belarus.

When state security body personnel perform their official duties, measures to ensure the administrative process may not be applied, nor compulsory procedural measures provided for by the Criminal Procedure Code of the Republic of Belarus, without an official representative of the state security bodies, except in cases of detention immediately following the committal of a crime.

Article 28. Right of Personnel of State Security Bodies to Justified Professional Risk

State security body personnel shall have the right to justified professional risk. It is not an offence for them to cause harm if it qualifies as a justified professional risk. Professional risk shall be regarded as justified if the act committed by personnel of state security bodies objectively stemmed from the current situation, the legitimate aim of which could not be achieved otherwise, and if such employee has taken all possible measures to prevent harm to legally protected interests.

Article 29. Ensured Safety for Personnel of State Security Bodies and Members of Their Families

The safety of state security body personnel and their relatives shall be ensured in accordance with the legislation of the Republic of Belarus on state protection of judges, law enforcement, supervisory, and state security officials.

Article 30. Rights of Personnel of State Security Bodies during Business Trips

During official business trips, state security body personnel shall have the right to purchase tickets and hotel accommodation, as well to acquire travel documents for all types of transport irrespective of availability.

Article 31. Right of Personnel of State Security Bodies to Compensation for the Use of Their Own Vehicles for Official Purposes

Personnel using their own vehicles for official purposes shall be entitled to monetary compensation in the manner and for the amount determined by the Council of Ministers of the Republic of Belarus.

Article 32. Mandatory State Insurance for State Security Bodies Personnel

State security body personnel shall be subject to mandatory state insurance in accordance with the procedure and conditions provided for by the legislative acts of the Republic of Belarus.

Article 33. Social Protection for Dismissed Personnel of State Security Bodies and their Relatives

The state shall guarantee social protection for state security body personnel, and shall take measures to ensure appropriate conditions for their service (work) and social security.

State security body personnel and citizens dismissed from military service in state security bodies and members of their families shall have the right to social protection under the conditions stipulated by the legislative acts of the Republic of Belarus.

CHAPTER 9. INFORMATION SUPPORT FOR STATE SECURITY BODIES AND INFORMATION PROTECTION

Article 34. Information Support for State Security Bodies

To carry out their activities, state security bodies develop, create and operate information, communication and data transmission systems, and information security tools – including cryptographic security tools – and use information systems, databases and databanks of state bodies, other organizations and citizens in accordance with the procedure established by the legislation of the Republic of Belarus.

The procedure for recording and using information on offences committed that affect the national security of the Republic of Belarus, as well as information on intelligence and other activities of special services of foreign states and foreign, international and other organizations, as well as individuals, aimed at harming the national security of the Republic of Belarus, shall be established by the State Security Committee of the Republic of Belarus.

Article 35. Protection of Information about State Security Bodies

Documents and materials generated during the course of state security body activities shall be subject to protection and shall be stored in the archives of state security bodies.

State security body archive materials that are of historical and scientific value shall be declassified and transferred to the state archives of the Republic of Belarus for storage in accordance with the procedure established by the legislation of the Republic of Belarus.

Information about state security body employees who perform (performed) special tasks in special services of foreign states and foreign, international and other organizations, criminal organizations and organized groups shall be subject to protection in accordance with the legislation of the Republic of Belarus on state secrets and may be made public only with the written consent of these employees in cases stipulated by the legislation of the Republic of Belarus.

CHAPTER 10. FINANCIAL, MATERIAL, TECHNICAL AND OTHER KINDS OF SUPPORT FOR STATE SECURITY BODIES

Article 36. Financial, Material and Technical Support for State Security Bodies and Military Personnel of the Military Counterintelligence of the State Security Committee of the Republic of Belarus (as amended by the Law of the Republic of Belarus, No. 169-3 of 09 January 2019)

State security bodies shall be financed from the national budget and other sources not prohibited by the legislation of the Republic of Belarus.

Financial, material and technical support for Military Counterintelligence Department of the State Security Committee of the Republic of Belarus divisions – including the provision of vehicles, fuel and lubricants, communications equipment, weapons, ammunition, other materials, security and services, as well as the provision of monetary allowances (salaries), food and culinary utensils, clothing and medical services for military personnel and civilian personnel from these divisions – shall be provided by the Ministry of Defence of the Republic of Belarus, the State border Committee of the Republic of Belarus, the headquarters other troops and

military formations established in accordance with the legislation of the Republic of Belarus, the Ministry of Internal Affairs of the Republic of Belarus in accordance with the procedure established by the Council of the Republic of Belarus, the Ministry of Defence of the Republic of Belarus, the State Border Committee of the Republic of Belarus, the headquarters of other troops and military formations established in accordance with the legislation of the Republic of Belarus, and the Ministry of Internal Affairs of the Republic of Belarus.

Premises shall be provided for military counterintelligence divisions of the State Security Committee of the Republic of Belarus in the manner prescribed by the Council of Ministers of the Republic of Belarus, from the housing fund managed by the Ministry of Defence of the Republic of Belarus, the State Border Committee of the Republic of Belarus and the headquarters of other troops and military formations created in accordance with the legislation of the Republic of Belarus.

Housing accommodation is ensured for military counterintelligence personnel of the State Security Committee of the Republic of Belarus who are registered as being in need of better housing conditions – from the state housing fund for residential premises managed by the Ministry of Defence of the Republic of Belarus, the State Border Committee of the Republic of Belarus and the headquarters of other troops and military formations created in accordance with the legislation of the Republic of Belarus – as well as the release of public housing premises which they are entitled to re-submit through the allocation of such premises to the military counterintelligence of the State Security Committee of the Republic of Belarus to provide for members of military counterintelligence units of the State Security Committee of the Republic of Belarus who are involved in counter-intelligence and other security-related activities, respectively, of the units of the Ministry of Defence of the Republic of Belarus, State Border Committee of the Republic of Belarus, other troops and military formations created in accordance with the legislation of the Republic of Belarus for the period of performance of these functions in the manner established by the legislation of the Republic of Belarus.

The Ministry of Defence of the Republic of Belarus, the State Border Committee of the Republic of Belarus, and the command of other troops and military formations established in accordance with the legislation of the Republic of Belarus shall provide military counterintelligence personnel of the State Security Committee of the Republic of Belarus with residential premises by constructing buildings with organizations responsible for developments or through shared housing projects.

State security bodies may have a budget for housing, which is formed in accordance with the procedure established by the legislative acts of the Republic of Belarus.

Article 37. Ammunition and Weapons of State Security Bodies

State security bodies shall develop (participate in the development), create, acquire and use weapons and equipment, including special technical and other means, and acquire and use military weapons adopted by state security bodies, as well as service and civilian weapons and ammunition. The circulation of weapons and ammunition among state security bodies; their acquisition, sale and transfer; and the import into the territory of the Republic of Belarus and export of weapons and equipment, including special technical and other means intended for use in state security body activities, are carried out in accordance with the legislative acts of the Republic of Belarus and international treaties of the Republic of Belarus.

CHAPTER 11. CITIZENS WHO PROVIDE ASSISTANCE TO STATE SECURITY BODIES

Article 38. Citizens Providing Assistance to State Security Bodies

In accordance with the legislation of the Republic of Belarus, state security bodies may engage individual citizens, with their consent, to assist in fulfilling tasks to ensure the national security of the Republic of Belarus on a transparent and confidential basis, including as freelance employees.

Citizens who provide assistance to state security bodies shall have the right to:

- a contract for providing assistance to state security bodies on a confidential basis;
- receive explanations from state security body employees regarding their tasks, responsibilities and rights;
- use fake documents for security purposes when permitted by state security bodies;
- compensation;

- obtain compensation for any personal or material harm caused to them in connection with assisting the state security bodies.
- Citizens who provide assistance to state security bodies shall:
- comply with the terms of the contract or agreement on assistance concluded with state security bodies;
 - refrain from giving intentionally biased, incomplete, false or defamatory information;
 - not disclose information constituting state secrets and other information that becomes known to them while providing assistance to state security bodies.

Article 39. Information Protection and Security of Citizens Assisting State Security Bodies

Citizens providing (or who have provided) assistance to state security bodies on a confidential basis shall be protected in accordance with the legislation of the Republic of Belarus on state secrets and information may be made public only with the written consent of these citizens in cases stipulated by the legislative acts of the Republic of Belarus.

If there is sufficient evidence that citizens who provide assistance to state security bodies on a confidential basis, as well as their relatives, are being threatened with murder, violence or the destruction of property, state security bodies shall take the necessary measures to protect their life, health, honour, dignity and property, as well as to find the persons responsible.

CHAPTER 12. CONTROL AND SUPERVISION OF THE ACTIVITIES OF STATE SECURITY BODIES

Article 40. Control over the Activities of State Security Bodies

Control over state security body activities shall be carried out by the President of the Republic of Belarus and the Council of Ministers of the Republic of Belarus within the powers delegated to it by the President of the Republic of Belarus.

Article 41. Prosecutor's Supervision Over State Security Bodies

The Prosecutor General of the Republic of Belarus and subordinate prosecutors exercise public supervision over state security body activities to ensure the accurate and uniform implementation of the legislation of the Republic of Belarus, within the limits of their competence.

CHAPTER 13. FINAL PROVISIONS

Article 42. Invalidation of Some Laws of the Republic of Belarus and Certain Provisions

To declare invalid:

- Law of the Republic of Belarus of 3 December 1997 'On State Security Bodies of the Republic of Belarus';
- Article 1 of the Law of the Republic of Belarus of 15 July 2010 'On Amendments and Additions to Certain Laws of the Republic of Belarus' (National Register of Legislative Acts of the Republic of Belarus, 2010, No. 173, 2/1716).

Article 43. Measures to Implement the Provisions of This Law

The Council of Ministers of the Republic of Belarus within six months shall:

- bring decisions of the Government of the Republic of Belarus into compliance with this Law;
- ensure that bodies of state administration subordinated to the Government of the Republic of Belarus bring their normative legal acts into compliance with this Law;
- take other measures necessary to implement the provisions of this Law.

Article 44. Entry into Force

This Law shall come into force ten days after its official publication.

President of the Republic of Belarus

A. Lukashenka

LAW OF THE REPUBLIC OF BELARUS

‘On the Fight against Terrorism’

3 January 2002, No 77-3

Adopted by the House of Representatives on 11 December 2001
Approved by the Council of the Republic on 20 December 2001

Registered in the National Register of the Legal Acts of the Republic of Belarus on 5 January 2002, No. 2/825

(in the wording of the Laws of the Republic of Belarus of 15 December 2005, No. 71-3; of 9 January 2006, No. 97-3; of 24 December 2007, No. 299-3; of 21 July 2008, No. 417-3; of 28 December 2009, No. 78-3; of 03 June 2011, No. 275-3; of 26 October 2012, No. 435-3; of 30 June 2014, No. 165-3; of 30 June 2016, No. 388-3; of 9 January 2018, No. 90-3)

CHAPTER 1. GENERAL PROVISIONS

Article 1. Legal Basis of the Fight against Terrorism

The Constitution of the Republic of Belarus, the Criminal Code of the Republic of Belarus, this Law, other legislative acts of the Republic of Belarus, international treaties to which the Republic of Belarus is a party constitute the legal basis of the fight against terrorism.

If an international treaty of the Republic of Belarus establishes rules other than those provided for by this Law, the rules of the international treaty shall apply.

Article 2. Basic Principles of the Fight against Terrorism

The fight against terrorism in the Republic of Belarus shall be based on the following principles:

- the rule of law;
- the prioritization of preventative measures against terrorism;
- the inevitability of prosecution (punishment) for terrorist activity;
- the combination of overt and covert methods of fighting terrorism;
- the combined use of preventative, legal, political, social-economic and propaganda measures;
- the prioritization of the defence of the rights of people who are in danger as a result of an act of terrorism;
- minimal concessions to terrorists;
- unified command in directing the forces and means used to carry out counter-terrorism operations;
- the sharing of information with the public about acts of terrorism and the carrying out of counter-terrorism operations.

Article 3. Main Terms and Definitions

For the purposes of this Law, the following main terms and definitions shall be used:

- ‘fight against terrorism’: an activity preventing, exposing, suppressing and minimizing the consequences of terrorist activity;
- government response – implementation of measures by government agencies and other government organizations, within their scope of competence, to prevent, detect and combat terrorist attacks, activities of terrorist organizations and illegal armed formations, and to minimize the consequences of such attacks and activities;
- ‘citizen’: a citizen of the Republic of Belarus or a foreign or stateless person, unless otherwise stated in this Law;
- ‘hostage’: a person captured and/or detained with the aim of forcing the government, organizations or individual citizens to carry out certain actions or to refrain from carrying out certain actions as a condition for the release of this person;
- ‘area of counter-terrorism operations’: individual sections of land or areas of water, vehicles, buildings, installations, premises, land or areas of water adjacent to where the operation is being conducted;

- 'counter-terrorism operation': special measures aimed at suppressing an act of terrorism with the purpose of protecting state interests and the safety of citizens, neutralizing terrorists and minimizing the consequences of the act of terrorism;
- critical infrastructure – elements of the social, manufacturing, engineering and transportation, energy, information and communication, and other infrastructure, the disruption of which as a result of a terrorist attack may contribute to destabilization of public order, help achieve other terrorist objectives, and/or result in casualties, harm to public health and the environment, significant financial damages, or a disruption of normal activities of the public;
- 'international terrorist activity': a terrorist activity carried out by a terrorist or terrorist organization on the territory of more than one state – or an activity that harms the interests of more than one state – carried out by citizens of one state against citizens of another state — or on the territory of another state – if the terrorist and their victims are citizens of the same state or of different states but the crime takes place outside the borders of those states;
- 'terrorism': socio-political criminal phenomenon, which is the ideology and practice of using violence or the threat of violence in order to influence decision-making by the authorities, obstructing political or other public activities, provoking international complications or war, intimidating the population and destabilizing public order;
- 'terrorist': a person who takes part in terrorist activity in any form;
- 'act of terrorism': of carrying out with the aim of terrorism of an explosion, arson attack, flooding or other acts that endanger human life, inflicts bodily harm, causes widespread damage or has other serious consequences. For the purposes of this Law, other acts include, inter alia, an attempt on the life of a government or public official, representative of a foreign state or international organization, taking and (or) keeping them as a hostage, kidnapping and (or) deprivation of their freedom, and their murder; taking and/or keeping people as hostages, kidnapping or killing them; use of nuclear facilities, radioactive substances or nuclear materials, potent, toxic chemical or biological substances; destruction, damage, seizure, holding, blocking of buildings, structures, routes or means of communication, including means of railway, water, air, main pipeline transport, communications, other communications and objects (equipment); damage to information systems, control systems, creating conditions for accidents and man-made disasters;
- 'terrorist group': a group of two or more people formed with the aim of carrying out terrorist activity;
- 'terrorist activity': an activity that includes the organization, planning, preparation and execution of an act of terrorism; incitement to commit an act of terrorism, propaganda of ideas of terrorism, dissemination and (or) provision of materials or information calling for the implementation of terrorist activities or substantiating or justifying the need for such activities, informational or other assistance in planning, preparing or committing an act of terrorism; the organization of illegal armed formations; the creation of criminal organizations or organized groups to perpetrate an act of terrorism, and participation in such an act; the recruitment, arming, training and use of terrorists; financing of terrorist activity, production and (or) distribution of technics or other materials on methods of manufacturing explosive devices and explosives, as well as the threat of committing an act of terrorism and other acts defined as terrorist in accordance with international treaties of the Republic of Belarus;
- 'terrorist organization': an organization created with the aim of executing acts of terrorism or admitting the possibility of the use of terrorism in their activity, or if at least one of its structural subdivisions carries out terrorist activities with the knowledge of its head (at least one of the officials of its governing body). The organization is recognized as terrorist on the basis of a decision of the Supreme Court of the Republic of Belarus adopted and entered into legal force;
- financing of terrorist activity – provision or collection of funds, securities, digital currency or other property, including property rights and exclusive intellectual property rights, for the purposes of funding terrorist activities, providing material or other support of known terrorists, terrorist groups or terrorist organizations, including for the funding of traveling to places of training for taking part in terrorist activities.

Article 4. International Cooperation by the Republic of Belarus in the Sphere of the Fight against Terrorism

The Republic of Belarus, in accordance with international treaties, cooperates in the sphere of the fight against terrorism with foreign states and their law enforcement bodies and special services, as well as with international organizations involved in the fight against terrorism.

The Republic of Belarus, guided by the need to ensure the safety of individuals, society and the state, shall carry out the criminal prosecution on its territory of people connected with terrorist activity, including in such cases where the act of terrorism was planned or carried out outside the borders of the Republic of Belarus but aimed against the interests of the Republic of Belarus, and in other cases as provided for by international treaties to which the Republic of Belarus is a party.

Article 4-1. Fulfilling International Obligations of the Republic of Belarus in the Sphere of Combating Terrorism (introduced by the Law of the Republic of Belarus #90-3 of 09.01.2018)

Government agencies and other government organizations ensure, within their scope of competence, the implementation of measures to fulfill resolutions of the United Nations Security Council in respect of organizations and individuals included by the State Security Committee of the Republic of Belarus into the list of organizations and individuals, including sole entrepreneurs, involved in terrorist activities (hereinafter referred to as 'list of persons involved in terrorist activities'). The procedure for implementing the above measures is established by the President of the Republic of Belarus.

The State Security Committee of the Republic of Belarus collaborates, according to the procedure established by the Council of Ministers of the Republic of Belarus, with the United Nations Security Council Committee pursuant to United Nations Security Council resolutions 1267 (1999), 1989 (2011) and 2253 (2015). The collaboration is done by means of exchanging information, and by submitting proposals to include organizations and individuals in the sanctions list created by the United Nations Security Council Committee, or to exclude organizations and individuals from that list.

By decision of the State Security Committee of the Republic of Belarus, foreign nationals and stateless persons included in the list of persons involved in terrorist activities are subject to inclusion in the List of persons whose entry into the Republic of Belarus is prohibited or undesirable.

CHAPTER 2. BASIC ORGANIZATION OF THE FIGHT AGAINST TERRORISM**Article 5. Aim of the Fight against Terrorism**

The fight against terrorism in the Republic of Belarus has the following aims:

- to defend individuals, society and the state from terrorism;
- to prevent, expose and suppress terrorist activity, and to minimize its consequences;
- to expose and eliminate the causes of terrorism and the conditions that facilitate terrorist activity.

Article 6. Agencies involved in the Fight against Terrorism

Agencies involved in the fight against terrorism are the bodies directly conducting the fight against terrorism and other agencies participating in the prevention, detection and suppression of terrorist activities:

- state security bodies of the Republic of Belarus;
- internal affairs bodies of the Republic of Belarus;
- Security Service of the President of the Republic of Belarus;
- Armed Forces of the Republic of Belarus;
- bodies of the Border Service of the Republic of Belarus.

Agencies participating in the prevention, detection and suppressing of terrorist activity within the limits of their competence, are governmental bodies and other governmental organizations, a list of which shall be drawn up by the Council of Ministers of the Republic of Belarus.

The President of the Republic of Belarus and the Council of Ministers of the Republic of Belarus carry out general control of, and provide for, the fight against terrorism.

Coordination of operations of agencies involved in the fight against terrorism is carried out according to the procedure determined by the President of the Republic of Belarus.

Article 7. Powers of Agencies Directly Involved in the Fight against Terrorism

State security bodies of the Republic of Belarus shall:

- conduct the fight against terrorism by preventing, exposing and suppressing acts of terrorism, and by preventing, exposing and suppressing international and other terrorist activity and activity of illegal armed groups, in accordance with their competence;
- gather information about the activities of foreign and international terrorist organizations;
- conduct preliminary criminal investigations into crimes with terrorist goals, within their powers in accordance with criminal procedural legislation of the Republic of Belarus.

Internal affairs bodies of the Republic of Belarus shall carry out the fight against terrorism by preventing, exposing and suppressing acts of terrorism, activity of terrorist organizations and activity of illegal armed groups, in accordance with their competence.

The Security Service of the President of the Republic of Belarus shall carry out the fight against terrorism by ensuring the safety of protected persons and the protection of guarded facilities.

The Armed Forces of the Republic of Belarus shall ensure the protection and defence of arms, military equipment and military installations, participate in the providing for the safety of the airspace of the Republic of Belarus and take part in the execution of counter-terrorism operations as stipulated by Article 11-1 of this Law and by other legislation of the Republic of Belarus.

The bodies of the Border Service of the Republic of Belarus shall carry out the fight against terrorism by preventing, exposing and suppressing attempts by terrorists to cross the state border of the Republic of Belarus, assistance to the customs authorities of the Republic of Belarus in the prevention, detection and suppression of illegal movement across the customs border of the Eurasian Economic Union in the Republic of Belarus of arms, ammunition, explosives, poisonous and radioactive substances, and other items that may be used to perpetrate an act of terrorism on the state borders infrastructure.

Article 8. Basic Functions of Agencies Involved in the Fight against Terrorism

Agencies involved in the fight against terrorism participate in the state response in accordance with the legislation of the Republic of Belarus.

Agencies involved in the fight against terrorism shall work together by providing material, technical and financial means, information, vehicles and communications equipment, medical equipment and medicines for the execution of counter-terrorism operations, and in other forms depending on the needs in the sphere of the fight against terrorism. The procedure for providing material, technical and financial means, information, vehicles and communications equipment, medical equipment and medicines shall be defined by the Council of Ministers of the Republic of Belarus.

Article 8-1. Suppression of Acts of Terrorism in the Airspace of the Republic of Belarus

In order to eliminate threat or suppress an act of terrorism in the airspace of the Republic of Belarus, the Armed Forces of the Republic of Belarus shall utilize weaponry and combat equipment according to the procedure established by legislative acts of the Republic of Belarus.

If reliable information is available about an aircraft being used to perpetrate an act of terrorism and/or an aircraft failing to respond to radio commands of air traffic service and air traffic control units to cease violating the rules of use of the airspace of the Republic of Belarus and/or radio commands and visual signals of military aircraft scrambled to intercept it, or refuses to comply with radio commands and visual signals with no explanation as to the reasons for the refusal, the Armed Forces of the Republic of Belarus shall engage weapons and combat equipment to interrupt the flight of the violating aircraft by forcing it to land. If the violating aircraft does not comply with the demands to land, and there is a real danger of loss of life or an environmental disaster, the Armed Forces of the Republic of Belarus can engage weapons and military equipment to interrupt the flight of such aircraft by destroying it.

Article 9. Assistance to Agencies Involved in the Fight against Terrorism

Government agencies and other government organizations that are not involved in the fight against terrorism shall take part in the government response in accordance with the legislation of the Republic of Belarus.

Government bodies, other organizations and citizens must help agencies involved in the fight against terrorism, follow their orders and observe laws relevant to counter-terrorism operations.

The reporting by citizens of any information on terrorist activity to state authorities is the duty of all citizens of the Republic of Belarus and shall be encouraged by the state.

Article 9-1. Prevention of Terrorist Acts against Critical Infrastructure

Government agencies and other organizations that operate critical infrastructure shall provide for prevention of terrorist acts against such critical infrastructure by organizing and/or carrying out security activities, by adhering to security requirements provided for by the legislation of the Republic of Belarus, and by carrying out precautionary, restrictive, organizational and other measures to prevent terrorist activities and minimize their consequences, according to the procedure established by the President of the Republic of Belarus.

CHAPTER 3. CONDUCT OF COUNTER-TERRORISM OPERATIONS

Article 10. Conditions for Carrying out a Counter-Terrorism Operation. Management of Counter-Terrorism Operations

A counter-terror operation is carried out if it is impossible to prevent a terrorist act or thwart the activities of a terrorist organization or an illegal armed formation by other forces and means.

The State Security Committee of the Republic of Belarus shall be the body responsible for organizing counter-terrorism operations, unless otherwise decreed by the President of the Republic of Belarus.

Taking into account the scale and degree of public danger, the anticipated negative consequences and the nature of the act of terrorism, the State Security Committee may create an Operational Headquarters for the direct management of the counter-terrorism operation. The Headquarters shall be headed by a representative of the State Security Committee of the Republic of Belarus or the Ministry of the Interior of the Republic of Belarus depending on which body's powers will predominate during the conduct of a particular counter-terrorism operation. In order to suppress an act of terrorism against protected persons and (or) at a guarded facility, a decision to create an Operational Headquarters for direct control of a counter-terrorism operation may be made by the Security Service of the President of the Republic of Belarus.

The standard operating procedure of the Operational Headquarters for the management of counter-terrorism operations shall be defined by regulations confirmed by the Council of Ministers of the Republic of Belarus.

The State Security Committee of the Republic of Belarus may, without creating an Operational Headquarters, permit bodies directly involved in the fight against terrorism to carry out counter-terrorism operations. Such bodies are then responsible for appointing a commander for the counter-terrorism operation in question.

The decisions of the State Security Committee or another state body responsible for organizing the counter-terrorism operation on the organization of counter-terrorism operation shall be binding for bodies directly involved in the fight against terrorism.

The Head of the Operational Headquarters for the management of counter-terrorism operations (Head of the counter-terrorism operation) may be appointed by the President of the Republic of Belarus.

Part 8 of Article 10 is cancelled.

Article 11. Forces and Resources to be Used in the Execution of Counter-Terrorism Operations

For the execution of counter-terrorism operations, the Operational Headquarters for the management of the counter-terrorism operation (Head of the counter-terrorism operation) has the right to use the necessary forces and resources of agencies involved in the fight against terrorism.

Article 11-1. Involving the Armed Forces of the Republic of Belarus in Counter-Terrorism Operations

The head of the Operational Headquarters for the management of the counter-terrorism operation (Head of the counter-terrorism operation) can involve the forces and resources of the Armed Forces of the Republic of Belarus in the counter-terrorism operation to conduct reconnaissance in areas of land or water where a counter-terror operation is being conducted, to block (cordon off) the area where a counter-terrorism operation is being conducted, and to utilize electronic warfare systems.

By decision of the President of the Republic of Belarus, forces and resources of the Armed Forces of the Republic of Belarus can be involved in accomplishing of other missions during a counter-terrorism operation.

Servicemen of the Armed Forces of the Republic of Belarus shall take part in a counter-terrorism operation jointly with employees of state security agencies of the Republic of Belarus, internal affairs bodies of the Republic of Belarus, the State Border Service of the Republic of Belarus, the Security Service of the President of the Republic of Belarus, and military servicemen of the interior troops of the Ministry of Internal Affairs of the Republic of Belarus.

Servicemen of the Armed Forces of the Republic of Belarus involved in a counter-terror operations are subject to provisions of the legislative acts of the Republic of Belarus on the interior troops of the Ministry of Internal Affairs of the Republic of Belarus, as relates to the conditions and limitations for the application of physical force, special means, weaponry, as well as combat and special equipment.

Article 12. Management of Counter-Terrorism Operations

From the start of the counter-terrorism operation, government bodies, organizations and citizens called up to carry out the operation report to the Head of the Operational Headquarters for the management of the counter-terrorism operation (Head of the counter-terrorism operation) and his decisions are binding for them.

The Head of the Operational Headquarters for the management of the counter-terrorism operation (Head of the counter-terrorism operation) shall define the limits of the counter-terrorism operation and take decisions on the use of force and the means to be applied in the said operation, on the conduct of negotiations with terrorists, on the sharing of information with the public, and on other matters related to the execution of the counter-terrorism operation.

Interference in the operational leadership of the counter-terrorism operation by any other person irrespective of his position is forbidden.

Article 13. Legal Orders Related to the Execution of Counter-Terrorism Operations

When carrying out a counter-terrorism operation, those involved in the execution of the said operation have the right to:

- take measures, where necessary, to temporarily restrict or ban traffic and pedestrians from streets and roads, to prohibit citizens and vehicles, including diplomatic and consular means of transport, from entering certain areas or facilities, or to remove citizens from areas and facilities or to tow vehicles away;
- detain citizens for a period of up to three hours in case of their unauthorized intrusion or attempted intrusion into the area of conduct of the counter-terrorism operation in order to establish the aims of such actions, and to detain citizens without identification documents to establish their identity;
- to enter citizen's houses and other premises without hindrance and at any time, breaking locks if necessary, to enter citizens' land plots, the offices and grounds of organizations, regardless of their forms of ownership, and to inspect them while pursuing persons suspected of having committed an act of terrorism if there are substantial grounds to believe that a crime has been or is being committed that may endanger the lives or health of citizens, and with a prosecutor to be informed within 24 hours;
- to conduct personal searches of citizens and their belongings, and to inspect vehicles and luggage, including by use of technical means, as citizens enter and exit areas in which the counter-terrorism operation is being conducted;
- to use for official purposes communication devices belonging to citizens, state agencies and organizations regardless of their ownership;
- in emergencies, to use vehicles belonging to state agencies, organizations, regardless of their ownership, and citizens (except vehicles exempt from such use by the legislation of the Republic of Belarus or international treaties) in order to prevent an act of terrorism, to pursue and detain people who have committed an act of terrorism, to convey people who need urgent medical attention to hospital or to reach the scene of an incident.

The Head of the Operational Headquarters (Head of the counter-terrorism operation) shall regulate the activities of media representatives in the area in which the counter-terrorism operation is being conducted.

Article 14. Conducting Negotiations with Terrorists

During a counter-terrorism operation, it is permitted to conduct negotiations with terrorists in order to save people's lives and health, valuables and to assess the possibility of suppressing an act of terrorism without resorting to force.

Only people authorized by the Head of the Operational Headquarters (Head of the counter-terrorism operation) may conduct negotiations with terrorists.

In the course of negotiations with terrorists, issues of surrendering people to terrorists, delivering arms, munitions and other means and objects that may endanger people's lives and health, or fulfilling terrorists' political demands should not be discussed as prerequisites for ending the act of terrorism.

The conduct of negotiations with terrorists may not serve as a reason or condition for absolving them of responsibility for the acts committed.

Article 15. Informing the Public of an Act of Terrorism

During a counter-terrorism operation, the Head of Operational Headquarters for the Management of Counter-terrorism Operations or a representative of these Headquarters responsible for public relations shall define the manner and extent to which the public is to be informed of the terrorist activity.

Whilst conducting a counter-terrorism operation, the dissemination of the following information is prohibited:

- information that discloses special methods or tactics used in conducting the counter-terrorism operation;
- information that hampers the conduct of the counter-terrorism operation, or constitutes a threat to the life or health of people inside or outside the area where the counter-terrorism operation is being conducted;
- information that serves as propaganda for or justification of terrorism;
- information that contains information about members of staff of special units,
- information about members of the Operational Headquarters for the Management of Counter-terrorism Operations and people assisting the conduct of the operation.

Article 16. Completion of the Counter-terrorism Operation

The counter-terrorism operation shall be considered completed when the act of terrorism has been suppressed (stopped) and the threat to human lives and health in the area of conduct of the counter-terrorism operation has been eliminated.

A decision on declaring the counter-terrorism operation complete shall be taken by the Head of Operational Headquarters (Head of the counter-terrorism operation).

CHAPTER 4. COMPENSATION FOR DAMAGE CAUSED BY AN ACT OF TERRORISM AND SOCIAL REHABILITATION OF VICTIMS OF AN ACT OF TERRORISM**Article 17. Compensation for Damage Caused by an Act of Terrorism or Counter-Terrorism Operation**

Compensation for damage inflicted on citizens as a result of an act of terrorism or the conduct of a counter-terrorism operation shall be financed by the national budget to be further reimbursed by those responsible in accordance with the legislation of the Republic of Belarus.

Article 18. Social rehabilitation of Victims of Acts of Terrorism, Actions of Terrorist organizations, Illegal Armed Groups or in the Course of Their Suppression

The social rehabilitation of victims of acts of terrorism, actions of terrorist organizations, illegal armed groups or in the course of their suppression includes legal assistance; psychological, medical and professional rehabilitation; employment; and the provision of housing.

The social rehabilitation of victims of acts of terrorism, actions of terrorist organizations, illegal armed groups or in the course of their suppression and people listed in Article 19 of this Law shall be financed by the national budget.

Measures to provide social rehabilitation for victims of acts of terrorism, actions of terrorist organizations, illegal armed groups or in the course of their suppression shall be defined by the Council of Ministers of the Republic of Belarus.

CHAPTER 5. LEGAL AND SOCIAL PROTECTION FOR PEOPLE INVOLVED IN THE FIGHT AGAINST TERRORISM

Article 19. People Involved in the Fight against Terrorism Entitled to Legal and Social Protection

The following people are entitled to legal and social protection:

- people involved (now or in the past) in the fight against terrorism;
- people temporarily or permanently cooperating with government bodies involved in the fight against terrorism by preventing, exposing and suppressing terrorist activity and minimizing its consequences.

Family members of the people listed in the first paragraph of this article are entitled to legal and social protection if the necessity for their protection is caused by the participation of such people in the fight against terrorism.

Social protection for the people listed in the first and second parts of this article shall be carried out in accordance with instructions issued by the President of the Republic of Belarus or, on his instructions, by the Council of Ministers of the Republic of Belarus.

Article 20. Compensation for Damage Inflicted on People Involved in the Fight against Terrorism

Damage inflicted on the health or property of people listed in Article 19 of this law due to their involvement in the fight against terrorism shall be compensated in accordance with the legislation of the Republic of Belarus.

Article 21. Exemption from Responsibility for Damage Inflicted during a Counter-Terrorism Operation

While conducting counter-terrorism operations, the lives, health and property of terrorists may be subject to harm within the framework of the limits stipulated by legislation of the Republic of Belarus.

People involved in the fight against terrorism, in accordance with the legislation of the Republic of Belarus, are exempt from responsibility for damage inflicted during the execution of a counter-terrorism operation.

CHAPTER 6. RESPONSIBILITY FOR PARTICIPATION IN TERRORIST ACTIVITY

Article 22. Responsibility for Participation in Terrorist Activity

Individuals participating in terrorist activity shall be held responsible in accordance with the legislation of the Republic of Belarus.

Article 23. Responsibility of an Organization for Terrorist Activity

An organization registered in the Republic of Belarus shall be ruled to be a terrorist organization on the basis of by the Supreme Court of the Republic of Belarus decision and shall be closed down, and representative office of foreign or international organization on the territory of the Republic of Belarus ruled to be a terrorist organization shall be closed down.

A notice to declare an organization a terrorist organization, to prohibit its activities within the territory of the Republic of Belarus, to liquidate it if such an organization is registered in the Republic of Belarus, or, if such an organization is foreign or international, to cease operations of its representative office located in the Republic of Belarus, is filed to the Supreme Court of the Republic of Belarus by the Prosecutor General of the Republic of Belarus.

Evidence used by the Supreme Court of the Republic of Belarus to ascertain the circumstances relevant for adopting the resolution on whether an organization should be declared a terrorist organization, is provided by the State Security Committee of the Republic of Belarus; the latter submits to the Prosecutor General of the Republic of Belarus a proposal to prepare a relevant notice to the Supreme Court of the Republic of Belarus, with the aforementioned evidence enclosed.

A copy of the resolution of the Supreme Court of the Republic of Belarus to declare an organization as a terrorist organization is forwarded to the Prosecutor General of the Republic of Belarus and the State Security Committee of the Republic of Belarus within five days of the resolution approval.

If the Supreme Court of the Republic of Belarus adopts a resolution to declare an organization registered in the Republic of Belarus a terrorist organization, to prohibit its activities within the territory of the Republic

of Belarus, and to liquidate it, any property remaining after the satisfaction of creditor claims (subject to such creditors not being involved in terrorist activities) is confiscated.

If the Supreme Court of the Republic of Belarus adopts a resolution to declare a foreign or international organization a terrorist organization, to prohibit its activities within the territory of the Republic of Belarus, and to cease operations of such foreign or international organization's representative office in the Republic of Belarus, any property of such foreign or international organization that is present in the Republic of Belarus and remaining after the satisfaction of creditor claims (subject to such creditors not being involved in terrorist activities) is confiscated.

An organization declared a terrorist organization based on a resolution of the Supreme Court of the Republic of Belarus is included in the list of terrorist organizations subject to publication in mass media. The aforementioned list is kept and published by the State Security Committee of the Republic of Belarus according to the procedure determined by the Council of Ministers of the Republic of Belarus.

Article 23-1. An Organization's Liability for Terrorism Financing Perpetrated by Its Official

If an official of an organization finances terrorist activities by using the organization's funds and their official authority with the organization, then, according to the procedure provided for by Article 23 of this Law, the organization in question is declared as a terrorist organization, its activities within the territory of the Republic of Belarus are prohibited; if such an organization is registered in the Republic of Belarus it is liquidated, or, if such an organization is foreign or international, the operations of its representative office located in the Republic of Belarus are ceased.

CHAPTER 7. CONTROL AND SUPERVISION OF ACTIVITIES IN THE FIGHT AGAINST TERRORISM

Article 24. Control over Activities in the Fight against Terrorism

The President of the Republic of Belarus and the Council of Ministers of the Republic of Belarus shall control activities by agencies involved in the fight against terrorism.

Article 25. Supervision of Activities in the Fight against Terrorism

The Prosecutor-General of the Republic of Belarus and his subordinate prosecutors within the limits of their powers shall supervise the implementation of legislation on the fight against terrorism.

CHAPTER 8. FINAL PROVISIONS

Article 26. The Entry into Force of this Law

This Law enters into force on the date of its official publication.

Article 27. Bringing Legal Acts into Line with this Law

Within three months from the date of this Law's official publication, the Council of Ministers of the Republic of Belarus shall:

- prepare and send proposals to the House of Representatives of the National Assembly of the Republic of Belarus on bringing legal acts of the Republic of Belarus into line with this Law;
- bring decisions by the Government of the Republic of Belarus into line with this Law;
- ensure the review and abolition by national government bodies subordinate to the Council of Ministers of the Republic of Belarus of legal acts that contradict this Law;
- adopt legal acts that ensure the implementation of the provisions of this Law.

President of the Republic of Belarus

A. Lukashenka

LAW OF THE REPUBLIC OF BELARUS
‘On Measures to Prevent the Legitimization
of Illegal Proceeds, the Financing of Terrorism
and the Financing of Weapons
of Mass Destruction Proliferation’

30 June 2014, No. 165-3

Adopted by the House of Representatives on 5 June 2014
Approved by the Council of the Republic on 12 June 2014

Registered in the National Register of the Legal Acts of the Republic of Belarus on 3 July 2014, 2/2163.

(in the wording of the Laws of the Republic of Belarus of 5 January 2015, No. 231-3; of 13 June 2016, No. 376-3; of 13 May 2020, No. 14-3)

This Law defines the legal and organizational bases of public policy on preventing the legitimization of proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Basic Terms and Definitions

The following basic terms and definitions thereof shall be used in this Law:

- beneficiary owner: a natural person who is an owner of the customer’s property or holder of at least ten percent of shares (equity interests, shares of stock) of the customer organization, or who is directly or indirectly (through any third parties) is entitled to give instructions that are binding for the customer or is able to influence decision-making or otherwise control its/his activities;
- blocking of a financial transaction: a ban on conducting financial transactions (except for the receipt of funds via transfer (bank, postal) of security deposits into custody accounts) if the participant or beneficiary is an organization or natural person, including an entrepreneur, entered into the established list of organizations and natural persons involved in terrorist activity, or an organization for which the beneficiary owner is a natural person included in such list;
- internal control: a set of measures to prevent and detect financial transactions associated with the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation, conducted by persons engaged in the conduct of financial transactions;
- beneficiary: an organization or natural person, including an entrepreneur, in which/whose favour the participant of the financial transaction acts on the grounds of insurance/coinsurance agreements, trust management of funds or other property;
- monetary instruments: bills, cheques (bank cheques) and other certificated securities certifying the issuer’s (debtor’s) repayment, where there is no indication of the payment recipient, as well as travel cheques;
- proceeds of crime: funds obtained as a result of crime, as well as income from the use of such funds;
- freezing of funds : a ban on the disposal or use of funds (except for real estate used for personal needs), if the proprietor or owner of such funds is an organization or natural person, including an individual entrepreneur, entered into the established list of organizations and natural persons involved in terrorist activity, or if the beneficiary owner of the organization is a natural person included in such list;
- customer: a participant of a financial transaction assisted by a person engaged in the conduct of financial transactions, in particular, under a written agreement for conduct of financial transactions;

- laundering of proceeds of crime: using and/or disposal of proceeds of crime appear legitimate to conceal or to disguise their origin, location, placement, flow or true ownership, including the rights associated therewith;
- cash resources: currency in the form of banknotes and treasury notes, coins (excluding coins made of precious metals) that circulate and are legal tender in Eurasian Union member states or foreign states (group of foreign states), including those withdrawn or being withdrawn from circulation but subject to be exchanged for currency notes in circulation;
- special control: a set of measures applied by the financial monitoring body with a view to control financial transactions on the basis of information obtained from persons engaged in the conduct of financial transactions, in order to prevent the legitimization of the proceeds of crime and the financing of terrorism and the financing of weapons of mass destruction proliferation;
- funds: monetary funds, securities, e-money, other property, including proprietary rights, and exclusive rights to intellectual deliverables;
- financial transaction amount: the amount of funds or money equivalent to the nonmonetary assets of the financial transaction, in particular specified by consent of participants of such financial transaction providing for assignment of rights to such funds;
- participant of a financial transaction: an organization or a natural person, in particular an individual entrepreneur involved in the financial transaction or their representatives;
- financing of mass destruction weapons proliferation: providing or raising funds by any means for the purpose of the acquisition, possession, sale, or use of weapons of mass destruction;
- financial transaction: any transaction involving funds, irrespective of the type of transaction, for the purpose of opening a bank account, one-off payments, or the transfer, receipt, payment, exchange or deposit of funds. For the purpose of custody transactions opening of depository accounts, depository transfer of securities shall be deemed the financial transaction.

For the purpose of this Law, the following persons shall be deemed to be engaged in the conduct of financial transactions:

- the National Bank of the Republic of Belarus, banks and nonbank financial institutions, and the Development Bank of the Republic of Belarus Joint Stock Company (hereinafter 'the Banks' unless otherwise stated);
- the securities market professionals;
- commodity exchanges;
- persons engaged in trading precious metals and gems;
- pawnshops and buy-back facilities;
- insurance companies and insurance brokers;
- lottery and electronic interactive game organizers;
- notaries;
- agencies rendering real estate services and participating in real estate sale-and-purchase transactions for their customers;
- auditing firms or auditors who are individual entrepreneurs rendering professional services associated with accounting and writing accounting reports and/or financial statements related to financial transactions conducted in the name and/or on the instructions of the customer;
- organizations and individual entrepreneurs or lawyers and law offices rendering legal services (legal assistance) related to the establishment of organizations or participation in the management thereof, or purchase or sale of enterprises as a property complex, conducting financial transactions and/or fund management in the name and on behalf of the customer;
- postal operators;
- gambling organizers;
- organizations engaged in the state registration of real estate, including their titles and transactions;

- leasing companies;
 - microfinance organizations;
 - Forex companies and the National Forex Centre.
- For the purpose of this Law, the following shall be deemed non-residents:
- foreign citizens and stateless persons, except for foreign citizens and stateless persons mentioned in Paragraph Two of Part Four in this Article;
 - organizations incorporated under the laws of foreign states if their place of business is located outside the Republic of Belarus or their branches and representative offices are located in and outside the Republic of Belarus, as well as diplomatic missions and other official representative bodies, consular offices of foreign states located in and outside the Republic of Belarus, and international organizations and their branches and representative offices.
- For the purpose of this Law the following shall be deemed residents:
- citizens of the Republic of Belarus, as well as foreign citizens and stateless persons who have obtained a permit for permanent residence in the Republic of Belarus;
 - organizations incorporated under the laws of the Republic of Belarus if their places of business are located in the Republic of Belarus or their branches and representative offices are located in and outside the Republic of Belarus, as well as individual entrepreneurs registered in the Republic of Belarus and diplomatic missions and other official representative bodies, consular offices of the Republic of Belarus located outside the Republic of Belarus.
- The term ‘financing of terrorism’ in this Law follows the definition used in counter-terrorism legislation.

The term ‘weapons of mass destruction’ in this Law follows the definition used by the export control legislation.

Article 2. Scope of Application of This Law

This Law shall govern the relations between the participants of financial transactions and persons engaged in the conduct of financial transactions in the territory of the Republic of Belarus, activity of the financial monitoring body and government bodies engaged in controlling persons engaged in financial transactions in terms of compliance with the laws on preventing the legitimization of the proceeds of crime and the financing of terrorism and financing of weapons of mass destruction proliferation.

Article 3. Legal Framework of Activities on Preventing the Legitimization of the Proceeds of Crime, the Financing of Terrorism and the Financing of Weapons of Mass Destruction Proliferation

The legal framework of activities on preventing the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation shall be provided by the Constitution of the Republic of Belarus, this Law, other pieces of legislation, and by international treaties to which the Republic of Belarus is a party.

Should any international treaty to which the Republic of Belarus is a party set forth provisions other than those contained in this Law, the provisions of such international treaty shall take precedence.

CHAPTER 2. PREVENTING THE LEGITIMIZATION OF PROCEEDS OF CRIME, THE FINANCING OF TERRORISM AND THE FINANCING OF WEAPONS OF MASS DESTRUCTION PROLIFERATION

Article 4. Measures to Prevent the Legitimization of the Proceeds of Crime, the Financing of Terrorism and the Financing of Weapons of Mass Destruction Proliferation

The following shall be classified among the measures on preventing the legitimization of proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation:

- internal controls;
- special controls;
- the suspension of cash and/or monetary instruments movement across the Eurasian Union’s customs borders in the Republic of Belarus with due regard to the requirements set forth in the international regu-

latory legal acts constituting the law of the Eurasian Union; the prohibition to notify financial transaction participants of measures taken to prevent the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation, except as otherwise provided in this Law;

- other measures in compliance with legislative acts.

Article 5. Internal Control Internal controls shall be exercised using a risk-oriented approach, which calls for the development and implementation, by persons engaged in the conduct of financial transactions, of procedures to manage (identify, assess, monitor, control, limit, reduce) the risks inherent in the legitimization of the proceeds of crime, the financing of terrorism, and the financing of weapons of mass destruction proliferation. Such a risk-oriented approach provides for the application of advanced internal control measures when there is a high risk of the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation, and the application of simplified internal control measures if such risk is low, in accordance with the procedure established by the internal control regulations.

The internal control regulations shall be specified by persons engaged in the conduct of financial transactions with due consideration of general requirements set forth by the Council of Ministers of the Republic of Belarus, and requirements applied to the internal control regulations set forth by the government bodies engaged in control over persons engaged in the conduct of financial transactions, in compliance with Article 16 of this Law.

The internal control regulations shall include the following:

- procedures to manage the risks inherent in the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation;
 - the procedure for applying internal control measures in order to prevent the legitimization
 - of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation, with due regard to identified risks;
 - the procedure for freezing funds and/or blocking financial transactions, as well as the procedure for notifying the owner of the funds and financial transaction participants of the freezing of such funds and/or blocking of financial transactions;
 - the procedure for enforcing decisions of the financial monitoring body on the suspension and resumption of financial transactions where provided for by this law;
 - the procedure for monitoring money (bank, postal) transfers to or from the country (to or from the territory) that fails to comply with the requirements of the Financial Action Task Force on Money Laundering (hereinafter 'FATF recommendations'), may not participate in the international cooperation in the field of preventing the legitimization of the proceeds of crime the financing of terrorism and the financing of weapons of mass destruction proliferation. The procedure for compiling the list of such mentioned countries (territories) and publication thereof shall be established by the Council of Ministers of the Republic of Belarus;
 - the procedure for identifying financial transaction participants and updating information thereon;
 - the procedure for documenting financial transactions subject to special control;
 - the procedure for monitoring financial transactions conducted by persons and organizations mentioned in Paragraph sixteen of Part One in Article 6 of this Law;
 - the procedure for ensuring the storage and confidentiality of information;
 - requirements for the qualification and training of relevant officials;
 - the criteria for the identification of suspicious financial transactions. Such criteria and attributes shall be sensitive to special aspects of persons engaged in conduct of financial transactions.
- The following shall also be included in the banks' internal control regulations:
- the identification of criteria and suspicious financial transaction that may constitute grounds for the denial of a financial transaction (except for receipt of funds); or criteria for the denial of access to the remote

banking system, termination or suspension of services via such system. Such criteria and attributes shall be sensitive to special aspects of banks' activities.

- the procedure for notifying customer of the suspension of financial transactions by banks and of denial thereof, the denial of access to the remote banking system, the termination or suspension of services via such system, and the unilateral refusal to execute a contract;

Criteria and attributes mentioned in Paragraph Two, Part four of this Article shall be specified by the banks, nonbank financial institutions, the Development Bank of the Republic of Belarus Joint Stock Company, with due regard for special aspects of their activities, and the criteria and attributes established by the National Bank of the Republic of Belarus; additional criteria and attributes may be specified by them subject to prior notice to the National Bank of the Republic of Belarus at least one month before they enter into effect. The National Bank of the Republic of Belarus, within twenty business days of the receipt of such notice, may provide the bank, nonbank financial institutions, the Development Bank of the Republic of Belarus Joint Stock Company with its substantiated objections. Should this be the case, the criteria and attributes to which objections have been advanced shall not be put into effect.

Article 6. Obligations and Rights of Persons Engaged in the Conduct of Financial Transactions To implement internal controls, persons engaged in the conduct of financial transactions shall undertake the following to comply with the legislation:

- approve and comply with the internal control regulations;
- elaborate procedures to manage the risks inherent in the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation;
- identify and assess the risks inherent in the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation during the introduction and use of modern information technologies for the conduct of financial transactions;
- take measures to prevent the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation consistent with the risks identified;
- appoint officials responsible for the implementation of internal control regulations from among the organization's officers;
- take the required organizational measures to implement effective internal controls;
- identify financial transaction participants in compliance with Article 8 of this Law;
- take measures that are reasonable and affordable in the circumstances concerned, to identify the customer's beneficiary owners and verify that the person engaged in the conduct of financial transactions knows who the customer's beneficiary owner is;
- record financial transactions subject to special control using a special form and submit the information as an electronic document to the financial monitoring body no later than the business day immediately following the day when the financial transaction has been conducted, or on the day the decision to deny such financial transaction has been made (should the financial transaction be not conducted); or no later than the business day immediately following the decision day (should the decision day fall on a non-business day); or no later than the business day when a respective decision has been made (should performance under the written agreement for the conduct of financial transactions be abandoned or should signing such agreement be denied); or no later than the business day immediately following the day when documentary evidence (information) has been received (should funds under international settlement transactions be received); or on the day of freezing or blocking (should funds or financial operation be frozen or blocked) or no later than the business day immediately following the day of freezing or blocking (should the day of freezing or blocking fall on a non-business day); or – should a decision be made to deny the customer access to the remote banking system or to terminate or suspend their use of the service – no later than the business day when such decisions have been made; or no later than the business day immediately following the day when the person engaged in the conduct of financial transactions operations has made a decision to consider such financial transaction as suspicious (should the

financial transaction be detected as subject to special control and non-identifiable at the implementation stage);

- take measures associated with the freezing of funds and/or blocking of financial transactions specified in Article 9-1 of this Law in accordance with the procedure established by the Council of Ministers of the Republic of Belarus and with due consideration of the requirements specified by the government bodies engaged in control of activities of persons engaged in the conduct of financial transactions, in compliance with Article 16 of this Law;
- notify the financial monitoring body of the freezing of funds and/or blocking of financial transactions within the time limit prescribed by Paragraph Ten of this Part;
- submit, at the request of the financial monitoring body and within the time limit prescribed by the same body, information and documents required for discharging of functions entrusted to it;
- keep data and documents (copies thereof) acquired during the identification of customers and their representatives and obtained and drawn up during the course of the application of advanced internal control measures for at least five years from the termination of written agreements for the conduct of financial transactions, or for at least five years from the day when financial transactions have been conducted (should no such agreements be available), and information on financial transactions of the customers, documents which have been the grounds for the conducting of financial transactions. Information on other participants of the financial transaction, documents (copies thereof) acquired and drawn up in the course of internal control, and copies of special forms as electronic documents shall be kept for at least five years after the conduct of financial transactions. Such mentioned information and documents or replacement copies shall be kept on paper or as electronic documents in a format that ensures their timely reproduction and submission to authorized government bodies and the financial monitoring body;
- take measures to prevent the establishment of relations with non-resident banks if accounts with the same banks are used by banks that have no permanent management bodies within their states of incorporation and that are not members of any banking group (bank holding company). The persons conducting financial transactions shall not be allowed to establish and maintain relations with non-resident banks that have no permanent management bodies within their states of incorporation and that are not members of any banking group (bank holding company);
- identify from among customers and their beneficiary owners, foreign public officials or officials of public international organizations, persons who occupy positions included in the List of public positions of the Republic of Belarus specified by the President of the Republic of Belarus (hereinafter for the purposes of this Article the 'List of public positions'), their family members and people closely associated with the same individuals, as well as organizations beneficially owned by such mentioned persons. The procedure for maintaining the list of persons classified as foreign public officials, officials of public international organizations and persons who occupy positions included in the List of public positions, and bringing information on such persons to the attention of the financial monitoring body and persons conducting financial transactions, as well as the procedure for handling such information, shall be established by the Council of Ministers of the Republic of Belarus;
- monitor financial transactions conducted by foreign public officials, officials of public international organizations and persons who occupy positions included in the List of public positions, their family members and people closely associated with the same family members, as well as organizations beneficially owned by such mentioned persons in accordance with the procedure established by the internal control regulations;
- sign written agreements for the conduct of financial transactions, following the written approval of the manager (person authorized by the same manager) of the person engaged in the conduct of financial transaction, with foreign public officials, organizations beneficially owned by such foreign public officials, and (in cases specified by the internal control regulations) with officials of international public organiza-

tions, persons who occupy positions included in the List of public positions; or receive written approval of the respective manager (person authorized by the same manager) to continue (prolong) such agreement if the customer has acquired the appropriate status and/or has become a beneficiary owner of the organization after signing such agreement;

- take measures that are reasonable and affordable in the circumstances concerned to discover the sources of origin of funds of the customer, in particular, for foreign public officials, officials of public international organizations and persons who occupy positions included in the List of public positions, their family members and people closely associated with them.

Should information and documents required for identification under Article 8 of this Law not be submitted, the persons engaged in the conduct of financial transaction shall not process the financial transaction.

Should the information mentioned in Part Fourteen Article 8 of this Law be unavailable in the settlement or any other document containing the sender's (payer's) instruction, or not received for any reason, persons engaged in the conduct of financial transactions have the right to deny the financial transaction to the customer.

The banks shall be entitled to:

- deny the customer's financial transaction (except for the receipt of funds) if the financial transaction falls under identification criteria or indicates the possibility of suspicious financial activity;
- suspend a financial transaction (except for the receipt of funds) – for no longer two business days, including the day when the customer's instruction to carry out the transaction should be executed – in order to make a decision to carry out or deny the financial transaction, in compliance with Paragraph Two of this Part;
- unilaterally abandon the execution of the written agreement for the conduct of financial transactions, subject to the presence of two or more decisions to deny the customer's financial transactions made within six months, with compulsory notification to such customer in accordance with the procedure established by the banking law;
- deny a customer's access to the remote banking system, or unilaterally terminate or suspend services via such system when financial transactions conducted by such customer meet the criteria for the denial of access (termination, suspension) that may be grounds for such actions in accordance with the internal control regulations;
- deny the customer's financial transaction, when information is available indicating the involvement of a bank (including a non-resident bank) where the recipient of the fund has an account, or indicating the involvement of the recipient of the fund in any illegal financial transactions or the application of sanctions against them.

The banks shall undertake to notify the customer or its/his representative of the suspension and/or denial of the financial transaction, the denial of the customer's access to the remote banking system, the termination or suspension of services via such system, the unilateral abandonment of the execution of the written agreement for the conduct of financial transactions, with the indication of substantiated grounds in accordance with the procedure established by the banks' internal control regulations. Notice to the participant of the financial transaction, where provided for by Paragraph Four of Part One in Article 11 of this Law, shall be sent by the bank after receipt of such customer's written request.

Persons engaged in the conduct of financial transactions shall notify the customer, its/his representative of their responsibility to submit documents (data) for the identification of financial transaction participants.

The disclosure of information on data transfer to the financial monitoring body by the person engaged in the conduct of financial transactions and its employees shall be prohibited, unless otherwise provided for by legislative acts.

The submission of information on financial transactions subject to special controls by the financial monitoring body by persons engaged in the conduct of financial transactions, in accordance with the procedure established by this Law, shall not be deemed a violation of any business, bank or other secrets

protected by the law and may not entail liability for any damages or moral harm resulting from such actions.

The freezing of funds, the blocking of a financial transaction, the suspension or denial of a financial transaction, the denial of a customer's access to the remote banking system, the termination or suspension of services via such system, the unilateral abandonment of the execution of the written agreement for the conduct of financial transactions, refusal to sign the written agreement for the conduct of financial transactions in compliance with this Law may not incur the liability of a person engaged in the conduct of financial transactions for any damages or moral harm resulting from such actions.

The banks, by submitting a special form, shall notify the financial monitoring body of the freezing of funds, the blocking of financial transactions, the denial of financial transactions, the denial of a customer's access to the remote banking system, the termination or suspension of services via such system, the unilateral abandonment of the execution of the written agreement for the conduct of financial transactions or the refusal to sign such agreement.

The banks shall not be entitled to:

- open and maintain bank accounts in the name of anonymous holders (without the submission, by the person opening an account, of documents required for identification), nor to open and maintain such accounts of the holders using fictitious names (pseudonyms);
- open banking accounts for natural persons without the personal attendance of the person opening such account or his/her representative, except as otherwise established by Part Seventeen of Article 8 in this Law, or in other cases provided by the banking laws.

The application of measures established by the laws on preventing the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation shall be ensured directly by the person, and also by their branches, economically autonomous subdivisions or subsidiary (affiliated) companies within the framework established by the laws of their country of residence. Should the laws of such country fail to provide for the application of measures set forth by the laws of the Republic of Belarus, persons engaged in the conduct of financial transactions shall notify the financial monitoring body and the appropriate government body engaged in control over activities of persons engaged in the conduct of financial transactions of the inapplicability of such measures.

Persons engaged in the conduct of financial transactions shall undertake to control the compliance of their branches, economically autonomous subdivisions and subsidiary (affiliated) companies located outside the Republic of Belarus with the laws on preventing the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation.

Article 7. Financial Transactions Subject to Special Control

Financial transactions, whether or not they have been carried out, shall be subject to special control if one or more of the following conditions emerges:

- when a person engaged in the conduct of financial transactions suspects that such financial transaction is associated with the generation and/or legitimization of the proceeds of crime, the financing of terrorism or the financing of weapons of mass destruction proliferation; if the customer's non-profit organization's constituent documents and the type and/or nature of activities are inconsistent; or if the financial transaction participants repeatedly try to evade the registration process;
- when a participant or beneficiary of a financial transaction is an organization or natural person, including an individual entrepreneur, entered in the duly established list of organizations and natural persons involved in terrorist activity, or is an organization beneficially owned by the natural person included in such list;
- when a financial transaction participant is registered or has its/his domicile or place of business in a state (territory) that does not participate in international cooperation in the field of preventing the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation or fails to comply with FATF recommendations, and when financial transactions are con-

ducted using bank account registered in such state (territory) and the amount of the financial transaction exceeds 500 base values for natural persons or is equal to or exceeds 1000 base values for organizations and individual entrepreneurs;

- when the amount of a financial transaction is equal to or exceeds 2000 base values for natural persons or is equal to or exceeds 20 000 base values for organizations and individual entrepreneurs, and may be assigned to one of the following types of financial transactions: cash transaction; postal transfer; financial transaction in movable property and real estate; financial transaction in securities; borrowing transactions; and financial transaction in debt transfer and assignment of claim.

The list of other financial transactions subject to special control shall be specified by the President of the Republic of Belarus.

Article 8. Identification of Participants of Financial Transactions Persons engaged in the conduct of financial transactions shall identify the participants of a financial transaction when:

- signing a written agreement for conduct of financial transactions;
- conducting financial transactions for which amount is equal to or exceeds 1000 base values, unless they have been identified in compliance with Paragraph Two of this Part;
- conducting financial transactions subject to special control;
- opening an e-wallet;
- conducting transactions in e-money in cases with the amount specified by the National Bank of the Republic of Belarus;
- making money (bank, postal) transfers in accordance with Part Fourteen of this Article;
- there is a suspicion regarding the reliability and accuracy of data earlier obtained in accordance with Parts Three to Six of this Article.

Financial transaction participants shall undertake to submit the documents (information) required for identification thereof and/or for recording a financial transaction subject to special control to persons engaged in the conduct of financial transactions and persons charged with identification.

To identify the customers who are natural persons or their representatives (should the customer not be present) on the grounds of any identity document and other documents (copies thereof), persons engaged in the conduct of financial transactions shall establish and record the following data:

- surname, first name, patronymic (if any);
- citizenship;
- date and place of birth;
- place of residence and/or place of stay;
- details of the identity document;
- information on the beneficiary (when available).

To identify customers who are individual entrepreneurs or their representatives (should the customer be not present) on the grounds of any identity document, registration and other documents (copies thereof), persons engaged in the conduct of financial transactions shall establish and record the following data other than those mentioned in Part Three of this Article:

- the registration number and date of the state registration of an individual entrepreneur, and the name of the registration authority;
- the payer's identification number;
- the types of business activities;
- information on the beneficiary (when available).

In the event that a representative (commercial agent) acts in the name of an individual entrepreneur, data of such representative (agent) provided for by Part Three of this Article shall be recorded.

To identify the customers that are organizations on the grounds of their constituent, registration, and other documents (copies thereof), persons engaged in the conduct of financial transactions shall establish and record the following data on such organizations:

- the name;
- the registration number and date of the state registration of the customer organization, and the name of the registration authority (if any);
- the principal place of business; other identification number (for non-residents);
- the surname, first name, patronymic (if any) of the head (other person authorized under constituent documents to act in the name of such customer organization), of a person who manages business accounting, and/or of other officials duly authorized by their head or by virtue of law to act in the name of the customer organization. Should an individual entrepreneur (a manager or commercial agent) act as a head, data provided for by Part Three of this Article shall be recorded; should a legal entity (management company) act as a head, data provided for by this Part shall be recorded;
- data on beneficiary owners and (should the identification measures fail to reliably identify the beneficiary owner) data on the person who fulfils the functions of a sole executive body of the customer organization or a person who heads its collective executive body; the composition of founders (partners, members) holding at least 10 percent of shares (stakes in the authorized capital, units) of the organization; their shareholdings (amount of stakes in the authorized capital, units) in the organization; structure of management bodies; types of activities;
- the purpose of maintaining relations and intended type of relations with the person engaged in the conduct of financial transactions.

Should no data be provided for by Paragraphs Three and Four of Part One, Paragraphs Five to Eleven of Part Six of this Article be available in the documents submitted for the identification of customers and other financial transaction participants, such data shall be recorded according to oral information provided by the financial transaction participants.

Persons engaged in the conduct of financial transactions shall be entitled to ascertain and record other data required for the application of internal control advanced measures for customer identification.

To identify those who conduct financial transactions through the bank account, the persons engaged in the conduct of financial transactions (except for banks) shall ascertain and record the name and location of the banks with accounts through which such transactions are carried out.

Persons engaged in the conduct of financial transactions shall apply measures that are reasonable and affordable in the circumstances concerned in order to obtain information on the participants of the financial transaction (excluding the persons who have been identified) required for filling in a special form.

Persons engaged in the conduct of financial transactions shall apply advanced internal control identification measures when a financial transaction participant is registered, or has a domicile or place of stay in a state (territory) that does not participate in international cooperation in the field of preventing the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation or fails to comply with the FATF recommendations, and when financial transactions are conducted using an account with the bank registered in such state (territory).

Persons engaged in the conduct of financial transactions shall update information on the customers, their representatives and beneficiaries (if any) in accordance with the procedure and within the time limit established by the internal control regulations and with due regard to the risks inherent in customer relations and customer's financial transactions associated with the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation; nevertheless, when there is a suspicion regarding the reliability and accuracy of data obtained earlier, such mentioned information shall be updated within twenty business days of the day when a decision to consider such transaction suspicious has been made by the person engaged in the conduct of financial transactions.

Requirements for information update provided for by Part Twelve of this Article may differ depending on the risk inherent in customer relations and customer's financial transactions. To update such information, persons engaged in the conduct of financial transactions may request necessary documents and data from the

customer or its/his representative, or request and obtain information from government bodies and other institutions in accordance with established procedure. Such information shall be submitted by such government bodies and institutions to the person engaged in the conduct of financial transactions free of charge within ten business days of the receipt of the request, unless otherwise provided by law.

While conducting financial transactions involving money (bank, postal) transfers when, and as instructed by the sender (payer), the amount is equal to or exceeds 100 base values – except for settlements with bank cards in commercial (servicing) organizations, payment self-service terminals, ATMs, and via remote banking when the sender (payer) is a natural person; cash settlements through cash-in ATMs; cash receipt by bank cards at ATMs; interbank settlements when a bank acts as a payer in its own name – persons engaged in the conduct of such financial transactions shall ensure the transfer and safe keeping, at any stage thereof, of the following data in compliance with Part One of Article 6 in this Law:

- data on the sender (payer) who is a natural person: surname, first name, patronymic (if any), account number (or, should it be unavailable, the number of the financial transaction), domicile and/or place of stay, and (if such natural person is an individual entrepreneur) the payer's identification number;
- data on senders (payer) and recipients that are organizations: name, account number (or, should it be unavailable, the number of the financial transaction), and the payer's identification number (or, should it be unavailable (when referring to foreign organizations) other identification number and/or place of business);
- data on the recipient who is a natural person: surname, first name, patronymic (if any), account number (or, should it be unavailable, the number of the financial transaction), domicile and/or place of stay, and (if such natural person is an individual entrepreneur) the payer's identification number.

For citizens of the Republic of Belarus, foreign citizens and stateless persons who have residence permits in the Republic of Belarus, the identification number shall be used as an essential detail of the identity document.

While conducting financial transactions involving money (bank, postal) transfers that does not exceed 100 base values when the sender (payer) is a natural person, data provided for by Part Fourteen of this Clause may be obtained without the presentation of an identity document of such sender (payer).

Persons engaged in the conduct of financial transactions shall be entitled to delegate the identification of the customer, its/his representative or beneficiary (if any) to any other person engaged in the conduct of financial transactions or to any other organization under an agreement or where provided for by the legislation.

The persons to whom, or organizations to which, the identification has been delegated, shall communicate full information obtained during the identification to the person engaged in the conduct of financial transactions who has delegated identification, in accordance with the procedure and within the time limit established by such agreement.

In cases defined by Part Seventeen of this Article, persons engaged in the conduct of financial transactions who have delegated identification shall bear responsibility for compliance with identification requirements set forth by this Law and other legislative acts. Noncompliance, by the person to whom identification has been delegated, with such mentioned requirements, may serve as ground for the unilateral abandonment of the execution of the agreement by the person engaged in the conduct of financial transactions.

Article 9. Recording of Financial Transactions Subject to Special Control Financial transactions subject to special control shall be recorded in a special form by the person engaged in the conduct of financial transactions.

Financial transactions described in Paragraph Five of Part One of Article 7 in this Law shall not be subject to being recorded in special forms by the banks.

For transactions in non-cash form transferred from accounts opened with the banks of the Republic of Belarus (senders) to accounts opened with the banks of the Republic of Belarus (recipients), a special form shall be filled in and submitted to the financial monitoring body by the senders of such non-cash money.

For transactions in funds paid as insurance contributions (insurance premium), benefits or cover, a special form shall be filled in and submitted to the financial monitoring body by insurance companies and insurance brokers.

For civil transactions in property when transactions therewith and/or title thereto are subject to official registration, a special form shall be filled in and submitted to the financial monitoring body by persons engaged in the state registration of such property, title thereto and transactions therewith.

For transactions in uncertificated securities and in certificated securities deposited for safekeeping in the depository system of the Republic of Belarus, a special form shall be filled in and submitted to the financial monitoring body by the depositories that keep depository records of rights to securities; for transactions in certificated securities under which rights to securities are assigned from/to the residents, a special form shall be filled in and submitted to the financial monitoring body by the transferor of securities. Should financial transactions be conducted within the trading system of the organizer of trade in securities, a special form shall be filled in and submitted to the financial monitoring body by:

- the organizer of trade in securities, when organizing trade in securities is combined with clearing activities and when no services of a clearing house are employed for the settlement of securities transactions;
- a clearing house, when services of a clearing house are employed for the settlement of securities and fund transfers.

The format of the special form and procedures for its completion, submission, registration, recording and safe keeping shall be established by the Council of Ministers of the Republic of Belarus.

Article 9.1. Freezing of Funds and Blocking of Financial Transactions

To prevent the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation, persons engaged in the conduct of financial transactions shall:

- freeze funds owned or possessed by an organization or natural person, in particular an individual entrepreneur, entered in the duly established list of organizations and natural persons involved in terrorist activity, or when such organization is beneficially owned by the natural person included in such list;
- block a financial transaction when a participant or beneficiary of such financial transaction is an organization or natural person, in particular an individual entrepreneur, entered in the list of organizations and natural persons involved in terrorist activity, or when such organization is beneficially owned by the natural person included in such list;
- notify the financial monitoring body of the freezing of funds and/or blocking of the financial transaction within the time limit set by Paragraph Ten of Part one of Article 6 in this Law.

The authorized body engaged in creating and maintaining the list – as well as the procedure for establishing such list, appealing against the decision to include an organization or natural person, in particular an individual entrepreneur, in such list and considering other applications of such organization or natural person, in particular an individual entrepreneur, and disclosing such list to persons engaged in the conduct of financial transactions and to the financial monitoring body – shall be specified by the Council of Ministers of the Republic of Belarus.

To implement the requirements set forth in Part One of this Article, persons engaged in the conduct of financial transactions shall apply the following measures:

- funds belonging to organizations or natural persons, in particular individual entrepreneurs, entered in the list, and organizations beneficially owned by natural persons entered in the list shall be detected and frozen immediately but no later than one business day from the disclosure of the list to persons engaged in conduct of financial transactions;
- the financial transaction of funds to which freezing measures have been applied shall be blocked;
- the financial transaction shall be blocked if the identification process has discovered that its participant or beneficiary is an organization or natural person, in particular an individual entrepreneur, entered in the list, or such organization is beneficially owned by the natural person included in such list;

- the state registration of real estate, title thereto and transactions therewith, recording of transactions in securities, transaction certification, notarization of a financial transaction, and signing and/or performance of a written agreement for conduct of financial transactions shall be denied to an organization or natural person, in particular an individual entrepreneur, entered in the list, or to an organization beneficially owned by the natural person included in such list;
- the presence, among their customers, of organizations, natural persons, in particular individual entrepreneurs entered in the list, or organizations beneficially owned by natural persons entered in the list shall be checked for and, should such customers be detected, their funds shall be frozen.

Should a substantiated written application for the conduct of financial transactions necessary for the survival of an individual be received by the financial monitoring body from a natural person, in particular, an individual entrepreneur included in the list by virtue of the Resolution of the UN Security Council No. 1267 (1999) (hereinafter the 'Resolution') directed against the Taliban, who has no other sources of means of subsistence and whose funds have been frozen, the financial monitoring body shall, within two business days of the receipt of such application, notify the UN Committee established by the mentioned Resolution (hereinafter the 'UN Committee') of the need to grant a permit authorizing such natural person, in particular, an individual entrepreneur, to conduct the financial transactions concerned and, no later than five business days of the receipt of the UN Committee's opinion by the financial monitoring body, shall grant a permit authorizing the conduct of financial transactions in the amount equal to the monthly average subsistence rate per capita established by the State, or shall deny such permit.

Should a substantiated written application for the conduct of financial transactions necessary for the survival of an individual be received by the financial monitoring body from a natural person, in particular, an individual entrepreneur included in the list on other grounds, who has no other sources of means of subsistence and whose funds have been frozen, the financial monitoring body shall, within five business days of the receipt of such application, grant a permit authorizing to conduct financial transactions in the amount equal to the monthly average subsistence rate per capita established by the State, or shall reasonably deny such application.

The permit granted by the financial monitoring body to authorize financial transactions necessary for the survival of an individual, in particular, an individual entrepreneur, or substantiated denial shall be notified to the applicant and appropriate person engaged in the conduct of financial transactions no later than five business days from receipt of the UN Committee's opinion by the financial monitoring body or, in other cases, no later than five business days from receipt of the application.

Should there be disagreement with the decision of the financial monitoring body to conduct or deny the financial transaction necessary for the survival of a natural person, in particular, an individual entrepreneur, such natural person, in particular, an individual entrepreneur, may appeal to a higher-level authority (superior official). A decision of such higher-level authority (superior official) may be appealed to a public prosecutor or a court in accordance with the procedure established by legislative acts.

The removal of an organization or natural person, in particular, an individual entrepreneur, from the list shall be grounds for the unfreezing of funds and/or unblocking of financial transactions. Should any measures relating to the freezing of funds and/or blocking of financial transactions be applied by the person engaged in the conduct of the financial transaction due to the unavailability of required identification information about the customer, other financial transaction participants or the beneficiary, and should the financial monitoring body or any other competent authority assisted by the financial monitoring body subsequently establish their non-involvement in terrorist activity or the proliferation of weapons of mass destruction, the appropriate notification on electronic media or on paper sent by the financial monitoring body to the person engaged in conduct of financial transactions no later than the business day immediately following the day when a decision on unfreezing of funds and/or unblocking of the financial transaction has been made, shall be grounds for the revocation of the decision on the freezing of funds and/or blocking of the financial transaction.

Measures relating to the freezing of funds and/or blocking of financial transactions shall be applied by persons engaged in the conduct of financial transactions provided that they do not contradict the

orders of prosecuting authorities or court orders on the seizure, confiscation or forfeiture of funds to the State.

Measures relating to the freezing of funds and/or blocking of financial transactions, as well as to the conduct of financial transactions necessary for the survival of natural persons, in particular, individual entrepreneurs, applied in criminal proceedings shall be governed by criminal laws and laws of criminal procedure.

CHAPTER 3. FINANCIAL MONITORING BODY

Article 10. Body Carrying out Activities to Prevent the Legitimization of Proceeds of Crime, the Financing of Terrorism and the Financing of Weapons of Mass Destruction Proliferation

A body carrying out activities to prevent the legitimization of proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation shall be the financial monitoring body incorporated by the decision of the President of the Republic of Belarus.

Article 11. Competence of the Financial Monitoring Body In exercising special control, the financial monitoring body shall:

- apply measures for the creation of a computer-aided system to record, process and analyse information on financial transactions subject to special control;
- acquire and analyse information on suspicious financial transactions;
- give a ruling on suspending financial transactions (except for receipt of funds) when there is sufficient evidence of links of such financial transactions with deriving and/or legitimizing the proceeds of crime, financing terrorism and financing weapons of mass destruction proliferation; and rule on the freezing of funds and/or blocking of financial transactions when no appropriate measures have been applied by the person engaged in the conduct of financial transactions.

Such rulings on the suspension of financial transactions and rulings on the freezing of funds and/or blocking of financial transactions shall be sent via electronic media or on paper to persons engaged in the conduct of financial transactions without delay, but no later than the business day immediately following the day when such rulings have been given. The notice on electronic media or on paper sent by the financial monitoring body to the person engaged in the conduct of financial transactions no later than the business day immediately following the day when the respective decision has been made shall be grounds for the resumption of financial transactions suspended by virtue of the decision of the financial monitoring body. The procedure for the suspension of financial transactions by the financial monitoring body, interaction between the financial monitoring body and persons engaged in conduct of financial transactions shall be approved by the Council of Ministers of the Republic of Belarus.

The financial monitoring body shall:

- send the relevant information and materials related to the freezing of funds and/or blocking of a financial transaction in cases provided for by Article 9.1 of this Law to the prosecuting authority according to its terms of reference, and send a notice thereof on electronic media or on paper to the person engaged in the conduct of financial transactions who has made a decision to apply measures for the freezing of funds and/or blocking of financial transactions; in response to suspending, by customs authorities, cash and/or monetary instruments movement, make, within three business days of the receipt of relevant information, a decision to return such cash and/or monetary instruments so suspended or send information and materials suspended owing to the possible links of such cash and/or monetary instruments to the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation to the prosecuting authority according to its competence. Information on a decision made by the financial monitoring body shall be sent to the respective customs authority no later than the business day immediately following the day when such decision has been made;
- send the relevant information and materials to the prosecuting authority according to its competence when there is sufficient evidence of links to the financial transaction with deriving and/or the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction

proliferation. Should financial transactions be suspended, such information and materials shall be sent to the prosecuting authority no later than five business days from the execution, by the person engaged in the conduct of financial transactions, of a financial monitoring body's decision on the suspension of financial transactions, or no later than five business days from receipt of the relevant information from customs authorities when the movement of cash and/or monetary instruments has been suspended by customs authorities;

- use information contained in special forms and other sources to apply measures to prevent the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation;
- apply other measures in compliance with this Law and other legislative acts.

The suspension of a financial transaction in accordance with Paragraph Four of Part One of this Article may not give rise to liability of the financial monitoring body or its employees for any damages or moral injury caused as a result of such action.

To prevent the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation, the financial monitoring body shall:

- obtain from government bodies exercising control over persons engaged in the conduct of financial transactions requested information on control over such persons as it pertains to their compliance with the laws on preventing the legitimization of the proceeds of crime, the financing of terrorism, and the financing of weapons of mass destruction proliferation;
- summarize the practical application of such legislation on the basis of received information, and draw up proposals for improving thereof;
- take part in implementation of measures to preclude violation of laws on preventing the legitimization of the proceeds of crime and the financing of terrorism and the financing of weapons of mass destruction proliferation;
- take part in the activities of international organizations in due order;
- take part, in accordance with established procedure, in the preparation of draft regulatory and legal acts, as well as in the signing and execution of international treaties on preventing the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation;
- exercise other powers in compliance with the legislation.

Employees of the financial monitoring body shall ensure the safety of information on activities of the financial monitoring body disclosed to them, which constitutes official, banking or other secrets protected by law, and shall bear responsibility for the disclosure of such information, as established by law.

The submission of information and materials by the financial monitoring body to the prosecuting authority in accordance with Paragraph Seven of Part One of this Article shall not be deemed a breach of official, banking or other secrets protected by law and may not give rise to liability of such body and its employees for any damages and moral injury caused as a result of such action.

Article 12. Submission of Information to the Financial Monitoring Body Government bodies and other organizations shall, in accordance with the statutory procedure, furnish the financial monitoring body with information and documents (except for privacy information of natural persons) required for the performance of its assigned functions, the action of which shall not be deemed a breach of official, banking or other secrets protected by law.

Article 13. International Cooperation in the Field of Preventing the Legitimization of the Proceeds of Crime, the Financing of Terrorism and the Financing of Weapons of Mass Destruction Proliferation The financial monitoring body, in compliance with legislation, particularly international treaties to which the Republic of Belarus is a party, shall cooperate with competent authorities of foreign countries in the field of preventing the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation, during the acquisition of information, preliminary investigations, trial, and the enforcement of judgments.

The financial monitoring body, in compliance with legislation, particularly international treaties to which the Republic of Belarus is a party, shall furnish competent authorities of foreign countries, upon their requests, with relevant information (particularly information containing official, banking or other secrets protected by law) provided that such action is not in prejudice of the national security of the Republic of Belarus and as long as such information is not used without the prior consent of the financial monitoring body.

CHAPTER 4. RESPONSIBILITY FOR VIOLATIONS OF THE LEGISLATION ON PREVENTING THE LEGITIMIZATION OF THE PROCEEDS OF CRIME, THE FINANCING OF TERRORISM AND THE FINANCING OF WEAPONS OF MASS DESTRUCTION PROLIFERATION, AND SUPERVISION AND CONTROL OVER THE ITS OBSERVANCE

Article 14. Responsibility for Violations of the Legislation on Preventing the Legitimization of Proceeds of Crime and Financing of Terrorism and Financing Weapons of Mass Destruction Proliferation The persons guilty of violation of the legislation on preventing the legitimization of proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation shall bear responsibility established by legislative acts.

Article 15. Supervision over Compliance with the Legislation on Preventing the Legitimization of Proceeds of Crime and Financing of Terrorism and Financing Weapons of Mass Destruction Proliferation Supervision over the precise and uniform implementation of the legislation on preventing the legitimization of proceeds of crime, the financing of terrorism and the financing weapons of mass destruction proliferation shall be provided by the Prosecutor General of the Republic of Belarus and his/her subordinate prosecutors.

Article 16. Control over Activities of Persons Engaged in the Conduct of Financial Transactions in Terms of Compliance with the Legislation on Preventing the Legitimization of Proceeds of Crime, the Financing of Terrorism, and the Financing of Weapons of Mass Destruction Proliferation Control over activities of persons engaged in the conduct of financial transactions in terms of compliance with the legislation on preventing the legitimization of proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation shall be provided, within their terms of reference, by:

- The National Bank of the Republic of Belarus – over banks and nonbank financial institutions; the Development Bank of the Republic of Belarus Joint Stock Company; leasing companies; microfinance organizations, including pawnshops, as it pertains to their microfinance granting and finance-raising activities; Forex companies and the National Forex Centre;
- The Ministry of Finance of the Republic of Belarus – over the securities market professionals;
- persons trading in precious metals and gems; pawnshops and buy-back facilities, as it pertains to their dealing in precious metals and gems; auditing firms and auditors who are individual entrepreneurs rendering professional services associated with accounting, drawing up accounting reports and/or financial statements related to financial transactions conducted in the name and/or on the instructions of the customer; insurance companies and insurance brokers;
- organizers of lottery and electronic interactive games;
- The Ministry of Justice of the Republic of Belarus – over notaries, agencies rendering real estate services and participating in the real estate sale-and-purchase transactions for their customers;
- organizations and individual entrepreneurs and lawyers and law offices rendering legal services (legal assistance) related to the establishment of organizations or participation in the management thereof, or the purchase or sale of enterprises as a property complex, and financial transactions conduct and/or fund management in the name and on behalf of the customer;
- The Ministry of Communication and Informatization of the Republic of Belarus – over postal operators;
- The Ministry of Taxes and Duties of the Republic of Belarus – over organizers of gambling;
- The Ministry of Commerce of the Republic of Belarus – over commodity exchanges;
- The State Property Committee of the Republic of Belarus – over organizations engaged in the state registration of real estate, the title thereto and transactions therewith.

- Government bodies exercising control over persons engaged in the conduct of financial transactions shall:
- specify requirements for internal control regulations, particularly procedures for applying measures for the freezing of funds and/or blocking of financial transactions, with due regard for the general requirements and procedures established by the Council of Ministers of the Republic of Belarus and special aspects of activities of persons engaged in the conduct of financial transactions;
 - provide methodological guidance for the activities of persons engaged in the conduct of financial transactions, as part of oversight measures, in the field of preventing the legitimization of proceeds of crime, the financing of terrorism and the financing weapons of mass destruction proliferation, with due consideration of the identified risks in the respective field of activities;
 - coordinate the activities of persons engaged in conduct of financial transactions, as part of oversight measures, in the organization of internal control and management of risks inherent in the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation;
 - develop recommendations for persons engaged in the conduct of financial transactions, as part of oversight measures, on the identification criteria and alerting attributes of financial transactions associated with deriving or legitimizing the proceeds of crime, the financing of terrorism or the financing of weapons of mass destruction proliferation, with due regard for the special aspects of such persons' activities;
 - summarize the practical application of legislation on preventing the legitimization of proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation in the respective field of activities and draw up proposals for improving thereof;
 - apply measures to prevent the violation of laws on preventing the legitimization of proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation;
 - apply, in compliance with legislative acts, sanctions to violators of the legislation on preventing the legitimization of proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation;
 - establish requirements of reporting financial transactions subject to special control, applicable to persons engaged in the conduct of financial transactions.

Information on the imposition of administrative sanctions on any bank, nonbank financial institution, or the Development Bank of the Republic of Belarus Joint Stock Company for noncompliance with the legislation on preventing the legitimization of proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation shall be made available by the National Bank of the Republic of Belarus on its official Internet site within thirty days of the entry of the decision on imposing administrative sanctions into legal force.

Should facts regarding the non-submission of information on a financial transaction subject to special control or any other violations of the legislation on preventing the legitimization of proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation be detected, the government bodies shall notify thereof the financial monitoring body within five business days of signing the relevant inspection report.

CHAPTER 5. FINAL PROVISIONS

Article 17. Introduction of Amendments and Supplements to Certain Laws The following amendments and supplements shall be introduced to the Criminal Code of the Republic of Belarus dated July 9, 1999 (National Register of Legal Acts of the Republic of Belarus 1999, No. 76, 2/50; 2006, No. 9, 2/1194; No. 111, 2/1242; 2007, No. 173, 2/1361; 2008, No. 184, 2/1514; 2011, No. 4, 2/1775; National Legal Internet Portal of the Republic of Belarus, 1 November 2012, 2/1987):

Article 235 shall have the following wording:

'Article 235. Legitimization ('laundering') of the proceeds of crime

1. Processing financial transactions with the proceeds of crime by making the original source appear as legitimate for the possession, use and/or disposal of the above funds – with a view to concealing or misrepresenting

senting the origin, location place, movement or actual accessory of the above funds – shall be punishable by a financial penalty, the deprivation of the right to occupy certain positions or be involved in certain activities with a financial penalty, or the deprivation of liberty for a period of two to four years, with or without a financial penalty, and of the right to occupy certain positions or be involved in certain activities.

2. The same actions committed repeatedly or by an official while performing his/her official duties, or on an especially large scale, shall be punishable by the deprivation of liberty for a period of four to seven years with the forfeiture of property and with the deprivation of the right to occupy certain positions or be involved in certain activities.
3. The actions set forth in Parts 1 or 2 hereof, committed by an organized group, shall be punishable by the deprivation of liberty for a period of five to ten years with the forfeiture of property and with the deprivation of the right to occupy certain positions or be involved in certain activities.

Notes:

1. The financial transaction herein means a transaction of funds irrespective of the form in which it is processed thereof.
2. The funds herein and in Article 290-1 hereof mean funds, securities, electronic money, other property, property rights inclusive, as well as exclusive rights to the intellectual property results.
3. A person who participated in the legitimization of the proceeds of crime shall not be subject to criminal liability for such actions provided this person has reported such actions voluntarily and contributed to discovering a crime.

In Paragraph One, Part 2 of Article 289 the words '290-1 or' shall be replaced by the words '290-1–290-5, Part 4 of Article 309, Part 3 of Article 311 and Article' in Article 290-1:

Paragraph One of Part 1 shall have the following wording:

'1. Providing or raising funds by any means to be used for the purpose of terrorist activities, or knowingly providing material support or other support for guilty terrorists, terrorist groups and terrorist organizations (financing of terrorist activity).'

Paragraph One of Part 2 shall have the following wording:

'2. The same actions, when committed repeatedly or by an organized group or an official performing his/her official position or a person who has previously committed offences under Articles 124–127, 131, 287, 289, 290 and 2902–292; Part 4 of Article 294; Part 4 of Article 295; Part 4 of Article 309; and Part 3 of Article 311, Articles 359 and 360 of this Code';

The Code shall be supplemented with Article 290-2–290-5 reading as follows:

'Article 290-2. Facilitation of terrorist activities

1. Recruitment of or other involvement of a person in terrorist activities, as well as any other training of a person for participation in terrorist activities, shall be punishable by the deprivation of liberty for a period of five to twelve years with the forfeiture of property.
2. The same actions, when committed by a person using his/her official authorities, shall be punishable by the deprivation of liberty for a period from seven to fifteen years with the forfeiture of property.'

Note. The person who has committed offences under the present Article shall be exempt from criminal liability for such actions provided such person, by a timely notice to the government bodies or otherwise, has contributed to the prevention and suppression of crime under the present Article.

Article 290-3. Instruction and training for participation in terrorist activities Trainees knowingly undergoing instruction and training aimed at his/her subsequent participation in terrorist activities shall be punishable by the deprivation of liberty for a period of six to ten years with or without the forfeiture of property.

Note. The person who has committed offences under the present Article shall be exempt from criminal liability for such actions provided such person, by a timely notice to the government bodies or otherwise, has contributed to the prevention and suppression of crime under the present Article.

Article 290-4. The creation of an organization for the purpose of carrying out terrorist activities or involvement therein

1. Activities involving the creation of an organization for the purpose of carrying out terrorist activities or the management of such organization or any part thereof or of structural units thereof shall be punishable by the deprivation of liberty for a period of eight to twelve years with the forfeiture of property.
2. Participation in an organization created for the purpose of carrying out terrorist activities shall be punishable by the deprivation of liberty for a period of seven to ten years with the forfeiture of property.

Note. The person who has voluntarily ceased his/her participation in an organization created for the purpose of carrying out terrorist activities shall be exempt from criminal liability under the present Article.

Article 290-5. The planning of activities of a terrorist organization and participation therein

1. The planning of activities of an organization recognized as terrorist under the laws of the Republic of Belarus shall be punishable by the deprivation of liberty for a period of ten to fifteen years with the forfeiture of property.
2. Involvement in the activities of an organization recognized as terrorist under the laws of the Republic of Belarus shall be punishable by the deprivation of liberty for a period from eight to twelve years with the forfeiture of property.

Note. The person who has voluntarily ceased his/her participation in an organization recognized as terrorist under the laws of the Republic of Belarus shall be exempt from criminal liability under the present Article.

Article 292 shall have the following wording:

'Article 292. Seizure of buildings and structures

1. The seizure of buildings and structures, lines or means of communication, other communications, fixed platforms located on a continental shelf, or holding thereof combined with the threat of destruction or damage thereof or with the threat of homicide of people or the infliction of bodily injury on the same people with a view to forcing any government body, legal entity, natural person or group of persons to perform or refrain from performing any act as a precondition for refraining from carrying out such threat, as well as the financing of or the provision of other material support for such actions shall be punishable by detention for a period of three to six months or the restriction of liberty for a period up to five years or the deprivation of liberty for the same period.
2. The same actions when committed by an organized group or resulting, through negligence, in the loss of life, damage on an especially large scale or other severe consequences shall be punishable by the deprivation of liberty for a period of seven to twelve years.
3. Actions stipulated in Parts 1 and 2 of this Article committed with the use of armaments, explosives, explosive devices, as well as nuclear, chemical, biological or any other type of weapon of mass destruction or major parts thereof shall be punishable by the deprivation of liberty for a period of eight to fifteen years with the forfeiture of property.'

Paragraph One, Part 4 of Article 294 shall have the following wording:

'4. Actions stipulated in Parts 1, 2 or 3 of this Article committed by robbery or extortion or by an organized group, as well as with a view to committing crimes stipulated in Articles 124–127, 131, 287, 289–292, 359 and 360 of this Code.'

Paragraph One, Part 4 of Article 295 shall have the following wording:

'4. Actions stipulated in Parts 2 or 3 of this Article, when committed by an organized group as well as with a view to committing crimes stipulated in Articles 124–127, 131, 287, 289–292, 359 and 360 of this Code.'

Article 309 shall be supplemented with Part 4 reading as follows:

'4. Actions stipulated by Part 1 of this Article performed with a view to committing crimes stipulated in Articles 124, 126, 289, 359 and 360 of this Code shall be punishable by the deprivation of liberty for a period of seven to fifteen years with or without the forfeiture of property.'

In Paragraph One, Part 3 of Article 311:

- the words 'first or second' shall be replaced with '1 or 2';
- after the word 'damages' the paragraph shall be supplemented with the words 'as well as with a
- view to committing crimes stipulated in Articles 124, 126, 289, 359 and 360 of this Code.'

Article 322 shall have the following wording:

'Article 322. The illegal acquisition, possession, use, sale or destruction of radioactive materials

1. The illegal acquisition, possession, use, sale or destruction of radioactive materials (sources of ionizing radiation, radioactive substances and nuclear materials, whatever their physical state) shall be punishable by a fine or detention for a period of up to six months or the restriction of liberty for a period of up to four years or the deprivation of liberty for the same period.

2. The same actions when committed repeatedly or by a group of persons or by an official using his/her official authorities or by a person who has previously committed offences under Articles 323–325 of this Code shall be punishable by the deprivation of liberty for a period of four to ten years with or without the forfeiture of property.

3. The actions stipulated in Parts 1 or 2 of this Article committed with a view to committing a crime under Articles 124–127, 131, 287, 289–292, 359 and 360 of this Code shall be punishable by the deprivation of liberty for a period of eight to fifteen years with or without the forfeiture of property.'

In Article 323:

In Part 1:

- in Paragraph One after the word 'materials' shall be supplemented with the words 'as well as financing such theft';
 - in Paragraph Two the words 'is punishable' shall be replaced with the words 'are punishable';
- in paragraph one Part 3:
- the words 'first or second' shall be replaced with '1 or 2';
 - after the word 'group' the paragraph shall be supplemented by the words 'as well as with a view to committing crimes under Articles 124–127, 131, 287, 289–292, 359 and 360 of this Code';

Article 324 shall have the following wording:

'Article 324. Threat of hazardous use of radioactive materials

1. The threat of the hazardous use of radioactive materials for the purpose of forcing any government body, international organization, natural person or legal entity to perform or refrain from performing any act or for any other purpose, provided there are grounds to fear such threat, shall be punishable by the deprivation of liberty for a period of up to five years.

2. The same action when committed repeatedly or by a group of persons, by prior conspiracy, shall be punishable by the deprivation of liberty for a period of five to ten years with or without the forfeiture of property.

3. The actions stipulated in Parts 1 and 2 of this Article when committed by a person who has previously committed offences under Articles 124, 126, 289, 290; Part 4 of Article 309; and Part 3 of Article 311, Articles 359 and 360 of this Code shall be punishable by the deprivation of liberty for a period of seven to fifteen years with or without the forfeiture of property.'

Paragraph One, Part 2 of Article 333 after the words 'blackmailing offences' shall be supplemented with the words 'as well as with a view to committing crimes under Articles 124–127, 131, 287, 289–292, 359 and 360 of this Code'.

2. In Part 2 of Article 182 in the Code of Criminal Procedure of the Republic of Belarus dated 16 July 1999 (National Register of Legal Acts of the Republic of Belarus, 2000, No. 77–78, 2/71; 2011, No. 140, 2/1877) the figures '2901' shall be replaced by the words '2905, Part 4 of Article 294, Part 4 of Article 295, Part 4 of Article 309, Part 3 of Article 311, Part 3 of Article 322, Part 3 of Article 323, Part 3 of Article 324, Part 2 of Article 333, Articles'.

3. Paragraph fourteen of Article 3 in the Law of the Republic of Belarus 'On the Fight against Terrorism' dated 3 January 2001 (National Register of Legal Acts of the Republic of Belarus, 2002, No. 6, 2/825; 2006, No. 9, 2/1194) shall be reworded as follows:

'financing of terrorism: the provision or raising of monetary funds, securities, e-money or any other property, in particular, proprietary rights, as well as exclusive rights to intellectual deliverables, by any means for

the purpose of using thereof for terrorist activities, material support or other support of known terrorists, terrorist groups and terrorist organizations'.

4. The following amendments and addenda shall be introduced to the Code on Administrative Offences of the Republic of Belarus dated 21 April 2003 (National Register of Legal Acts of the Republic of Belarus, 2003, No. 63, 2/946; 2005, No. 120, 2/1128; 2006, No. 112, 2/1245; 2007, No. 120, 2/1325; No. 160, 2/1343; No. 175, 2/1370; No. 305, 2/1397; 2010, No. 16, 2/1651; No. 162, 2/1701; No. 300, 2/1750; National Legal Internet Portal of the Republic of Belarus, 19 July 2012, 2/1961; 27 July 2013, 2/2062)'

Article 11.72 shall have the following wording:

'Article 11.72. The non-application of measures aimed at preventing the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation

1. The non-application, by persons engaged in the conduct of financial transactions, of statutorily required measures to prevent the legitimization of the proceeds of crime, the financing of terrorism and the financing of weapons of mass destruction proliferation shall be subject to a fine at the rate of twenty to one hundred base values or from fifty to five hundred base values for an individual entrepreneur, or of fifty to one thousand base values for a legal entity;

2. The repeated (two and more times within a year) violation of established procedures for the completion of a questionnaire by customers shall be subject to a notice of violation or a fine at the rate of up to twenty base values.

Note. The terms 'person engaged in the conduct of financial transactions' and 'customer' in this Article shall be defined in accordance with the legislation on preventing the legitimization of proceeds of crime and financing of terrorism and financing weapons of mass destruction proliferation.'

The Code shall be supplemented with Articles 11.79 and 11.80 to read as follows:

'Article 11.79. The conduct of a financial transaction resulting in the legitimization of proceeds of crime

Conduct, by a legal entity, of a financial transaction in funds knowingly obtained by criminal means for an official of such legal entity, resulting in giving a legitimate appearance to the possession, use or disposal of such funds shall be subject to a fine against such legal entity at the rate of one hundred percent of the amount of such transaction.

Note. The terms 'financial transaction' and 'funds' used in this Article and in Article 11.80 of this Code shall be defined in accordance with the legislation on preventing the legitimization of proceeds of crime, the financing of terrorism and the financing weapons of mass destruction proliferation.

Article 11.80.' Financing of terrorism

The provision or raising, by a legal entity, of funds through any means for the purpose of using thereof for terrorist activities, material security or knowingly providing support to terrorists, terrorist groups and terrorist organizations shall entail a fine at the rate of five hundred to one thousand base values.

5. The following amendments and addenda shall be introduced to the Procedural-Executive Code of Administrative Offences of the Republic of Belarus dated 20 December 2006

(National Register of Legal Acts of the Republic of Belarus, 2007, No.14, 2/1291; No. 118, 2/1307; No. 120, 2/1325; No. 121, 2/1326; No. 132, 2/1330; No. 160, 2/1343; No. 263, 2/1376; No. 305, 2/1397, 2/1401; 2009, No. 148, 2/1578; 2010, No. 16, 2/1651; No. 162, 2/1701; No. 183, 2/1718; No. 300, 2/1750; 2011, No. 134, 2/1869; 2012, No. 62, 2/1928; National Legal Internet Portal of the Republic of Belarus, July 19, 2012, 2/1961; July 27, 2013, 2/2062; January 12, 2014, 2/2118):

in Article 3.2:

- Part 1 after the figures '11.71,' and '23.18,' shall be supplemented with the words 'Part 2 of Article 11.72' and with figures '23.20.;
- Part 2 after the figures '11.65,' shall be supplemented with the words 'Part 1 of Article 11.72, Articles';
- Part 1 of Article 3.6 after the words '11.4, Articles' shall be supplemented with the figures 11.79.;
- in Part 1 of Article 3.6 the figures '11.78' shall be replaced by the figures '11.79';

- Part 1 of Article 3.13 after the figures '11.61,' and '23.16' shall be supplemented with the figures '11.72,' and '23.20,' respectively;
- Part 1 of Article 3.15 after the figures '11.66,' and '23.1,' shall be supplemented with the figures '11.72,' and '23.20,' respectively;
- Part 1 of Article 3.21 after the figures '11.59,' and '23.16,' shall be supplemented with the figures '11.72,' and '23.20,' respectively;
- Part 1 of Article 3.25 after the words 'provided for' shall be supplemented with the words 'Article 11.80,';
- Part 1 of Article 3.25 after the words 'Articles' and figures '12.36,' shall be supplemented with the figures '11.72,' and '23.20,' respectively;
- in Part 1 of Article 3.271 the word 'Article' shall be replaced by the words 'Articles 11.72, 23.20,';
- in Part 1 of Article 3.30:
 - Paragraph 1 after the figures '11.33,' shall be supplemented with the figures '11.79,'
 - in Paragraph 14 the figures '22.2–22.5' shall be replaced with the figures '11.72, 22.2–22.5, 23.20,';
 - in Paragraph 16 the figures '11.78' shall be replaced with the figures '11.79,';
 - Paragraph 26 after the figures '11.61,' and '23.16,' shall be supplemented with the figures '11.72,' and '23.20,' respectively;
 - Paragraph 59 after the figures '11.59,' and '23.16,' shall be supplemented with the figures '11.72,' and '23.20,' respectively;
 - Paragraph 60 after the words 'under Articles' shall be supplemented with the figures '11.80,';
 - Paragraph 62 after the figures '11.66,' and '22.13,' shall be supplemented with the figures '11.72,' and '23.20,' respectively;
 - Paragraph 64 after the words '11.66, under Articles' and the figures '22.16,' shall be supplemented with the figures '11.72,' and '23.20,' respectively;
 - Paragraph 67 after the words 'under Articles' and 'persons' shall be supplemented with the figures '11.72,' and '23.20,' respectively;
 - in Paragraph 71 the figures '12.41' shall be replaces with the figures '11.72, 12.41, 23.20.'

Article 18. Invalidation of Laws and Certain Provisions Thereof

The following shall be deemed to have lost force:

1. The Law of the Republic of Belarus dated 19 July 19 2000 'On Measures to Prevent from Laundering of Proceeds of Crime and Financing of Terrorism' (National Register of Legal Acts of the Republic of Belarus, 2000, No. 75, 2/201).
2. Article 23 in the Law the Republic of Belarus dated July 24, 2002 'On the Introduction of Amendments and Addenda to Certain Legislative Acts of the Republic of Belarus owing to The Restructuring of the System of the Republican State Administration Bodies' (National Register of Legal Acts of the Republic of Belarus, 2002, No. 87, 2/883).
3. Article 21 in the Law the Republic of Belarus dated 4 January 2003 'On the Introduction of Amendments to Certain Legislative Acts of the Republic of Belarus' (National Register of Legal Acts of the Republic of Belarus, 2003, No. 8, 2/932).
4. Has ceased to be in force.
5. The Law of the Republic of Belarus dated 11 December 2005 'On the Introduction of Amendments and Addenda to the Law of the Republic of Belarus 'On Measures to Prevent the Laundering of Proceeds of Crime' (National Register of Legal Acts of the Republic of Belarus, 2005, No. 196, 2/1165).
6. Article 12 in the Law of the Republic of Belarus dated 26 December 2007 'On the Introduction of Amendments and Addenda to Certain Legislative Acts of the Republic of Belarus and the Invalidation of Some Legislative Acts of the Republic of Belarus and Certain Provisions of Laws of the Republic of Belarus on Insurance Issues' (National Register of Legal Acts of the Republic of Belarus, 2007, No. 305, 2/1397).
7. Article 2 in the Law of the Republic of Belarus dated 16 July 2008 'On the Introduction of Amendments and Addenda to Certain Laws of the Republic of Belarus on the Issues of the Registration of Citizens at their

Places of Residence and Temporary Residence’ (National Register of Legal Acts of the Republic of Belarus, 2008, No. 184, 2/1510).

8. The Law of the Republic of Belarus dated 6 November 2008 ‘On the Introduction of Addenda to the Law of the Republic of Belarus ‘On Measures to Prevent the Legitimization of the Proceeds of Crime and the Financing of Terrorism’ (National Register of Legal Acts of the Republic of Belarus, 2008, No. 266, 2/1535).

9. Article 6 in the Law of the Republic of Belarus dated 15 July 2009 ‘On the Introduction of Amendments and Addenda to Certain Laws of the Republic of Belarus on the Issues of Documentation of the Population of the Republic of Belarus’ (National Register of Legal Acts of the Republic of Belarus, 2009, No. 173, 2/1595).

10. Article 1 in the Law of the Republic of Belarus dated 14 June 2010 ‘On the Introduction of Amendments and Addenda to Certain Laws of the Republic of Belarus on the Issues of Preventing the Legitimization of the Proceeds of Crime and Financing of Terrorism’ (National Register of Legal Acts of the Republic of Belarus, 2010, No. 147, 2/1684).

11. Article 9 in the Law of the Republic of Belarus dated 22 December 2011 ‘On the Introduction of Amendments and Addenda to Certain Laws of the Republic of Belarus’ (National Register of Legal Acts of the Republic of Belarus, 2012, No. 1, 2/1878).

12. The Law of the Republic of Belarus dated 24 April 2014 ‘On the Introduction of Addenda and Amendments to the Law of the Republic of Belarus ‘On Measures to Prevent the Legitimization of the Proceeds of Crime and Financing of Terrorism’ (National Legal Internet Portal of the Republic of Belarus, 29 April 2014, 2/2131).

Article 19. Measures for Implementation of Provisions of this Law

The Council of Ministers and the National Bank of the Republic of Belarus shall, within six months:

- bring the relevant pieces of legislation into full compliance with this Law;
- ensure the elaboration of and furnishing of persons engaged in the conduct of financial transactions with recommendations on managing the risks inherent in the laundering of proceeds of crime, the financing of terrorism and the proliferation of weapons of mass destruction;
- apply other measures required for the implementation of provisions of this Law.

Article 20. Entry into Force

This Law shall come into force in the following order: Articles 1–18 – within six months of the official publication of this Law; other provisions – after the official publication of this Law.

President of the Republic of Belarus

A. Lukashenka

DECREE OF THE PRESIDENT OF THE REPUBLIC OF BELARUS 'On Foreign Intelligence'

25 March 2003 No.1160

(as amended by the Decree of the President of the Republic of Belarus, No. 286 of 28 May 2008)

To determine the subjects of foreign intelligence, their areas of activity, as well as the legal status and social guarantees of intelligence employees, their family members and persons who provide confidential assistance to these services,

I HEREBY DECREE:

1. To establish that:

1.1. Foreign intelligence is a special type of activity of subjects of foreign intelligence that provides for the protection of vital interests of individuals, society and the state by obtaining and using intelligence information, as well as providing assistance to state bodies and organizations in the implementation of measures in the field of political and socio-economic development of the Republic of Belarus.

Subjects of foreign intelligence are state security bodies of the Republic of Belarus, the Armed Forces of the Republic of Belarus and the Border Service Agencies of the Republic of Belarus.

(as amended by the Decree of the President of the Republic of Belarus, No. 286 of 28 May 2008)

Intelligence services are structural divisions of foreign intelligence entities that are united by goals and objectives and directly engaged in foreign intelligence.

Intelligence information means information obtained by foreign intelligence about real and potential external threats to the national security of the Republic of Belarus, as well as other information of interest to the Republic of Belarus.

1.2. the main tasks of the foreign intelligence service are:

- to promote political and socio-economic development, scientific-technical progress and military-technical security of the Republic of Belarus;
- to provide the President of the Republic of Belarus, the Government of the Republic of Belarus and other state bodies and organizations with the information needed for decision-making in political, economic, military, information, humanitarian and other areas;
- to ensure the security of organizations of the Republic of Belarus located outside the Republic of Belarus, employees of these organizations and members of their families in the host country, as well as citizens sent outside the Republic of Belarus who have access to state secrets because of the nature of their activities and the members of their families;

1.3. state bodies and organizations that are not subjects of foreign intelligence and individuals may not be engaged in foreign intelligence;

1.4. within the respective competence, foreign intelligence shall be ensured directly by intelligence services:

- state security bodies of the Republic of Belarus in political, economic, military-strategic, scientific-technical, information, humanitarian and environmental areas;
- Armed Forces of the Republic of Belarus in the military, military-political, military-technical, military-economic and environmental areas;
- border service bodies of the Republic of Belarus in the field of border policy and protecting the State border of the Republic of Belarus;

(as amended by the Decree of the President of the Republic of Belarus, No. 286 of 28 May 2008)

1.5. the procedure and conditions for interaction between intelligence services shall be determined by joint regulatory legal acts of authorized state foreign intelligence;

1.6. the interaction of intelligence services with intelligence and counterintelligence services of other states shall be on the basis of international agreements of the Republic of Belarus;

Representatives of foreign intelligence entities shall be sent to other states in accordance with the procedure established by legislative acts and international treaties of the Republic of Belarus;

1.7. the general management of foreign intelligence entities shall be ensured by the President of the Republic of Belarus, who exercises his/her powers directly or through the Security Council of the Republic of Belarus.

Direct control of foreign intelligence is accomplished in the limits of their powers by regional leaders of foreign intelligence, and the intelligence services;

1.8. the coordination of foreign intelligence is provided by the Security Council of the Republic of Belarus;

1.9. intelligence information is provided to the President of the Republic of Belarus, the Government of the Republic of Belarus and other state bodies and organizations directly or through the Security Council of the Republic of Belarus. The intelligence information may be provided to other organizations in cases stipulated by law.

Officials of these bodies and organizations in accordance with the law shall be responsible for disclosing intelligence information that constitutes state secrets, or other information protected in accordance with the legislation;

1.10. intelligence services shall have the following powers:

- ensuring, within their competence, the protection of state secrets in organizations of the Republic of Belarus located outside the Republic of Belarus, including determining the procedure for the engineering and technical security of these organizations and measures to prevent the unauthorised disclosure of information that constitutes state secrets through technical channels;
- developing and implementing measures to ensure the security of employees of organizations of the Republic of Belarus located outside the Republic of Belarus and their family members in the host country, as well as citizens of the Republic of Belarus who are sent outside the Republic of Belarus and have access to information constituting state secrets and their family members who are with them;
- establishing relations with citizens of the Republic of Belarus, as well as foreign citizens and stateless persons to get confidential assistance from them;
- implementing measures to ensure that the identify of intelligence service employees is not disclosed, and organizing their activities using other departmental affiliations for this purpose;
- concluding agreements with state bodies and other organizations necessary for intelligence activities;
- ensuring their own security;
- making proposals in accordance with the established procedure for the creation of organizations or their divisions necessary for the functioning of intelligence services;
- developing, manufacturing, purchasing and using special technical means to perform foreign intelligence tasks.

In the course of their activities, intelligence services may also exercise other powers provided for by law;

1.11. intelligence service employees shall have the duties and rights provided for by law for citizens of the Republic of Belarus, with the exception of restrictions established by legislation for intelligence service employees.

Employees of the intelligence services may hold positions in other state bodies and other organizations in order to perform their duties.

No one shall have the right to interfere in the official activities of intelligence service employees, except for state bodies and officials directly authorized to do so by legislative acts;

- 1.12. the life and health of intelligence service employees sent outside the Republic of Belarus are subject to mandatory state insurance in accordance with legislative acts;
- 1.13. in the event of the death of an intelligence service employee or a member of their family in connection with the implementation of foreign intelligence, the state shall compensate the costs of preparing for the transportation and transporting the body (remains) to the burial place specified in the will or by close relatives (or by intelligence services management if there are no relatives); the state shall also cover funeral expenses;
- 1.14. the state shall do everything possible to facilitate the release of employees of the intelligence services and members of their families who are detained, imprisoned, or convicted outside the Republic of Belarus in connection with the implementation of foreign intelligence.

The periods of stay of intelligence service employee in custody and in imprisonment in the territory of another state shall be counted for pension purposes as years of service on preferential terms (one month in custody in places of imprisonment for every 3 months of service);

- 1.15. in the case of total or partial loss of professional efficiency by intelligence service employees as a result of the disclosure of their identity or due to any other reasons beyond their control, the intelligence service shall employ those employees or create conditions for their professional retraining, including compensation for related costs;
- 1.16. the harm caused to employees of intelligence service and members of their family in connection with the implementation of the foreign intelligence shall be reimbursed by the state at the expense of the republican budget in accordance with the law;
- 1.17. social protection for citizens of the Republic of Belarus rendering (having rendered) confidential assistance to the intelligence agencies shall be ensured in accordance with Paragraphs 1.13 to 1.16 of Paragraph 1 of this Decree and other legal acts;
- 1.18. people rendering (who having rendered) confidential assistance to the intelligence services who are not citizens of the Republic of Belarus may be granted citizenship of the Republic of Belarus in the manner established by the legislation.

Pension provision for persons who provide confidential assistance to the intelligence services and who have been granted citizenship of the Republic of Belarus shall be ensured in accordance with the procedure established by law. If there are no grounds for assigning a pension to the specified persons, in the event of their disability, monetary support shall be paid in accordance with the procedure and in the amount established by the subjects of foreign intelligence.

Persons who provide confidential assistance to intelligence services and are not citizens of the Republic of Belarus may be recommended for state awards of the Republic of Belarus in accordance with the procedure established by law.

Issues of social protection for persons who provide confidential assistance to intelligence services and are not citizens of the Republic of Belarus shall be resolved individually by the President of the Republic of Belarus.

2. To delete Paragraph 56 from the draft laws development schedule for 2003 approved by the Decree of the President of the Republic of Belarus on 8 January 2003, No. 8 (National Register of Legal Acts of the Republic of Belarus, 2003, No. 7, 1/4289).
3. The Council of Ministers of the Republic of Belarus, within a six-month period, shall:
 - ensure that the regulatory legal acts of the Government and the state administration bodies subordinate to it are brought into compliance with this Decree;
 - take other measures to implement the provisions of this Decree.
4. This Decree shall come into force once it is signed.

LAW OF THE REPUBLIC OF BELARUS

‘On State Guard’

8 May 2009, No. 16-3

Adopted by the House of Representatives on 2 April 2009

Approved by the Council of the Republic on 23 April 2009

This Law shall define the legal and organizational basis of state guard and regulate relations in the field of state guard.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Main Terms and Definitions Used in This Law

For the purposes of this Law, the following basic terms and definitions shall be used:

- ‘security of the guarded persons’: the protection of persons subject to state protection from encroachments, processes, and phenomena of natural, man-made and other nature that threaten their life, health, and other vital interests related to the performance of official powers and political (public) activities by such persons;
- ‘security of a guarded object’: the protection of an object subject to state protection from encroachments, processes and phenomena of a natural, man-made or other nature that threaten the security of guarded persons or the normal functioning of state bodies and other organizations located on the territory of this object;
- ‘state guard’: the function of a state guard body in the field of ensuring the security of guarded persons and objects, performed for state administration needs independently or with the involvement of forces and resources of other state bodies and organizations;
- ‘ensuring the security of guarded persons and objects’: the adoption by the state guard body, and other state bodies and organizations of a set of legal, information, security, protection guard, operational search, technical and other measures aimed at predicting, preventing, identifying, and suppressing threats to the security of guarded persons and objects;
- ‘security measure’: a set of actions carried out by the state guard body independently or with the involvement of forces and resources of other state bodies and organizations aimed at ensuring the safety of guarded persons in their places of stay, including on roads;
- ‘buffer zone’: areas adjacent to guarded objects, and protected or restricted roads, territories, water and airspace to ensure the security of guarded persons and objects, and maintain the required operating conditions of these facilities;
- ‘guarded person’: a person subject to state protection in accordance with this Law;
- ‘guarded objects’: buildings, structures, territories, and water areas that are defined by the President of the Republic of Belarus as subject to protection in order to ensure the safety of guarded persons, as well as other objects subject to protection by the decision of the President of the Republic of Belarus;
- ‘access regime’: a procedure that excludes the possibility of the uncontrolled passage of persons and vehicles carrying and transporting things to and from guarded objects, in places where guarded persons are located, established to ensure the safety of guarded persons and objects;
- ‘passage route’: a road that is chosen for special-purpose vehicles, including a special driving route, which is a route used for special-purpose vehicles on a permanent basis.

Article 2. Legal Basis for State Guard

The legal bases for state guard are the Constitution of the Republic of Belarus, this Law, legal acts of the President of the Republic of Belarus, international treaties and other regulations.

If international treaties, including in the field of diplomatic and consular relations, establish rules other than those contained in this Law, the rules of international treaties shall apply.

Article 3. Principles of State Guard

State guard shall be based on the following principles:

- legality;
- the respect and observance of the rights, freedoms, and legitimate interests of citizens of the Republic of Belarus, foreign citizens and stateless persons (hereinafter referred to as 'citizens' unless otherwise specified);
- professional ethics;
- the prioritization of preventive measures;
- continuity;
- coordination and interaction;
- unity of command in the management of the forces and means of state bodies and other organizations involved in ensuring the security of guarded persons and objects;
- a combination of public and secret methods and means of activity;
- control and supervision.

Article 4. Implementation of State Guard Measures State guard shall be ensured by taking the following measures:

- providing guarded persons with personal protection by employees of the state guard body attached to them;
- transport services for guarded persons;
- security measures in places where guarded persons are staying, including on roads;
- providing the guarded persons with information about a threat to their security;
- the implementation of operational search activities within the powers of the state guard body;
- the protection of guarded objects, ensuring access to them and maintaining public order.

Article 5. State Guard Organizations that Participate in Ensuring the Safety of Guarded Persons and Objects State protection shall be ensured by the state guard body.

The following bodies and agencies shall be involved within their competence in ensuring security for guarded persons and objects:

- state security bodies;
- the bodies of internal affairs;
- internal troops of the Ministry of Internal Affairs of the Republic of Belarus;
- Armed Forces of the Republic of Belarus;
- border service bodies;
- bodies and divisions on emergency situations;
- other government bodies and organizations.

Article 6. Interaction of the State Guard Body with State Bodies and Other Organizations

The state guard body within its authority shall organize interaction with state bodies and other organizations in the field of security of guarded persons and objects in the manner established by the legislation, common decisions on the state guard and other state bodies and organizations.

The forces and resources of state bodies and other organizations involved in ensuring the security of guarded persons and objects shall be under the operational control of the state guard body for that period. Employees of state bodies and other organizations, when engaged in ensuring the safety of guarded persons and objects, may use physical force, special means, military and special equipment, and weapons in accordance with Chapter 4 of this Law with restrictions established by the state guard body.

State bodies and other organizations shall assist the state guard body in performing its tasks and duties. The interaction of the state guard body with special services, law enforcement and other bodies of foreign states shall be on the basis of this Law, international treaties, as well as joint decisions of the state guard body and authorized bodies of foreign states.

CHAPTER 2. GUARDED PERSONS

Article 7. Guarded Persons Guarded persons shall be:

- the President of the Republic of Belarus;
- the Prime Minister of the Republic of Belarus;
- the Chairman of the Council of the Republic of the National Assembly of the Republic of Belarus;
- the Chairman of the House of Representatives of the National Assembly of the Republic of Belarus;
- heads of foreign states and governments, members of their families, and other foreign state and political (public) figures during their stay in the territory of the Republic of Belarus who are subject to state protection in accordance with Article 11 of this Law;
- other persons determined by the President of the Republic of Belarus.

Article 8. Ensuring State Guard to the President of Belarus

State guard shall be provided to the President of the Republic of Belarus starting from the date of the announcement of results of the Presidential election of the Republic of Belarus. The President of the Republic of Belarus shall not be entitled to refuse state guard during the term of his/her office. A person who ceases to exercise the powers of the President of the Republic of Belarus shall be granted state protection for life with his/her consent.

During the term of office of the President of the Republic of Belarus, state protection shall be provided to members of his/her family who live together with him/her or accompany him/her.

Article 9. State Protection to Officials of State Bodies

The Prime Minister of the Republic of Belarus, the Chairman of the Council of the Republic National Assembly of the Republic of Belarus and the Chairman of the House of Representatives of the National Assembly of the Republic of Belarus shall ensure state protection for the period in which they perform official duties.

Article 10. State Guard Measures

The President of the Republic of Belarus shall be ensured state protection in full in accordance with the measures provided for in Article 4 of this Law.

Measures for the implementation of state protection of persons specified in Article 9 of this Law and other persons determined by the President of the Republic of Belarus shall be taken based on the nature and reality of the threat to their security on the basis of decisions of the President of the Republic of Belarus.

Article 11. Ensuring Security of Heads of Foreign States and Other Persons of Foreign States and Governments

The security of heads of foreign states and governments, members of their families and, if necessary, other foreign state and political (public) figures during their stay in the territory of the Republic of Belarus shall be ensured in accordance with international treaties, on the basis of decisions of the President of the Republic of Belarus, as well as joint decisions of the state guard body and authorized bodies of foreign states.

Article 12. Rights and Obligations of Guarded Persons

Guarded persons shall have the right to:

- information about measures taken in relation to them to implement state protection;
- temporarily refuse measures to implement state protection in accordance with the procedure determined by the President of the Republic of Belarus.

Guarded persons shall treat their own safety responsibly and assist the state guard body in performing the tasks assigned to it.

CHAPTER 3. STATE GUARD BODY

Article 13. State Guard Body

The state guard body is the Security Service of the President of the Republic of Belarus.

The state guard body is a specially authorized state body that, within its competence, performs state protection, directly safeguards the activities of the President of the Republic of Belarus, and reports to the President.

The state guard body is part of the national security system of the Republic of Belarus and shall be the state military service body that is formed, reorganized and abolished by the President of the Republic of Belarus.

The President of the Republic of Belarus shall approve regulations on the state guard body, its structure and staffing (excluding personnel for the maintenance of buildings, structures, territories and water areas).

Article 14. Main Tasks of the State Guard Body

The main tasks of the state guard body are:

- predicting, preventing, detecting and suppressing threats to the security of guarded persons and objects;
- ensuring the safety of guarded persons;
- ensuring the security of guarded objects;
- fighting against terrorism, within its competence;
- preventing, detecting and suppressing crimes and other offences at guarded sites and in places where guarded persons are located, including on roads;
- coordinating the activities of state bodies and other organizations involved in ensuring the security of protected guarded persons and objects.

Article 15. Duties of the State Guard Body

To perform the tasks assigned to it, the state guard body shall:

- prevent, detect and combat attacks on guarded persons and objects;
- organize and implement legal, information, security, operational-search, technical and other measures to ensure the safety of guarded persons and objects;
- organize and implement the maintenance and timely provision of special purpose vehicles for the safe and unhindered movement of guarded persons;
- escort, where necessary, vehicles (rail, air, sea, river) and special purpose vehicles;
- maintain public order necessary to ensure the safety of guarded persons in their places of residence, including on roads, as well as on guarded objects;
- take urgent measures to rescue guarded persons in case of a threat to their safety, including evacuation to a safe place, and provide them with first aid. Employees of the state security body shall not leave guarded persons if there is a threat to the life or health of guarded persons;
- unless otherwise specified by the President of the Republic of Belarus, organize and implement controlled access to guarded objects and, if necessary, in places where guarded persons stay;
- carry out measures to maintain the combat readiness of the forces and means of the state guard body, and prepare them for action in peacetime and wartime;
- take measures to cooperate with other authorized state bodies and other state organizations to counteract the unauthorized dissemination of information constituting state secrets and other information protected in accordance with the law;
- ensure its own safety;
- organize training, retraining, advanced training and internships of employees and civil personnel of the state guard body;
- organize (to carry out) the following types of control:
 - operational-technical, radiation, environmental and other types of control at guarded objects or in places where guarded persons are located, including on roads;
 - maintenance, operational readiness, and the timely provision of guarded persons with specially equipped passenger vehicles (rail, air, sea, river, motor transport) authorized in the prescribed manner by the transport organizations and by the organizations involved in the transportation of guarded persons, as well as readiness to access these vehicles at the place of their arrival;
 - provide guarded persons with household amenities and food that do not threaten their security;
 - implement medical and preventive measures to ensure the sanitary and epidemic protection of guarded persons, and the implementation of sanitary and hygienic and anti-epidemic measures at guarded objects;

- implementation by state bodies, other organizations and officials of orders of the state guard body provided for in Paragraph Fourteen of Part One of Article 16 of this Law;
- monitor compliance by journalists and other citizens involved in organizing events involving guarded persons or events held at guarded objects with the rules established by the state guard body;
- perform other duties stipulated by this Law, other laws and decisions of the President of the Republic of Belarus.

Article 16. Rights of the State Guard Body

To perform the tasks assigned to it, the state guard body shall have the right to:

- involve, in accordance with the procedure established by law, the forces and means of state security bodies, internal affairs bodies, internal troops of the Ministry of Internal Affairs of the Republic of Belarus, the Armed Forces of the Republic of Belarus, border service bodies, emergency situations bodies and divisions and other state bodies and organizations to ensure the security of guarded persons and objects;
- create special-purpose units within the structure and staffing of the state guard body approved by the President of the Republic of Belarus;
- carry out operational and investigative activities within its competence;
- determine the boundaries of security zones and places where security measures are enforced;
- check officials and other citizens' identity and other documents to ensure the security of guarded persons and objects;
- inspect citizens, their belongings, vehicles and items carried by them, including through the use of special technical means, in accordance with the procedure determined by the state guard body, when passing to protected objects and when exiting from protected objects, in places where guarded persons stay, including on roads, in security zones;
- determine the list of items prohibited from being carried (transported) to guarded objects and in the places where guarded persons are located, and establish the procedure for removing such items for temporary storage;
- establish mandatory requirements for citizens and organizations when conducting security measures, establish rules of conduct at guarded objects and in places where guarded persons are located, including rules for taking photos and filming videos of guarded persons and objects, special-purpose vehicles and other vehicles intended for the transportation of guarded persons;
- establish special rules for the use of territories, water bodies, and air space in places where guarded persons are located, including on roads, as well as in guarded areas, and monitor their compliance;
- ensure the documenting, photographing, sound, film and video recording of facts and events;
- detain for further transfer to the internal affairs or state security bodies persons who have committed (or are committing) offences in the places of stay of guarded persons, at guarded objects or in guarded zones or are committing actions aimed at obstructing the legal requirements of employees of the state guard body or aimed at penetrating or attempting to penetrate guarded objects;
- in accordance with the established procedure, adopt independently or jointly with other state bodies normative legal acts in the field of state guarding;
- make mandatory recommendations to state bodies, other organizations, and officials to eliminate the causes and conditions that pose a threat to the security of guarded persons and objects, including those that contribute to the commission of offences in the places where guarded persons are located, at guarded objects, and zones;
- enter unhindered, if necessary with damage to locking devices and other items, at any time of the day into residential premises and other legal possessions of citizens or the premises and other objects of organizations and inspect them when stopping crimes that pose a threat to the security of guarded persons and objects or when prosecuting persons who have committed crimes or are suspected of committing them, if a delay may create a real threat to the security of guarded persons and objects, with subsequent notification of this to the prosecutor within 24 hours;

- take measures to temporarily restrict or prohibit the movement of vehicles and pedestrians on streets and roads, to prevent vehicles and citizens from entering certain areas and objects, to tow vehicles and to deviate from the requirements of traffic rules in cases stipulated by legislative acts;
- in the event of a threat to the security of guarded persons and objects, introduce special security measures in the manner established by legislative acts and use the means and resources of other state bodies and organizations to eliminate this threat or mitigate its impact;
- receive from state bodies and other organizations (their officials) the necessary information and/or materials free of charge and have access, including remote access, to information systems and data banks of state bodies and other organizations in compliance with the requirements defined by the legislation on the protection of state secrets and other information protected in accordance with the legislation;
- use vehicles owned by organizations or citizens in urgent cases to perform urgent official duties related to the prevention of crimes that pose a threat to the security of guarded persons and objects or the prosecution and detention of persons who have committed crimes or are suspected of committing them, or when taking appropriate measures to ensure the safety of drivers and passengers of vehicles, to deliver citizens in need of urgent medical care to health organizations, as well as to use, if necessary, for official purposes, means of communication owned by organizations or citizens. Expenses related to the provision of vehicles and communication equipment, at the request of their owners, shall be reimbursed by the state guard body in accordance with the procedure established by law;
- give information on and analytical and legal support for activities in the field of state guarding;
- use physical force, special means, military and special equipment, and weapons in cases and in accordance with the procedure provided for by this Law and other legislative acts;
- determine the procedure for storing and carrying weapons and special equipment by employees of the state guard body, as well as determine the specifics of carrying and using weapons, physical force, special means, combat and special equipment by employees of other state bodies and other organizations involved in ensuring the safety of guarded persons and objects;
- where necessary, use documents that encrypt the identity of employees of the state security body, departmental affiliation of divisions, premises and vehicles of the state guard body;
- have external relations with special services, law enforcement agencies and other organizations of foreign states to exchange operational and other information, special technical and other means with them within the limits of their powers, as well as to agree on the conditions and procedure for ensuring the safety of guarded persons when they leave the territory of the state;
- within their competence, train personnel of special services and law enforcement agencies of foreign states on a paid or free basis;
- perform official and economic activities in accordance with the procedure determined by the President of the Republic of Belarus.

The state guard body may be granted other rights in accordance with this Law, other laws, and decisions of the President of the Republic of Belarus.

CHAPTER 4. THE APPLICATION OF PHYSICAL FORCE, SPECIAL MEANS, MILITARY AND SPECIAL EQUIPMENT, USE OF WEAPONS BY PERSONNEL OF THE STATE GUARD BODY

Article 17. Conditions for the Use of Physical Force, Special Means, Combat and Special Equipment, and Weapons

Physical force, special means, military and special equipment or weapons shall be used based on the current situation at the discretion of personnel of the state guard body in cases stipulated by this Law and other legislative acts.

The use of physical force, special means, weapons, military and special equipment must be preceded by a clearly expressed and obvious warning to the person against whom they are to be used, providing them with sufficient time to fulfil the legal requirements of personnel of the state guard body, except in cases where:

- a delay in applying physical force, special means, weapons, military and special equipment will pose an immediate danger to the life or health of a guarded person, personnel of the state guard body or an officer (employee) of another state body or organization involved in ensuring the security of guarded persons and objects, as well as to the life or health of another citizen, or if there is a real threat to the security of the guarded object;
- such a warning is inappropriate or impossible due to the occurrence of a threat to the life or health of the persons specified in Paragraph Two of this part, or a real threat to the security of the protected object.

Personnel of the state guard body shall notify their immediate supervisors about each case of the use of physical force, special means, combat and special equipment, or weapons. The prosecutor shall be immediately notified of the injury or death of a person as a result of the use of physical force, special means, military and special equipment, or the use (application) of weapons by the state guard body.

Employees of the state guard body shall not be liable for damage caused in connection with the use of physical force, special means, military and special equipment or weapons in the cases provided for by this Law and other legislative acts if:

- they do not exceed the limits of necessary defence or the measures necessary to detain a person who committed the crime;
- they acted in compliance with a binding instruction or order, issued in accordance with the established procedure, except for the deliberate committal of a crime or a deliberately criminal instruction or order;
- they acted under conditions of reasonable professional risk or extreme necessity.

Article 18. Use of Physical Force

Personnel of the state guard body may use physical force, including combat techniques, or improvised means to prevent crimes and other offences, to detain the persons who committed them, in self-defence or to overcome resistance to the legal requirements of employees of the state guard body, if non-violent methods do not enable them to fulfil their official duties.

Article 19. Use of Special Tools

State guard body personnel may use handcuffs, rubber sticks, devices to restrict movement, special chemicals, light and sound distraction devices, devices for opening premises or forcibly stopping vehicles, and other special tools, including service animals, to:

- repel an attack or prevent the threat of an attack on guarded persons and objects, special purpose vehicles and other vehicles intended for the transportation of guarded persons, as well as to release them when captured;
- repel an attack or prevent the threat of an attack on employees of the state guard body, employees of other state bodies and organizations involved in ensuring the safety of guarded persons and objects, or on other citizens, or to prevent disobedience or resistance to the legal requirements of employees of the state guard body;
- detain offenders and persons with respect to whom there are sufficient grounds to believe that they intend to use armed resistance or otherwise obstruct the performance of official duties assigned to employees of the state guard body, and to bring them to the internal affairs or state security bodies;
- prevent mass riots and group actions that violate the activities of guarded persons;
- stop a vehicle that poses a threat to the safety of guarded persons or objects.

Special tools may also be used in other cases provided for in the first part of Article 20 of this Law.

The type of special tools and the intensity of their use shall be determined by employees of the state guard body independently based on the current situation, the nature of the encroachment and the identity of the offender.

In the cases provided for in Part One of this Article and Part One of Article 20 of this Law, special purpose vehicles and other vehicles may be used as special tools to disable vehicles or other objects that pose a real threat to the safety of guarded persons and objects.

It is prohibited to use special means against women with visible signs of pregnancy, citizens with obvious signs of disability or minors under the age of fourteen – when their age is obvious or known to an employee of the state guard body – except in cases of armed resistance, armed or group attacks, or other actions that threaten the life or health of people.

Article 20. Application (Use) of Weapons

Personnel of the state guard body may use weapons as a last resort to:

- protect guarded persons from attack or the threat of attack if it endangers their life or health;
- repel an attack or prevent the threat of an attack on employees of the state guard body or employees of other state bodies and other organizations involved in ensuring the safety of guarded persons and objects if their lives or health are in danger, as well as to prevent attempts to take possession of their weapons, military and special equipment, special tools, vehicles or means of communication;
- repel an attack or prevent the threat of an attack on guarded objects or special purpose vehicles and other vehicles intended for the transportation of guarded persons, as well as to release them when captured;
- release hostages and suppress acts of terrorism and other criminal encroachments;
- protect citizens from an attack that threatens their life or health, if it is impossible to protect them in other ways and means;
- ensure the detention of a person who uses armed resistance or is caught committing other illegal actions and trying to escape when, in order to avoid detention, this person uses (threatens to use) weapons, explosive devices or other items that pose an immediate danger to the life or health of employees of the state guard body and employees of other state bodies and organizations involved in ensuring the safety of guarded persons and objects, as well as to the life or health of other citizens;
- ensure the detention of a person who refuses to comply with a legal requirement to hand over (put down) weapons, explosive devices or other items, the use of which may endanger the life or health of employees of the state guard body, employees of other state bodies and organizations involved in ensuring the safety of guarded persons and objects, as well as the life or health of other citizens.

Citizens committing actions lawfully forbidden to them by employees of the state guard body expressed in the attempt to approach the officer of the public guard body closer than the specified distance, to get something from clothes or baggage or other actions that may be interpreted by the employee of state guard body as a threat of violence that endangers life or health, or other citizens, shall give state guard body employees the right to use weapons in accordance with this Law.

Personnel of the state guard body also have the right to use weapons to:

- to stop a vehicle by damaging it, if the driver creates a real threat to the safety of guarded persons and objects, special-purpose vehicles and other vehicles intended for the transportation of guarded persons, or the life or health of other citizens;
- neutralize an animal that directly threatens the life or health of citizens;
- warn of the intent to use weapons;
- give an alarm or call for help.

It is prohibited to use weapons against women, citizens with obvious signs of disability or minors –when their age is obvious or known to personnel of the state guard body – except in cases of armed resistance, armed or group attacks, or other actions that threaten the life or health of people.

Article 21. Use of Military and Special Equipment

Military and special equipment may be used by the state guard body in the cases provided for in Part One of Article 20 of this Law.

CHAPTER 5. EMPLOYEES AND CIVIL PERSONNEL OF THE STATE GUARD BODY

Article 22. Manning of the State Guard Body

The state guard body shall be manned with military and civilian personnel from among the citizens of the Republic of Belarus.

Citizens employed for service (work) to the state guard body shall be tested for suitability to service (work) in the state guard body, including the examination of the credibility of their reports and circumstances that prevent employment in the manner established by the state guard body.

Article 23. Employees of the State Guard Body

Employees of the state guard body shall be military personnel of the state guard body and civilian personnel appointed to posts of military personnel at the state guard body.

Employees of the state guard body may be citizens of the Republic of Belarus who are able to perform their official duties due to their personal and business qualities, age, education, physical fitness and health conditions, as well as those who meet other requirements stipulated by legislative acts.

When performing official duties, employees of the state guard body must strictly comply with the law and show courtesy, tact and respect for citizens.

Military personnel of the state guard body shall perform military service in accordance with the legislation on military service, taking into account the features established by this Law and other legislative acts, due to the specifics of the tasks performed and the duties assigned to the state guard body.

Article 24. Civilian Personnel of the State Guard Body

Civil personnel of the state guard body shall include civil servants, personnel ensuring maintenance and other activities of the state guard body, as well as personnel maintaining buildings, structures, territories and water areas.

The rights and obligations of civil personnel of the state guard body shall be determined by the legislation on labour and on public service.

Civil personnel of the state guard body, if they are engaged in ensuring the safety of guarded persons and objects and performing official duties assigned to employees of the state guard body, shall enjoy the rights and be subject to guarantees of legal and social protection for the state guard body personnel.

Article 25. Legal and Social Protection Guarantees for State Guard Body Personnel

Personnel of the state guard body in the performance of their official duties are representatives of the authorities and are under the protection of the state. It is prohibited to involve employees of the state guard body to perform functions that are not related to their official duties. No one, except direct superiors, shall have the right to interfere in the official activities of employees of the state guard body.

The legal requirements of state guard body personnel shall be mandatory for officials and other citizens. Failure to comply with the lawful requirements of officials of state guard bodies; other actions preventing the state guard bodies from fulfilling their tasks and responsibilities; and violence or the threat of violence to their life, health, honour, dignity, property, as well as the above actions in relation to their relatives in connection with the performance of duties by the state guard body personnel, shall entail liability provided for by legislative acts.

State guard body personnel shall have the right to reasonable professional risk. It is not an offence for them to cause harm if there is a justified professional risk. Professional risk shall be deemed justified if the act committed is in response to a situation that could not be managed otherwise and if the state guard employee has taken all possible measures to prevent harm.

While state guard body personnel exercise their official duties, no one is allowed to conduct a personal examination, an inspection of their possessions and vehicles, or to apply measures ensuring an administrative process or procedural coercion measures, provided under the Criminal Procedure Code of the Republic of Belarus, without an official representative of the state guard body, except in cases of detention during the committal of a crime or immediately after it has been committed.

When sent on business trips, state guard body employees shall enjoy the right to purchase travel documents (tickets) for all types of transport, regardless of the availability of seats, and the right to extraordinary accommodation in hotels.

State guard body personnel who use vehicles owned by them for official purposes shall be compensated in the manner and for the amount determined by the state guard body.

State guard body personnel shall have other guarantees of legal and social protection provided for by legislative acts.

Article 26. Ensuring the Safety of State Guard Body Personnel and Their Relatives

The state guard body shall ensure the safety of its personnel and their relatives from attacks on their life, health, honour, dignity and property related to the official activities of employees of the state guard body.

The safety of employees of the state security body and their relatives shall be ensured in accordance with the legislation on the state protection of judges and employees of law enforcement, supervisory, and state guard bodies.

Article 27. Illegal Action (Inaction) Appeals of State Guard Body Personnel

Citizens and organizations shall have the right to appeal the actions (inaction) of state guard body personnel to higher officials of the specified body, the prosecutor or the court if they believe that their rights and legitimate interests are infringed by these actions (inaction).

Article 28. Responsibilities of State Guard Body Personnel

Failure to perform or the improper performance of official duties by state guard body personnel, the dissemination of information about guarded persons, other citizens, or guarded objects, which became known to them as the result of the performance of their official duties, and other offences committed by state guard body personnel shall be punishable as provided by legislative acts.

CHAPTER 6. FINANCING, MATERIAL, TECHNICAL AND OTHER SUPPORT OF THE STATE GUARD BODY

Article 29. Financing of the State Guard Body

The state guard body shall be funded at the expense of the republican budget and other sources provided for by law.

Article 30. Material and Technical Support of the State Guard Body

Material and technical support for the state guard body shall be at the expense of the republican budget.

The state guard body may have housing assigned to it, which is formed in accordance with the procedure established by legislative acts, including office premises and dormitories.

The funds received because of the state guard body's official and economic activities shall be used to improve material provisions, housing conditions and meet other social needs of employees and civilian personnel of the state guard body.

Article 31. Weapons and Equipment of the State Guard Body

The state guard body may participate in the development and creation of weapons and equipment – including weapons and ammunition, special technical and other means – and acquire (including outside the Republic of Belarus) and use such means in accordance with the procedure established by laws and decisions of the President of the Republic of Belarus.

The list of weapons, military and special equipment that is in service with the state guard body shall be established by the President of the Republic of Belarus. The list of special tools that are in service with the state guard body shall be determined by the state guard body.

Article 32. Information Support for the State Guard Body

To carry out its activities, the state guard body shall develop, create and operate information systems and communication and data transmission systems to ensure their security, and use such systems of other state bodies and organizations in accordance with the procedure established by law.

CHAPTER 7. CONTROL AND SUPERVISION OF THE STATE GUARD BODY

Article 33. Control over the Activities of the State Guard Body

The President of the Republic of Belarus and officials specially authorized by him /her shall exercise control over the activities of the state guard body within their competence.

The state guard body shall regularly update the President of the Republic of Belarus and officials specially authorized by the President on the main issues of its activities, as well as provide other necessary information at their request, in accordance with the procedure determined by the President of the Republic of Belarus.

Article 34. Procurator's Supervision

The Prosecutor General of the Republic of Belarus and subordinate prosecutors supervise the precise and uniform implementation of legislation by the state guard body.

CHAPTER 8. FINAL PROVISIONS**Article 35. Amendments and Updates to the Law**

To amend the Law of the Republic of Belarus of 13 December 1999 'On State Protection of Judges, Officials of Law Enforcement and Supervisory Bodies' (National Register of Legal Acts of the Republic of Belarus, 2000, No.2, 2/115) as follows:

1. In the name, preamble, and Article 2 add the words, 'state guard body personnel' after the word 'bodies'.
2. In Article 1:
 - in Paragraph 1, after the words 'officials of law enforcement and regulatory bodies' and 'of law enforcement and regulatory bodies official', add the words 'the employee of the state guard body' and 'of state guard body personnel' respectively;
 - add the words 'state guard body employees' in Paragraph 4.
3. In Article 3, add Paragraph 3-1 to read as follows:
 - '3-1) 'state guard body personnel'.
4. Add Paragraph 1-1 in Part One of Article 15 as follows:
 - '1-1) in relation to state guard body personnel and their relatives, to the state guard body';
5. Add the words 'in respect to state guard body personnel and their relatives, in the manner established by the state guard body' in Part Three of Article 18.
6. Replace the words 'in accordance with the procedure established by the Council of Ministers of the Republic of Belarus' with the words 'allocated for the maintenance of security bodies' in Part One of Article 24.

Article 36. Invalidation of the Law and Certain Provisions of Laws

To declare invalid:

- Law of the Republic of Belarus of 11 June 1998 'On State Guard';
- Article 2 of the Law of the Republic of Belarus of 16 June 2000 'On Amendments to Certain Laws of the Republic of Belarus' (National Register of Legal Acts of the Republic of Belarus, 2000, No. 59, 2/175);
- Paragraph 18 of Article 20 of the Law of the Republic of Belarus of 14 June 2007 'On State Social Benefits, Rights and Guarantees for Certain Categories of Citizens' (National Register of Legal Acts of the Republic of Belarus, 2007, No. 147, 2/1336);
- Article 6 of the Law of the Republic of Belarus of 15 July 2008 'On Additions and Amendments to Certain Laws of the Republic of Belarus and Invalidating Certain Legislative Acts of the Republic of Belarus and their Individual Provisions on Housing Relations' (National Register of Legal Acts of the Republic of Belarus, 2008, No. 184, 2/1505).

Article 37. Implementation of the Provisions of This Law

Security service of the President of the Republic of Belarus, within six months, shall:

- ensure that legislative acts are brought into compliance with this Law;
- take other measures necessary to implement the provisions of this Law.

Article 38. Entry into Force

This Law shall come into force ten days after its official publication.

President of the Republic of Belarus

A. Lukashenka

LAW OF THE REPUBLIC OF BELARUS

‘On Information, Informatization and the Protection of Information’

10 November 2008, No. 455-3

Adopted by the House of Representatives on 9 October 2008
Approved by the Council of the Republic on 22 October 2008

Registered in the National Register of the Legal Acts of the Republic of Belarus on 17 November 2008, 2/1552

(in the wording of the Laws of the Republic of Belarus of 4 January 2014, No. 102-3; of 11 May 2016 No. 362-3; of 17 May 2016 No. 2/2360)

CHAPTER 1. GENERAL PROVISIONS

Article 1. Basic Notions Used in the Present Law, and Their Definitions

The present Law shall use the following basic notions and their definitions:

- ‘database’: a combination of structured and interrelated data that is arranged on material carriers according to certain rules;
- ‘databank’: an organizational technical system that includes one or several databases and their control system;
- ‘owner of programme and technical means (hardware), information systems and networks’: a state body (organization), citizen, private entrepreneur or legal entity that upholds the property and use of programme and technical means, information systems and networks and uses the powers placed at his disposal within the norms specified by acts of legislation or an agreement;
- ‘state information system’: an information system created and/or obtained at the expense of state or local budgets, other funds, or by means of state legal entities;
- ‘state information resources’: information resources created and/or obtained at the expense of state or local budgets, other funds, or by means of state legal entities;
- ‘documented information (document)’: information that has been fixed on a material carrier with requisites that allow to identify it;
- ‘access to information’: the possibility of acquiring information, including information resources, and its (their) usage;
- ‘protection of information’: a complex set of legal, organizational and technical measures to ensure the confidentiality, integrity, invariability, accessibility and safety of information;
- ‘informatization’: the organizational, socio-economic, scientific and technical process of creating and developing a joint information space of the Republic of Belarus as a combination of interconnected information resources, information systems and information networks that provide conditions for the realization of information relations;
- ‘information’: data about individuals, objects, facts, events, phenomena and processes regardless of the form of its access;
- ‘information network’: a complex set of program and technical means that are designed to transmit information through telecommunication networks and to provide access to information;
- ‘information system’: a combination of information concentrated within databases and of information technologies and complex set of programmes and technical means that provide for the processing of this information;
- ‘information technologies’: a combination of processes and methods of search, transmission, receipt, storage, processing, use, distribution of and/or access to information;

- 'information service': an activity that provides search, acquisition, storage, processing, distribution of and/or access to information;
- 'information relations': relations that appear during the process of the collection, search, transmission, receipt, storage, processing, accumulation, use, distribution of and/ or access to of information and its protection through information technologies, systems and networks;
- 'information intermediary': a citizen, private entrepreneur or legal entity that renders information services to owners and/or users of information;
- 'information resources': separate documents and data within information systems (libraries, archives, funds, databanks, other information systems);
- 'complex set of programme and technical means': a combination of program and technical means that provide for the implementation of information processes;
- 'confidentiality of information': a demand not to permit access to and/or the distribution of information without the approval of its owner or on another basis set by the legislation of the Republic of Belarus;
- 'owner of information, information technologies': a state body (organization), citizen or a legal entity that has created information or has obtained proprietorship of information in accordance with the present Law on the basis of a legal act of the Republic of Belarus;
- 'publicly available information': information to which access and/or distribution is not limited;
- 'operator of an information system': a legal entity or private entrepreneur that operates an information system;
- 'personal data': a combination of documented information about a citizen that allows for their identification;
- 'user of information: an entity that has obtained access to information and exercises the right to receive and use information;
- 'user of information systems and networks': an entity that has obtained access to information systems and networks and exercise the right to use information systems and networks;
- 'provision of information': activities that aim at getting a certain circle of parties acquainted with the information;
- 'distribution of information': activities that aim to provide an unspecified audience with information;
- 'owner of program and technical means, information system and networks': an entity that exercises rights to own, use and manage information systems and networks;

Article 2. Incidence of the Present Law

The present Law shall regulate social relations observed in cases of:

- exercising the right to search, transmit, receive, store, process, use, distribute and/or provide information, including information resources (hereinafter, if not defined otherwise, referred to as 'information');
- creating and using information technologies, information systems and networks (hereinafter referred to as information technologies, systems and networks);
- organizing and ensuring the protection of information.

The particularities of social relations in connection with the usage and protection of information constituting state secrets or with the usage and protection of information systems that contain state secrets shall be regulated by the legislation of the Republic of Belarus on state secrets.

The present Law shall not regulate the social relations in connection with mass media activity and the protection of information in relation to intellectual property.

Article 3. Legislation on Information, Informatization and Protection of Information

Legislation on information, informatization and the protection of information is based on the Constitution of the Republic of Belarus and consists of acts of the President of the Republic of Belarus, the present Law, other legislative acts of the Republic of Belarus

If an international treaty of the Republic of Belarus establishes rules other than those provided for by this Law, the rules of the international treaty shall apply.

Article 4. Principles of Legal Regulation of Information Relations

The legal regulation of information relations shall be conducted on the basis of the following principles: the freedom to search, receive, transmit, collect, process, accumulate, store, use, distribute and/or access of information;

- establishing restrictions on the distribution and (or) access of information only by legislative acts of the Republic of Belarus;
- the timely provision, objectivity, completeness and authenticity of information;
- the inviolability of a private life of a citizen and the protection of personal data;
- the protection of personal, societal and state security while using information and information technologies;
- the obligations of using certain information technologies for the creation and operation of state information systems in cases specified by the legislative acts of the Republic of Belarus;

Article 5. Subjects of Information Relations

Subjects of information relations shall be:

- the Republic of Belarus and its administrative and territorial units;
- state bodies and other state organisations (hereinafter – state bodies);
- other legal entities and organisations without the status of legal entities (hereinafter – legal entities);
- natural persons including private entrepreneurs (hereinafter – natural persons);
- foreign states and international organizations;

Subjects of information relations in accordance with the present Law may act as:

- owners of information;
- users of information, information systems and networks;
- owners and other possessors of programme and technical means, information systems and networks;
- information intermediaries;
- operators of information systems.

Article 6. Content of the Right to Information

State bodies, citizens and legal entities shall, in accordance with the present Law and other legislative acts of the Republic of Belarus, have the right to search, receive, transmit, collect, process, accumulate, store, proceed, distribute and use information.

State bodies, public associations and public officials are obliged to provide the citizens of the Republic of Belarus with information that directly concerns their rights and legal interests, within the order specified by the present Law and other legislative acts of the Republic of Belarus.

Citizens of the Republic of Belarus shall have the guaranteed right to receive, store and distribute complete, reliable and timely information about activities of state bodies and public associations, about political, economic, cultural, international events and environmental conditions within the bounds and norms specified by the present Law and other legislative acts of the Republic of Belarus.

The right to information cannot be used for propaganda of war and for extremist activity, or for conducting other unlawful actions.

CHAPTER 2. STATE REGULATION WITHIN THE SPHERE OF INFORMATION, INFORMATIZATION AND THE PROTECTION OF INFORMATION**Article 7. State Regulation in the Sphere of Information, Informatization and the Protection of Information**

State regulation in the sphere of information, informatization and the protection of information shall:

- provide conditions for the realization and protection of rights of state bodies, natural persons and legal entities;
- create an effective system of information support for solving strategic and current tasks of socio-economic, scientific and technical development of the Republic of Belarus;
- provide conditions for the development of information technologies, information systems and networks on the basis of unified principles of technical normalization and standardization, and to estimate the

extent to which information technologies, information systems and networks correspond to the requirements of technical legal acts in the sphere of technical normalization and standardization;

- form and implement joint scientific, scientific and technical, industrial and innovation policy within the sphere of information, informatization and the protection of information taking into account available scientific and industrial potential and the modern level of global information technologies development;
- create and improve the system of fundraising and mechanisms to promote the development and implementation of projects in the sphere of information, informatization and the protection of information;
- provide conditions for the active participation of the Republic of Belarus, its administrative and territorial units, state bodies, natural persons and legal entities in the process of international cooperation, including cooperation with international organisations and ensuring the fulfilment of obligations under international treaties of the Republic of Belarus;
- develop and implement the targeted programmes of creation of information systems and application of information technologies;
- improve legislation of the Republic of Belarus in the sphere of information, informatization and the protection of information.
- any other state regulation.

Article 8. State Regulation and Control in the Sphere of Information, Informatization and the Protection of Information

State regulation and control in the sphere of information, informatization and protection of information shall be carried out by the President of the Republic of Belarus, Council of Ministers of the Republic of Belarus, National Academy of Science of Belarus, Operational-analytical Centre under the President of the Republic of Belarus, Ministry of Communication and Informatization of the Republic of Belarus, and other state bodies in accordance with their competency.

Article 9. Powers of the President of the Republic of Belarus in the Sphere of Information, Informatization and Protection of Information The President of the Republic of Belarus, in accordance with the Constitution of the Republic of Belarus, the present Law and other legislative acts of the Republic of Belarus shall define a unified state policy and conduct the state regulation in the sphere of information, informatization and protection of information.

Article 10. Powers of the Council of Ministers of the Republic of Belarus in the Sphere of Information, Informatization and Protection of Information The Council of Ministers of the Republic of Belarus in the sphere of information, informatization and protection of information shall:

- ensure the implementation of a unified state policy;
- coordinate, guide and control work of state management bodies and other state organisations subordinated to the Government of the Republic of Belarus;
- approve state programmes, unless stipulated otherwise by the legislation of the Republic of Belarus, and ensure their implementation;
- exercise other powers assigned to it by the Constitution of the Republic of Belarus, this law, other laws of the Republic of Belarus and acts of the President of the Republic of Belarus.

Article 11. Powers of the National Academy of Sciences of Belarus in the Sphere of Information, Informatization and the Protection of Information The National Academy of Sciences of Belarus in the sphere of information, informatization and protection of information shall:

- ensure scientific and methodological support for the development of informatization and the implementation of state programmes;
- participate in the process of drafting normative and legal acts;
- exercise other powers in accordance with the present Law and other legislative acts of the Republic of Belarus.

Article 12. Powers of the Operational-analytical Centre under the President of the Republic of Belarus in the Sphere of Informatization and the Protection of Information Operational-analytical Centre under/of the

President of the Republic of Belarus in the sphere of information, informatization and the protection of information shall:

- perform state regulation in the field of interagency information cooperation of state bodies on the basis of interagency and other state information systems not designed for processing of information containing state secrets, unless provided otherwise by the legislative acts of the Republic of Belarus, as well as in the field of operation and development of interagency information systems specified by legislative acts of the Republic of Belarus;
- perform state regulation and management in the field of technical and cryptographic protection of information in accordance with the legislative acts of the Republic of Belarus;
- exercise control of the technical and cryptographic protection of information within the bounds of its powers;
- draft normative and legal acts, including technical normative and legal acts, and approves (distributes) such acts of the technical and cryptographic protection of information, participate in the process of drafting normative and legal acts in the sphere of information;
- exercise other powers in accordance with the present Law and other acts of the President of the Republic of Belarus.

Article 13. Powers of the Ministry of Communication and Informatization of the Republic of Belarus in the Sphere of Informatization The Ministry of Communication and Informatization of the Republic of Belarus in the sphere of informatization shall:

- implement the unified state policy;
- develop and implement state programmes;
- participate in the process of drafting normative and legal acts;
- coordinate work on the formation and state registration of information resources;
- define requirements and conditions for the use of similar parameters for information resources, information systems and networks;
- develop and approve the rules of operation and interaction of information resources, information systems and information networks;
- arrange the activities of technical norm setting and standardization, confirmation of compliance of creation, use and operation of information resources, information systems and information networks with the requirements of technical regulatory legal acts in the field of technical norm setting and standardization;
- encourage the creation of modern information technologies, information systems and networks;
- conduct international cooperation, including cooperation with international organizations, and ensure the implementation of international treaties to which the Republic of Belarus is a party;
- exercise other powers in accordance with the present Law and other legislative acts of the Republic of Belarus.

Article 14. Powers of other state bodies in the Sphere of Information, Informatization and the Protection of Information State bodies in the sphere of information, informatization and the protection of information shall, within the bounds of their powers:

- participate in the implementation of the unified state policy;
- generate and use information resources;
- create and develop information systems and information networks, ensure their compatibility and interaction in the information space of the Republic of Belarus;
- carry out technical normalization and standardization in the sphere of informatization, information technologies, information resources, information systems and networks;
- confirm the compliance of information technologies, information resources, information systems and information networks with the requirements of technical regulatory legal acts in the field of technical regulation and standardization;
- exercise other powers in accordance with the present Law and other legislative acts of the Republic of Belarus.

CHAPTER 3. RIGHT TO INFORMATION AND INFORMATION REGULATIONS

Chapter 15. Types of Information Depending on the category of access, information shall be divided into:

- publicly available information;
- information of limited provision and/or distribution.

Article 16. Publicly Available Information Publicly available information shall be information to which access and/or distribution is not limited.

Limitations for access and/or distribution cannot apply to information:

- on rights, freedoms, legal interests and the responsibilities of citizens, as well as on rights, legal interests and the responsibilities of legal entities and on the order of the realization of rights, freedoms and legal interests;
- on the activities of state bodies and public associations;
- on the legal status of state bodies (organizations), apart from information that constitutes state secrets or other information protected by the legislation of the Republic of Belarus;
- on the socio-economic development of the Republic of Belarus and its administrative-territorial units;
- about emergency situations, environmental and anthropogenic catastrophes, ecological, meteorological, sanitary-epidemiological welfare and other information that ensures public security;
- on the state of health care, demography, education, culture and agriculture;
- on the status of a crime prevention process;
- on benefits and compensations provided by the state to individuals and legal entities;
- about the size of the gold reserve;
- on generalized indicators of external debt;
- on the state of health of officials holding positions included in the list of top government positions of the Republic of Belarus;
- accumulated in open funds of libraries and archives, information systems of state bodies (organizations) or legal entities that have been created (generated) for rendering information services to citizens.

Article 17. Information with Limited Access and/or Distribution Information with limited access and/or distribution shall include:

- information about the private life of a citizen and his personal data;
- information that constitutes a state, trade or professional secret;
- official (service) information of limited distribution;
- информация, составляющая коммерческую, профессиональную, банковскую и иную охраняемую законом тайну;
- information contained in cases of administrative offenses, materials of criminal prosecution or court bodies until the case is dismissed;
- other information, to which access and/or distribution is prohibited according to legislative acts of the Republic of Belarus.
- the legal regime of information, distribution and (or) provision of which is limited, is determined by this Law and other legislative acts of the Republic of Belarus.

Article 18. Information about the Private Life of a Citizen and Personal Data

No one shall have the right to demand from a citizen information about his personal life, including information that constitutes confidential information about his family or private life, or information about his health, viewpoints, political and religious beliefs, or to collect such information in any other way that is against the will of the person, apart from cases specified by the legislative acts of the Republic of Belarus.

Personal information shall be gathered, processed, used and stored in accordance with the consent of the citizen, provided that legislative acts of the Republic of Belarus do not specify otherwise.

Procedure for receiving, distribution, collecting, processing, storing, holding, and accessing information about private life of an individual and personal data, as well as its usage shall be specified by the legislative acts of the Republic of Belarus.

Article 18¹. Restricted information for official use

Restricted information for official use shall include data pertaining to the activity of a state body or legal entity, dissemination and/or provision of which may cause damage to the national security of the Republic of Belarus, public order, morality, rights, freedoms and legitimate interests of individuals, including their honor and dignity, private and family life, as well as rights and legitimate interests of legal entities but not falling within state secrets.

Data fall within restricted information for official use in accordance with the list of data falling within restricted information for official use, as determined by the Council of Ministers of the Republic of Belarus, as well as in cases provided by laws of the Republic of Belarus and decisions of the President of the Republic of Belarus. A decision on classification of data as restricted information for official use is taken by the head of the state body, legal entity or a person empowered by him.

Documents containing restricted information for official use shall be marked with a security label 'For official use'.

The procedure of assignment of the security label 'For official use' and paperwork with documents containing restricted information for official use shall be determined by the Council of Ministers of the Republic of Belarus.

Access to the list of data falling within restricted information for official use, as determined by the Council of Ministers of the Republic of Belarus in accordance with part 2 of this Article, and to the procedure of assignment of the security label 'For official use' and paperwork with documents containing restricted information for official use, as determined by the Council of Ministers of the Republic of Belarus in accordance with part 4 of this Article, shall not be restricted.

In case of liquidation of a state body or a legal entity, a decision on further use of restricted information for official use shall be taken by the liquidation commission.

Article 19. Documented Information (Document)

Documentation of information is carried out by its owner in accordance with the requirements of office work procedures established by the legislation of the Republic of Belarus

Requirements for creating, processing, storing, using, accessing and/or distributing documented information shall be defined by the legislative acts of the Republic of Belarus or according to an agreement between the parties involved in information relations.

CHAPTER 4. PROVISION AND/OR DISTRIBUTION OF INFORMATION**Article 20.** The Provision and Distribution of Information

Information for distribution shall contain authentic facts about its owner and distributor, in the form and scope sufficient to identify these persons.

When distributing information using technical means that allow for a particular group of persons to become aware of the said information, the information owner and the information intermediary shall provide information users with the option to refuse to receive information that is being distributed by such means.

Should the information owner, the information intermediary or the owner of an information network receive (or by any other legislative means acquire) notification about the unwillingness of a certain user to receive distributed information, the information owner, the information intermediary or the owner of information network must take measures to prevent the receipt of such information by the information user who has declared his unwillingness to receive such information.

When distributing information of advertising or similar content by post or through information networks, distributors shall observe the legislative requirements of the Republic of Belarus on telecommunications, mail service and advertising.

The cases and requirements of compulsory distribution and/or the provision of information, including the provision of mandatory copies of documents, shall be regulated by legislation, legal acts of the President of the Republic of Belarus and the Council of Ministers of the Republic of Belarus.

Procedure of distributing information, apart from those mentioned in Part 1 of the present Article and in Part 1 of the Article 17 shall be stipulated by the agreement of the subjects of corresponding information relations, provided that legislative acts of the Republic of Belarus do not specify otherwise.

Article 21. Provision of Publicly Available Information upon Request

Access to publicly available information may be provided upon a request of an interested state body, natural person or legal entity to the owner of such information.

Requests of information shall be addressed to the owner of information in a written, electronic or verbal form.

Access to publicly available information may be provided upon a request of an interested state body, natural person or legal entity to the owner of such information in form of:

- receiving a verbal statement of the content of the requested information;
 - being made aware of the content of official documents that contain the requested information;
 - receiving a copy of the corresponding document, certificate or extracts from it;
 - receiving a written reply or an e-message (reference) that contains the requested information;
- Publicly available information may be not provided on a request, if:
- obtaining of the requested information requires analytical work not immediately related with the protection of rights and legitimate interests of the applicant;
 - the requested information has been published in official printed periodicals, mass media or made publicly available on official web sites of state bodies in the Internet world web (hereinafter - Internet sites) or other state information resources in the Internet world web;
 - the requested information was previously provided to the applicant;
 - the information requested is contained in memoranda, assignments from officials and other internal correspondence of a state body, another legal entity, if such information is not immediately related with the protection of rights and legitimate interests of the person who applied for publicly available information;
 - requested are copies of documents of other state bodies, legal entities, available with a state body or legal entity, except where said state bodies, legal entities have been liquidated and have no legal successors, as well as in other cases, when such copies of documents cannot be obtained from said state bodies or legal entities in accordance with the established procedure;
 - in other cases, stipulated by the legislative acts of the Republic of Belarus.

The procedure of filing applications for publicly available information, as well as the procedure of their handling, shall be determined by the legislative acts of the Republic of Belarus.

Article 22. Procedure for the Provision and/or Distribution of Publicly Available Information on Activities of State Bodies (Organizations)

The main types of provision and/or distribution of publicly available information on activities of state bodies (organizations) shall be:

- distribution in the media outlets;
- of information on activities of state bodies (organizations) in public places (on information stands, boards and (or) in any other way);
- the placement on websites and other state information resources of the global computer network Internet;
- arrangement of public sittings, where the possibility is provided for attendance by individuals, their representatives, representatives of legal entities (hereinafter - public sittings);
- provision to interested state body, natural person or legal entity on the basis of their requests;
- distribution and/or provision by other means as stipulated by the legislative acts of the Republic of Belarus.

Distribution and (or) provision of publicly available information is carried out free of charge, provided that legislative acts of the Republic of Belarus do not specify otherwise.

The specifics of the provision of publicly available information by the courts are determined by the legislation of the Republic of Belarus, including the legislation on legal proceedings.

Article 22¹. Distribution of publicly available information by a state body

A state body must display in a prominent location the following information, with the exception of information, distribution and/or provision of which is restricted:

- about the state body (official name and structure of a state body; postal address, email address; phone numbers of enquiry services; working hours of a state body; data about the head of the state body and his deputies (position, surname, first name, patronymic (if any), office telephone number); official name, postal address and working hours of the superior state body and the schedule of personal reception of individuals, their representatives, representatives of legal entities at that body);
- about the handling of applications of individuals and legal entities;
- about the implementation of administrative procedures with respect to individuals and legal entities;
- for state bodies specified in part five of this Article – about the procedure of preparation and conduct of public sittings, the agenda, date, time and place of public sittings (as a rule, not later than five calendar days before the day of a public sitting).

A state body shall place on its Internet site the following information, with the exception of information, dissemination and/or provision of which is restricted:

- about the state body (official name and structure of a state body; postal address, email address; phone numbers of enquiry services; working hours of a state body; data about the tasks and functions of a state body, its structural units, as well as regulatory legal acts of the Republic of Belarus (extracts from them) specifying those tasks and functions; the list of territorial bodies subordinated organizations (incorporated into its composition or system), data about their tasks and functions, as well as postal addresses, addresses of their Internet sites and emails, phone numbers of enquiry services; data about the head of the state body and his deputies (position, surname, first name, patronymic (if any), office telephone number); official name, postal address and working hours of the superior state body and the schedule of personal reception of individuals, their representatives, representatives of legal entities at that body);
- about the handling of applications of individuals and legal entities;
- about the implementation of administrative procedures with respect to individuals and legal entities;
- about the goods (works, services) produces (performed, provided) by a state entity;
- about the news of the state body;
- about the forms of feedback;
- for state bodies specified in Part 5 of this Article – about the procedure of preparation and conduct of public sittings, the agenda, date, time and place of public sittings (as a rule, not later than five calendar days before the day of a public sitting).

A state body may also place other information in a prominent location or on the Internet site in accordance with legislative acts of the Republic of Belarus, resolutions of the Council of Ministers of the Republic of Belarus or by a decision of the head of the state body.

Republican bodies of state governance subordinated to the Government of the Republic of Belarus, local executive and administrative bodies shall annually, not later than the 1st of March of the year following the accounting year, place on the Internet sites and publish in mass media publicly available information about the results of their work in the previous year in accordance with the main lines of activity of said state bodies.

Sittings of the boards of republican bodies of state governance subordinated to the Government of the Republic of Belarus, sittings of local executive and administrative bodies shall be held in the form of public sittings, with the exception of their discussion of issues containing information, distribution and/or provision of which is restricted. In such cases closed sittings are held.

State bodies specified in Part 5 of this Article shall independently determine the procedure of preparation and conduct of their public sittings, including placement of information about the conduct of public sittings and organization of prior registration for those willing to attend them, unless provided otherwise by the legislative acts of the Republic of Belarus.

Public sittings of state bodies not specified in Part 5 of this Article are held on a decision of their heads and in accordance with the procedure established by them, unless provided otherwise by the legislative acts of the Republic of Belarus.

CHAPTER 5. INFORMATION RESOURCES

Article 23. Types of Information Resources and Legal Regulations for Information Resources Information resources shall be divided into state and non-governmental information resources.

The content of state information resources, as well as the procedure for their formation and provision to users, shall be defined by the legislation of the Republic of Belarus and/or by the decrees of the Council of Ministers of the Republic of Belarus.

The procedure for the formation of non-governmental information resources shall be defined by the owners of information resources.

Article 24. State Registration of Information Resources

The state registration of information resources shall be undertaken for the purpose of creating a joint system to record and protect information resources, in order to enable their transfer into archive storage, to provide information support for the work of state bodies (organizations) and to inform citizens and legal entities of the content of information resources of the Republic of Belarus.

The state registration of information resources shall be carried out by the Ministry of Communication and Informatization of the Republic of Belarus by adding information resources to the State Register of Information Resources.

The order of state registration of the of information resources apart from those mentioned in Part 4 of the present Article, and the order of the adding information resources to the State Register of Information Resources shall be stipulated by the Council of Ministers of the Republic of Belarus.

The order for the registration of information resources of the state security bodies of the Republic of Belarus shall be defined by the State Security Committee (KGB) of the Republic of Belarus.

Information resources that are subject to compulsory state registration shall be state information resources;

Non-governmental information resources shall be registered within the State Register of Information Resources on a voluntary basis, provided that legislative acts of the Republic of Belarus do not specify otherwise.

CHAPTER 6. INFORMATIZATION, INFORMATION TECHNOLOGIES, INFORMATION SYSTEMS AND NETWORKS

Article 25. Creation and Operation of Information Technologies, Information Systems and Information Networks The creation of information technologies, information systems and information networks is carried out by state bodies, natural persons and legal entities.

Information systems shall be divided into state and non-governmental.

State information systems shall be created in order to render publicly available information, ensuring its objectivity, completeness and reliability, provision of information services, to optimize the work of state bodies (organizations) and to improve communication between them.

State information systems shall be created in accordance with the order and norms specified by the legislation of the Republic of Belarus.

The procedure of creation and operation of non-governmental information systems shall be defined by the information systems owners or their authorized representatives.

The procedure for the inclusion of information systems in information networks, as well as the rules for the exchange of information in them shall be established by the information systems owners or their authorized representatives.

The procedure of use of information systems and information networks, where the owners of software and hardware facilities and information systems are different persons, is determined by an agreement between those persons.

Identification of persons engaged in information exchange using information systems and information networks shall be performed in cases specified by the legislative acts of the Republic of Belarus.

Article 26. State Registration of Information Systems

The state registration of information systems shall be carried out for the purpose of creating a joint system to record information systems, to ensure security and to provide information needed for the work of state bodies, natural persons and legal entities concerning the information systems used in the Republic of Belarus.

The state registration of information systems, except for the information systems mentioned in Part 4 of this Article, shall be carried out by the Ministry of Communication and Informatization of the Republic of Belarus by entering information systems into a State Register of Information Systems.

The order for forming and operating the state register of information systems, except for the information systems mentioned in Part 4 of this Article, as well as the procedure for maintaining the State Register of Information Systems, shall be defined by the Council of Ministers of the Republic of Belarus.

Information systems containing state secrets shall be registered in accordance with the procedure established by the State Security Committee of the Republic of Belarus.

State information systems shall be subject to compulsory state registration.

The registration of non-governmental information systems in the State Register of Information Systems shall be carried out on a voluntary basis, provided that legislative acts of the Republic of Belarus do not specify otherwise.

CHAPTER 7. PROTECTION OF INFORMATION

Article 27. Aims of the Protection of Information

The aims of the protection of information shall be:

- to provide for national security and sovereignty of the Republic of Belarus;
- to protect the rights of citizens to the protection of information containing privacy secrets and the non-disclosure of personal data contained within information systems;
- to ensure the rights of parties of information relations when designing, using and exploiting the information systems and networks, using information technologies, as well as creating and using the information resources.
- to prevent the illegal access, deletion, modification (doctoring), copying, distribution and/or provision of information, blocking the legitimate access to information, as well as other unlawful actions towards information;

Article 28. Basic Requirements for the Protection of Information

Requirements for the protection of publicly available information shall be set for the sole purpose of achieving the goal to protect information from deletion, modification (doctoring) and blocking the legitimate access to information.

Requirements for the protection of information within state information systems, as well as within systems containing information of limited and/or denied access and/or distribution, shall be defined by the legislation of the Republic of Belarus.

Non-confidential information with limited distribution and/or access shall be processed in information systems with the use of information protection system certified in accordance with provisions specified by the Operational-analytical Centre under the President of the Republic of Belarus.

The operation of state information systems is not allowed without the implementation of information protection measures.

The integrity and security of information contained in state information systems shall be ensured by setting and observing a unified set of requirements for the protection of information from illegal access, deleting, modification (doctoring) and blocking the legitimate access to information, including cases of access to information networks.

In order to create an information protection system, technical and cryptographic information protection measures shall be certified by the National system of correspondence confirmation of the Republic of Belarus or they shall obtain a positive expert conclusion in accordance with the results of a state expertise, procedures of which shall be defined by the Council of Ministers of the Republic of Belarus.

Natural persons and legal entities that specialise in designing information protection tools and/or the implementation of information protection measures shall conduct their work within this sphere of activities on the basis of the special authorizations (licencies), as stipulated by the legislation of the Republic of Belarus.

Article 29. Measures for the Protection of Information and Information Systems.

Legal information protection measures shall include agreements between the owner and user of information that specify the conditions for accessing certain information and the repercussions for violating provisions related to the access and usage of information.

The methods used to organize information protection shall include ensuring special access to territories (areas) where access to information (material carriers of information) can take place, as well as the delimitation of access to information according to the people involved and the character of information.

The technical measures for the protection of information shall include measures of technical and cryptographic protection of information, as well as access control systems.

State bodies and legal entities that process information with limited and/or denied access and/or distribution shall create special departments or determine functionaries responsible for the protection of information.

Article 30. Organizing the Protection of Information

1. The protection of information shall be organized:
 - for publicly available information, by the distributor of such information;
 - for information with legislatively limited access and/or distribution, by the owner or operator of the information system that contains such information, or by the holder of information that is not contained within an information system;
 - by other persons in cases stipulated by this Law or by the legislation of the Republic of Belarus.

Article 31. Rights and Duties of Parties of Information Relations in Connection with Information Protection

The holder of information, the owner of software and hardware, information resources, information systems and networks or their authorized representatives shall have the right to:

- prohibit or suspend the processing of information and/or use it if the information protection requirements are violated;
- appeal to state bodies (organizations) defined by the President of the Republic of Belarus and/or by the Council of Ministers of the Republic of Belarus to ensure that his information within information systems is protected correctly, examine the sufficiency of measures to protect their software and hardware, information resources, information systems and information networks, as well as to obtain advice.

The holder of information systems and networks shall notify their owner, as well as the information holder, to prevent authorized access to operating tools used for the transmission of information.

The holder of information and the operator of information systems in cases stipulated by this Law or by the legislation of the Republic of Belarus are obliged to:

- ensure the level of protection of information, as well as to conduct permanent controls to ensure compliance with requirements for information protection;
- establish a procedure for the provision of information to a user, and define measures necessary for ensuring conditions for users' access to information;
- prevent unauthorized access that compromises the functioning of the hardware used to process information;
- provide opportunities for the immediate recovery of information modified (doctored) or destroyed because of illegal (unauthorized) access to it.

Article 32. Protection of Personal Data

Measures to protect personal data from disclosure shall be taken from the moment personal data is presented by the person to whom this information relates to another person or when personal data is provided on the basis of legislation of the Republic of Belarus.

The subsequent transfer of personal data shall be allowed only on the basis of the consent of the person this information relates to, or according to the legislation of the Republic of Belarus.

Measures specified in Part 1 of the present Article shall be taken prior to the destruction or anonymization of personal data, or prior to receiving an agreement from the person this information relates to for the disclosure of such information.

If personal data has been received through violations of the requirements mentioned in Part 1 of the present Article and the legislation of the Republic of Belarus, a party that has obtained such information shall not be entitled to use it.

**CHAPTER 8. RIGHTS AND RESPONSIBILITIES OF ACTORS ENGAGED IN INFORMATION RELATIONS.
RESPONSIBILITY FOR VIOLATION OF THE REQUIREMENTS OF THE LEGISLATION ON INFORMATION,
INFORMATIZATION AND PROTECTION OF INFORMATION****Article 33. Rights and Duties of Holder of Information**

The holder of information shall have the right to:

- distribute and (or) provide information and use it;
- allow or limit access to information, and define the procedure and terms of such access in accordance with the legislation of the Republic of Belarus;
- demand to indicate himself as a source of information that has become publicly available by his decision, when it is distributed and (or) provided by other persons;
- determine the conditions for processing information and using it in information systems and information networks;
- transfer the right to use information in accordance with the legislation of the Republic of Belarus or by an agreement;
- protect, within a legislatively established order specified by legislative acts of the Republic of Belarus, his rights in case of the illegal receipt or use of information by third parties;
- conduct measures to protect information;
- conduct other measures according to the procedure and conditions specified by the present Law and other legislative acts of the Republic of Belarus.

The rights of the information holder contained within a database, including an information system database, shall be subject to copyright protection.

The rights of the information holder do not cover software and hardware facilities, information systems and information networks held by the owner, used to perform search, obtaining, transmission, collection, processing, accumulation, storage, dissemination and/or provision of information, use of information.

The holder of information shall:

- observe the rights and legal interests of other persons when distributing and (or) providing information, as well as using it;
- take measures to protect information if such a responsibility is presupposed by the legislation of the Republic of Belarus;
- provide information that is considered by the legislation of the Republic of Belarus as obligatory for the provision of information;
- limit and/or ban access to information, if such a responsibility is set by the legislative acts of the Republic of Belarus.
- ensure the safety of information, the distribution and (or) provision of which is limited;
- fulfil other responsibilities in accordance with the present Law and other legislative acts of the Republic of Belarus.

Article 34. Rights and Duties of User of Information

The user of information shall the right to:

- receive, distribute and (or) provide information; use information technologies, information systems and networks.
- access his personal data;
- exercise other rights in accordance with the present Law and other legislative acts of the Republic of Belarus.

The user of information shall:

- observe the rights of other persons while using information technologies, systems and networks.
- take measures to protect information, if such a duty is established by legislative acts of the Republic of Belarus;
- ensure the safety of information, the distribution and (or) provision of which is limited, and not to transfer it in whole or in part to third parties without the consent of the owner of the information;
- fulfil other responsibilities in accordance with the present Law and other legislative acts of the Republic of Belarus.

Article 35. Rights and Duties of User of Information System and/or Information Network

The user of information system and/or information network shall have the right to:

- use information system and/or information network for access to information resources;
- obtain, disseminate and/or provide information, contained in an information system and/or information network;
- perform other actions in accordance with this Law and other legislative acts of the Republic of Belarus.

The user of information system and/or information network shall:

- respect the rights of other persons, while using an information system and/or information network;
- discharge other duties in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 36. Rights and Duties of the Owner of Information Resources

The owner of information resources, unless provided otherwise by this Law and other legislative acts of the Republic of Belarus, shall have the right:

- to grant the rights to possession and use of information resources to another person;
- to determine the rules of information processing, use of information resources;
- to determine the conditions of management of documentary information in case of its dissemination and/or provision under an agreement;
- to perform other actions in accordance with this Law and other legislative acts of the Republic of Belarus.

The owner of information resources shall:

- determine the conditions of possession and use of information resources in the case provided for in paragraph two, part one of this Article;
- implement measures for protection of information resources, if such a duty is provided by the legislative acts of the Republic of Belarus;
- discharge other duties in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 37. Rights and Duties of Owner of Software and Hardware, Information Systems and Networks

The owner of the software and hardware used to create the information system and the owner of the information system that form the information network can be either one or several persons.

The owner of software and hardware, information systems and information networks has the right to transfer to another person the rights to own and use software and hardware, information systems and information networks.

The right to information that forms part of an information system, shall be defined by an agreement between the owners of information and the owners of information systems.

The competences of the owner of a state information system shall be fulfilled by the client of a state contract with contract to carry out work to fulfil state needs on the generation of such information system, should a decision relating to its creation not specify otherwise.

The owner of an information system shall, should information owner not specify otherwise, have the right to ban or limit the relocation or distribution of information, including the distribution of copies and temporary access to the hardware.

The owner of software and hardware, information systems and information networks has other rights in accordance with this Law and other acts of the legislation of the Republic of Belarus and performs duties in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 38. Rights and Duties of Holder of Software and Hardware, Information Systems and Networks

The holder of software and hardware, information systems and information networks has the right to:

- determine the conditions for their use in compliance with the exclusive rights to intellectual property objects;
- carry out other actions in accordance with this Law and other acts of the legislation of the Republic of Belarus.

The holder of software and hardware, information systems and information networks shall:

- take measures to protect information, if such a duty is established by legislative acts of the Republic of Belarus;
- perform other duties in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 39. Rights and Duties of Information Intermediary

The information intermediary has the rights in accordance with this Law and other acts of the legislation of the Republic of Belarus.

The information intermediary shall ensure the rendering of information services to the owner and (or) user of information upon their request or according to the provisions of an agreement between an information intermediary and owner or user of information or their authorized persons.

The information intermediary is prohibited from distributing and (or) providing third parties with information obtained in the provision of information services, except as otherwise provided by the legislation of the Republic of Belarus.

The information intermediary performs other duties in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 40. Rights and Duties of Operator of Information System

The operator of information system has the right to:

- operate the information system in the manner and under the conditions determined by the agreement concluded with its owner;
- determine the procedure for the operation of the information system if he is its owner;
- carry out other actions in accordance with this Law and other acts of the legislation of the Republic of Belarus.

The operator of information system shall:

- ensure the integrity and safety of information contained in the information system;
- take measures to prevent disclosure, loss, distortion, destruction, modification (change) of information and blocking legal access to it, and, if necessary, measures to restore lost information;
- perform other duties in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 41. Responsibility for Violation of Legislation on Information, Informatization and Information Protection

Violation of legislation on information, informatization and information protection entails liability in accordance with the legislative acts of the Republic of Belarus.

CHAPTER 9. FINAL PROVISIONS

Article 42. Invalidation of the Law of the Republic of Belarus and a Separate Provision of the Law of the Republic of Belarus

Nullify the powers of:

- The Law of the Republic of Belarus 'On Informatization' of 6 September 1995;
- Article 14 of the Law of the Republic of Belarus 'On the Revision and Addendum to some Legislative Acts of the Republic of Belarus on Questions of Technical Normalization, the Standardization and Valuation of Correspondence to the Provisions of Technical Legal Acts in the Sphere of Technical Normalization and Standardization' of 20 July 2006.

Article 43. Bringing Legislative Measures of the Republic of Belarus into Conformance with the Present Law
The Council of Ministers of the Republic of Belarus shall, within six months:

- bring decisions of the Government of the Republic of Belarus into line with the present Law;
- provide for the bringing the legal and normative acts of governmental bodies of state control subordinated to the Council of Ministers of the Republic of Belarus into line with the present Law;
- take other measures necessary for the implementation of the present Law.

Article 44. Entering into Force

The present Law shall come into force six months after its official publication, apart from this Article and Article 43, which shall come into force after the official publication of the present Law.

President of the Republic of Belarus

A. Lukashenka

LAW OF THE REPUBLIC OF BELARUS

‘On State Secrets’

19 July 2010, No.170-3

Adopted by the House of Representatives on 23 June 2010

Approved by the Council of the Republic on 30 June 2010

(as amended by the Laws of the Republic of Belarus of 25 November 2013, No. 72-3; of 23 October 2014, No. 196-3; of 17 July 2018, No. 124-3)

This Law shall define the legal and organizational basis for classifying information as state secrets, protecting state secrets, and performing other activities in the field of state secrets to ensure the national security of the Republic of Belarus.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Basic Terms and Definitions Used in This Law

The following basic terms and definitions shall be used in this Law:

- ‘state secrets (information constituting state secrets)’: information classified as state secrets in accordance with the established procedure, protected by the state in accordance with this law and other acts of the legislation of the Republic of Belarus;
- ‘security stamp’: details affixed to the carrier of state secrets and/or accompanying documentation to it, indicating the level of secrecy of the state secret contained on the carrier;
- ‘personal security clearance’: the right of a citizen of the Republic of Belarus, a foreign citizen, a stateless person (hereinafter referred to as ‘citizen’ unless otherwise specified) or a state body or other organization to carry out activities using state secrets;
- ‘access to state secrets’: familiarizing a citizen with state secrets or performing other activities using state secrets;
- ‘carrier of state secrets’: a material object in which state secrets are contained in the form of symbols, images, signals and/or technical solutions and processes that allow them to be recognized and identified;
- ‘means of state secrets protection’: technical, software, cryptographic and other means used to protect state secrets, as well as the means of monitoring the effectiveness of the protection of state secrets;
- ‘means of encrypted communication and other types of special communications’ includes the means of protecting state secrets, the telecommunication means through which they are implemented or encrypted, and other types of special communications systems;
- ‘level of secrecy’: an indicator of the importance of state secrets, which determines the measures and means used to protect state secrets;
- ‘technical protection of state secrets’: activities aimed at ensuring the protection of state secrets by technical measures, with the exception of technical measures for protecting state secrets using encrypted systems, other types of special communications and when using cryptographic means to protect state secrets.

Article 2. The Legislation of the Republic of Belarus on State Secrets

The legislation of the Republic of Belarus on state secrets is based on the Constitution of the Republic of Belarus and includes this Law, other legislative acts of the Republic of Belarus, including international treaties of the Republic of Belarus on the protection of state secrets.

CHAPTER 2. STATE REGULATION AND THE MANAGEMENT OF STATE SECRETS

Article 3. Public Regulation and the Management of State Secrets

Public regulation and control in the area of state secrets shall be ensured by the President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, the Interdepartmental Commission on Protection

of State Secrets of the Security Council of the Republic of Belarus, the authorized state body on the protection of state secrets, state security services, and the Operational and Analytical centre of the President of the Republic of Belarus.

Article 4. The Powers of the President of the Republic of Belarus

In the area of state secrets, the President of the Republic of Belarus shall:

- define the state policy;
- approve the state programme;
- approve the Regulations on the Interdepartmental Commission on the Protection of State Secrets of the Security Council of the Republic of Belarus and its composition;
- establish, reorganize and abolish the authorized state body on the protection of state secrets;
- approve the list of state bodies and other organizations that have the authority to classify information as a state secret, the list of information subject to classification as state secrets;
- conduct negotiations and sign international treaties of the Republic of Belarus on the protection of state secrets;
- make decisions on the transfer of state secrets to foreign states, international organizations and intergovernmental entities, unless otherwise stipulated by this Law;
- establish the procedure for granting access to state secrets to foreign citizens, stateless persons and citizens of Belarus permanently residing outside the Republic of Belarus;
- exercise other powers in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 5. Powers of the Council of Ministers of the Republic of Belarus

The Council of Ministers of the Republic of Belarus shall have the following powers in the field of state secrets:

- arrange the development of draft state programmes, the list of government agencies and other organizations empowered to classify information as a state secret and the list of information subject to classification as state secrets, submit them for approval to the President of the Republic of Belarus and take measures to implement state programmes;
- organize the development of draft legislative acts of the Republic of Belarus, including international treaties of the Republic of Belarus on the protection of state secrets, within the limits of its competence, and adopt the legislation of the Republic of Belarus;
- conclude intergovernmental treaties of the Republic of Belarus on the protection of state secrets and adopt measures to implement international treaties of the Republic of Belarus on the protection of state secrets;
- approve the regulations of expert commissions in the field of state secrets, the list of highly sensitive and sensitive sites, the provision on highly sensitive and secure facilities, and the establishment of activities of the divisions on the protection of state secrets;
- make decisions on the establishment of interdepartmental expert committees in the field of state secrets;
- establish procedures for determining the severity of the consequences, or possible consequences, and the damage caused, or possible damage caused, as a result of the disclosure or loss of state secrets;
- establish the procedure for providing citizens with personal security clearance, unless otherwise stipulated by this Law;
- establish, subject to the provisions of this Law, citizens' access to state secrets;
- establish, subject to the provisions of this Law, the procedure for the classification of information as a state secret and the classification, declassification, and protection of state secrets, with the exception of the technical protection of state secrets;
- subject to the provisions of this Law, establish the procedure for the distribution of state secrets to state bodies and other organizations;
- subject to the provisions of this Law, establish the procedure for the distribution of state secrets to foreign states, international organizations and intergovernmental bodies;

- set the amounts of extra bonuses to the salaries of citizens for the period of their access to state secrets, depending on the level of secrecy, and compensations to citizens for the period of the temporary restriction of their right to leave the Republic of Belarus, if they are aware of state secrets, and extra charges to tariff rates (salaries) of employees of departments for the protection of state secrets for work experience in these departments, as well as payment procedures;
- determine logistical and financial support for activities in the area of state secrets;
- exercise other powers in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 6. Powers of the Interdepartmental Commission for the Protection of State Secrets of the Security Council of the Republic of Belarus

In the area of state secrets, the Interdepartmental Commission on the Protection of State Secrets of the Security Council of the Republic of Belarus shall:

- coordinate the activities of state bodies and other organizations authorized to classify information as state secrets;
- prepare proposals to the President of the Republic of Belarus and the Security Council of the Republic of Belarus on the formation of state policy and the improvement of the protection of state secrets;
- examine draft state programmes and the legislative acts of the Republic of Belarus, including the international treaties of the Republic of Belarus on the protection of state secrets;
- exercise other powers in accordance with the legislative acts of the Republic of Belarus.

Article 7. Powers of the Authorized State Body for Protection of State Secrets

In the area of state secrets, the authorized state body on the protection of state secrets shall:

- coordinate the activities of state bodies and other organizations for the protection of state secrets;
- develop proposals on state policy formation and the improvement of the protection of state secrets;
- exercise state control;
- develop draft state programmes and legislative acts of the Republic of Belarus, including the international treaties of the Republic of Belarus on the protection of state secrets, within the limits of its competence;
- conduct verification activities in state bodies and other organizations in connection with the granting of access to state secrets;
- establish the procedure for issuing permits for the implementation of activities using state secrets, and issue, suspend, renew and cancel permits to carry out activities with the use of state secrets by state bodies and other organizations, except government agencies and other organizations empowered to classify information as a state secret;
- approve the lists of information subject to classification and the nomenclature of posts of employees who may have access to state secrets;
- agree to provide access to state secrets to citizens and those who are representatives of foreign states, international organizations and interstate entities;
- create expert commissions in the field of state secrets to consider materials about the possibility of distributing state secrets to foreign states, international organizations and intergovernmental entities;
- ensure the state registration of information systems containing state secrets;
- organize professional development, training and retraining for managers responsible for the protection of state secrets, and for other employees of state bodies and other organizations working with state secrets;
- render methodological and practical assistance to state bodies and other organizations carrying out activities with the use of state secrets and on the protection of state secrets;
- determine the procedure for the certification of managers responsible for the protection of state secrets unless otherwise provided in this Law;
- within their competence, delegate to state security bodies the authority to conduct verification activities in state bodies and other organizations, with the exception of state bodies and other organizations authorized to classify information as state secrets, in connection with granting them access to state secrets

and issuing, suspending, renewing and cancelling permits to carry out activities using state secrets to state bodies and other organizations, coordinate the nomenclature of positions of employees subject to access to state secrets and coordinate the granting of access to state secrets to citizens;

- exercise other powers in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 8. Powers of State Security Bodies

In the field of state secrets, state security bodies shall:

- coordinate the use of encrypted and other types of special communications by state bodies and other organizations, and monitor their use;
- coordinate the use by state bodies and other organizations of cryptographic means of protecting state secrets, and exercise control over their use;
- exercise control over the protection of state secrets within their powers, including control over the use of cryptographic means of protecting state secrets;
- confirm compliance of encrypted and other types of special communications and cryptographic means of protecting state secrets with the requirements of technical regulatory legal acts of the Republic of Belarus in the field of technical regulation and standardization and issue certificates of conformity;
- determine the procedure for the technical protection of state secrets in their activities, organize such technical protection and exercise control over it;
- determine the procedure for applying technical measures to protect state secrets in encrypted and other types of special communication systems, and monitor the application of such measures;
- develop draft acts of the legislation of the Republic of Belarus, including technical normative legal acts, and adopt acts of the legislation of the Republic of Belarus within their competence;
- coordinate the creation, reorganization, and dissolution by state bodies and other organizations of divisions for the protection of state secrets, as well as the appointment and dismissal of the heads of these divisions;
- conduct verification measures in relation to citizens in connection with granting them access to state secrets and their activities in the field of state secrets;
- make proposals to state bodies and other organizations that operate using state secrets regarding the temporary restriction of the right of citizens who are aware of state secrets to leave the Republic of Belarus;
- provide instructions to state bodies and other organizations that carry out activities using state secrets on the termination of access to state secrets by citizens;
- exercise other powers in accordance with this law and other legislative acts of the Republic of Belarus.

Article 9. Powers of the Operational and Analytical Centre of the President of the Republic of Belarus

(as amended by the Law of the Republic of Belarus, No. 196-3 of 23 October 2014)

The Operational and Analytical Centre of the President of the Republic of Belarus in the field of state secrets shall:

- determine the order of the technical protection of state secrets, unless otherwise specified in this Law;
- coordinate the technical protection of state secrets in government agencies and other organizations working with state secrets;
- control the technical protection of state secrets in government agencies and other organizations carrying out activities with the use of the state secrets through the procedure established by the centre, unless otherwise determined by the President of the Republic of Belarus and this Law;
- develop draft legislative acts of the Republic of Belarus, including technical regulatory legal acts, and adopt (issue), within its competence, the legislation of the Republic of Belarus on the technical protection of state secrets;
- ensure the means of the protection of state secrets conform with the requirements of technical normative legal acts of the Republic of Belarus in the area of technical regulation and standardization, with the exception of encryption, other types of special communications, and the cryptographic protection of state secrets;

- provide methodological guidance for the training, preparation and retraining of managers responsible for the protection of state secrets, and other workers of state bodies and other organizations engaged in activities using state secrets for the technical protection of state secrets, and determine the procedure for their certification;
- exercise other powers in accordance with the legislation of the Republic of Belarus.

CHAPTER 3. THE IMPLEMENTATION OF ACTIVITIES USING STATE SECRETS

Article 10. Activities Involving the Use of State Secrets

Activities involving the use of state secrets shall be carried out by state bodies and other organizations authorized to classify information as state secrets, other state bodies, organizations, and citizens.

The condition for carrying out activities using state secrets is that state bodies, other organizations and citizens have access to state secrets granted in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 11. Powers of State Bodies and Other Organizations Authorized to Classify Information as State Secrets

State bodies and other organizations authorized to classify information as state secrets, shall have the following powers in the area of state secrets:

- to classify certain information, and develop and approve lists of information that must be classified;
- to organize and implement the protection of state secrets within the scope of their activities;
- to submit proposals to the Council of Ministers of the Republic of Belarus on the creation of the lists of information subject to classification as state secrets and highly sensitive and sensitive sites, as well as proposals on the establishment of interdepartmental expert committees in the field of state secrets;
- to transmit state secrets to other state bodies and other organizations;
- to make decisions on the transfer of state secrets to foreign states, international organizations, interstate entities if there is an international treaty of the Republic of Belarus on the protection of state secrets;
- to supervise the protection of state secrets in the subordinated organizations, government bodies and other organizations in connection with work using state secrets;
- to agree on the establishment, reorganization and dissolution of divisions for the protection of state secrets in subordinate organizations and other government bodies and organizations in connection with work using state secrets;
- to create, reorganize and dissolve the divisions for the protection of state secrets;
- to determine the managers responsible for the protection of state secrets;
- to create conditions for the implementation of activities with the use of state secrets;
- to develop and approve the nomenclature of posts with access to state secrets;
- within their competence, to make decisions on the establishment of expert commissions in the field of state secrets;
- to provide professional development, training and retraining for managers responsible for the protection of state secrets, and other workers engaged in activities using state secrets;
- to exercise other powers in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 12. Powers of Other State Bodies and Organizations

Other state bodies and organizations engaged in activities using state secrets shall have the following powers in the field of state secrets:

- to organize and protect state secrets that are in their use;
- to exercise the powers provided for in Paragraphs Seven to Fourteen of Article 11 of this Law;
- to submit to state bodies and other organizations authorized to classify information as state secrets proposals on forming a list of information to be classified as state secrets, lists of information to be classified, a list of especially sensitive and sensitive sites, as well as proposals on creating expert commissions in the field of state secrets;
- to exercise other powers in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 13. Rights and Obligations of Citizens

In the field of state secrets, citizens shall have the right to:

- carry out activities with the use of state secrets in compliance with the requirements stipulated in this Law and other legislative acts of the Republic of Belarus on state secrets
- receive extra bonuses for the period of their access to state secrets, depending on the level of secrecy, as well as compensation payments for the period of the temporary restriction of their right to leave the Republic of Belarus, if they are aware of state secrets, and extra charges to tariff rates (salaries) for work experience in the units for protection of state secrets;
- be informed of the laws of the Republic of Belarus on state secrets to the extent necessary;
- enjoy other rights stipulated by this Law and other legislative acts of the Republic of Belarus.

Citizens shall comply with the requirements stipulated by this Law and other legislative acts of the Republic of Belarus on state secrets.

CHAPTER 4. INFORMATION THAT MAY OR MAY NOT BE CLASSIFIED AS STATE SECRETS**Article 14. Information That May be Classified as State Secret**

The following information may be classified:

- policy information:
 - on the strategy and tactics of foreign policy, as well as foreign economic activity;
 - on the preparation, conclusion, content, implementation, suspension or termination of the international treaties of the Republic of Belarus;
 - on the export and import of weapons and military equipment;
 - on the details or scope of economic cooperation with foreign countries in wartime;
- information in the field of economy and finance:
 - about the content of training plans for the economy to repel a possible military aggression;
 - on the mobilization capacities of industry for the manufacture and repair of weapons and military equipment;
 - plans (tasks) of state defence, and the output and supply of arms and military equipment;
 - the amount of financing from the republican budget for the Armed Forces of the Republic of Belarus, other troops and military formations, law-enforcement and other state bodies ensuring the national security of the Republic of Belarus;
 - about the production process for the protection system used in the production of banknotes, securities and other instruments with a certain level of protection provided by the state;
- information in the field of science and technology:
 - on the content of state and other programmes and concepts in areas that determine the national security of the Republic of Belarus;
 - on the conduct of research and development in the interests of the national security of the Republic of Belarus;
- information in the military field:
 - about the plans of the Armed Forces of the Republic of Belarus, the contents of the main directions (programmes) of development of arms and military equipment;
 - on the tactical-technical characteristics and capabilities of the combat use of weapons and military equipment;
 - the control system of the Armed Forces of the Republic of Belarus;
 - about the content of strategic or operational plans on territorial defence; command and control documents for the preparation and conduct of operations; the strategic deployment of the Armed Forces of the Republic of Belarus, other troops and military formations and their combat and mobilization readiness; and the mobilization of resources;
 - about the purpose, location, and extent of security; the protection of highly sensitive and sensitive sites and government property in time of war; as well as their design, construction, operation, and preparedness;

- information in the field of intelligence, counterintelligence and operational search:
 - on organization, tactics, forces, means, objects, methods, plans, intelligence, counterintelligence and operational search, including to ensure their own security in authorities engaged in such activities;
 - on the financing of activities undertaken by bodies carrying out intelligence, counterintelligence and operational search activities;
 - on citizens who are secretly providing (have provided) assistance to bodies carrying out espionage, counterintelligence and operational search, as well as undercover employees, including those embedded in organized groups that perform (have performed) specific tasks;
- data in the area of information security and other areas of national security of the Republic of Belarus:
 - about the content, organization or results of key activities of the Security Council of the Republic of Belarus, and state bodies ensuring the national security of the Republic of Belarus;
 - about the organization, forces, means and methods used to ensure the security of guarded civilians and objects;
 - on the financing of activities undertaken to ensure the security of guarded civilians and objects;
 - on the system, methods and means used for the protection of state secrets;
 - on ciphers, encrypted systems and other types of special communication;
 - other data in the field of politics, economy, finance, science, military technology, technology in the field of the military, intelligence, counterintelligence, operational search, information and other areas of national security of the Republic of Belarus that are included in the list of information subject to classification as state secrets.

Article 15. Information That Shall not be Classified as State Secrets:

The following information shall not be classified as state secrets:

- publicly available information, access to, distribution and/or provision of which cannot be restricted in accordance with the legislative acts of the Republic of Belarus;
- information owned by foreign states, international organizations or interstate entities transferred to the Republic of Belarus.

CHAPTER 5. CATEGORIES OF STATE SECRETS, THE LEVEL OF SECRECY AND SECRECY LABELS

Article 16. Categories of State Secrets

State secrets may be of two categories: a state secret (information constituting a state secret) or an official secret (information constituting an official secret).

A state secret is information that may result in serious consequences for the national security of the Republic of Belarus if disclosed or lost.

An official secret is information that may cause significant harm to the national security of the Republic of Belarus as a result of its disclosure or loss.

An official secret may be an integral part of a state secret without disclosing it as a whole.

Article 17. Secrecy Levels

Depending on the severity of the consequences that have occurred or may occur, or the amount of harm that has been caused or may be caused as a result of disclosure or loss, the following levels of secrecy shall be established:

- 'Highly Sensitive' or 'Top Secret' for state secrets;
- 'Confidential' for official secrets.

Article 18. Secrecy Labels

State secret carriers and/or accompanying documentation, depending on the secrecy level, shall have the following secrecy labels:

- for state secrets carriers and/or accompanying documentation: 'Highly Sensitive' or 'Top Secret';
- for carriers of official secrets and/or accompanying documentation: 'Secret'.

CHAPTER 6. ASSIGNING INFORMATION TO STATE SECRETS AND CLASSIFICATION AND DECLASSIFICATION

Article 19. The Classification of Information as a State Secret

Information may be classified as a state secret by defining the type of information that shall be protected in accordance with this Law and other legislative acts of the Republic of Belarus.

Information may be classified as state secrets by state bodies and other organizations authorized to do so, taking into account the list of information to be classified as state secrets.

State bodies and other organizations authorized to classify information as state secrets develop and approve lists of information subject to classification in their field of activity.

Information collected by public authorities, other organizations and citizens while carrying out activities related to use of state secrets, for which they are the owners, can be classified as state secrets, after the transfer of this information by these state bodies and other organizations and citizens under the agreement to the state body and other organization that is given the authority to classify information a state secret.

The contract for the transfer of such information shall be concluded in accordance with the Civil Code of the Republic of Belarus and must contain conditions for the transfer of such information.

Until a decision is made to classify the information specified in Part Four of this Article, state bodies, other organizations and citizens shall protect such information.

Article 20. Determination and Modification of the Level of Secrecy

The level of secrecy shall be determined and modified by state bodies and other organizations authorized to classify information as state secrets, within the scope of their activities.

Article 21. Classification

Information shall be classified on the basis of the list of information subject to classification, by setting restrictions on the distribution and/or provision of information and applying other protection measures in accordance with this Law and other legislative acts of the Republic of Belarus.

When classified, the carrier of state secrets and/or accompanying documentation, shall be marked with a security stamp.

Article 22. Classification Time Period and Changes to the Classification Time Periods

As a rule, the following time periods for classification are established for state secrets:

- up to thirty years for state secrets;
- up to ten years for official secrets.

The classification time period shall be calculated starting from the date of classification.

Changes in the classification time period may be made on the basis of decisions of state bodies and other organizations authorized to classify information as state secrets.

Article 23. Declassification

Information may be declassified by removing restrictions on the distribution and/or provision of state secrets and cancelling other protection measures.

Declassification may be made on the basis of decisions of state bodies and other organizations authorized to classify information as state secrets.

When declassified, the secrecy label on the carrier of state secrets and/or accompanying documentation shall be cancelled.

CHAPTER 7. THE OWNERSHIP OF STATE SECRETS AND THE POSSESSION, USE, AND DISPOSAL OF STATE SECRETS

Article 24. The Ownership of State Secrets

State secrets shall be the property of the Republic of Belarus.

Article 25. The Possession, Use and Disposal of State Secrets

State bodies and other organizations authorized to classify information as state secrets, in the area of their activities, exercise the right to possess, use and dispose of state secrets in accordance with legal acts of the Republic of Belarus.

Other state bodies and organizations involved in activities with the use of state secrets exercise the right to use and dispose of state secrets within the limits of the powers granted to them by state bodies and other organizations authorized to classify information as state secrets.

Article 26. The Distribution of State Secrets to State Bodies and Other Organizations

State secrets may be distributed to state bodies and other organizations for the purpose of exercising their powers or in connection with work requiring state secrets to the extent necessary for the exercise of these powers or such work.

State secrets may be transferred to state bodies and other organizations on the basis of decisions of state bodies and other organizations authorized to classify information as state secrets.

Article 27. The Distribution of State Secrets to Foreign States, International Organizations, and Intergovernmental Entities

State secrets may be distributed to foreign states, international organizations, and intergovernmental entities on the basis of decisions of the President of the Republic of Belarus or the heads of the state bodies and other organizations authorized to classify information as state secrets within their jurisdiction based on the conclusion of the authorized state body for the protection of state secrets.

The decision to distribute state secrets to foreign states, international organizations, and intergovernmental entities shall be made by the President of the Republic of Belarus subject to the obligation of a foreign state, international organization or interstate entity to protect state secrets.

The decision to distribute official secrets to foreign states, international organizations and interstate entities shall be made by the heads of state bodies and other organizations authorized to classify information as state secrets, if there is an international agreement of the Republic of Belarus on the protection of state secrets.

CHAPTER 8. THE PROTECTION OF STATE SECRETS

Article 28. Ensuring the Protection of State Secrets in State Bodies and Other Organizations

Ensuring the protection of state secrets in state bodies and other organizations shall be entrusted to their leadership.

State secrets shall be protected through the application of legal, organizational and technical measures, including the use of certified means to protect state secrets, encryption and other types of special communications, and other measures in accordance with the legislation of the Republic of Belarus in order to prevent serious consequences or significant harm to the national security of the Republic of Belarus.

State bodies and other organizations authorized to classify information as state secrets must establish divisions for the protection of state secrets.

Other state bodies and organizations shall, based on the decisions of their heads, create divisions for the protection of state secrets or conclude a contract for the provision of state secret protection services with a state body or other organization that has a division for the protection of state secrets, in coordination with the state body or other organization that communicates state secrets to them.

State bodies and other organizations, in the event of their reorganization or liquidation, as well as the termination of activities involving the use of state secrets, shall take measures to protect state secrets in their possession in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 29. The Protection of State Secrets of Foreign States, International Organizations and Intergovernmental Entities

State secrets to foreign states, international organizations, and intergovernmental entities distributed to the Republic of Belarus on the basis of international treaties or in connection with its membership to these international organizations or intergovernmental formations, as well as information generated in their use, shall be protected in accordance with this Law and other legislative acts of the Republic of Belarus, including

the international treaties of the Republic of Belarus on the protection of state secrets, and subject to the requirements of foreign states, international organizations and intergovernmental entities that have distributed the respective state secrets.

CHAPTER 9. PROVIDING SECURITY CLEARANCE AND ACCESS TO STATE SECRETS

Article 30. The Terms of Providing Security Clearance to State Secrets by State and other Organizations

The security clearance by state bodies and other organizations shall be subject to their compliance with the legislation of the Republic of Belarus on state secrets and when:

- they have a division for the protection of state secrets, where the number and level of qualification of employees is sufficient for the protection of state secrets, or they have concluded a service contract for the protection of state secrets with a state body and other organization that has a division for the protection of state secrets;
- they developed and approved the nomenclature of posts of employees subject to the security clearance;
- their managers responsible for ensuring the protection of state secrets have security clearance;
- they adopted other measures for protection of state secrets under the laws of the Republic of Belarus on state secrets.

Article 31. Providing Security Clearance by State Bodies and other Organizations Authorized to Classify Information as State Secrets

The security clearance by state bodies and other organizations authorized to classify information as state secrets shall be granted on the basis of their inclusion in the list of state bodies and other organizations authorized to classify information as state secrets, approved by the President of the Republic of Belarus.

State bodies and other organizations authorized to classify information as state secrets shall carry out activities using state secrets if they have a division for the protection of state secrets in their structure and meet the conditions provided for in Paragraphs One, Three, and Five of Article 30 of this Law. Information about the status of the protection of state secrets in state bodies and other organizations authorized to classify information as state secrets shall be taken into account during the certification of their managers in accordance with the legislation of the Republic of Belarus.

Article 32. Security Clearance by Other State Bodies and Organizations

Security clearance by other state bodies and other organizations shall be granted on the basis of a permit to carry out activities using state secrets issued by the authorized state body for the protection of state secrets or by the state security body in the case provided for in Paragraph Fifteen of Article 7 of this Law, based on the results of verification measures.

A permit to carry out activities using state secrets shall be issued after other state bodies and other organizations meet the conditions stipulated in Article 30 of this Law and the certification of their managers responsible for ensuring the protection of state secrets.

Article 33. Conditions for Granting Security Clearance to Citizens

Security clearance shall be granted to citizens if:

- they are aware of the legislative acts of the Republic of Belarus which establish liability for the violation of legislation of the Republic of Belarus on state secrets, including the temporary restriction of citizens' rights under Article 41 of this Law;
- they consent in writing to an inspection in connection with the granting of security clearance;
- they complete a special form indicating their personal information;
- their request is approved by the authorized state body on the protection of state secrets or state security in the case envisaged by Paragraph Fifteen of Article 7 of this Law;
- verification measures have been carried out for the citizen in connection with the granting of security clearance;
- they have received documents from foreign states providing rights to benefits and advantages, in connection with political, religious beliefs or nationality, referred to them for the duration of work (service) in the personnel department of the relevant state body or other organization.

The obligation of citizens who require security clearance in order to perform their duties at the place of work (service) to comply with the requirements of the legislation of the Republic of Belarus on state secrets shall be specified in the employment agreement (contract).

Security clearance shall be granted to citizens of the Republic of Belarus specified in Article 35 of this Law without the consent of the authorized state body for the protection of state secrets and verification measures carried out in relation to them in connection with granting them access to state secrets.

Security clearance shall be granted to citizens of the Republic of Belarus who are full-time secret employees of bodies engaged in intelligence, counterintelligence and operational search activities without the consent of the authorized state body for the protection of state secrets.

Citizens who have reached the age of sixteen but are under the age of eighteen may be granted admission to restricted information.

Verification measures for citizens in connection with granting them security clearance shall be carried out by intelligence, counterintelligence and operational search bodies within their competence.

The provisions of Parts One to Six of this Article shall not apply to:

- participants in criminal, civil, commercial or administrative proceedings (or their representatives) who have security clearance during the period of their participation in the process;
- citizens providing confidential assistance to bodies carrying out intelligence, counterintelligence and operational-investigative activities who have security clearance to assist on a confidential basis;
- citizens recruited by the bodies to carry out intelligence, counterintelligence and operational-search activities and to participate in operative search activities who have security clearance when they take part in the operational search activity;
- reservists called up for military or special training camps or military service under mobilization to whom the security clearance is provided for the period of military service.

The decision to grant access to state secrets to citizens specified in Paragraphs Two to Four of Part Seven of this Article shall be considered once such citizens signed the written obligation to comply with the requirements of the legislation of the Republic of Belarus on state secrets and to warn them of their responsibilities regarding the disclosure of information constituting state secrets.

The decision to grant security clearance to citizens specified in Paragraph Five of Part Seven of this Article shall be taken on the date of appointment of such citizens to the positions of military personnel, and included in the nomenclature of positions subject to the security clearance.

Article 34. Granting Security Clearance to Citizens may be granted security clearance in the following cases:

- citizens of the Republic of Belarus permanently residing in the Republic of Belarus who are employees of state bodies and other organizations using state secrets in their work, on the basis of decisions of heads of state bodies and other organizations, taking into account the duties performed by employees at the place of work (service);
- citizens of the Republic of Belarus permanently residing in the Republic of Belarus who are not employees of state bodies and other organizations using state secrets in their work, on the basis of decisions of heads of state bodies and other organizations to involve them in work that requires using state secrets;
- citizens of the Republic of Belarus specified in Article 35 of this Law, on the basis of decisions on their election (appointment) to their respective positions;
- the parties to criminal, civil, economic or administrative processes, not having access to state secrets on the basis of decisions of bodies, conducting respectively criminal, civil, economic or administrative processes;
- foreign citizens, stateless persons and citizens of Belarus permanently residing outside the Republic of Belarus (with the exception of citizens who are representatives of foreign states, international organizations or intergovernmental entities involved in the implementation of the concluded agreements (contracts) involving the use of state secrets), on the basis of decisions in the interests of the Republic of Belarus of their professional skills and qualifications, taking into account the conclusion of the authorized state body on the protection of state secrets on the granting of security clearance;

- citizens providing confidential assistance to intelligence, counterintelligence and operational search; citizens of the Republic of Belarus, who are undercover agents; and citizens recruited by these bodies to participate in the investigative action, on the basis of decisions of intelligence, counterintelligence and operational search bodies.

The decision to grant citizens security clearance shall be made in accordance with this Law and other legislative acts of the Republic of Belarus.

Citizens may not be appointed to positions that require access to state secrets, without granting them such access.

(Part Three of Article 34 is included by the Law of the Republic of Belarus of 17 July 2018, No. 124-3)

Article 35. Security Clearance to Citizens of the Republic of Belarus due to Their Election (Appointment) to Office

Security clearance in connection with election (appointment) to office shall be granted to:

- the President of the Republic of Belarus once the President has entered office;
- the Prime Minister of the Republic of Belarus once he is appointed to office;
- officials elected (appointed) to the highest state positions of the Republic of Belarus and their deputies, the heads of state bodies and other state organizations subordinated to the President of the Republic of Belarus, heads of state bodies and other state organizations subordinated to the Government of the Republic of Belarus, Chairpersons of regional and Minsk city executive committees, the Chief of staff of the Council of Ministers of the Republic of Belarus and the assistant to the President of the Republic of Belarus, on the date of election (appointment) to office, unless otherwise provided in this Article;
- deputies of the House of Representatives, members of the Council of the Republic of the National Assembly of the Republic of Belarus and deputies of local Councils of Deputies at the beginning of their term of office;
- judges on the date of their appointment (election) to the position.

Article 36. Types of Security Clearance

Depending on the level of secrecy, there are three types of security clearance:

- No. 1: security clearance for access to 'Top secret' state secrets;
- No. 2: security clearance for access to 'Secret' state secrets;
- No. 3: security clearance for access to 'Confidential' state secrets.

Article 37. Grounds for Refusal to Grant Security Clearance to Citizens

The grounds for refusal to grant security clearance to citizens shall be:

- failure to comply with the terms of security clearance;
- if a citizen is recognized as legally incompetent by a court;
- if a citizen has a disease which hinders his ability to work with state secrets, according to the list approved by the Ministry of Health of the Republic of Belarus.

The citizen may be denied security clearance in the following cases:

- the initiation of a criminal case against this citizen or his involvement as a suspect or accused in a criminal case initiated against other citizens, or on the fact of committing a crime;
- the presence of criminal, civil, economic, or administrative processes involving the violation of legislation of the Republic of Belarus on state secrets by such citizen;
- an outstanding conviction for committing an intentional crime;
- executing by the citizen of documents for permanent residence outside the Republic of Belarus;
- the submission of obviously false personal data by a citizen.

The denial of security clearance to citizens, as well as citizens' refusal to have such admission, shall be an obstacle to the continuation of work (service) in the position held by citizens requiring security clearance to perform their duties at the place of work (service), and therefore an employment agreement (contract) with them may be terminated on the grounds provided for by the legislative acts of the Republic of Belarus.

A decision to deny security clearance to citizens shall be made in accordance with this Law and other legislative acts of the Republic of Belarus and may be appealed to a higher state body (higher organization) and/or to a court.

Article 38. The Termination of Citizens' Security Clearance

The citizens' security clearance shall be terminated in case of:

- the termination of employment agreements (contracts) between citizens and state bodies and other organizations working with state secrets;
- the completion of participation in the performance of work using state secrets or the cessation of such works;
- the termination of powers of the citizens of the Republic of Belarus, referred to in Article 35 of this Law;
- the end of participation in a criminal, civil, economic, or administrative process of citizens during which access to state secrets was granted by the decision of the body conducting the criminal, civil, economic or administrative process;
- the end of the use of professional skills and qualifications of citizens in the interests of the Republic of Belarus;
- the end of the provision of assistance to the intelligence, counterintelligence and operational-search activity on a confidential basis, or regular duties of undercover law enforcement officers or the engagement of citizens by these authorities to participate in investigative activities;
- exceptions to the duties performed by the citizens at the place of work (service) or during the performance of work using the state secrets or activities using state secrets;
- the emergence (detection) of the grounds provided by Part One of Article 37 of this Law;
- regulations on the termination of security clearance by citizens issued by state security bodies and other organizations carrying out activities with the use of the state secrets;
- the expiration of security clearance by citizens;
- receiving documents by citizens from foreign states that provide rights to benefits and advantages in connection with political, religious beliefs or nationality.

Citizens' security clearance may be terminated in the following cases:

- a single violation by a citizen of the requirements of the legislation of the Republic of Belarus on state secrets, if this violation resulted in the disclosure or loss of state secrets;
- the occurrence (identification) of the grounds provided for in Part Two of Article 37 of this Law.

The termination of security clearance for citizens who, in order to perform their duties at the place of work (service), require such access, in the cases provided for in Parts One and Two of Article 37 of this Law, Paragraphs Ten and Twelve of Part One and Paragraph Two of Part Two of this article, and may no longer continue their work (service) in their position unimpeded, may have their employment agreement (contract) terminated on the grounds provided for by the legislative acts of the Republic of Belarus.

The termination of citizens' access to state secrets shall not exempt them from complying with the legislation of the Republic of Belarus on state secrets, including possible temporary restrictions on their right to leave the Republic of Belarus, if they are aware of state secrets.

The decision to terminate citizens' security clearance shall be made in accordance with this Law and other legislative acts of the Republic of Belarus and may be appealed to a higher state body (higher organization) and/or to a court.

Article 39. Access to State Secrets by Citizens

Access to state secrets may be granted to citizens on the basis of the access granted to them after they have been sufficiently informed of the legislation of the Republic of Belarus on state secrets.

Heads of state bodies and other organizations that carry out activities using state secrets shall create conditions for citizens to have access to state secrets, in which citizens will have access only to those state secrets and to the extent necessary for them to perform their duties.

Access to 'Top Secret', 'Secret' and 'Confidential' state secrets shall be given if Form No. 1 is available.

Access to 'Secret' and 'Confidential' state secrets shall be given if Form No. 2 is available.

Access to 'Confidential' state secrets shall be given if Form No. 3 is available.

Access to state secrets may be given to:

- citizens of the Republic of Belarus permanently residing in the Republic of Belarus during the performance of their duties at the place of work (service) or in connection with their involvement in work using state secrets;
- citizens of the Republic of Belarus specified in Article 35 of this Law while exercising their powers in connection with their election (appointment) to appropriate positions;
- participants (their representatives) in criminal, civil, economic or administrative proceedings during their participation in the process in accordance with the procedural legislation of the Republic of Belarus;
- foreign citizens, stateless persons and citizens of Belarus permanently residing outside the Republic of Belarus (with the exception of citizens who are representatives of foreign states, international organizations or intergovernmental entities involved in the implementation of concluded agreements (contracts) requiring the use of state secrets), during the period of use of their professional skills and qualifications in the interests of the Republic of Belarus;
- citizens who are representatives of foreign states, international organizations, intergovernmental entities involved in the implementation of concluded agreements (contracts) involving the use of the state secrets under the international treaties of the Republic of Belarus on the protection of state secrets and coordination with the authorized state body on protection of state secrets during the period of their participation in the implementation of concluded agreements (contracts) requiring the use of state secrets;
- citizens providing confidential assistance to intelligence, counterintelligence and operational search bodies, citizens of the Republic of Belarus who are undercover agents, and citizens engaged in the participation of operational search activities, during the period that they provide assistance on a confidential basis to these bodies or the duties of the undercover agents or for the time of their participation in investigative actions.

The body conducting criminal, civil, economic or administrative proceedings, within thirty days of issuing the relevant decision, sentence or determination in the case, the materials of which contain information constituting state secrets, shall notify in writing the state body or other organization that provided state secrets about citizens who have become familiar with state secrets, including their procedural status, surname, proper name, patronymic (if any), date and place of birth, citizenship, place of residence, work (service, study), as well as the name, classification of secrecy, the dates of registration and registration indexes of state secret holders that these citizens have read. If security measures applied to a participant during criminal proceedings include the non-disclosure of personal information, the notification shall indicate the changed personal data. With respect to the judge, people's assessors, court secretary, prosecutor, defence lawyer, expert and employees of the internal affairs bodies who are part of the convoy present in the courtroom, the notification shall have the surname, first name, patronymic (if any), place of work (service) and position held.

CHAPTER 10. THE PROTECTION OF THE RIGHTS AND LEGITIMATE INTERESTS OF STATE BODIES, OTHER ORGANIZATIONS AND CITIZENS IN THE FIELD OF STATE SECRETS

Article 40. The Protection of the Rights and Legitimate Interests of State Bodies, Other Organizations and Citizens in the Field of State Secrets

The rights and legitimate interests of state bodies, other organizations and citizens in the field of state secrets shall be protected in accordance with this Law and other legislative acts of the Republic of Belarus.

Damage caused as a result of the violation of the legislation of the Republic of Belarus on state secrets shall be subject to compensation in accordance with the procedure established by legal acts of the Republic of Belarus.

Article 41. The Temporary Restriction of Citizens' Rights

Citizens may be temporarily restricted in their right to privacy during the period of verification procedures in relation to them in connection with granting them security clearance.

Citizens who are aware of state secrets may be temporarily restricted in their right to leave the Republic of Belarus in accordance with the legislative acts of the Republic of Belarus.

Citizens who are granted security clearance shall not be entitled to receive documents from foreign states that grant rights to benefits and advantages in connection with political or religious views or nationality, nor to enjoy such benefits and advantages unless otherwise stipulated by the international treaties of the Republic of Belarus.

Article 42. Allowances and Compensations to Citizens

Citizens who have or have had access to state secrets shall be paid allowances in addition to their tariff rates (salaries) for the period of their access to state secrets, depending on the level of secrecy, as well as compensation payments for the period of temporary restriction of their right to leave the Republic of Belarus, if they are aware of state secrets.

Employees of state secret protection divisions in state bodies and other organizations that operate using state secrets shall, in addition to the allowances and compensation payments established by the first part of this Article, be entitled to additional bonuses for the length of service in these divisions.

CHAPTER 11. SUPERVISION, CONTROL, AND RESPONSIBILITY IN THE FIELD OF STATE SECRETS AND THE FINANCING OF MEASURES TO PROTECT STATE SECRETS

Article 43. Supervision over Compliance with the Legislation of the Republic of Belarus on State Secrets

The General Prosecutor of the Republic of Belarus and subordinate prosecutors within their powers shall supervise to ensure correct and uniform compliance with the state legislation of the Republic of Belarus on state secrets.

Article 44. State Control in the Field of State Secrets

State control in the field of state secrets shall be ensured by the authorized state body for the protection of state secrets in accordance with the procedure established by the President of the Republic of Belarus.

Article 45. Control over the Protection of State Secrets

Control of state secrets protection shall be ensured by state security bodies, state bodies and other organizations empowered to classify information as a state secret, within their competence, as well as other state bodies and other organizations that use state secrets in the procedure established by the Council of Ministers of the Republic of Belarus, unless otherwise determined by the President of the Republic of Belarus.

Article 46. Responsibility in the Field of State Secrets

Any violation of the legislation of the Republic of Belarus on state secrets shall entail responsibility established by the legislative acts of the Republic of Belarus.

Responsibility for organizing the protection of state secrets in state bodies and other organizations that carry out activities using state secrets is assigned to their heads.

Article 47. The Financing of Measures for the Protection of State Secrets

Any measures for the protection of state secrets shall be financed at the expense of the national and local budgets, as well as other sources not prohibited by legal acts of the Republic of Belarus.

CHAPTER 12. FINAL PROVISIONS

Article 48. Annulment of Certain Legislative Acts of the Republic of Belarus and Individual Provisions of the Laws of the Republic of Belarus

The following laws shall be declared invalid:

The Law of the Republic of Belarus 'On State Secrets' of 29 November 1994;

The Law of the Republic of Belarus 'On Amendments and Additions to the Law of the Republic of Belarus 'On State Secrets' of 4 January 2003 (National Register of Legal Acts of the Republic of Belarus, 2003, No. 8, 2/921);

Article 10 of the Law of the Republic of Belarus 'On Amendments and Additions to Certain Laws of the Republic of Belarus on Licensing Certain Activities, and the Annulment of Some Legislative Acts of the

Republic of Belarus' of 29 June 2006 (National Register of Legal Acts of the Republic of Belarus, 2006, No. 107, 2/1235);

Article 11 of the Law of the Republic of Belarus 'On Amendments and Additions to Certain Laws of the Republic of Belarus on Technical Regulation, Standardization and Conformity Assessment to Requirements of Technical Standards in the Field of Technical Regulation and Standardization' of 20 July 2006 (National Register of Legal Acts of the Republic of Belarus, 2006, No. 122, 2/1259); Resolution of the Supreme Council of the Republic of Belarus of 29 November 1994 'On the Procedure for Enforcement of the Law of the Republic of Belarus 'On State Secrets'.

Article 49. Measures to Implement the Provisions of This Law

The Council of Ministers of the Republic of Belarus within six-months shall:

- develop and make, in the established order, proposals on bringing legislative acts of the Republic of Belarus into conformity with this Law;
- bring decisions of the Government of the Republic of Belarus into conformity with this Law;
- ensure bringing normative legal acts into conformity with this Law by the bodies of state administration subordinated to the Government of the Republic of Belarus;
- take other measures necessary to implement the provisions of this Law.

Article 50. Entry Into Force

This Law shall enter into force six months after its official publication, with the exception of this Article and Article 49, which shall enter into force on the day of the official publication of this Law.

President of the Republic of Belarus

A. Lukashenka

LAW OF THE REPUBLIC OF BELARUS

‘On the Border Service Agencies of the Republic of Belarus’

11 November 2008, No. 454-3

Adopted by the House of Representatives on 10 October 2008
Approved by the Council of the Republic on 22 October 2008

(In the wording of the Law of the Republic of Belarus of 9 January 2019, No. 168-3)

This Law defines the legal and organizational basis for the activities of the Border Service Agencies of the Republic of Belarus (hereinafter referred to as the ‘Border Service Agencies’), establishes the duties and rights of the Border Service Agencies and their officers, and guarantees legal and social protection for Border Service Agencies officers and their family members.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Border Service Agencies and Their Purpose

The Border Service Agencies are state bodies and organizations involved in the implementation of the state border policy, ensuring border security of the Republic of Belarus (hereinafter – ‘border security’) and performing law enforcement functions.

Border Service Agencies are an integral part of the national security system of the Republic of Belarus.

Article 2. Main Tasks of the Border Service Agencies

The main tasks of the Border Service Agencies include:

- participation in the formation of the state border policy;
- ensuring border security;
- the protection of the State Border of the Republic of Belarus (hereinafter – the ‘State Border’);
- the organization of interaction and coordination of activities of state bodies and other organizations in the field of State Border policy and border security;
- the prevention, detection, and suppression of crimes and administrative offences that pose a threat to border security (hereinafter, unless otherwise specified, – ‘offences’), in accordance with the legislative acts of the Republic of Belarus;
- citizens of the Republic of Belarus, foreign citizens and stateless persons (hereinafter referred to as ‘citizens’, unless otherwise specified) are allowed to pass through the State Border, with the exception of simplified checkpoints or those managed by customs authorities.

The Border Service Agencies may be assigned other tasks by the legislative acts of the Republic of Belarus.

Article 3. Legal Basis for the Activities of Border Service Agencies

The legal basis for the activities of Border Service Agencies is the Constitution of the Republic of Belarus, this Law, decrees, and enactments of the President of the Republic of Belarus, and other legislative acts of the Republic of Belarus.

If an international treaty of the Republic of Belarus (hereinafter referred to as an ‘international treaty’) establishes rules other than those provided for by this Law, the rules of the international treaty shall apply.

Article 4. Principles of Activity of Border Service Agencies

The activities of the Border Service Agencies are based on the following principles:

- legality;
- the respect and observance of the rights, freedoms and legitimate interests of citizens;
- humanism;
- the inviolability of the State Border;
- the peaceful resolution of border issues and incidents;
- mutually beneficial comprehensive cooperation with foreign countries;

- a combination of public and non-public methods and means of activity;
- a unified approach to the Border Service Agencies system and centralized management;
- independence from the activities of political parties and other public associations.

Article 5. Activities of Border Service Agencies and Citizens Rights

The state guarantees respect for and observance of the rights, freedoms, and legitimate interests of citizens in the process of carrying out the activities of the Border Service Agencies.

The restriction of citizens' rights and freedoms by Border Service Agencies (their officers) is allowed only in cases stipulated by this Law and other legislative acts of the Republic of Belarus.

Information obtained during the course of the activities of the Border Service Agencies concerning the personal life of citizens that affects their honour, dignity or business reputation or that may harm their legitimate interests cannot be transferred by the Border Service Agencies (their officers) to anyone without the consent of these citizens, except in cases provided for by the legislative acts of the Republic of Belarus.

Citizens who believe that the actions (inaction) of the Border Service Agencies (their officers) resulted in an infringement of their rights, freedoms and legitimate interests have the right to appeal these actions (inaction) to a higher state body or a higher official, prosecutor or court.

Article 6. The Interaction of Border Service Agencies with other State Bodies, other Organizations and Citizens

The Border Service Agencies carry out their activities in cooperation with other state bodies and other organizations of the Republic of Belarus and foreign states, international organizations, interstate entities and citizens.

State bodies and other organizations, within the limits of their competence, are obliged to assist the Border Service Agencies in the performance of their duties as defined by this Law and other legislative acts of the Republic of Belarus.

Citizens can voluntarily participate in the performance of tasks assigned to the Border Service Agencies, including on a confidential basis, in accordance with the procedure established by the legislation of the Republic of Belarus.

The interaction of Border Service Agencies with the competent authorities of foreign states, international organizations and interstate entities is carried out in accordance with the legislative acts of the Republic of Belarus and international treaties.

CHAPTER 2. THE SYSTEM OF THE BORDER SERVICE AGENCIES AND THEIR MANAGEMENT

Article 7. The System of Border Service Agencies

The Border Service Agencies form a single system, which includes:

- The State Border Committee of the Republic of Belarus (hereinafter referred to as the 'State Border Committee'), which heads the system of the Border Service Agencies;
- territorial bodies of the Border Service;
- the special purpose unit of the Border Service;
- organizations created by the decision of the President of the Republic of Belarus to ensure the fulfilment of tasks assigned to the Border Service Agencies;
- other Border Service Agencies established by the decision of the President of the Republic of Belarus.

Article 8. The Management of the Border Service Agencies

The President of the Republic of Belarus, as well as the Council of Ministers of the Republic of Belarus, exercise the general management of the Border Service Agencies within the powers delegated to them by the President of the Republic of Belarus.

The Chairman of the State Border Committee directly manages the Border Service Agencies.

Article 9. State Border Committee

The State Border Committee is a state management body that conducts State Border policy, ensures border security, regulates and manages this sphere, and coordinates the activities of state bodies and other organizations in the field of State Border policy and border security.

Article 10. Territorial Bodies of the Border Service

Territorial bodies of the Border Service include border departments, border groups and border detachments that perform tasks assigned to the Border Service Agencies by this Law and other legislative acts of the Republic of Belarus on a certain territory.

Territorial bodies of the Border Service are legal entities that have public and classified names, seals with the image of the state emblem of the Republic of Belarus, and the corresponding names.

Regulations on territorial bodies of the Border Service Agencies are approved by the Chairman of the State Border Committee.

Article 11. Special Purpose Unit of the Border Service

The special purpose unit of the Border Service performs tasks related to the prevention, detection, and suppression of offences, participates in ensuring the Border Service Agencies' own security, the security of protected persons and objects, and performs other tasks assigned to the Border Service Agencies.

The special purpose unit of the Border Service is a legal entity that has a public and a classified name, and seals with the image of the state emblem of the Republic of Belarus, and the corresponding names.

The regulations on the special purpose unit of the Border Service are approved by the President of the Republic of Belarus.

Article 12. Organizations Created to Ensure the Fulfilment of Tasks Assigned to the Border Service Agencies

The entities established by the decision of the President of the Republic of Belarus in order to ensure the implementation of tasks entrusted to the Border Service Agencies are educational institutions; healthcare organizations; and military units and other organizations that perform tasks for the training, retraining, and advanced training of military and civilian personnel of the Border Service Agencies, the implementation of preventive, curative and other measures aimed at protecting and promoting the health of military and civilian personnel of the Border Service Agencies, and the provision of the Border Service Agencies with weapons, military and special technology (hereinafter – 'military equipment'), special equipment, all supplies, and rations to ensure operational and other activities of the Border Service Agencies.

Organizations created to ensure the fulfilment of tasks assigned to the Border Service Agencies may also perform other tasks in accordance with this Law and other legislative acts of the Republic of Belarus.

Organizations created to ensure the fulfilment of tasks assigned to the Border Service Agencies are legal entities that have public or classified names, seals with the image of the State Emblem of the Republic of Belarus, and the corresponding names.

The organization charters created to ensure the fulfilment of tasks assigned to the Border Service Agencies are approved by the Chairman of the State Border Committee.

CHAPTER 3. POWERS OF THE PRESIDENT OF THE REPUBLIC OF BELARUS, THE COUNCIL OF MINISTERS OF THE REPUBLIC OF BELARUS AND LOCAL GOVERNMENT AND SELF-GOVERNMENT BODIES IN THE FIELD OF BORDER SERVICE AGENCIES' ACTIVITY**Article 13. Powers of the President of the Republic of Belarus in the Sphere of Activity of the Border Service Agencies**

The President of the Republic of Belarus in the field of Border Service Activities:

- performs general supervision of Border Service Agencies;
- approves the regulations on the State Border Committee;
- establishes the total manpower and structure of Border Service Agencies;
- approves the organizational and staff structure of the State Border Committee on the recommendation of the Chairman of the State Border Committee;
- appoints and dismisses the Chairman of the State Border Committee and his deputies, as well as other officials of the Border Service Agencies in cases stipulated by the legislative acts of the Republic of Belarus;
- approves the list of weapons, military equipment and special equipment that are used by the Border Service Agencies;

- establishes the procedure and standards for material and technical support for Border Service Agencies, unless otherwise determined by the President of the Republic of Belarus;
- makes decisions on the legal and social protection for military personnel and civilian personnel of the Border Service and their family members;
- exercises other powers in accordance with the Constitution of the Republic of Belarus, this Law and other legislative acts of the Republic of Belarus.

Article 14. Powers of the Council of Ministers of the Republic of Belarus in the Sphere of Activity of the Border Service Agencies

The Council of Ministers of the Republic of Belarus in the sphere of activity of the Border Service Agencies:

- ensures the implementation of decisions of the President of the Republic of Belarus and the provisions of this Law on legal and social protection for military personnel and civilian personnel of the Border Service Agencies and their family members;
- organizes the equipping of Border Service Agencies with weapons, military equipment and special means, as well as other material means;
- exercises other powers in accordance with the Constitution of the Republic of Belarus, laws of the Republic of Belarus and decisions of the President of the Republic of Belarus.

Article 15. Powers of Local Government and Self-Government Bodies in the Sphere of Activity of the Border Service Agencies

Local executive and administrative bodies in the sphere of activities of the Border Service:

- provide administrative and other premises, utilities, accommodation and other services to the Border Service Agencies in accordance with the legislation of the Republic of Belarus;
- assist in solving issues related to the equipment of the state border and the Border Service Agencies' infrastructure facilities;
- assist in providing military and civilian personnel of the Border Service Agencies and their family members with living quarters;
- ensure, within their competence, the implementation of legal and social protection guarantees for the military personnel and civilian personnel of the Border Service Agencies and their family members;
- exercise other powers stipulated by the legislation of the Republic of Belarus.

Local self-government bodies, within the limits of their powers, take part in ensuring the activities of Border Service Agencies in accordance with the legislation of the Republic of Belarus.

CHAPTER 4. OBLIGATIONS AND RIGHTS OF BORDER SERVICE AGENCIES AND BORDER SERVICE OFFICERS

Article 16. Responsibilities of the Border Service Agencies

In order to perform the tasks assigned to them, the Border Service Agencies must:

- prevent attempts to illegally change the limits of the state border on the ground;
- participate, within the limits of their competence, in resolving issues related to the defence of the Republic of Belarus, as well as in enforcing the state of emergency and martial law regimes;
- implement measures for the general and individual prevention of offences provided for by the legislative acts of the Republic of Belarus;
- implement, within their competence, a set of measures to combat illegal migration, organized crime and terrorism;
- assist the customs authorities of the Republic of Belarus in preventing the smuggling and movement of goods across the customs border of the Eurasian Economic Union outside the established places or working hours of the customs authorities of the Republic of Belarus in these places;
- carry out the proceedings for materials and criminal cases, and conduct the administrative process;
- notify the prosecutor within 24 hours of the entry of officers of the Border Service Agencies into citizens' residential premises or other legal property, and organizations' premises and other facilities;

- coordinate, within the limits of their powers, the activities of state bodies and other organizations in the area of state border policy and border security;
- monitor the compliance of citizens and organizations with the state border regime, the border regime, and the regime at checkpoints across the state border;
- allow citizens to cross the state border at border checkpoints, with the exception of simplified checkpoints or those managed by customs authorities;
- ensure the passage of goods across the state border at the simplified border crossing points;
- develop and implement measures to improve the passage of citizens across the state border in cooperation with other authorized state bodies, and participate in the implementation of measures to improve the passage of goods, items, animals and vehicles across the state border;
- prevent and interdict the entry into the Republic of Belarus of foreign citizens and stateless persons who, in accordance with the legislative acts of the Republic of Belarus and international treaties, are prohibited from entering the Republic of Belarus, as well as the departure of citizens whose right to leave the Republic of Belarus is temporarily restricted;
- exercise control over the stay of foreign citizens and stateless persons in the Republic of Belarus within its competence;
- exercise state control over the creation and movement of drugs, psychotropic substances, their precursors and analogues within the limits of their powers;
- assist the Armed Forces of the Republic of Belarus in protecting the state border in the airspace of the Republic of Belarus;
- participate in the establishment of the State Border;
- promote the strengthening of economic, social, cultural, administrative and other ties between the border administrative-territorial units of the Republic of Belarus and neighbouring states, create conditions for economic and other activities in the border zone, and maintain traditions and customs that have historically developed in the border territory;
- ensure the maintenance of the state border;
- participate in the implementation of measures for establishing, opening and arranging checkpoints across the state border, as well as for technical equipment;
- ensure compliance with international agreements related to the State Border regime and cooperation on border issues;
- monitor the compliance of foreign water vessels with the established procedure for entering and staying in the waters of border rivers, lakes and other water bodies belonging to the Republic of Belarus;
- carry out measures to ensure the Border Service Agencies' own security independently and in cooperation with the State Security Bodies of the Republic of Belarus and internal affairs bodies of the Republic of Belarus, including measures to protect the life, health, honour, dignity and property of military personnel and civilian personnel of the Border Service Agencies and their family members from encroachments in connection with their official activities;
- participate in ensuring the security of protected persons and objects;
- protect diplomatic missions and consular institutions of the Republic of Belarus;
- participate, together with the authorized state bodies within the border zone and border strip, in the implementation of control in the field of environmental protection;
- within their competence, inform state bodies and other organizations, as well as citizens, about natural and man-made emergencies on the state border and on border territory;
- perform other duties stipulated by this Law and other legislative acts of the Republic of Belarus.

Article 17. Duties of the Officers of the Border Service Agencies

Officers of the Border Service Agencies perform the duties stipulated by this Law and other legislative acts of the Republic of Belarus within their competence in accordance with their position.

If the actions of citizens threaten border security, an officer of the Border Service Agencies throughout the territory of the Republic of Belarus, regardless of their position, location and time, is obliged to:

- take possible measures to prevent the offence, rescue citizens, provide necessary assistance to those in need, identify and detain citizens who committed the offence, identify the witnesses, and protect the scene of the incident;
- report this to the nearest Border Service Agency.

In all cases of the restriction of the rights and freedoms of a citizen, an officer of the Border Service Agencies is obliged to explain to him the grounds for such restriction, as well as the rights and obligations of a citizen arising in this regard.

Article 18. Rights of the Border Service Agencies

In order to perform the tasks assigned to them, the Border Service Agencies are granted the right to:

- carry out operational search activities in accordance with the procedure established by the legislation of the Republic of Belarus on law enforcement intelligence operations;
- carry out foreign intelligence in accordance with the legislation of the Republic of Belarus on foreign intelligence;
- carry out custodial and other activities for the prevention, detection and suppression of offences;
- move and place border guards on any terrain within the border area;
- detain citizens on the grounds and for the term determined by the legislative acts of the Republic of Belarus, as well as citizens suspected or accused of committing crimes or evading serving a criminal sentence, in accordance with the instructions of the criminal prosecution authorities and the court within border territory;
- build specially equipped premises, temporary detention centres and guardhouses and use them for the detention of citizens in cases stipulated by the legislative acts of the Republic of Belarus;
- maintain, protect and escort detainees, as well as protect and escort detained water vessels until they are transferred to the authorized bodies of a neighbouring state or the Republic of Belarus;
- delay the departure of vehicles, in accordance with the procedure established by the Council of Ministers of the Republic of Belarus, until the completion of the border and other types of control procedures;
- issue, in accordance with the procedure established by the legislation of the Republic of Belarus, passes for the right of passage (entry), temporary stay or movement in the border zone or border strip, or for the right of extraordinary entry into the territory of road checkpoints across the state border;
- take measures to prevent vehicles from entering the territory of a state border checkpoint or leaving the territory of a state border checkpoint without the permission of Border Service Agencies officials, with the exception of state border checkpoints where the control of the regime at state border checkpoints is carried out by customs authorities;
- allow citizens to cross the state border without valid documents required for entry into the Republic of Belarus and/or exit from the Republic of Belarus, according to the decision of the Chairman of the State Border Committee or an official authorized by him, in exceptional cases related to emergency circumstances, as well as in order to ensure the national interests of the Republic of Belarus;
- restrict the passage (entry) of vehicles (citizens), as well as any construction works within the border zone, except for cases stipulated by the legislative acts of the Republic of Belarus;
- allow passage (entry), temporary stay and movement in the border zone and border strip for a period of up to one month to citizens who are prohibited from passage (entry), temporary stay and movement in the border zone and border strip, in cases stipulated by the legislative acts of the Republic of Belarus;
- establish the passage (entry) points; temporary stay in the border area and departure (exit) points from the border area; the place and time of passage (entry); temporary stay abroad; engineering structures and barriers in the border area and departure (exit) abroad;
- erect the necessary engineering structures within the border zone and border strip, construct communication lines and communications, and place and use weapons and military equipment on land plots

provided in accordance with the legislation of the Republic of Belarus for the needs of the defence of the Republic of Belarus and the protection of the state border;

- hold meetings with state bodies and other organizations on issues of state border policy and border security, and participate in meetings of state bodies and other organizations, including local government and self-government bodies, and in the preparation of draft decisions on these issues;
- participate in monitoring the implementation of state border policy measures by other state bodies and other organizations, in accordance with the established procedure;
- use the water and air space of the Republic of Belarus, river ports, airports, airfields and landing sites of civil and state aviation of the Republic of Belarus free of charge;
- perform flights on aircraft of Border Service Agencies using air routes, local airlines, zonal navigation routes and off-route routes in accordance with the procedure established by the legislation of the Republic of Belarus;
- use the aviation of the Border Service Agencies in the interests of other state bodies and other organizations to perform tasks in the interests of national security of the Republic of Belarus;
- use aircrafts of state bodies in the interests of protecting the State Border in accordance with the procedure established by the legislation of the Republic of Belarus;
- possess and exploit specially designed vehicles for use in special operations;
- determine the equipment used by officers of the Border Service Agencies that are part of the border patrol;
- collect, process, store and use personal data of citizens without their written consent to perform the tasks assigned to the Border Service Agencies and to carry out the subsequent transfer of this data to other state bodies and other organizations in compliance with the requirements of the legislation of the Republic of Belarus on the protection of information, the distribution and/or provision of which is restricted;
- to request and receive in the prescribed manner free of charge from state bodies and other organizations (their officials) documents, materials or other information, including navigational, meteorological and hydrographic information and information on the navigation of aircraft and sailing ships of the Border Service Agencies, with the exception of cases stipulated by the legislative acts of the Republic of Belarus;
- receive information from information systems of state bodies and other organizations containing personal data of citizens without the written consent of citizens free of charge in order to perform tasks assigned to Border Service Agencies, and to have access, including remote access, to such information systems upon written request or on the basis of an agreement on the provision of personal data of citizens concluded by the State Border Committee of the Republic of Belarus with other state bodies and other organizations;
- involve citizens in performing tasks assigned to the Border Service Agencies on a voluntary basis in accordance with the procedure established by the legislation of the Republic of Belarus, as well as to encourage citizens to provide assistance in performing tasks assigned to the Border Service Agencies.

The Border Service Agencies are also granted other rights in accordance with the legislative acts of the Republic of Belarus.

Article 19. Rights of the Officers of the Border Service Agencies

In order to perform tasks assigned to the Border Service Agencies, the officers of the Border Service Agencies, within their competence, have the right to:

- search detainees; their belongings; and seize documents and items that may be material evidence of an offence; search vehicles, including with the help of technical and special means, in accordance with the procedure provided for by the legislative acts of the Republic of Belarus;
- carry out independently or jointly with the customs authorities of the Republic of Belarus the inspection and/or examination or escort of vehicles crossing the State Border, as well as to monitor them, including with the help of technical and special means;
- use technical and special means to carry out border control functions and ensure the security of border regimes, state border control and border crossing points;

- search citizens and their belongings, and carry out a search of vehicles, including with the help of technical and special means, at checkpoints across the State Border, outside checkpoints across the State Border during border control and at facilities protected by the Border Service Agencies;
- inspect vehicles within border territory, with the exception of cargo compartments that have customs locks, seals, and other identification tools, when conducting actions to search and detain citizens who have violated the legislation of the Republic of Belarus on the State Border;
- enter within border territory unhindered, if necessary with damage to locking devices and other items, at any time of the day in the homes and other legal property of citizens, organizations' premises and facilities, and inspect them when pursuing suspects or those accused of committing crimes or if there are sufficient grounds to believe that a crime has been committed or is being committed there;
- demand citizens to comply with the state border regime, the regime at the state border checkpoint and the border regime;
- check the identity documents of citizens who are suspected of committing offences, as well as documents necessary to verify the compliance of foreign citizens and stateless persons with the rules of stay in the Republic of Belarus or the rules of transit through the territory of the Republic of Belarus;
- call officials and other citizens, receive explanations from them on cases and materials being processed by or in the possession of the Border Service Agencies;
- check the documents of citizens traveling across the State Border for leaving the Republic of Belarus and (or) entering the Republic of Belarus, use technical means for these purposes, put down appropriate marks in these documents, withdraw these documents in accordance with the established procedure, do not pass citizens through the State Border, if there are grounds provided for by legislative acts of the Republic of Belarus, at checkpoints across the State Border, with the exception of checkpoints across the State Border, in which control over the regime at checkpoints is carried out by customs authorities, and outside checkpoints. The form and procedure for affixing the appropriate marks are determined by the State Border Committee;
- temporarily restrict or prohibit the movement of citizens and vehicles within the border zone and border strip, and prevent citizens from entering certain sites of the area;
- in urgent cases, use vehicles belonging to organizations or citizens for the suppression of crimes; for the prosecution, detention, and transportation of citizens who have committed crimes, when taking appropriate measures to ensure the safety of the driver and passengers of the vehicle; and for the delivery of citizens in need of emergency medical care to healthcare facilities, as well as to use the means of communication belonging to organizations or citizens for official purposes, if necessary. Expenses related to the use of a vehicle and/or means of communication, at the request of their owner (proprietor), are reimbursed in accordance with the procedure established by the legislation of the Republic of Belarus;
- stop vehicles within the border area and check the identity documents of the driver and passengers, as well as the certificate of registration of a mechanical transportation device and its trailer(s);
- keep, carry, apply and use weapons and to use physical force, special means and military equipment in cases and in accordance with the procedure provided for by this Law and other legislative acts of the Republic of Belarus.

In relation to foreign and non-military water vessels belonging to the Republic of Belarus located in the waters of border rivers, lakes and other water bodies belonging to the Republic of Belarus, the officers of the Border Service Agencies have the right to:

- suggest that the water vessel raise the national flag and, if it is not raised, to question citizens on board the water vessel about the purpose of entering the part of the waters of border rivers, lakes and other water bodies belonging to the Republic of Belarus;
- stop a water vessel, perform an inspection and detain it if it does not respond to the request signals; violates other rules for entering, navigating and staying in a part of the waters of border rivers, lakes and

other water bodies belonging to the Republic of Belarus; or engages in economic and other activities in violation of the legislation of the Republic of Belarus and international agreements;

- place a border patrol on a water vessel if necessary, to escort a water vessel to a river port or from a river port to the state border;
- remove citizens from a water vessel and detain them if they have committed crimes, and to transfer these citizens to the criminal prosecution authorities, unless otherwise provided by international treaties.

The officers of the Border Service Agencies are also granted other rights in accordance with the legislative acts of the Republic of Belarus.

Paragraphs 2 to 5 and 9 (regarding the withdrawal of documents for leaving the Republic of Belarus and/or entering the Republic of Belarus) and Part 1 of Paragraph 11, Paragraphs 3 and 5 of Part 2 of this article do not apply to organizations and citizens who have diplomatic immunity in accordance with international treaties.

CHAPTER 5. RECRUITMENT OF THE BORDER SERVICE AGENCIES AND MILITARY SERVICE IN THE BORDER SERVICE AGENCIES

Article 20. Recruitment of the Border Service Agencies

Border Service Agencies are equipped with military and civilian personnel in accordance with the legislation of the Republic of Belarus.

Article 21. Officers of the Border Service Agencies

Officers of the Border Service Agencies are military personnel who perform military service under a contract, conscripted officers in the Border Service Agencies undertaking military service, as well as citizens of the Republic of Belarus from among civilian personnel assigned to military positions of officers and ensigns of the Border Service Agencies.

When performing tasks assigned to the Border Service Agencies, conscripted military personnel serving in the Border Service Agencies perform the duties and have the rights granted to Border Service Agencies officers by this Law and other legislative acts of the Republic of Belarus. They are subject to the guarantees of legal protection and the right to reasonable professional risk provided to officers of the Border Service Agencies.

The military personnel, undertaking military service as officers under contract recruited to the Border Service Agencies, in the manner and form established by the State Border Committee, are issued service certificates, which are official documents certifying the identity and status of the officer of bodies of the Border Service Agencies.

Article 22. Military Service in the Border Service Agencies

The procedure for military service in the Border Service Agencies is determined by the legislative acts of the Republic of Belarus.

The procedure and conditions for the execution of military duties by military personnel in the Border Service Agencies are established by the military regulations of the Armed Forces of the Republic of Belarus and other legislative acts of the Republic of Belarus.

CHAPTER 6. GUARANTEES OF LEGAL AND SOCIAL PROTECTION FOR BORDER SERVICE AGENCY OFFICERS AND THEIR FAMILY MEMBERS

Article 23. Legal Protection for the Border Service Agency Officers and Their Family Members

When performing the tasks assigned to the Border Service Agencies, officers of the Border Service Agencies are representatives of the authorities and are protected by the state. Encroachment in any form on officers of the Border Service Agencies entails the suppression of such actions by means and methods provided for by this Law and other legislative acts of the Republic of Belarus.

The legitimate demands of Border Service Agencies' officers are mandatory for all citizens. Failure to comply with the legitimate demands of Border Service Agencies' officers, other actions that hinder the performance

of tasks assigned to Border Service Agencies or the encroachment or threat of encroachment in connection with the performance of official duties by Border Service Agencies officers on the life, health, honour, dignity and property of the officers and their family members shall entail liability provided for by the legislative acts of the Republic of Belarus.

Article 24. Right of Border Service Agencies' Officers to Reasonable Professional Risk

Officers of the Border Service Agencies have the right to reasonable professional risk. The causing of harm by officers shall not be deemed an offence if it is considered a justified professional risk.

Professional risk is recognized as justified if the actions (inaction) of the Border Service Agency officer is in response to a situation that could not be managed otherwise and if the Border Service Agency officer has taken all possible measures to prevent harm.

Article 25. Rights of Officers of the Border Service Agencies when on Official Business Trips

When sent on official business trips, officers of the Border Service Agencies have the right to purchase travel documents (tickets) for all types of transport, regardless of the availability of seats, and the right to extraordinary accommodation in hotels.

Article 26. Right of the Border Service Agencies Officers to Compensation for the Use of Their Vehicles for Official Purposes

Officers of the Border Service Agencies who use their vehicles for official purposes are paid compensation in the manner and for the amount determined by the Council of Ministers of the Republic of Belarus.

Article 27. Mandatory State Insurance for Officers of the Border Service Agencies

Officers of the Border Service Agencies are subject to mandatory state insurance under the conditions and in the manner stipulated by the legislative acts of the Republic of Belarus.

Article 28. Legal Protection for Officers of the Border Service Agencies and Their Family Members

The state guarantees social security for officers of the Border Service Agencies and takes measures to create appropriate conditions of service (work) and social security for them.

Officers of the Border Service Agencies are guaranteed places for their children in preschool institutions within three months from the date of submitting the application.

Pensions, housing and phone provision, medical care and sanatorium-resort treatment and healthcare health improvement for the officers of the Border Service Agencies and members of their families are carried out in the manner prescribed by the legislative acts of the Republic of Belarus.

Article 29. Social Protection for Citizens Discharged from Military Service under a Contract from the Border Service Agencies and Their Family Members

Citizens discharged from military service under a contract from the Border Service Agencies and their family members have the right to medical care in health organizations of the Border Service Agencies and sanatorium treatment and rehabilitation, as well as other social protection measures under the conditions and in accordance with the procedure provided for by the legislative acts of the Republic of Belarus.

CHAPTER 7. THE USE OF PHYSICAL FORCE, SPECIAL MEANS, MILITARY EQUIPMENT, AND THE USE AND OPERATION OF WEAPONS IN THE BORDER SERVICE AGENCIES

Article 30. Conditions and Limits of the Use of Physical Force, Special Means, Military Equipment, and the Use and Operation of Weapons

Officers of the Border Service Agencies and military personnel undergoing military service in the Border Service Agencies (hereinafter referred to as 'military personnel' in this Chapter) have the right to use physical force, special means and military equipment and to use and operate weapons when performing tasks assigned to the Border Service Agencies, if it is not possible to perform the tasks assigned to them in other ways.

Physical force, special means, military equipment and weapons are used based on the prevailing situation and the identity of the offender at the discretion of the military personnel in cases and in accordance with the procedure provided for by this Law and other legislative acts of the Republic of Belarus.

The use of physical force, special means, military equipment and weapons must be preceded by a clearly expressed and obvious warning to the citizen against whom they may be used about the intention to use them, providing them with sufficient time to comply with legal requirements, except in cases where a delay in their use will create an immediate danger to the life of the military personnel or other citizens or may entail other serious consequences.

In cases where it is impossible to avoid the use of physical force, special means, military equipment and weapons, military personnel must take all possible measures to ensure the safety of citizens and strive to cause the least harm to their life, health, honour, dignity and property, as well as take measures to immediately provide victims with medical and other necessary assistance.

A military officer who has used physical force, special means, military equipment or weapons, shall immediately report it to his immediate commander (chief).

The relevant prosecutor shall be immediately notified of the injury or death of a citizen as a result of the use of physical force, special means or military equipment, or the use of weapons by a military officer.

Military officers are not liable for damage caused by them in connection with the use of physical force, special means, military equipment or weapons in cases provided for by this Law and other legislative acts of the Republic of Belarus, in cases where:

- they do not exceed the limits of necessary defence or measures necessary to prevent crimes and other offences, to detain the citizens who committed them, or to overcome resistance to the legitimate demands of military personnel if non-violent methods did not allow them to fulfil their official duties;
- they acted in compliance with a binding order or instruction, given in accordance with the established procedure, with the exception of the deliberate committal of a crime following a deliberately criminal order or instruction;
- they acted under conditions of reasonable professional risk or extreme necessity.

The specifics of the use of physical force, special means, military equipment and weapons by military personnel may be established by other legislative acts of the Republic of Belarus.

The use of physical force, special means, military equipment and weapons by military personnel in violation of the requirements of this Law and/or other legislative acts of the Republic of Belarus shall entail liability established by the legislative acts of the Republic of Belarus.

Article 31. Use of Physical Force

Military personnel can use physical force, including combat techniques and improvised means, to prevent and suppress offences, to detain the perpetrators, in self-defence and to overcome resistance to the legitimate demands of military personnel if it is impossible to do so by non-violent means.

Article 32. Use of Special Means

Military personnel can use handcuffs, rubber sticks, devices for restricting movement, special chemicals, light and sound distraction devices, devices for opening premises, devices for forcibly stopping vehicles, and other special means, including service animals, in the following cases:

- to repel an attack on military personnel and other citizens;
- for the release of hostages;
- to repel attacks on objects of the Border Service Agencies, customs bodies of the Republic of Belarus, Internal Affairs Bodies of the Republic of Belarus, the Armed Forces of the Republic of Belarus, other troops and military formations of the Republic of Belarus participating in the protection of the State Border;
- to suppress disobedience or resistance to the legitimate demands of military personnel and other citizens of the Republic of Belarus participating in the protection of the State Border;
- to detain and deliver to the offices of the Border Service Agencies citizens who have committed offences or who refuse to prove their identity if they disobey or resist, as well as to escort protect detained offend-

ers and citizens in custody if they disobey or resist, or if there are grounds to believe they may escape or cause harm to others or themselves;

- to detain citizens and stop vehicles that have illegally crossed or are trying to cross the State Border or are moving within the border zone and/or the border lane outside the highways of the Republic of Belarus, in case of the refusal to cooperate with the legitimate demands of military personnel to stop;
- to stop vehicles if the driver does not comply with the obvious and repeated legitimate requests by the military to stop the vehicle or to fulfil technical requirements to manage traffic at road checkpoints across the State Border (including road signs, traffic lights), or if there is reliable data indicating that the vehicle is driven by a citizen who has committed a serious or very serious crime;
- to suppress of mass riots within border territory;
- in other cases as determined by the President of the Republic of Belarus.

The type of special equipment and the intensity of its use is determined by the military personnel independently, taking into account the current situation, the nature of the offence and the identity of the offender.

It is forbidden to use special means towards:

- women with visible signs of pregnancy, citizens with obvious signs of disability or minors when their age is obvious or known, with the exception of cases when these persons commit an armed or group attack or other actions that threaten the life or health of a military officer or other citizens;
- citizens who have illegally crossed or are trying to cross the state border if this happened (happens) clearly by accident or as a result of an accident or force majeure.

Article 33. Operation (Use) of Weapons, and the Use of Military Equipment

Military personnel have the right to use weapons and military equipment:

- to repel an armed invasion of the territory of the Republic of Belarus;
- to prevent attempts to steal vehicles outside the State Border;
- to detain citizens and stop vehicles that have illegally crossed or are trying to cross the state border, in cases where the termination of the violation or detention of violators cannot be carried out by other means;
- to detain citizens and stop vehicles moving within the border zone and/or the border lane outside the highways of the Republic of Belarus, in case of the refusal to obey the legitimate demands of military personnel to stop, when the detention of citizens and stopping vehicles cannot be carried out by other means;
- to repel attacks on military personnel and other citizens if their lives or health are in danger;
- for the release of hostages;
- to repel a group or armed attack on objects of the Border Service Agencies, customs bodies of the Republic of Belarus, internal affairs bodies of the Republic of Belarus, the Armed Forces of the Republic of Belarus, other troops and military formations of the Republic of Belarus participating in the protection of the State Border;
- to repel a group an armed attack on water or aircraft;
- when a person commits an action directly aimed at forcibly taking possession of weapons, ammunition, military equipment or special means that are in the possession of a military officer;
- when a person escapes from custody or convoys;
- in case of the refusal to obey the legitimate demands of military personnel to immediately hand over (put down) weapons, explosives, explosive devices or other items, the use of which may endanger the life or health of military personnel or other citizens.

Citizens committing actions lawfully forbidden to them by employees of the state guard body expressed in the attempt to approach the officer of the public guard body closer than the specified distance, to get something from clothes or baggage or other actions that may be interpreted by the employee of state guard body as a threat of violence that endangers life or health, or other citizens, shall give state guard body employees the right to use weapons in accordance with this Law.

Military personnel have the right to use weapons:

- to neutralize animals that threaten the life or health of military personnel or other citizens;
- as an alarm or call for help;
- to disabled a vehicle, if the driver does not comply with the obvious and repeated legitimate demands of the serviceman to stop the vehicle, as well as in cases where his actions pose a real threat to the life or health of the serviceman, other citizens, or if there is reliable data indicating that the vehicle is driven by a citizen who has committed a serious or very serious crime.

Military personnel have the right to apply (use) weapons and military equipment when protecting the State Border, as well as in other cases determined by the President of the Republic of Belarus.

Military personnel have the right to bring weapons and military equipment in readiness for firing (use) if they believe that in the current situation, the possibility of applying (using) weapons and military equipment cannot be excluded.

It is forbidden to operate (use) weapons or use military equipment:

- in the direction of a significant crowd of people, when other people may suffer as a result;
- in the direction of warehouses (storage facilities) containing flammable, explosive and highly toxic substances or vehicles transporting these substances;
- against women, citizens with obvious signs of disability, minors when their age is obvious or known, with the exception of cases when these persons commit an armed or group attack or other actions that threaten the life or health of a military officer or other citizens;
- against citizens who have illegally crossed or are trying to cross the State Border, if this has clearly occurred (is occurring) by accident or as a result of an accident or force majeure;
- in other cases determined by the President of the Republic of Belarus.

CHAPTER 8. FINANCIAL AND MATERIAL-TECHNICAL SUPPORT FOR THE BORDER SERVICE AGENCIES. CONTROL AND SUPERVISION OF THE ACTIVITIES OF THE BORDER SERVICE AGENCIES

Article 34. Financial and Logistical Support for the Border Service Agencies

Financial and logistical support for the Border Service Agencies is provided at the expense of the national budget and other sources not prohibited by the legislation of the Republic of Belarus.

Article 35. Supervision of Activities of the Border Service Agencies

State bodies authorized by the President of the Republic of Belarus exercise supervision over the activities of the Border Service Agencies.

State bodies, while exercising supervision over the activities of Border Service Agencies, do not interfere in the operational-search and criminal-procedural activities of Border Service Agencies, as well as in their conduct of administrative processes.

Article 36. Prosecutor's Supervision of the Activities of the Border Service Agencies

The Prosecutor General of the Republic of Belarus and his subordinate prosecutors supervise the precise and uniform implementation of the legislation of the Republic of Belarus by the Border Service Agencies.

CHAPTER 9. FINAL PROVISIONS

Article 37. Invalidation of Certain Legislative Acts (Separate Provisions of a Legislative Act)

The following acts should be recognized as invalid:

Law of the Republic of Belarus of 5 November 1992 'On Border Troops of the Republic of Belarus';

Section VIII of the Law of the Republic of Belarus of 3 May 1996 'On Amendments and Additions to Certain Legislative Acts of the Republic of Belarus';

Law of the Republic of Belarus of 6 January 1999 'On Amendments and Additions to the Law of the Republic of Belarus' 'On Border Troops of the Republic of Belarus' (National Register of Legal Acts of the Republic of Belarus, 1999, No. 4, 2/10);

Resolution of the Supreme Council of the Republic of Belarus of 5 November 1992 'On the Procedure for Putting into Effect the Law of the Republic of Belarus 'On Border Troops of the Republic of Belarus';

Resolution of the Supreme Council of the Republic of Belarus of 16 June 1993 'On Increasing the Number of Border Troops of the Republic of Belarus'.

Article 38. Measures to Implement the Provisions of This Law

The Council of Ministers of the Republic of Belarus shall, within six months:

- bring the decisions of the Government of the Republic of Belarus into compliance with this Law;
- ensure that the Republican State Administration Bodies subordinate to the Government of the Republic of Belarus and their normative legal acts are brought into compliance with this Law;
- take other measures necessary to implement the provisions of this Law.

Until legislative acts are brought into compliance with this Law, they are applied to the extent that they do not contradict this Law, unless otherwise established by the Constitution of the Republic of Belarus.

Article 39. Entry into Force

This Law shall come into force ten days after its official publication.

President of the Republic of Belarus

A. Lukashenka

LAW OF THE REPUBLIC OF BELARUS

‘On the State Border of the Republic of Belarus’

21 July 2008, No. 419-3

Adopted by the House of Representatives on 27 June 2008

Approved by the Council of the Republic on 28 June 2008

(In the wording of the Laws of the Republic of Belarus of 10 January 2015, No. 242-3; of 9 January 2019, No. 168-3)

This Law defines the organizational and legal basis of the state border policy, the powers of the President of the Republic of Belarus and state bodies in the field of state border policy and regulates relations related to ensuring border security of the Republic of Belarus (hereinafter – ‘border security’).

CHAPTER 1. GENERAL PROVISIONS

Article 1. Basic Concepts and their Definitions Used in This Law

The following basic concepts and definitions are used in this Law:

- ‘automated border control facilities’: special technical means to verify documents of individuals crossing the State Border of the Republic of Belarus (hereinafter – ‘State Border’), without the participation of the officers of the Border Service Agencies of the Republic of Belarus (hereinafter – the ‘Border Service Agencies’) and officials of the customs bodies of the Republic of Belarus (hereinafter – ‘Customs Authorities’);
- ‘state border’: a line and a vertical surface passing along this line that defines the limits of the territory of the Republic of Belarus (land, water, subsurface, air space);
- ‘state border policy’: an integral part of the internal and foreign policy of the Republic of Belarus, which represents the activities of authorized state bodies (officials) aimed at ensuring border security;
- ‘state control bodies’: divisions of territorial bodies of the Border Service Agencies, structural divisions of Customs Authorities and other organizations that are part (system) of state bodies and organizations that carry out (conduct) the types of control established by the legislative acts of the Republic of Belarus in respect of individuals and vehicles arriving in the Republic of Belarus and departing from the Republic of Belarus, and goods imported into the territory of the Republic of Belarus or exported from the Republic of Belarus;
- ‘delimitation of the state border’: the determination of the position of the state border between the Republic of Belarus and neighbouring states based on cartographic materials, land cadastre documentation, other reference materials and data, drawing it on topographic maps;
- ‘demarcation of the state border’: marking the territory of the state border between the Republic of Belarus and neighbouring states through the placing or positioning of border signs;
- ‘the infrastructure of the state border’: a complex of borders, hydro-technical, engineering structures, barriers and other objects constructed, equipped and used for the purpose of marking and maintaining the state border and ensuring its protection;
- ‘border territory infrastructure’: a complex of stationary objects, engineering and other structures that are equipped and used to ensure border security;
- ‘operational security of the state border’: activities of state bodies that organize and carry out, in accordance with their competence, intelligence, operational-search, counterintelligence and other activities in order to perform tasks for the protection of the state border;
- ‘protection of the state border’: a set of operational and service actions, control, operational search, security and other measures carried out by Border Service Agencies, other state bodies, organizations and individuals in accordance with their competence in order to comply with the legislation of the Republic of Belarus on the state border;

- 'passenger's personal data': surname, name, patronymic (if available), gender, date of birth, nationality (citizenship) of the passenger, the name and the number of the document on the basis of which they acquired a travel document, its validity and other information about the travel document;
- 'personal data of an individual': surname, proper name, patronymic (if any), gender, date of birth, data on citizenship (nationality) of an individual, name, and the number of the document required to enter the Republic of Belarus and/or leave the Republic of Belarus, and its validity period;
- 'border security': an integral part of the national security of the Republic of Belarus, which represents the state of protection of the national interests of the Republic of Belarus from internal and external threats in the border area;
- 'border zone': the land area adjacent to the rear border edge of the strip within the part of the district, city, town or village council, which includes part of the waters of border rivers, lakes, and other surface water bodies belonging to the Republic of Belarus located in these waters around the island that are designed to implement state border protection;
- 'border strip': a section of terrain adjacent to the state border, designed to create conditions for the effective operation of Border Service Agencies to ensure border security, and to erect (build) and maintain in good condition structures and facilities necessary for the protection of the state border;
- 'border service': a system of measures carried out by border guards of divisions of territorial Border Service Agencies in order to prevent (suppress) violations of the legislation of the Republic of Belarus on the state border within the border territory outside the state border checkpoints (hereinafter – 'checkpoints');
- 'border space': the state border, the border territory, the airspace of the Republic of Belarus (hereinafter – the 'airspace'), as well as other territories within which the activities of authorized state bodies (officials) aimed at ensuring border security are carried out;
- 'border incident': an incident related to the violation of the state border regime that creates a threat to the national security of the Republic of Belarus and/or a neighbouring state;
- 'border control': a system of measures carried out by border guards of the divisions of territorial Border Service Agencies, customs authorities, including a risk management system, in order to establish legal grounds for crossing the state border by individuals;
- 'border regime': the procedure of passage (entry), temporary stay, movement of persons and vehicles (hereinafter – the 'passage (entry), temporary stay and movement') in the border zone and border strip, recording, maintaining, navigation, and presence of ships in the internal waters of the Republic of Belarus (the waters of rivers, lakes and other surface water bodies, the shores of which fully belong to the Republic of Belarus) within the border zone and border strip, maintaining and use in the border zone and border strip for power-driven vehicles that are not subject to exploitation on roads, floating objects, and aircraft, as well as carrying out economic and other activities in the border zone and border strip;
- 'state border maintenance area': a section of terrain directly adjacent to the state border, intended for marking the state border on the ground and ensuring its proper maintenance;
- 'border territory': a section of terrain that includes a border zone, border strip, state border fixing strip, checkpoints and administrative-territorial and territorial units of the Republic of Belarus or parts thereof, intended for the protection of the state border;
- 'checkpoint': territory (water area) within the railway station (station), river port, airports open for international traffic (international flights), as well as other specially designated areas and the equipped area where individuals, vehicles, and goods are allowed to pass through the state border;
- 'regime at checkpoints': the order of passage (entry) to checkpoints, movement within checkpoints and departure (exit) from them of individuals and vehicles, including the rights, obligations and restrictions for individuals located at checkpoints; the requirements for the passage of individuals, vehicles, and goods across the state border; as well as the procedure for carrying out economic and other activities at checkpoints;

- 'state border regime': the procedure for maintaining the state border; crossing the state border by individuals and vehicles; moving goods across the state border (hereinafter, unless otherwise specified, 'crossing the state border'); the movement of individuals, vehicles and goods across the state border; taking off and landing aircraft at international airports; the entry and stay of water vessels in the waters of border rivers, lakes, and other surface water bodies belonging to the Republic of Belarus; the resolution of border incidents; as well as the procedure for carrying out economic and other activities on the State Border;
- 'neighbouring state': a foreign state that shares a section of the state border with the Republic of Belarus;
- 'vehicle': a device intended for the movement and/or transportation of individuals and/or goods;
- 'individuals': citizens of the Republic of Belarus, foreign citizens and stateless persons.

Other concepts are used in this Law in the meanings defined by the legislation of the Republic of Belarus on water protection and use and other legislation of the Republic of Belarus.

Article 2. Principles of the State Border Policy

The Republic of Belarus is guided by the following principles when implementing the state border policy:

- ensuring national security of the Republic of Belarus and international security;
- mutual respect for the sovereignty, equality and territorial integrity of States;
- the inviolability of the state border;
- the peaceful resolution of border issues and incidents;
- respect for human and civil rights and freedoms;
- mutually beneficial comprehensive cooperation with foreign countries.

Article 3. Legislation of the Republic of Belarus on the State Border

The legislation of the Republic of Belarus on the state border is based on the Constitution of the Republic of Belarus and consists of this Law, other acts of the legislation of the Republic of Belarus, as well as international treaties of the Republic of Belarus.

If an international treaty of the Republic of Belarus establishes rules other than those provided for by this Law, the rules of the international treaty shall apply.

CHAPTER 2. POWERS OF THE PRESIDENT OF THE REPUBLIC OF BELARUS AND STATE BODIES IN THE FIELD OF THE STATE BORDER POLICY

Article 4. Powers of the President of the Republic of Belarus in the Field of the State Border Policy

The President of the Republic of Belarus in the field of state border policy:

- defines the main directions of the state border policy;
- provides general guidance to state bodies on the implementation of the state border policy and ensures interaction between them;
- decides on the establishment of checkpoints and determines the types of controls that can be carried out when crossing the state border, on the proposal of the Council of Ministers of the Republic of Belarus;
- defines the procedure for attracting individuals for employment in bodies responsible for protection of the state border;
- defines the procedure for the use of weapons, military and special equipment (hereinafter – 'military equipment') for the purpose of protecting the state border;
- sets the limits of the border area;
- sets the list of documents on the basis of which passage (entry), temporary stay and movement in the border zone and border strip are allowed without paying the state fee;
- exercises other powers in accordance with the Constitution of the Republic of Belarus, this Law and other legislative acts of the Republic of Belarus.

Article 5. Powers of the Council of Ministers of the Republic of Belarus in the field of the State Border Policy

The Council of Ministers of the Republic of Belarus in the field of state border policy:

- organizes the work of the state Administration Bodies subordinate to it on the implementation of the state border policy and the implementation of international cooperation on border issues;

- submits proposals to the President of the Republic of Belarus on establishing checkpoints and determining the types of controls that can be carried out when crossing the State Border;
- forms the State Border Commission, defines its main tasks and powers, and approves its personnel composition;
- defines the description of and procedure for the placement of border signs;
- defines the procedure for enforcing the border regime;
- establishes the regime at checkpoints;
- makes decisions on the temporary restriction, suspension, or termination of crossing the State Border on certain sections of it;
- approves the regulations on border commissioners of the Republic of Belarus (hereinafter – ‘border commissioners’), appoints border commissioners, with the exception of the Chief Border Commissioner and his deputies;
- exercises other powers in accordance with the Constitution of the Republic of Belarus, this Law, other laws of the Republic of Belarus and acts of the President of the Republic of Belarus.

Article 6. Powers of the State Border Committee of the Republic of Belarus in the field of State Border Policy

The State Border Committee of the Republic of Belarus in the field of state border policy:

- participates in the implementation of state border policy and ensures border security;
- organizes the protection of the state border, except for the protection of the state border in the air space;
- manages border service Agencies;
- organizes the interaction and coordination of activities of state bodies and other organizations in the field of state border policy and border security;
- organizes the passage of individuals across the state border, establishes the procedure for border controls, and determines its content, methods, and means at checkpoints, with the exception of checkpoints where controls are carried out by customs authorities, and outside of checkpoints;
- provides assistance to customs authorities in performing certain functions in the field of state border policy at checkpoints where border control is carried out by Customs Authorities;
- organizes the passage of goods across the state border at simplified checkpoints;
- organizes sanitary and quarantine controls by visual inspections of individuals and, if necessary, questioning about their health status at checkpoints, with the exception of checkpoints where such control is carried out by Customs Authorities;
- prepares proposals for the formation of the state border policy and providing for border security, and submits them to the President of the Republic of Belarus and the Council of Ministers of the Republic of Belarus in accordance with the established procedure;
- collects and analyses statistics and data on the application of this Law and other acts of the legislation of the Republic of Belarus on the state border and develops proposals for their improvement;
- participates in the development of draft international agreements of the Republic of Belarus related to the state border regime and cooperation on border issues, and concludes international agreements of an interdepartmental nature in this area in accordance with the established procedure;
- manages the activities of border commissioners, and organizes interaction and cooperation with border protection agencies of other states, international organizations, and interstate entities on border issues;
- identifies the causes and conditions that contribute to offences being committed that pose a threat to border security, and takes measures to eliminate them;
- implements, within its competence, a set of measures to combat illegal migration, organized crime and terrorism;
- assists the customs authorities in preventing the smuggling and movement of goods across the customs border of the Eurasian Economic Union outside the established places or at an unspecified time of work of the customs authorities in these places;

- organizes and carries out, within its competence, operational search activities to ensure border security, as well as foreign intelligence;
- obtains, collects and analyses information about threats to the national security of the Republic of Belarus on the state border and in the border area, and informs the President of the Republic of Belarus and the Council of Ministers of the Republic of Belarus, as well as interested state Administration Bodies, of them in accordance with the established procedure;
- in accordance with the established procedure, makes decisions on allowing individuals and vehicles to pass through the state border in a simplified manner, and individuals and vehicles to pass through the state border outside of checkpoints, and the take-off and landing of aircraft at airports (airfields, heliports) that are not equipped with checkpoints;
- participates in the establishment of the state border in accordance with the legislation of the Republic of Belarus on the State Border;
- organizes events aimed at maintaining and further developing the infrastructure of the state border and the border territory;
- submits proposals to the President of the Republic of Belarus on setting the limits of the border territory;
- in the cases established by this Law, makes decisions on allowing individuals to pass (enter), temporarily stay or move in the border zone or border strip without appropriate permits;
- accepts from Customs Authorities individuals who violated the legislation of the Republic of Belarus on the State Border, with the exception of individuals detained by customs authorities for violating the regime at checkpoints;
- establishes and organizes the process of verifying documents used by individuals crossing the state border, using automatic means of border control;
- within its competence, collects, processes, stores and uses personal data of individuals crossing the state border without their written consent, in compliance with the requirements of the legislation of the Republic of Belarus on the protection of information, the distribution and/or provision of which is restricted;
- supports the Ministry of Defence of the Republic of Belarus to ensure the protection of the state border in the airspace through the provision of information concerning previous violations of the state border committed in the airspace and violations of the rules of the use of airspace in the border area, details of which are at the disposal of the Border Service Agencies, and renders assistance in ensuring the safety of the unprotected infrastructure of the forces and means of the Armed Forces of the Republic of Belarus designed to ensure the protection of the state border in the airspace and are located in the border zone and border strip;
- provides assistance, within its competence, to the Ministry of Internal Affairs of the Republic of Belarus in organizing the participation of the internal affairs bodies of the Republic of Belarus (hereinafter referred to as the 'internal affairs bodies') in monitoring compliance with the border regime, including providing access to information resources of the Border Service Agencies on issues within the competence of the Internal Affairs Bodies;
- organizes controls over the regime at checkpoints, except for checkpoints where such control is carried out by Customs Authorities;
- exercises other powers in accordance with this Law, other laws of the Republic of Belarus and acts of the President of the Republic of Belarus.

Article 7. Powers of the Ministry of Foreign Affairs of the Republic of Belarus in the Field of State Border Policy
The Ministry of Foreign Affairs of the Republic of Belarus in the field of state border policy:

- receives support from diplomats;
- together with interested state bodies, participates in negotiations with the relevant authorities of neighbouring States on the establishment of the state border and its regime in accordance with the established procedure;

- notifies the relevant authorities of neighbouring states on the basis of information from the competent state bodies of the temporary restriction, suspension or termination of crossing the state border at checkpoints, and changes in the procedure for using the airspace over the border zone;
- participates in the resolution of border incidents not regulated by border commissioners;
- exercises other powers in accordance with the laws of the Republic of Belarus, acts of the President of the Republic of Belarus and resolutions of the Council of Ministers of the Republic of Belarus adopted within its competence.

Article 8. Powers of the Ministry of Defence of the Republic of Belarus in the field of State Border Policy

The Ministry of Defence of the Republic of Belarus in the field of State Border policy:

- provides border security in the air space;
- organizes the protection of the state border in the airspace in accordance with the established procedure;
- organizes the interaction of the state Administration Bodies for the protection of the state border in the air space;
- allocates, in accordance with the established procedure, aviation, reinforcement and support units to assist the State Border Committee of the Republic of Belarus in conducting border searches (security measures), operations and other actions on the state border;
- provides assistance, if necessary, to the State Border Committee of the Republic of Belarus in material, technical and other support for border security activities;
- exercises other powers in accordance with this Law, other laws of the Republic of Belarus and acts of the President of the Republic of Belarus.

Article 9. Powers of the Ministry of Internal Affairs of the Republic of Belarus in the field of State Border Policy

The Ministry of Internal Affairs of the Republic of Belarus in the field of State Border policy:

- provides assistance, within its competence, to the State Border Committee of the Republic of Belarus and the Ministry of Defence of the Republic of Belarus in border security activities, including providing access to the information resources of the internal affairs bodies on issues within the competence of the Border Service Agencies;
- ensures the participation of internal affairs bodies in monitoring compliance with the border regime;
- ensures the participation of internal affairs bodies and internal troops of the Ministry of Internal Affairs of the Republic of Belarus in measures to strengthen the protection of the state border, and to contain and suppress conflict situations, mass riots and other illegal actions on border territory;
- introduces, on the recommendation of the State Border Committee of the Republic of Belarus, temporary restrictions on or denies access to individuals to certain areas or objects during border searches (security measures), operations and other actions at the state border when repelling an armed invasion of the territory of the Republic of Belarus, stopping provocations and preventing the illegal mass crossing of the state border;
- organizes activities aimed at countering illegal migration, and conducts activities aimed at countering illegal migration together with the State Border Committee of the Republic of Belarus, the State Customs Committee of the Republic of Belarus and the State Security Committee of the Republic of Belarus;
- participates in the established procedure for resolving issues related to the entry into the Republic of Belarus, exit from the Republic of Belarus and passage (transit) through the territory of the Republic of Belarus of individuals, as well as the legal status of foreign citizens and stateless persons in the Republic of Belarus;
- takes part in ensuring the state of emergency and martial law in accordance with the established procedure;
- informs interested state Administration Bodies about the state of law and order in the border area;
- exercises other powers in accordance with this Law, other laws of the Republic of Belarus and acts of the President of the Republic of Belarus.

Article 10. Powers of the Ministry for Emergency Situations of the Republic of Belarus in the Field of State Border Policy

The Ministry for Emergency Situations of the Republic of Belarus in the field of state border policy:

- participates in the preparation and implementation of measures to prevent natural and man-made emergencies, provides conditions for their elimination, and increases the stability of organizations operating in the border area;
- organizes, within its competence, the elimination of natural and man-made emergencies, aviation detection of fires in forests and peatlands, fire extinguishing and the rescue of people, and coordinates the work of other state Administration Bodies, local executive and administrative bodies and other organizations for the prevention and elimination of natural and man-made emergencies on border territory;
- informs (notifies) in accordance with the established procedure the state Administration Bodies, local executive and administrative bodies, and other organizations, the population on the prevention and elimination of natural and man-made emergencies and civil defence; ensuring fire, industrial, nuclear, and radiation safety; the safety of dangerous goods transportation; and the elimination of the consequences of the Chernobyl disaster on border territory;
- exercises other powers in accordance with this Law, other laws of the Republic of Belarus and acts of the President of the Republic of Belarus.

Article 11. Powers of the State Security Committee of the Republic of Belarus in the Field of State Border Policy

The State Security Committee of the Republic of Belarus in the field of state border policy:

- participates, within its competence, in ensuring border security, including organizing and carrying out operational searches and intelligence and counterintelligence activities to protect the interests of individuals, society and the state at the state border and border territory;
- obtains and analyses information about possible provocations and conflict situations on border territory, along with possible attempts to illegally cross the state border, and, together with the State Border Committee of the Republic of Belarus, takes measures to prevent them;
- identifies the causes and conditions that contribute to situations that may threaten border security;
- participates in established procedures for resolving issues related to the entry into the Republic of Belarus, exit from the Republic of Belarus and passage (transit) through the territory of the Republic of Belarus of individuals, as well as the regime of stay of foreign citizens and stateless persons in the Republic of Belarus;
- performs counter-intelligence and other measures to ensure security in the Border Service Agencies, customs bodies, bodies of internal affairs, the Armed Forces of the Republic of Belarus, other troops and military formations of the Republic of Belarus, other state bodies and other organizations operating in border space;
- takes part in enforcing the state of emergency and martial law in accordance with the established procedure;
- exercises other powers in accordance with this Law, other laws of the Republic of Belarus and acts of the President of the Republic of Belarus.

Article 12. Powers of the State Customs Committee of the Republic of Belarus in the field of State Border Policy

The State Customs Committee of the Republic of Belarus in the field of state border policy:

- organizes customs control;
- ensures the participation of customs authorities in monitoring the regime at checkpoints and compliance with this regime during customs and other types of control, and organizes the control of the regime at checkpoints where such control is carried out by customs authorities;
- organizes the passage of individuals across the state border, and establishes, in coordination with the State Border Committee of the Republic of Belarus, the procedure for border control at checkpoints where such control is carried out by customs authorities;
- organizes sanitary and quarantine control by visual inspections of individuals and, if necessary, questioning about their health status at checkpoints, where such control is carried out by Customs Authorities;

- within its competence, collects, processes, stores and uses personal data of individuals crossing the state border without their written consent, in compliance with the requirements of the legislation of the Republic of Belarus on the protection of information, the distribution and/or provision of which is restricted;
- participates in the development of draft international agreements of the Republic of Belarus related to the state border regime;
- ensures the participation of customs officials in measures to contain and prevent conflict situations, mass riots and other illegal actions at checkpoints;
- organizes the fight against smuggling, other crimes, within the jurisdiction of customs authorities, administrative offences and proceedings that are within the competence of these bodies;
- ensures that goods and vehicles that are objects, tools or other potential means of committing administrative customs offences are received from the Border Service Agencies and internal affairs bodies in accordance with the established procedure;
- ensures that, when customs officials at checkpoints where border control is carried out by customs authorities identify signs of crimes, the proceedings in cases that fall within the competence of other state bodies, administrative offences, the conduct of administrative proceedings that fall within the competence of other state bodies, immediately inform such state bodies;
- organizes and carries out, within its competence, operational search activities to ensure border security;
- exercises other powers in accordance with this Law, other laws of the Republic of Belarus, acts of the President of the Republic of Belarus and resolutions of the Council of Ministers of the Republic of Belarus adopted within its competence.

Article 13. Powers of the State Property Committee of the Republic of Belarus in the field of State Border Policy

The State Property Committee of the Republic of Belarus in the field of state border policy ensures land management, topographical, geodetic and cartographic work on the state border and border territory and ensures the state border is marked correctly on cartographic materials.

Article 14. Powers of other State Bodies in the Field of State Border Policy

The State Inspectorate for the protection of flora and fauna under the President of the Republic of Belarus, the Ministry for Taxes and Levies of the Republic of Belarus, the Ministry of Forestry of the Republic of Belarus and the Department of Financial Investigations of the State Control Committee of the Republic of Belarus, within its competence, assist the State Border Committee of the Republic of Belarus in carrying out measures to ensure border security in the border area.

State Administration Bodies that carry out sanitary-quarantine, veterinary and other types of control at the state border, including quarantine phytosanitary control (supervision), in the field of state border policy:

- organize and conduct activities to secure the national interests of the Republic of Belarus in economic and other spheres;
- create control bodies necessary for carrying out the types of control defined by the President of the Republic of Belarus, organize the work of these bodies, and establish the procedure for carrying out such types of control, including determining the process, methods and resources used to conduct controls;
- organize and carry out measures to protect the territory of the Republic of Belarus from the introduction of infectious diseases carried by animals, quarantine facilities from the territories of other states, as well as measures for their localization and elimination;
- organize and carry out a set of administrative, sanitary and anti-epidemic measures to protect the territory of the Republic of Belarus, aimed at preventing the introduction, occurrence and spread of infectious and mass non-communicable diseases among the population, and containing and eliminating them;
- interact with each other and provide assistance to the Border Service Agencies in their activities to ensure border security;
- cooperate, within their competence, on border issues with the relevant authorities of foreign States;

- exercise other powers in accordance with this Law, the laws of the Republic of Belarus acts of the President of the Republic of Belarus and resolutions of the Council of Ministers of the Republic of Belarus adopted within its competence.

Article 15. Powers of Local Executive and Administrative Bodies in the Field of State Border Policy

Local executive and administrative bodies in the field of state border policy in the territory under their jurisdiction:

- arrange for the legislation of the Republic of Belarus on the state border to be explained to individuals and legal entities;
- create the necessary conditions for ensuring border security, and adopt legal acts for this purpose in accordance with this Law and other legislative acts of the Republic of Belarus;
- take part in activities aimed at maintaining and further developing the infrastructure of the state border and border territory;
- provide the Border Service Agencies and Customs Authorities with land plots necessary for the protection of the state border, position infrastructure facilities of the state border and border territory, unless otherwise established by the President of the Republic of Belarus, and monitor their use;
- inform the Border Service Agencies authorities about the situation on border territory, and enable individuals to participate, on a voluntary basis, in protecting the state border;
- take measures to simplify checkpoints and to maintain and further develop their infrastructure, including that of territories adjacent to checkpoints, as well as the creation and operation of roadside service facilities;
- provide, in accordance with the established procedure, the Border Service Agencies authorities with uninhabited residential premises for the commercial use of communal housing facilities;
- exercise other powers in accordance with this Law and other acts of the legislation of the Republic of Belarus.

Regional Executive committees make decisions on the establishment of border strips, on the proposal of the authorized officials of the Border Service Agencies, the establishment of the border zone, on the proposal of the State Border Committee of the Republic of Belarus; on creating commissions on the implementation of state border policy, whose competence includes ensuring the consistency of actions of state bodies and other organizations in this area in the subordinate territory; the development of proposals on improvement of legislation of the Republic of Belarus on the State Border; and the funding for the implementation of state border policy and for ensuring border security.

District (city) executive and administrative bodies, on the proposals of authorized officials of the Border Service Agencies:

- make decisions on where to install warning signs indicating the limits of the border zone and border strip, and install warning signs and ensure their maintenance;
- make decisions on the organization of temporary parking places for vehicles in transit through the territory of the Republic of Belarus and ensure the creation of the necessary infrastructure.

CHAPTER 3. ESTABLISHING AND CHANGING THE STATE BORDER, OUTLINE AND MARKING

Article 16. Establishment and Modification of the State Border

The State Border is established and changed in accordance with the international treaties of the Republic of Belarus.

The establishment of the state border, unless otherwise stipulated by the international treaties of the Republic of Belarus, includes the delimitation and demarcation of the state border.

Sections of the state border that are not established with neighbouring states are subject to international treaties of the Republic of Belarus.

Documents on changing state borders, including clarifying the terrain of the state border, and on the process for joint border controls come into force on the basis of international treaties of the Republic of Belarus,

in accordance with the legislation of the Republic of Belarus on international agreements of the Republic of Belarus.

Article 17. Outline and Marking of the State Border

The state border on the ground, unless otherwise provided by the international treaties of the Republic of Belarus, is established:

- on land – by characteristic points, relief lines or clearly visible reference points;
- on navigational rivers – through the middle of the main channel or riverbed of the river;
- on non-navigational rivers, streams – through the middle or the middle of the main channel of the river;
- on lakes and other surface water bodies – along an equidistant, median, straight- or other-line connecting state border boundaries to the shores of a lake or other surface water body. Sections of the state border that run along a non-navigable river, stream, lake or other surface water body do not move when the shape of their banks or water level changes, or when the river or streambed deviates in one direction or another;
- on reservoirs of waterworks and other artificial surface water bodies – in accordance with the state border line that passed through the area before they were filled, as an exception, in a straight line connecting the boundaries of the state border;
- on bridges, dams and other structures that pass through rivers, streams, lakes and other surface water bodies – through the middle of these structures or along the mounting (technological) axis, regardless of whether the state border passes through water.

The state border on the ground is marked with clearly visible border signs.

The description and procedure for installing border signs are determined by the international treaties of the Republic of Belarus and resolutions of the Council of Ministers of the Republic of Belarus.

CHAPTER 4. PROTECTION OF THE STATE BORDER

Article 18. State Border Protection

The protection of the state border is carried out by the Border Service Agencies – and, in the airspace, by the Armed Forces of the Republic of Belarus within the border territory and beyond, if necessary, in cases defined by the legislation of the Republic of Belarus – as well as by other troops and military formations of the Republic of Belarus, customs authorities and internal affairs bodies, in accordance with this Law and other legislative acts of the Republic of Belarus.

The procedure for protecting the state border, except for the protection of the state border in the air space, is determined by the State Border Committee of the Republic of Belarus, in accordance with this Law and other legislative acts of the Republic of Belarus.

The procedure for protecting the state border in the air space is determined by the Ministry of Defence of the Republic of Belarus, in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 19. Interaction and Cooperation in the Field of State Border Protection

State bodies and other state organizations of the Republic of Belarus interact with each other in the field of State Border protection and, within their competence, share information in this area.

The Republic of Belarus cooperates with foreign states in the field of state border protection on the basis of generally recognized principles of international law.

Article 20. Participation of Individuals, Public Associations and other Organizations in the Protection of the State Border

Individuals, with the exception of individuals specified in Part Two of this article, voluntarily participate in protecting the state border, including on a confidential basis – in accordance with the procedure provided for by the legislative acts of the Republic of Belarus – by providing assistance to state bodies that protect the state border, as well as by directly participating in the protection of the state border.

Individuals who are located in the border zone on the basis of entry permits for the right of passage (entry), temporary stay or movement in the border zone are required to inform the Border Service Agencies

authorities about the facts that have become known to them of violations of the legislation of the Republic of Belarus on the State Border, including the reasons and conditions conducive to the committal of a violation.

Public associations and other organizations participate in the protection of the state border by providing assistance to state bodies that protect the state border, informing them about the situation in the border area and involving individuals in the protection of the state border on a voluntary basis.

Article 21. Legal Protection for Military Personnel, Customs Officials and Officers of Internal Affairs Bodies Involved in the Protection of the State Border, and Their Family Members

Military personnel of the Border Service Agencies, the Armed Forces of the Republic of Belarus, other troops and military formations of the Republic of Belarus (hereinafter referred to as 'Military Personnel'), customs officials and officers of internal affairs bodies are representatives of the authorities and are protected by the state when performing their official duties to protect the state border. Their legal demands are mandatory for all officials and other individuals.

No one has the right to interfere in the official activities of military personnel, customs officials and officers of Internal Affairs Bodies involved in the protection of the state border, except for state bodies and officials directly authorized to do so by the legislative acts of the Republic of Belarus.

Failure to comply with the legal requirements of military personnel, customs officials, employees of internal affairs bodies, other actions that impede the performance of the tasks assigned to these bodies, encroachment or threat of encroachment on the life, health, honour, dignity, property of military personnel, customs officials, employees of internal affairs bodies, as well as the commission of these actions in relation to their relatives in connection with the performance by military personnel, officials of customs authorities, employees of internal affairs bodies of official duties entail responsibility provided for by legislative acts of the Republic of Belarus.

Military personnel, customs officials and officers of internal affairs bodies are not liable for lawful harm, or for harm caused in the performance of official duties to protect the state border, if they did not exceed the limits of necessary defence, or they acted in conditions of justified professional risk or extreme necessity. Professional risk is recognized as justified if the actions of the military personnel, customs officials, and officers of internal affairs bodies were in response to a situation that could not be managed otherwise and if they have taken all possible measures to prevent harm. Compensation for damage caused by military personnel, customs officials and officers of internal affairs bodies in these circumstances is carried out in accordance with the procedure established by the legislation of the Republic of Belarus.

Article 22. Social Protection for Military Personnel, Customs Officials, Officers of Internal Affairs Bodies and other Individuals Involved in the Protection of the State Border

Military personnel, customs officials, officers of Internal Affairs Bodies and other individuals involved in the protection of the State Border are guaranteed social protection in accordance with the legislation of the Republic of Belarus.

CHAPTER 5. THE REGIME OF THE STATE BORDER

Article 23. Establishment of the State Border Regime

The State Border Regime is established by this Law, the international agreements of the Republic of Belarus with neighbouring States, and the acts of legislation of the Republic of Belarus.

Article 24. Maintenance of the State Border

The maintenance of the state border includes a set of measures for the installation, maintenance and preservation of border signs; inspections of border signs; equipment and upkeep of state border maintenance areas; and conducting joint checks for the crossing of the state border on the ground with the neighbouring state. The width of state border maintenance areas is determined by the international treaties of the Republic of Belarus.

Article 25. Crossing the State Border

The state border can be crossed by international railway, automobile, air and water transportation or in other places defined by the international treaties of the Republic of Belarus.

Before crossing the state border at the places specified in Part One of this article, or after crossing it, individuals and vehicles must arrive at the checkpoint, and goods must be delivered to the checkpoint to pass certain types of control.

Parking vehicles, boarding and disembarking individuals, or performing loading and unloading operations, as well as the presence of individuals not related to crossing the state border on the territory between the state border and the corresponding checkpoint, are prohibited.

Aircraft are permitted to cross the state border on area navigation routes, air routes and local airlines or outside of them in accordance with the procedure established by the legislation of the Republic of Belarus.

In the interests of ensuring the national security of the Republic of Belarus, and at the request of foreign states, the crossing of certain sections of the state border may be temporarily restricted, suspended or terminated with notification to neighbouring states by a decision of the Council of Ministers of the Republic of Belarus.

Procedures that are different from those outlined in Parts 1 to 5 of this article may be provided by the international treaties of the Republic of Belarus with neighbouring states, as well as the State Border Committee of the Republic of Belarus in coordination with the authorities of neighbouring states, for members of:

- bodies of the Border Service Agencies in the performance of official duties for the protection of the state border;
- emergency services sent to eliminate the consequences of natural and man-made emergencies.

Article 26. The Passage of Individuals, Vehicles and Goods across the State Border

The passage of individuals, vehicles and goods across the state border is carried out at the established checkpoints and consists of recognizing the legality of crossing the state border by individuals and vehicles arriving in the Republic of Belarus, moving goods imported into the territory of the Republic of Belarus across the state border, allowing individuals and vehicles leaving the Republic of Belarus to cross the state border, or moving goods exported from the Republic of Belarus across the State Border.

The passage of individuals, vehicles and goods across the state border includes the implementation of border and customs control (or border control at simplified checkpoints) and other types of control in cases established by the legislative acts of the Republic of Belarus.

The basis for individuals, vehicles and goods passing through the state border is the presence of valid documents provided for by the international treaties of the Republic of Belarus and acts of legislation of the Republic of Belarus required for the entry into the Republic of Belarus and/or exit from the Republic of Belarus of individuals and vehicles, as well as for the movement of goods across the state border.

In exceptional cases related to extraordinary circumstances, as well as in order to ensure the national interests of the Republic of Belarus, by the decision of the Chairman of the State Border Committee of the Republic of Belarus or an official authorized by him, individuals may cross the state border without valid documents required to enter the Republic of Belarus and/or leave the Republic of Belarus.

Foreign citizens and stateless persons who are denied entry to the Republic of Belarus, in accordance with the legislative acts of the Republic of Belarus, as well as individuals whose right to leave the Republic of Belarus is temporarily restricted in accordance with the legislative acts of the Republic of Belarus, are not allowed to pass through the state border.

Foreign citizens and stateless persons who are not allowed to cross the state border are required to stay in specially designated places at checkpoints located within the territories (water areas) of railway stations (stations), river ports or airports that are open for international transport (international flights) before leaving the Republic of Belarus.

The procedure for finding foreign citizens and stateless persons specified in Part Six of this article and monitoring their presence within the territories (water areas) of railway stations (stations), river ports or airports open for international transport (international flights) shall be established by the Ministry of Transport and Communications of the Republic of Belarus jointly with the State Border Committee of the Republic of Belarus and the Ministry of Internal Affairs of the Republic of Belarus.

The international agreements of the Republic of Belarus may establish a simplified procedure for individuals to pass through the state border in terms of determining the documents required for entering the Republic of Belarus and/or leaving the Republic of Belarus, as well as a simplified procedure for passing vehicles and goods across the state border.

Article 27. Border Control Border control is applied to individuals who cross the state border.

Border control includes:

- a document check;
- an oral interview;
- the examination and/or inspection of vehicles in order to identify individuals who have crossed or are trying to cross the state border in violation of the established rules for crossing the state border and/or passing through the state border.

Border control is carried out by officers of the Border Service Agencies, and by customs officials at checkpoints where such control is carried out by Customs Authorities.

According to the decision of the Chairman of the State Border Committee of the Republic of Belarus, the verification of documents of individuals crossing the state border can be carried out using automatic border control devices.

When checking the documents of individuals crossing the State Border using automatic border control devices, an oral interview may not be conducted.

When carrying out border control, officers of the Border Service Agencies and customs officials have the right to:

- prevent individuals crossing the state border if there are grounds provided for by the legislative acts of the Republic of Belarus;
- confiscate identity documents and documents required for entry into the Republic of Belarus and/or exit from the Republic of Belarus, in cases established by the legislation of the Republic of Belarus;
- make notes in identity documents and documents required for entry into the Republic of Belarus and/or exit from the Republic of Belarus, in accordance with the procedure established by the legislation of the Republic of Belarus.

Border control is carried out:

- at checkpoints;
- outside checkpoints in cases established by the legislation of the Republic of Belarus on the State Border.

In exceptional cases related to extraordinary circumstances, as well as in order to ensure the national interests of the Republic of Belarus, a simplified border control regime may be introduced by the decision of the Chairman of the State Border Committee of the Republic of Belarus or an official authorized by him, which consists of temporary non-compliance with certain border control measures.

In order to detect, predict and prevent violations by individuals of the established rules for crossing the state border and/or passing through the State Border, the Border Service Agencies use a risk management system, the procedure for creating and functioning of which is established by the State Border Committee of the Republic of Belarus.

In order to detect, predict and prevent violations by individuals of the established rules for crossing the State Border and/or passing through the state border, Customs Authorities, when carrying out border control, use the risk management system specified in Part 9 of this article.

Article 28. Establishment and Opening of Checkpoints

Checkpoints are established on the basis of a decision of the President of the Republic of Belarus on the proposal of the Council of Ministers of the Republic of Belarus.

The opening of the checkpoints is carried out after they are constructed, equipped and commissioned in accordance with the established procedure for buildings, premises and construction projects, and agreed with the State Border Committee of the Republic of Belarus, the State Customs Committee of the Republic of Belarus and other Bodies of State Administration whose subdivisions carry out the types of control established by leg-

islative acts of the Republic of Belarus in relation to individuals and vehicles arriving in the Republic of Belarus or departing from the Republic of Belarus, or for goods imported into the territory of the Republic of Belarus or exported from the Republic of Belarus.

When developing the projects specified in Part 2 of this article, the premises, structures and equipment necessary for the organization and implementation of border and other types of control, as well as premises for the accommodation of individuals who are not allowed to cross the state border, must be provided.

The procedure for the establishment, construction (reconstruction), equipment, technical equipment, opening, maintenance (including financing), closing of checkpoints, provision of premises, structures and technological equipment of checkpoints necessary for border and other types of control, as well as the premises for accommodation for individuals who are not allowed to cross the state border, shall be established by the Council of Ministers of the Republic of Belarus in accordance with this Law.

Article 29. Take-off and Landing Procedures for International Flights

The take-off and landing of aircraft during international flights are made on the territory of the Republic of Belarus at international airports open for international flights, aerodromes (heliports), as well as aerodromes (heliports) that are not open for international flights with the permission of the Ministry of Transport and Communications of the Republic of Belarus or the Ministry of Defence of the Republic of Belarus issued in the procedure established by the Council of Ministers of the Republic of Belarus, unless otherwise established by the President of the Republic of Belarus.

Article 30. Procedure for Entry and Stay of Water Vessels in the Waters of Border Rivers, Lakes and other Surface Water Bodies Belonging to the Republic of Belarus

When entering and staying in the waters of border rivers, lakes and other surface water bodies belonging to the Republic of Belarus, water vessels must comply with the rules of entry and stay established by this Law and other legislative acts of the Republic of Belarus.

In case of forced entry and stay in a part of the waters of border rivers, lakes and other surface water bodies belonging to the Republic of Belarus, or in case of forced non-compliance with the rules of entry and stay in this part of the waters, foreign water vessels must notify the administration of the nearest port of the Republic of Belarus, which immediately informs the Border Service Agencies authorities.

Article 31. Border Commissioners

Border commissioners are officials appointed from among the officers of the Border Service Agencies to deal with issues related to ensuring the state border regime and resolving border incidents.

The Chief Border Commissioner by virtue of office is the Chairman of the State Border Committee of the Republic of Belarus. Two Deputy Chairmen of the State Border Committee of the Republic of Belarus, who are appointed by the Chairman of the State Border Committee of the Republic of Belarus, are the Deputy Chief Border Commissioner.

Border commissioners:

- ensure compliance with the legislation of the Republic of Belarus on the state border on issues related to the state border regime;
- consider issues related to violations of the state border regime, and conduct unilateral or joint investigations on border incidents with border commissioners of neighbouring states within their competence;
- perform other functions stipulated by the international treaties of the Republic of Belarus and legislative acts of the Republic of Belarus.

Border incidents and other issues not settled by the border commissioners shall be resolved through diplomatic channels.

Article 32. Resolution of Border Incidents

The procedure for resolving border incidents and assigning them to the competence of border commissioners or the Ministry of Foreign Affairs of the Republic of Belarus is determined by the international treaties of the Republic of Belarus and the resolutions of the Council of Ministers of the Republic of Belarus.

Article 33. Trespassers of the State Border

Trespassers of the state border are individuals and vehicles that have crossed or are trying to cross the state border outside the established places of its crossing or in violation of the established rules for crossing the state border and/or passing through the state border, unless the international agreements of the Republic of Belarus state otherwise.

Trespassers of the state border who are foreign citizens or stateless persons are transferred by the Border Service Agencies authorities to the competent authorities of the states from whose territory they crossed the state border, in accordance with the international treaties of the Republic of Belarus.

In cases where the international treaties of the Republic of Belarus provide for the transfer of foreign citizens and stateless persons to the competent authorities of foreign states by internal affairs bodies, the Border Service Agencies transfer such violators of the state border to the internal affairs bodies.

Article 34. Economic and other Activities Performed on the State Border

Economic and other activities on the state border are carried out in accordance with the international agreements of the Republic of Belarus and legislative acts of the Republic of Belarus in coordination with the State Border Committee of the Republic of Belarus.

Economic and other activities conducted on the state border must not cause harm to the health of the population, damage the environment or impact the security of the Republic of Belarus, neighbouring and other foreign States, international organizations and interstate entities, or threaten such harm (damage) or interfere with the maintenance of the state border and the performance of tasks by Border Service Agencies in the field of state border protection.

CHAPTER 6. BORDER REGIME**Article 35. Establishment of the Border Regime**

The border regime is established in order to create the necessary conditions for the protection of the state border within the border zone and border strip.

The procedure for ensuring the border regime is determined by the regulations on the procedure for the border regime on the territory of the Republic of Belarus, approved by the Council of Ministers of the Republic of Belarus.

Article 36. Limits of the Border Zone and Border Strip

The limits of the border zone are established by decisions of Regional Executive Committees on the proposal of the State Border Committee of the Republic of Belarus and are indicated by warning signs that are installed in places determined by decisions of district (city) executive and administrative bodies on the proposals of authorized officials of the Border Service Agencies. The border zone may not include the territories of settlements, health resorts, recreational facilities and other health institutions, cultural centres (objects), tourist sites (routes), as well as places of mass recreation, water use, religious rites, and other places with a high concentration of individuals.

The limits of the border strip are established by the decisions of the Regional Executive Committees, taking into account local conditions, on the proposals of authorized officials of the Border Service Agencies.

Based on the nature of relations between the Republic of Belarus and a neighbouring state, a border zone and a border strip may not be established on certain sections of the state border.

Article 37. Passage (Entry), Stay and Movement in the Border Zone and Border Strip

The process for passage (entry), temporary stay or movement in the border zone of citizens of the Republic of Belarus, foreign citizens and stateless persons permanently residing in the Republic of Belarus, who have reached the age of fourteen, is carried out on the basis of identity documents, or a military ID card, driver's license or service certificate issued by authorized state bodies (organizations) containing a photo that allows for the identification of the owner.

The process for passage (entry), temporary stay or movement in the border zone of citizens of the Republic of Belarus, foreign citizens and stateless persons permanently residing in the Republic of Belarus, who

have not reached the age of fourteen, are carried out on the basis of identity documents, birth certificates or documents confirming the status of the legal representative of a minor if the minor is accompanied by a legal representative.

The process for passage (entry), temporary stay or movement in the border zone of foreign citizens and stateless persons permanently residing outside the Republic of Belarus, who have reached the age of fourteen, is carried out on the basis of valid passports or their equivalent, intended for travel abroad and issued by the relevant authorities of the states of citizenship or usual place of residence of foreign citizens and stateless persons or international organizations, permits for the right of passage (entry), temporary stay and movement in the border zone are issued by the Border Service Agencies, unless otherwise provided by this Law, other legislative acts of the Republic of Belarus and the international treaties of the Republic of Belarus.

The process for passage (entry), temporary stay or movement in the border zone of foreign citizens and stateless persons permanently residing outside the Republic of Belarus, who have not reached the age of fourteen, is carried out on the basis of valid passports or equivalent documents, intended for travel abroad and issued by the relevant authorities of the States of citizenship or the usual place of residence of foreign citizens and stateless persons or international organizations, unless otherwise provided by this Law, other legislative acts of the Republic of Belarus and the international treaties of the Republic of Belarus.

Foreign citizens and stateless persons permanently residing outside the Republic of Belarus who travel are transiting through the border zone are allowed to pass (enter), temporarily stay and move through the border zone on the basis of valid passports or equivalent documents, intended for traveling abroad and issued by the relevant authorities of the states of citizenship or the usual place of residence of foreign citizens and stateless persons or international organizations, according to the shortest route along general roads, railways and waterways:

- from the point of the passage (entry) into the border zone to the departure (exit) from the border zone, with the exception of the passage (entry) on territory not included in the border zone according to the Part I of Article 36 of this Law;
- from the place of the passage (entry) to the border zone to checkpoints, and then to the state border or from the state border to checkpoints and then to the place of departure (exit) from the border zone;
- from the place of passage (entry) to the border zone to the territories not included in the border zone, according to Part 1 of Article 36 of this Law, and back;
- from the place of passage (entry) to the border zone to the place of passage (entry) to the border strip, subject to obtaining the appropriate permits issued by the Border Service Agencies, unless otherwise provided by this Law, other legislative acts of the Republic of Belarus and the international treaties of the Republic of Belarus, and back.

Foreign citizens and stateless persons permanently residing outside the Republic of Belarus who are in transit (transiting) through the border zone are allowed to visit roadside service facilities.

The process for passage (entry), temporary stay or movement in the border zone of individuals is carried out on the basis of valid documents required for entry into the Republic of Belarus and/or exit from the Republic of Belarus, and permits for the right of passage (entry), temporary stay and movement in the border zone area issued by the Border Service Agencies authorities, unless otherwise provided by this Law, other legislative acts of the Republic of Belarus and the international treaties of the Republic of Belarus.

Individuals who are engaged in transit (transiting) through the border strip are allowed to pass (enter), temporarily stay and move through the border strip on the basis of valid documents required for entering the Republic of Belarus and/or leaving the Republic of Belarus, along the shortest route on general-purpose roads or railways:

- from the point of passage (entry) to the border strip to checkpoints and then to the State Border;
- from the State Border to checkpoints and then to the place of departure (exit) from the border strip.

The process for passage (entry), stay or movement in the border zone and border strip of individuals accompanied by officers of the Border Service Agencies shall be carried out on the basis of the documents provided for in this article, without the need for appropriate permits.

In exceptional cases related to extraordinary circumstances, as well as in order to ensure the national interests of the Republic of Belarus, individuals may pass (enter), temporarily stay or move in the border zone or border strip without appropriate permits by the decision of the Chairman of the State Border Committee of the Republic of Belarus or an official authorized by him.

The process for passage (entry) or temporary stay in the border zone and departure (exit) from the border zone is carried out in places established by the Border Service Agencies, and foreign engineering structures and barriers in the border zone and at times established by the Border Service Agencies authorities. Information about the established places of passage (entry) or for temporary stay in the border strip and departure (exit) from the border strip, the places and times of passage (entry) or temporary stay abroad of engineering structures and barriers in the border strip and departure (exit) abroad of engineering structures and barriers in the border strip is made available by the Border Service Agencies on the official website of the State Border Committee of the Republic of Belarus in the global computer network of the Internet and is brought to the attention of individuals when they are issued the appropriate permits.

Passes for the right of passage (entry), temporary stay or movement in the border zone or border strip are issued by the Border Service Agencies authorities, in accordance with their competence, and grant the right of passage (entry), temporary stay or movement in a certain section of the border zone or border strip, respectively. Passes for the right of passage (entry), temporary stay or movement in a border zone or border strip may be issued by the Border Service Agencies authorities for a group of individuals who, respectively, go to the border zone or border strip jointly and for the same period, based on the application of a legal entity or individual entrepreneur.

In order to ensure the border security, authorized officials of the Border Service Agencies may impose additional temporary regime restrictions on the passage (entry), temporary stay or construction works in the border zone, with the exception of measures to eliminate the consequences of natural and man-made emergencies, to contain and eliminate infectious and mass non-communicable diseases.

The sale of travel documents to individuals for travel in vehicles that follow regular routes to settlements located within the border zone or border strip, and to individuals who are engaged in transit (transiting) on national highways through the border zone or border strip, is made upon presentation of the documents provided for in this article unless otherwise provided by this Law, other legislative acts of the Republic of Belarus and the international treaties of the Republic of Belarus.

The passage (entry), temporary stay or movement in the border zone and border strip are prohibited to individuals, with the exception of individuals registered at their place of residence (place of stay) in settlements located in the border zone or border strip, and individuals who are engaged in transit (transiting) through the border zone or border strip, if they are:

- suspected or accused of committing a very serious, serious crime or an intentional, less serious crime; of illegally crossing the state border; or of a violation of the period of prohibition of entry into the Republic of Belarus;
- convicted of the crimes specified in the second Paragraph of this Part, before the execution of the sentence or release from punishment;
- brought to administrative responsibility for illegally crossing the state border, brought again within one year to administrative responsibility for the violation of the State Border or border regime, until the end of the period, after which the individual is considered not to have been subjected to administrative penalties.

An individual who is prohibited from the passage (entry) or from temporarily staying and moving in the border zone and border strip may be allowed by the Border Service Agencies authorities to pass (enter), temporarily stay and move in the border zone and border strip for up to one month owing to a serious illness or death of a close relative registered at the place of residence (place of stay) in a settlement located in the border zone or border strip, or for other valid reasons.

Control over passage (entry), stay and movement in the border zone and border strip is carried out by the Border Service Agencies and Internal Affairs Bodies.

The process for passage (entry), stay and movement in the border zone, and border strip of Border Service Agencies personnel is carried out using official certificates (military tickets), or identity documents for civilian personnel of the Border Service Agencies.

The Border Service Agencies, Internal Affairs Bodies and State Security bodies of the Republic of Belarus interact with each other in the field of border security and, within their competence, share information in this area.

Article 37¹. Rights and Obligations of Legal Entities and Individuals Related to Staying in the Border Zone and Border Strip

Individuals who pass (enter), stay and move in the border zone and border strip have the right to receive information about the border regime, the state border regime, and other information related to ensuring the border regime and the state border regime, which is not classified, in accordance with the legislation of the Republic of Belarus, as information containing state secrets or official information of limited distribution or other information, access to which is restricted by the legislative acts of the Republic of Belarus.

Individuals staying in the border zone and the border strip are required to carry and submit for verification, at the request of authorized officials of the Border Service Agencies and internal affairs bodies, the documents provided for in Article 37 of this Law, and provide explanation about their presence in the border zone or border strip.

Individuals who operate motor vehicles within the border zone and border strip are required to carry and submit for inspection, at the request of authorized officials of the Border Service Agencies and internal affairs bodies, documents as stipulated by the traffic rules approved by the decree of the President of the Republic of Belarus of 28 November 2005, No. 551 'On Measures for Improving the Road Safety' (National Register of Legal Acts of the Republic of Belarus, 2005, No. 189, 1/6961), and to provide access to vehicles for examination and/or inspection.

The following actions are prohibited within the border zone and border strip:

- to photograph or film border clothes, border marks, the infrastructure of border areas and national borders or other objects of Border Service Agencies, or to photograph or video the territory of a neighbouring state;
 - without the permission of designated officials of the Border Service Agencies, to stay there without the documents provided for in Article 37 of this Law;
 - to put money in documents submitted for verification;
 - to obstruct the performance of duties by officers of the Border Service Agencies and internal affairs bodies;
 - to destroy, render unusable or move border and warning signs, communication lines, the infrastructure of the border territory and the state border, and other objects of the Border Service Agencies;
 - to leave motor vehicles outside settlements without notifying the nearest division of the Border Service Agencies. In the event of a breakdown of a mechanical vehicle, the individual driving it and living within the border zone is obliged to take measures to transfer it to the settlement at the place of their residence, or outside of the border zone and border strip for individuals who do not reside in the area. If an individual does not notify the nearest division of the Border Service Agencies of such a mechanical vehicle and does not take steps to transfer it to the settlements in their place of residence or outside of the border zone and border strip respectively, this mechanical vehicle is subject to forced towing (evacuation) and moved to a guarded parking lot or towing without being moved to a guarded parking according to the procedure established by the legislation of the Republic of Belarus;
 - to move and store goods in cases established by the legislative acts of the Republic of Belarus.
- It is also prohibited within the border strip to:
- use optical (electronic-optical) and optoelectronic devices, including optical sights, binoculars, night vision devices, thermal imagers, telescopic sights and camera traps, without the consent of the Border Service Agencies authorities;

- talk to individuals located on the territory of a neighbouring state, receive or transmit any goods from them, or send any signals;
- influence or overcome engineering structures and barriers, or other objects constructed, equipped and used for the purpose of marking and maintaining the state border and ensuring its protection;
- hunt, except for the removal of wild animals in order to prevent epizootics and other emergencies and eliminate their consequences, or to regulate the distribution and number of wild animals, carried out in coordination with the State Border Committee of the Republic of Belarus;
- graze and keep livestock within the preventive zone along the State Border established by the Council of Ministers of the Republic of Belarus.

Article 38. Registration, Maintenance, Navigation and Location of Water Vessels in the Internal Waters of the Republic of Belarus within the Border Zone and Border Strip

The rules for registering, maintaining, navigating and locating water vessels in the internal waters of the Republic of Belarus (waters of rivers, lakes and other surface water bodies whose banks fully belong to the Republic of Belarus) within the border zone and border strip are determined by the international treaties of the Republic of Belarus and acts of legislation of the Republic of Belarus. These rules also apply to the territory of a district, city, urban-type settlement, or village council adjacent to the State Border, where the border zone is not established.

It is prohibited to include boats outside of marinas, moorings, ports and other basing points or in violation of the rules for the detention of ships, or to move away from the coast or moor outside of marinas, moorings, ports and other basing points, except for maintenance works of waterways.

The prohibition established by the second part of this article also does not apply to the use of water vessels when carrying out control measures in the border zone and/or border zone carried out by the State Inspectorate for the protection of wildlife under the President of the Republic of Belarus, provided that such measures are coordinated with the State Border Committee of the Republic of Belarus or the relevant territorial bodies of the Border Service Agencies.

Article 39. Maintenance and Use in the Border Zone and Border Strip of Motor Vehicles that are not Subject to Road Operation, Floating Objects and Aircraft

The State Border Committee of the Republic of Belarus determines the rules for the maintenance and use of motor vehicles that are not subject to operation on roads, as well as floating objects in the border zone and border strip.

Rules for the maintenance and use of aircraft in the border zone and border strip are determined by the Ministry of Defence of the Republic of Belarus in coordination with the State Border Committee of the Republic of Belarus.

Article 40. Economic and other Activities in the Border Zone and Border Strip

Economic and other activities conducted in the border zone and border strip must not cause harm to the health of the population, damage the environment or impact the security of the Republic of Belarus, or that of neighbouring and other foreign states, international organizations or interstate entities or threaten such harm (damage) or interfere with the performance of tasks by Border Service Agencies in the field of state border protection.

Economic and other activities in the border zone and in the internal waters of the Republic of Belarus (waters of rivers, lakes, and other bodies of water whose banks fully belong to the Republic of Belarus) are carried out with the permission of authorized officials of the border service agencies.

The heads of legal entities and individuals are obliged to inform the nearest border service agency or its division about the place, time and nature of economic or other activities planned in the border zone no later than one hour before entering the border zone.

Managers of legal entities, when carrying out economic and other activities in the border zone, are obliged to ensure that their officers comply with the established border regime and the state border regime.

In the border zone, events held with the permission of state bodies, as well as other events held in accordance with the legislation of the Republic of Belarus on mass gatherings, require that prior notification be given to border service agencies.

Economic or other types of activities in the border zone are determined by the State Border Committee of the Republic of Belarus in coordination with the relevant Regional Executive Committee.

CHAPTER 7. CHECKPOINTS REGIME

Article 41. Establishment of Checkpoints Regime

The checkpoints regime:

- is established in order to create the necessary conditions for the implementation of border control and other types of control;
- is controlled by the authorities of border service agencies and Customs Authorities within their competence.

Border controls are implemented at border checkpoints and other places by the joint decision of designated officials of the border service and the customs authority (by the decision of the authorized official of the customs authority at checkpoints with simplified crossings, by the decision of the authorized official of the customs authority at checkpoints where the regime is carried out by customs authorities and by the decision of the authorized officer of the border guard authority at simplified crossings). Additional regime rules may be introduced at border checkpoints in order to regulate the procedures for admitting individuals involved in the control and maintenance of passengers and vehicles, and to prevent violations of the legislation of the Republic of Belarus on the state border.

In places where the state border is crossed outside of checkpoints, restrictions are similar to the regime for checkpoints.

Article 42. Procedure for Passage (Entry) to Checkpoints, Movement within Checkpoints, and Departure (Exit) from Them of Individuals and Vehicles

The process for the passage (entry) to and departure (exit) from the territory of checkpoints of individuals and vehicles is carried out according to documents determined by the Council of Ministers of the Republic of Belarus, with the permission of authorized officials of border service agencies, and at checkpoints where control over the regime at checkpoints is carried out by customs authorities, with the permission of authorized customs officials, unless otherwise established by the legislative acts of the Republic of Belarus.

The movement of individuals on the territory of a road checkpoint, their actions while crossing the border and other types of control points, as well as places for the stopping and parking of vehicles at a road checkpoint shall be established by authorized officials of border service agencies in coordination with authorized customs officials. For checkpoints at railway stations, river ports, and airports, the places and time limits for the parking of vehicles are established by officials authorized by the Ministry of Transport and Communications of the Republic of Belarus, in agreement with authorized officials of border service agencies and Customs Authorities.

The order of operation of railway stations, river ports, airports and bus stations where checkpoints are located is determined by officials authorized by the Ministry of Transport and Communications of the Republic of Belarus, in agreement with authorized officials of border service agencies and Customs Authorities.

Article 43. Rights and Obligations of Individuals Crossing Checkpoints

Individuals crossing the state border have the right to receive information about the regime at the checkpoint, the sequence and procedure for carrying out border and other types of control at the checkpoint, as well as other information related to the functioning of the checkpoint that is not classified in accordance with the legislation of the Republic of Belarus, official information of limited distribution, or other information that is restricted by the legislative acts of the Republic of Belarus.

During their stay at a checkpoint, individuals crossing the state border must:

- have the documents necessary for entering the Republic of Belarus and/or leaving the Republic of Belarus, and other documents necessary for crossing the state border, and submit them for verification at the request of officers (officials) of state control bodies;
- at the request of officers (officials) of state control bodies, give oral and/or written explanations about their actions at the checkpoint;

- inform officers (officials) of state control bodies goods in their possession, including weapons, ammunition, special means, explosives, narcotic drugs, psychotropic substances, their precursors and analogues, radioactive substances and other goods that require special permits to move across the state border;
- at the request of officers (officials) of state control bodies, undergo inspections, and/or inspections of goods moved across the state border, except in cases established by the international treaties of the Republic of Belarus and legislative acts of the Republic of Belarus.
The following actions are forbidden at checkpoints:
- taking photos and videos;
- using mobile means of communication to have conversations that may hinder the implementation of border and other types of control;
- placing money into documents submitted for verification;
- performing actions aimed at inciting officers (officials) of state control bodies to violate the established procedure for border and other types of control, including offering and/or transferring any material values to them, or offering and/or providing property benefits;
- entering the territory of the checkpoint in violation of the established procedure;
- staying on the territory of the checkpoint without documents required to enter the Republic of Belarus and/or leave the Republic of Belarus;
- staying in the premises of state control bodies and other premises where documents are checked without the permission of officers (officials) of state control bodies, or crossing the line of booths (modules) for checking documents without the permission of Border Service Agencies officers, and at checkpoints where control over the regime at checkpoints is carried out by customs authorities, without the permission of customs officials;
- bringing (importing) weapons, explosives, explosive devices or other items that pose a danger to the life or health of officers (officials) of state control bodies or other individuals into the territory of the checkpoint without the permission of border service agencies officers or, at checkpoints where the control regime is carried out by customs authorities, without the permission of customs officials;
- changing the parking places of vehicles without the permission of border guards and customs officials;
- staying at checkpoints, or leaving vehicles and goods at checkpoints after passing the established types of control without the permission of border service agencies officers and customs officials;
- performing other actions that hinder the implementation of border and other types of control.

Article 44. Duties of Individuals Driving Vehicles when Crossing the State Border

Individuals driving vehicles are required to take measures to prevent passengers from being taken to checkpoints without documents required to enter the Republic of Belarus and/or leave the Republic of Belarus.

Individual entrepreneurs (their representatives), as well as representatives of legal entities and other individuals who operate vehicles, are required to fulfil the following requests of officers (officials) of state control bodies:

- to undergo an inspection and/or the inspection of vehicles crossing the state border and goods moving across the state border, except for cases established by the legislative acts of the Republic of Belarus;
- to open for inspection closed (sealed) wagons, containers, cars, boots and other parts of vehicles.

Individuals are not allowed to leave motor vehicles on the territory between the state border and the nearest road checkpoint. In the event of a breakdown of a motorized vehicle, the individual driving it is obliged to notify the nearest division of border service agencies and take measures to transfer it outside the specified territory. If the individual fails to notify the nearest division of border service agencies and do not take measures to transfer it outside the area, such motorized vehicles are subject to removal and relocation to a secure parking lot, or to removal and relocation to an unsecure parking lot, in the order established by the legislation of the Republic of Belarus.

Article 45. Rights and Obligations of Legal Entities and Individual Entrepreneurs Engaged in Passenger Transportation that Involve Passengers Crossing the State Border

Legal entities and individual entrepreneurs engaged in passenger transportation involving passengers crossing the state border (hereinafter referred to as 'international passenger transportation') are required to take measures to prevent individuals from illegally entering vehicles and using vehicles for crossing the state border illegally.

Legal entities and individual entrepreneurs engaged in international passenger transportation by sea, inland water, road and air transport are required:

- if the Republic of Belarus is the destination or transit state, to make sure that passengers have the documents necessary to enter the Republic of Belarus and/or leave the Republic of Belarus before beginning international passenger transportation;
- at their own expense, to take measures to return foreign citizens and stateless persons who are denied entry to the Republic of Belarus or, if they are transported by such legal entities and individual entrepreneurs to the territory of the Republic of Belarus within the international passenger transportation framework, to the territory of the state from which they arrived in the Republic of Belarus or to another state which they are allowed to enter, and also to bear the costs of maintaining such persons on the territory of the Republic of Belarus until their departure from the Republic of Belarus.

Legal entities and individual entrepreneurs engaged in international passenger transportation have the right to receive information on documents required for entry into and/or exit from the Republic of Belarus, in accordance with the procedure established by the Council of Ministers of the Republic of Belarus.

When carrying out international passenger transportation, legal entities and individual entrepreneurs have the right to collect, process, store and use the personal data of passengers without their written consent in compliance with the requirements of the legislation of the Republic of Belarus on the protection of information, the distribution and/or provision of which is restricted.

If the Republic of Belarus is the departure, destination or transit state, legal entities and individual entrepreneurs engaged in international passenger transportation by air are obliged to transfer the personal data of aircraft passengers to the information systems of the Ministry of Transport and Communications of the Republic of Belarus free of charge.

Legal entities that carry out international passenger transportation by public railway transport are obliged to transfer the personal data of passengers traveling in international railway traffic to the information systems of the Ministry of Transport and Communications of the Republic of Belarus free of charge, in accordance with the procedure determined by this Ministry.

In order to perform the tasks assigned to border service agencies and other state bodies that carry out operational-search activities, the Ministry of Transport and Communications of the Republic of Belarus provides information about passengers' personal data to these bodies in accordance with the procedure established by this Ministry in agreement with these bodies.

In addition to the information specified in Part 2 of this article, legal entities and individual entrepreneurs engaged in international passenger transportation by air also have the right to receive, in accordance with the procedure established by the Council of Ministers of the Republic of Belarus, information about foreign citizens and stateless persons who will be denied entry into the Republic of Belarus.

It is prohibited to take photos and videos at checkpoints using technical equipment installed inside and outside the vehicles of legal entities and individual entrepreneurs engaged in international passenger transportation.

Article 46. Duties of Officers (Officials) of State Control Bodies and Individuals Involved in the Control and Maintenance of Passengers and Vehicles at Checkpoints

The duties of officers (officials) of state control bodies and individuals involved in the control and maintenance of passengers and vehicles at checkpoints related to compliance with the regime at checkpoints are determined by the Council of Ministers of the Republic of Belarus.

Article 47. Admission to Checkpoints of Individuals Involved in the Control and Maintenance of Passengers and Vehicles, as well as Performing Economic and other Activities at Checkpoints

The passage (entry) to, temporary stay and movement on, and departure (exit) from the territory of checkpoints of individuals involved in the control and maintenance of passengers and vehicles, as well as those carrying out economic and other activities at checkpoints, are carried out with the permission of authorized officials of border service agencies – and, at checkpoints where the control regime is carried out by Customs Authorities, with the permission of authorized officials of the Customs Authorities – who inspect identity documents or service certificates in the presence of special passes.

The procedure for issuing and withdrawing special passes specified in Part One of this article for road checkpoints and simplified checkpoints shall be established by the State Border Committee of the Republic of Belarus.

The procedure for issuing and withdrawing special passes specified in Part One of this article for checkpoints at railway stations, river ports and airports shall be established by the Ministry of Transport and Communications of the Republic of Belarus, in coordination with the State Border Committee of the Republic of Belarus.

Article 48. Economic and other Activities at Checkpoints

Economic and other activities at checkpoints are carried out in accordance with the legislation of the Republic of Belarus and must not cause harm to the health of the population or the environment, or impact the security of the Republic of Belarus, or that of neighbouring and other foreign states, international organizations and interstate entities, or threaten to cause such harm (damage) or interfere with the performance of tasks by state bodies in the field of state border protection.

Economic activity at checkpoints is carried out on the basis of permits issued by the State Border Committee of the Republic of Belarus.

CHAPTER 8. USE OF PHYSICAL FORCE, SPECIAL MEANS AND MILITARY EQUIPMENT AND THE APPLICATION AND USE OF WEAPONS WHEN PROTECTING THE STATE BORDER

Article 49. Conditions and Limits of the Use of Physical Force, Special Means and Military Equipment and the Application and Use of Weapons in the Performance of Tasks to Protect the State Border

Military personnel, customs officials and officers of internal affairs bodies have the right to use physical force, special means and military equipment when performing their official duties to protect the state border, as well as to use weapons if it is not possible to perform the tasks assigned to them in any other way.

Physical force, special means, military equipment and weapons are used based on the prevailing situation and the identity of the offender at the discretion of the military officer, a customs official or an officer of internal affairs bodies in cases and in accordance with the procedure provided for by this Law and other legislative acts of the Republic of Belarus.

The use of physical force, special means, military equipment or weapons must be preceded by a clearly expressed and obvious warning to the individual against whom they may be used, about the intention to use them, providing them with sufficient time to comply with legal requirements, except in cases where delay in their use will create an immediate danger to the life of the military officer, a customs official, an officer of internal affairs bodies, or other individuals or citizens, or which may entail other serious consequences.

In cases where it is impossible to avoid the use of physical force, special means, military equipment or weapons, the military personnel, customs officials, officers of internal affairs bodies or other individuals must take all possible measures to ensure the safety of individuals and reduce to the fullest possible extent, any damage to their life, health, honour, dignity and property, as well as to immediately provide victims with medical and other necessary assistance.

A military officer, customs official or an officer of an internal affairs bodies who has used physical force, special means, or military equipment, or who has applied or used weapons shall immediately report this to their direct commander (chief).

The relevant prosecutor is immediately notified of the injury or death of an individual as a result of the use of physical force, special means or military equipment, or the application or use of weapons by a military officer, customs official or internal affairs officer.

Military personnel, customs officials and officers of internal affairs bodies are not liable for damage caused in connection with the use of physical force, special means, military equipment or weapons in cases provided for by this Law and other legislative acts of the Republic of Belarus, if:

- they do not exceed the limits of necessary defence or measures necessary to prevent crimes and other offences, to detain individuals who committed them or to overcome opposition to the legitimate demands of military personnel, customs officials and officers of internal affairs bodies if non-violent methods did not allow them to perform their official duties;
- they acted in compliance with a binding order or instruction, given in accordance with the established procedure, with the exception of the deliberate committal of a crime following a deliberately criminal order or instruction;
- they acted under conditions of reasonable professional risk or extreme necessity.

The use of physical force, special means, military equipment or weapons by military personnel, customs officials and officers of internal affairs bodies in violation of the requirements of this Law and/or other legislative acts of the Republic of Belarus shall entail liability established by the legislative acts of the Republic of Belarus.

Article 50. Use of Physical Force when Performing Tasks to Protect the State Border

During the course of performing official duties to protect the state border, military personnel, customs officials and officers of internal affairs bodies are allowed to use physical force, including combat techniques and improvised means, if non-violent methods do not allow them to perform their duties, for:

- the prevention and suppression of offences;
- the detention of individuals who have committed offences;
- self-defence;
- overcoming opposition to the legal requirements of military personnel, customs officials and officers of the internal affairs bodies.

Article 51. Use of Special Means when Performing Tasks to Protect the State Border

Military personnel, customs officials and officers of Internal Affairs Agencies are allowed to use handcuffs, rubber sticks, devices which restrict movement, special chemicals, light and sound distraction devices, devices for opening premises, devices for forcibly stopping vehicles and other special means, including service animals, when performing their official duties to protect the state border:

- to repel attacks on military personnel, customs officials, officers of internal affairs bodies and other individuals;
- for the release of hostages;
- to repel attacks on objects of border service agencies, customs bodies, internal affairs bodies of the Republic of Belarus, the Armed Forces, other troops and military formations of the Republic of Belarus participating in the protection of the state border;
- to suppress disobedience or resistance to legal requirements of military personnel, customs officials, officers of internal affairs bodies and other individuals involved in the protection of the State Border;
- to detain and transfer to the offices of border service agencies by military personnel, customs officials and officers of internal affairs bodies, individuals who have committed offences or who refuse to prove their identity if they disobey or resist, as well as to escort and protect detained offenders and individuals in custody if they disobey or resist, or if there are grounds to believe that they may escape or cause harm to others or themselves;
- to detain individuals and stop vehicles that have illegally crossed or are trying to cross the state border or are moving within the border zone and/or the border lane outside the highways of the Republic of Belarus, in case of the refusal to obey the legal requests of military personnel, customs officials and officers of internal affairs bodies;
- to stop a vehicle, if the driver does not comply with obvious and repeated legitimate requests of the military personnel, customs officials and officers of internal affairs bodies to stop the vehicle or to fulfil

technical requirements to manage traffic at road checkpoints (including road signs, traffic lights), or if reliable data indicates that the vehicle is driven by an individual who has committed a serious or very serious crime;

- to suppress mass riots within the border territory;
- in other cases determined by the President of the Republic of Belarus.

To prevent violations of the regime at checkpoints, or if there are grounds to believe that it may be violated, border service agencies officers and customs officials may apply devices which immobilize the vehicle.

The type of special means and the intensity of their use are determined by the military officer, customs officer or officer of the internal affairs bodies independently, taking into account the current situation, the nature of the offence and the identity of the offender.

It is forbidden to use special means towards:

- women with visible signs of pregnancy, individuals with obvious signs of disability, minors when their age is obvious or known, with the exception of cases when these persons commit an armed or group attack or other actions that threaten the life or health of a military officer, an official of a customs body, an officer of internal affairs bodies or other individuals;
- individuals who have illegally crossed or are trying to cross the state border, if this happened (happens) clearly by accident or as a result of an accident or force majeure.

Article 52. Use of Weapons, Military Equipment and Weapons when Performing Tasks to Protect the State Border

Military personnel, customs officials, and officers of internal affairs bodies who protect the state border use weapons and military equipment to repel an armed invasion of the territory of the Republic of Belarus and prevent attempts to steal vehicles from the state border.

Weapons and military equipment can also be used:

- for detaining individuals and stopping vehicles that have illegally crossed or are trying to cross the state border, in cases where the termination of the violation or detention of violators cannot be carried out by other means;
- for detaining individuals and stopping vehicles moving within the border zone and/or the border lane outside the highways of the Republic of Belarus, in case of the refusal to obey the legal requirements of military personnel, customs officials and officers of internal affairs bodies to stop, when the detention of individuals and stopping vehicles cannot be carried out by other means;
- for repelling attacks on military personnel, customs officials, officers of internal affairs bodies and other individuals when their lives or health are in danger;
- for the release of hostages;
- for repelling group or armed attacks on objects of border service agencies, customs bodies, internal affairs bodies, the Armed Forces of the Republic of Belarus, other troops and military formations of the Republic of Belarus participating in the protection of the state border;
- for repelling group or armed attacks on water or aircraft;
- when committing an action directly aimed at forcibly taking possession of weapons, ammunition, military equipment or special means that are in the possession of a military officer, customs official or an officer of the internal affairs bodies;
- when an individual escapes from custody or convoys;
- in case of the failure to comply with the legal requests of military personnel, customs officials and officers of Internal Affairs Bodies to immediately hand over weapons, explosives, explosive devices or other items, the use of which may threaten the life or health of military personnel, customs officials, officers of internal affairs bodies or other individuals.

Individuals committing actions that are prohibited by a military officer, a customs official or an officer of internal affairs bodies and expressed in an attempt to approach a military officer, a customs official or an officer of internal affairs bodies closer than the distance specified by them, to touch weapons or military equipment,

to obtain something from clothing or hand luggage without permission, or other actions that may be interpreted by a military officer, a customs official or an officer of internal affairs bodies as a threat of violence that endangers their life or health, or the life or health of other individuals, shall give the military officer, the official of the customs body or the officer of the internal affairs bodies the right to use weapons or military equipment in accordance with this law.

Military personnel, customs officials, and officers of internal affairs bodies have the right to use weapons to:

- neutralize animals that threaten the life or health of military personnel, customs officials, officers of internal affairs bodies and other individuals;
- as an alarm or call for help;
- stop a vehicle by damaging it, if the driver does not comply with the clear and repeated demands of a military officer, a customs official or an officer of the internal affairs bodies to stop the vehicle, as well as in cases where his actions pose a real threat to the life or health of a military officer, a customs official, an officer of the internal affairs bodies or other individuals, or if reliable data indicates that the vehicle is driven by an individual who has committed a serious or very serious crime.

Military personnel, customs officials, and officers of internal affairs bodies have the right to use weapons, military equipment and weapons when guarding the state border, as well as in other cases determined by the President of the Republic of Belarus.

It is forbidden to use weapons, military equipment, or weapons:

- in the direction of a significant number of people;
- in the direction of warehouses (storage facilities) containing flammable, explosive, and highly toxic substances, or vehicles transporting these substances;
- against women, individuals with obvious signs of disability, minors when their age is obvious or known, with the exception of cases when these persons commit an armed or group attack or other actions that threaten the life or health of a military officer, a customs official, an officer of Internal Affairs Bodies or other individuals;
- in relation to individuals who have illegally crossed or are trying to cross the state border, if this happened (happens) clearly by accident or as a result of an accident or force majeure.
- in other cases determined by the President of the Republic of Belarus.

CHAPTER 9. RESPONSIBILITY FOR VIOLATION OF THE LEGISLATION OF THE REPUBLIC OF BELARUS ON THE STATE BORDER AND PROSECUTORIAL SUPERVISION

Article 53. Responsibility for Violations of the Legislation of the Republic of Belarus on the State Border

Violations of the legislation of the Republic of Belarus on the state border entail liability in accordance with the legislative acts of the Republic of Belarus.

Article 54. Prosecutorial Supervision

The Prosecutor General of the Republic of Belarus and his subordinate prosecutors supervise the accurate and uniform implementation of the legislation of the Republic of Belarus on the State Border.

President of the Republic of Belarus

A. Lukashenka

**DECREE OF THE PRESIDENT
OF THE REPUBLIC OF BELARUS
'On Approving the Concept of Border Security
of the Republic of Belarus for 2018-2022'**

16 October 2018, No. 410

1. To approve the attached Concept of Border Security of the Republic of Belarus for 2018–2022.
2. The Council of Ministers of the Republic of Belarus within three months to approve a set of measures to implement the concept of border security of the Republic of Belarus for 2018–2022.
3. The control over the implementation of this Decree shall be entrusted to the State Secretariat of the Security Council of the Republic of Belarus.
4. This Decree comes into force from the date of its signing.

President of the Republic of Belarus

A. Lukashenka

APPROVED
Decree of the President
of the Republic of Belarus of 16 October 2018, No. 410

CONCEPT OF BORDER SECURITY OF THE REPUBLIC OF BELARUS FOR 2018–2022

CHAPTER .1 GENERAL PROVISIONS

1. This Concept establishes a set of official positions on the current state of border security of the Republic of Belarus (hereinafter – ‘border security’), as well as priority areas of state activities to strengthen border security and further develop border service agencies.
2. This Concept is designed to improve the state of protection of national interests in the border area of the Republic of Belarus (hereinafter – the ‘border area’) from external and internal threats, and to ensure a unified approach to the formation and implementation of the state border policy.
3. The development of this Concept is the result of the activation of negative factors and the formation of conditions that together can lead to threats to national security in the border area, as well as the need to improve mechanisms for countering modern cross-border threats, taking into account:
 - an assessment of the vulnerability of the state border protection of the Republic of Belarus (hereinafter – the ‘state border’), and the timely elimination of the causes and conditions that lead to a decrease in its effectiveness;
 - the identification of priority areas for the development of border service agencies and ways to implement them;
 - the rational allocation and use of resources intended for solving border security tasks, based on the situation and capabilities of the state;
 - improving the forms and methods of interaction between state bodies authorized in the field of state border policy, as well as working with the population in the border territory in the interests of protecting the state border;

- searching for (developing) and using new sources (programmes, projects) to fund border security measures.
4. In this Concept, the following basic concepts are used:
- 'border security': an integral part of national security, which represents the state of protection of national interests from external and internal threats in the border area;
 - 'border security system': a set of interacting entities and means used by such entities to carry out activities to protect and implement national interests in the border area;
 - 'danger to national interests in the border area (border danger)': external and internal factors that affect the security system and have the potential to harm national interests;
 - 'source of danger to national interests in the border area (source of border danger)': a factor or combination of factors that can, under certain conditions, lead to the emergence or increase of border danger;
 - 'carrier of danger to national interests in the border area (carrier of border danger)': a person or group of persons who intentionally or unintentionally perform actions (inaction) to cause damage to national interests in the border area, as well as phenomena (processes) of a natural, man-made or other nature that can lead to such damage;
 - 'risks to border security (border risk)': an initial increase in the level of danger to border security, but one which does not in its present state threaten national interests in the border area;
 - 'challenges to border security (border challenge)': an intermediate increase in the level of danger to border security, which characterizes its transition from a potential to a real threat, suggesting an increase in the probability of causing damage or causing minor damage to national interests in the border area;
 - 'a threat to border security (border threat)': the highest level of threat to border security, which assumes significant damage to national interests in the border area;
 - 'damage to national interests in the border area': material or non-material damage to border security by cross-border actions (processes), as well as information, resulting in a decrease in the level of protection of national interests and the need for adequate response measures and the expenditure of additional resources to eliminate negative consequences.

CHAPTER 2. TRENDS IN THE DEVELOPMENT OF THE SITUATION IN THE BORDER AREA AND THE MAIN BORDER HAZARDS

5. Current trends in the development of the situation in the border area indicate an increase in activities and processes that create cross-border threats to national interests. This situation is primarily due to the persistence of tension in the crisis regions of the world, the geopolitical situation of the Republic of Belarus, as well as the peculiarities of pricing and the socio-economic situation, both in the Republic of Belarus and in neighbouring countries.

Military, political, economic and social factors combined continue to influence the dynamics of transit, including transport, commodity and migration flows passing through the Republic of Belarus. The growing trend of cross-border hazards is observed throughout Eurasia, and their range and severity are constantly changing.

Border hazards are directly related to the violation of legislation on the state border, create the conditions for these offences to be committed and hinder activities to protect the state border. According to the degree of increases in border hazards, dangers to the border area manifest themselves in forms of risk, challenges and threats, which can be external or internal.

6. For the Republic of Belarus, the dangerous cross-border processes at the present stage are assessed at the level of risks and challenges to border security.
7. External border hazards that constitute risks and challenges include:
- delaying or terminating procedures for the international legal registration of the state border by neighbouring States;

- the militarization of border territories of neighbouring states;
 - the growth of criminal activity on the border territory of neighbouring states;
 - use of the territory of the Republic of Belarus for the transit of persons involved in terrorist and other extremist activities, illegal armed groups and international criminal groups, as well as the illegal movement of funds to commit acts of terrorism and other illegal activities;
 - increased migration flows and channels of illegal migration through the territory of the Republic of Belarus;
 - violations of the functioning of border checkpoints of neighbouring states on the state border with the Republic of Belarus;
 - the dissemination of information (views, opinions) that call into question the legality (correctness) of crossing the state border and discredits its protection activities;
 - an increase in the number of attempts to illegally import narcotic drugs, psychotropic substances, their precursors and analogues, and weapons and ammunition (their components), as well as shipments of goods into the Republic of Belarus;
 - the illegal movement of radioactive, chemical, biological and other dangerous substances and materials through the territory of the Republic of Belarus;
 - a reduction in operational and service capabilities of border authorities of neighbouring states and the effectiveness of state border protection with the Republic of Belarus;
 - the reduced capacity of international technical assistance donors;
 - the occurrence of mass riots, locations in which armed conflicts are present, as well as natural, man-made, and other emergencies on the territory of neighbouring states near the state border.
8. Internal border hazards that constitute risks and challenges include:
- the increase in violations of legislation on the state border by citizens of the Republic of Belarus and corruption in the activities of authorized state bodies (officials) aimed at ensuring border security;
 - the manifestation of socio-political, religious and ethnic extremism, and national, racial and religious intolerance (hostility), which may result in violations of the legislation on the state border, as well as the creation of conditions for such violations;
 - interfering with the functioning of checkpoints across the State Border;
 - the dissemination of false information about the state of border security and activities to protect the state border, as well as the passage of individuals, vehicles and goods across the state border;
 - the occurrence of natural, man-made and other emergencies near the state border that create conditions for its intentional and unintentional crossing.
9. Based on the nature of external and internal border risks and challenges, threats to border security include:
- the emergence of inter-state disagreements concerning passage across the state border, and the presence of territorial claims against the Republic of Belarus, including with the intention to use military force;
 - the termination of contacts between border commissioners and interaction on border issues with neighbouring states, and provocations, including armed ones, on the state border;
 - acts of terrorism or other extremist actions in the Republic of Belarus by persons involved in extremist organizations, including terrorist organizations, illegal armed groups, international criminal groups and other individuals who purposefully arrived in the Republic of Belarus or are in transit through its territory;
 - the disorganization of the public administration system in the border area caused by a high level of cross-border organized crime and corruption;
 - the formation of anti-constitutional sentiments based on separatist ideas among the population of the border territory, and actions aimed at the practical implementation of such ideas;
 - the emergence of inter-ethnic and inter-religious conflicts, as well as an increase in protest activity of the population in the border territory that result in the (attempt) illegal crossing of the state border;

- the restriction of transit opportunities of the Republic of Belarus;
- the decrease in the level of welfare and quality of life of the population of the border area;
- the aggravation of sanitary-epidemiological and environmental situations in the border area caused by cross-border processes;
- other processes of a cross-border nature and their consequences that can cause significant damage to national interests in the border area.

CHAPTER 3. ASSESSMENT OF THE STATE OF BORDER SECURITY AND NATIONAL INTERESTS IN THE BORDER AREA

10. The Republic of Belarus has created the necessary conditions for identifying, neutralizing or minimizing risks, challenges and threats to border security. The conflict-free nature of relations with neighbouring states on border issues is ensured. The state border is not subject to territorial disputes and claims, and the state of border security is stable. However, the activity of sources and carriers of border danger still persists. In this regard, it is necessary to further improve the infrastructure of the state border and the border territory, as well as the activities of state bodies with powers in the field of state border policy.
11. National interests in the border area arise from strategic national interests, are determined by the state border policy and, to some extent, cover all spheres of life of the individual, society and the state that are directly related to the state border.
12. The main national interests in the border area are:
 - the international legal formalization of the state border that defines the territory of the Republic of Belarus;
 - the establishment of the state border regime;
 - organization of reliable protection of the state border in order to ensure the sovereignty and territorial integrity of the Republic of Belarus;
 - specifying locations and establishing the elements of the border area;
 - the right of individuals to legally and freely cross the state border and stay on the border territory;
 - use of the right to the legal, unhindered passage of goods and vehicles across the state border;
 - compliance with national legislation on the state border and international treaties on border issues;
 - economic development of the border area, maintenance of political and social stability, as well as law and order;
 - maintaining good relations with neighbouring states, and ensuring the development of mutually beneficial cooperation.

CHAPTER 4. GOALS, OBJECTIVES AND PRINCIPLES OF BORDER SECURITY

13. Ensuring border security is the activity of state bodies authorized in the field of state border policy to protect and implement national interests in the border area.
14. The purpose of ensuring border security is to achieve and maintain the maximum level of protection of national interests in the border area, which guarantees the unconditional fulfilment by individuals of the requirements of the legislation on the state border, as well as the fulfilment of obligations under international agreements of the Republic of Belarus regulating border issues.
15. The main tasks of border security protection are:
 - the formation of the state border policy;
 - the creation of a border security system and the organization of its effective and sustainable functioning;
 - the development of border service agencies as the main actors involved in ensuring border security.
16. Border security is based on the following principles:
 - the inviolability of the state border and priority of tasks for its protection;
 - the priority of national interests in the border area while respecting the generally recognized principles of international law;

- the peaceful resolution of border issues;
 - the mutual responsibility of the individual, society and the state for ensuring the protection of the state border;
 - legality, humanism and respect for human and civil rights and freedoms;
 - an integrated approach to solving border security issues;
 - the delineation of powers and responsibilities of state bodies in solving border security issues;
 - maintaining the balance of barrier (law enforcement) and contact (socio-economic) functions of the state border;
 - the timely and proportionate response to threats to national interests in the border area.
17. The main actors involved in ensuring border security and that are part of the border security system are state bodies that are authorized in the field of state border policy.
18. The implementation of the tasks of border security is part of the sphere of national security. In the course of solving border security tasks, political (diplomatic), economic, social, legal, military, information and other factors that influence the formation of state border policy are taken into account.
19. The main forms of border security are:
- state border protection;
 - operational support for state border protection;
 - the passage of individuals, vehicles and goods across the state border;
 - maintaining law and order in the border area.

CHAPTER 5. PRIORITY AREAS FOR STRENGTHENING THE BORDER SECURITY

20. Priority areas for strengthening the border security are determined taking into account the assessment of the situation in the border area, forecasts of its development, as well as the main directions of protection from external threats and neutralization of internal threats to national security.
21. Priority areas for strengthening the border security in the short and medium term are:
- improving national legislative and international treaty bases regulating border security issues, including the coordination of activities of state bodies with powers in the field of state border policy;
 - strengthening and modernizing the infrastructure of the state border and border territory, and further improving the capabilities of its integrated security system;
 - adapting border control forces and facilities to work with biometric documents;
 - assisting in improving the transit capabilities of the Republic of Belarus, taking into account the implementation of strategic partnership obligations;
 - developing and implementing the concept of integrated state border management;
 - expanding and strengthening external relations within the framework of international cooperation on border issues in order to maintain stability in the border area, as well as to attract international technical assistance to border service agencies;
 - implementing state border policy aimed at improving the protection of the external border of the Union State, as well as the external border of member states of the Commonwealth of Independent States, taking into account national interests;
 - developing a system of information and analytical support for the activities of border service agencies in order to form effective solutions in the interests of border security;
 - increasing the automation of information processes and their security in the operational, service and other activities of border service agencies;
 - improving the capabilities of operational units of border service agencies, as well as mechanisms for interaction between operational units;
 - improving the system of training and education of military personnel and civilian personnel of border service agencies based on the current situation at the state border;

- improving the system of measures to combat corruption in the activities of authorized state bodies (officials) aimed at ensuring border security;
- optimizing the structure of border service agencies aimed at the rational distribution and use of departmental resources in order to improve the efficiency of state border protection;
- improving the combat and mobilization readiness of border service agencies, taking into account the increase in the composition of their forces;
- the timely resolution of issues related to the completion of international legal registration of the state border;
- improving material and technical support for border service agencies;
- improving the effectiveness of scientific support for the activities of border service agencies.

CHAPTER 6. FUNDING THE IMPLEMENTATION OF THIS CONCEPT

22. The implementation of this Concept shall be funded within the limits of the republican budget allocated for the maintenance of border service agencies and other state bodies authorized in the field of state border policy, local budgets allocated for the maintenance and further development of the infrastructure of the state border and border territory, other funds allocated for the implementation of international programmes and projects aimed at ensuring border security, the funds of organizations participating in the implementation of this Concept, as well as other sources not prohibited by law.

CHAPTER 7. FINAL PROVISIONS

23. The implementation of this Concept is carried out by the State Border Committee in cooperation with interested state bodies and coordinated by the State Secretariat of the Security Council of the Republic of Belarus under the leadership of the President of the Republic of Belarus.

PART IV

THE LEGISLATIVE FRAMEWORK FOR SOCIAL PROTECTION FOR SERVICEMEN AND MEMBERS OF THEIR FAMILIES

THE LAW OF THE REPUBLIC OF BELARUS 'On the Status of Military Personnel'

4 January 2010 No. 100-3

Adopted by the House of Representatives on 11 December 2009
Approved by the Council of the Republic on 17 December 2009

(In the wordings of the Law of the Republic of Belarus of 17 July 2018, No. 126-3)

This Law defines the status of military personnel, the basis of state policy in the field of legal and social protection for military personnel, citizens dismissed from military service and members of their families.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Basics of Military Personnel Status

The status of military personnel entails a set of rights, freedoms, duties and responsibilities of military personnel established by the Constitution of the Republic of Belarus, this Law and other Legislative Acts of the Republic of Belarus (hereinafter – 'legislative acts'), including international agreements of the Republic of Belarus (hereinafter – 'international agreements').

The activities and the scope of rights, freedoms, duties and responsibilities of military personnel depend on whether they are or are not undertaking military service.

Military personnel are considered to be performing military service duties while:

- performing their duties at the location of military units, military educational institutions, military administration bodies and organizations of the Armed Forces of the Republic of Belarus, other troops and military formations of the Republic of Belarus (hereinafter, unless otherwise specified – 'military unit') or outside of them, if their presence is required for official reasons;
- participating in combat operations or training;
- performing duties related to combat service;
- performing daily or garrison duties;
- at training camps, on business trips or receiving medical treatment;
- travelling to the place of service, or for treatment, and back;
- in captivity (except in cases of voluntary surrender) or being held hostage or interned;

- absent without trace – until the military personnel is recognized as missing or declared dead in accordance with the procedure established by the legislation of the Republic of Belarus (hereinafter – the ‘legislation’);
- assisting law enforcement officials in ensuring law and order;
- protecting the life, health, honour and dignity of citizens;
- performing other actions recognized by the court as acts carried out in the interests of the individual, society or the state.

The death, injury (wounded, injured, concussed) or illness of a military personnel member is not recognized as having taken place while performing military service duties if this was the result of:

- their unauthorized presence outside a military unit or their place of service, with the exception of cases provided for in Paragraphs Ten to Twelve of Part Three of this article;
- voluntarily intoxication caused by the consumption of alcohol, narcotic drugs, psychotropic substances, their analogues, toxic or other intoxicating substances;
- committing an offence under the criminal code of the Republic of Belarus or the Code of Administrative Offences of the Republic of Belarus;
- a suicide attempt(s), if the specified actions were not caused by a painful condition or incitement to commit suicide.

Citizens of the Republic of Belarus (hereinafter – ‘citizens’) have military personnel status from their first day of military service to their last day of military service.

Military personnel enjoy the rights and freedoms that are established by law for other citizens, with certain restrictions due to the particularities of military service and provided for by this Law and other legislative acts. Military service consists of being assigned military personnel duties to prepare for armed defence and for the armed defence of the Republic of Belarus, which entail the need to unquestioningly perform tasks in any situation, including situations that pose an increased risk to life and health. Restrictions on the rights and freedoms of military personnel are compensated for by the state through the provision of additional social benefits, rights and guarantees.

Military personnel (with the exception of conscripted military personnel) are prohibited from receiving documents from foreign states that grant rights to benefits and advantages in connection with political, religious views or nationality, as well as from enjoying such benefits and advantages, unless otherwise stipulated in international agreements.

Military personnel are issued with a document certifying the identity and status of military personnel (military ID card, service certificate (ID)).

The process for registering, issuing, using, and withholding military ID cards soldiers and sergeants is approved by the Ministry of Defence of the Republic of Belarus and the process for registering, issuing, using and storing official certificates (Certificates) for other personnel categories [or types of personnel] is approved by state bodies, which provide for the military service, unless otherwise established by legislative acts.

Military personnel have the right to use physical force and special means, as well as to store, carry and use weapons and military and special equipment, in cases and in accordance with the procedure established by legislative acts.

Military personnel are entitled to a reasonable professional risk. Professional risk is considered justified if the act committed by the military personnel member was in response to a situation that could not be managed otherwise and if the military personnel member took all possible measures to prevent harm to legally protected interests.

The details of military personnel status for those elected to state bodies, seconded to state bodies and other organizations and performing military service outside the Republic of Belarus, or military service on mobilization, are determined by legislative acts, including international agreements.

Article 2. Citizens with Military Personnel Status

The following persons have military personnel status:

- military personnel serving under contract, including those studying in military educational institutions;
- military personnel performing military service following an appeal;

- citizens who serve in the reserve (hereinafter referred to as 'reservist(s)') – when they are in classes or training camps defined by the reservist training programmes;
 - fulfilling their military service obligation – when they are on military or special training camps.
- According to their legal status, officers who perform military service under conscription are equal to officers who perform military service under contract, unless otherwise established by law.

Article 3. Citizens who are Subject to Certain Social Benefits, Rights and Guarantees Provided for by Legislative Acts for Military Personnel

Certain social benefits, rights and guarantees provided for by legislative acts for military personnel, in the manner and under the conditions determined by law, are applied to:

- citizens dismissed from military service;
- family members of military personnel;
- family members of citizens dismissed from military service, including after the death of these citizens;
- family members of soldiers killed (dead), missing or have become disabled in the performance of duties of military service, as well as members of families of citizens who died after their dismissal from military service owing to a wound (contusion), trauma or injury sustained while defending the Republic of Belarus or while performing other military service duties or owing to an illness contracted while performing military service duties (due to war injuries);
- invalids of the Great Patriotic War and invalids of military operations on the territory of other states permanently residing in the territory of the Republic of Belarus;
- citizens studying in Suvorov Military Colleges (hereinafter – 'Suvorov college cadets') and pupils of military units.

Family members of military personnel and citizens dismissed from military service who are subject to certain social benefits, rights and guarantees provided for by legislative acts for military personnel, unless otherwise established by other legislative acts, include:

- spouse;
- children of minority age;
- children over the age of 18 who become disabled before they reach the age of 18;
- children under the age of 23 who are enrolled in full-time educational institutions;
- other persons who are dependent on military personnel.

Article 4. Legal and Social Protection for Military Personnel, Citizens Dismissed from Military Service and Their Family Members

Military personnel are provided with a unified system of legal and social protection measures, including monetary, material and other types of support, in accordance with their military positions (hereinafter referred to as 'positions'), military ranks and qualifications, as well as the duration and conditions of military service.

Legal protection for military personnel, citizens dismissed from military service and their family members is a function of the state and provides for the consolidation of rights and freedoms, duties and responsibilities, social benefits and guarantees to these persons, as well as the legal mechanism for their implementation in legislative acts.

Social protection for military personnel, citizens discharged from military service and members of their families is a state function and is performed through the practical implementation of their rights and freedoms, duties and responsibilities (including the provision of social benefits and guarantees by the military authorities and other state bodies) enshrined in legislation, as well as other measures aimed at ensuring favourable living and working conditions appropriate to the special nature of military service.

The implementation of legal and social protection measures for military personnel, citizens dismissed from military service and members of their families is assigned to the Republican State Administration Bodies, other state bodies and other organizations within their powers, and is also the responsibility of commanders (superiors).

Military personnel, citizens dismissed from military service and members of their families who are entitled to social benefits, rights and guarantees in accordance with this Law may also enjoy other social benefits,

rights and guarantees established for other citizens, unless otherwise determined by legislative acts. If a person has the right to receive a social benefit, right or guarantee on several grounds, the social benefit, right or guarantee is granted on the basis of their choice.

Military personnel are compensated for:

- injury, illness or death caused by performing military service duties;
- damage caused through the illegal actions (inaction) of officials of state bodies and other organizations, including in the case of illegal criminal prosecution, detention, disciplinary arrest, removal from office, demotion of military rank, transfer to military service, bringing to material and other types of responsibility;
- damage or destruction to, or loss of, their personal property or the property of their family members or other persons recognized as relatives by the military personal (hereinafter, unless otherwise specified – ‘relatives’), in connection with the performance of military service duties.

In the cases specified in the third paragraph of the sixth part of this article, the service, pension, housing and other personal property and non-property rights of military personnel are restored.

Female military personnel enjoy social rights and guarantees related to the protection of motherhood and childhood, established by the legislation on military service.

Social rights and guarantees related to the protection of motherhood and childhood established for women who are mothers are applied to military personnel – fathers who raise children without a mother (due to her death, the deprivation of parental rights, a prolonged stay of more than one month in a health organization and other reasons), as well as in cases where the mother cannot take care of the child due to a group I disability or illness that prevents her from taking care of the child, confirmed by a medical report in accordance with the procedure established by law.

Family members of military personnel who died while performing military service, with equal labour productivity and qualifications, enjoy a preferential right to retain a job in the event of a reduction in the number or staff of employees, as well as the right to priority referral by the state employment service for professional training, retraining and advanced training.

Wives (husbands) of military personnel are paid severance pay corresponding to two months of average earnings when they are dismissed from work in connection with the transfer of their husband (wife) to military service in another locality.

Working wives (husbands) of military personnel are granted work leave at the same time as their husbands’ (wives’) leave and may be granted short-term leave without pay, taking into account the duration of the husband’s (wife’s) leave.

The bodies of the state employment service of the population are charged with finding employment no later than two months from the date of application of wives whose husbands are called up for military service. If they are unable to find employment, they are paid unemployment benefits in accordance with the procedure established by law.

Children of military personnel, as well as children of military spouses, are guaranteed places in educational institutions for pre-school education within three months from the date of application.

For citizens who have completed military service, or have been dismissed from military service and sent to work on account of the reservation for the priority right to get a workplace, it is prohibited to unreasonably refuse to conclude an employment contract.

CHAPTER 2. RIGHTS AND FREEDOMS OF MILITARY PERSONNEL, CITIZENS DISCHARGED FROM MILITARY SERVICE AND MEMBERS OF THEIR FAMILIES

Article 5. Protection of the Right of Military Personnel to Freedom, Honour and Dignity

While performing military service duties, military personnel are representatives of the state and are protected by it.

Any threat to the life or well-being of a military personnel member, or encroachment on their honour, dignity or property, related to the performance of his military service duties or the performance of these actions in relation to his relatives shall entail liability established by legislative acts.

No one has the right to interfere in the official activities of military personnel, except for persons authorized by legislative acts.

While performing military service duties, military personnel are subject only to their commanders (superiors), in accordance with the general military regulations of the Armed Forces of the Republic of Belarus (hereinafter – ‘Regulations of the Armed Forces’). Military personnel may not be given orders (instructions) that violate the law.

Article 6. Right to Freedom of Movement and Choice of Place of Residence for Military Service

Military personnel have the right to freedom of movement, taking into account the need to maintain combat readiness in a military unit and ensure timely arrival at the place of military service, unless otherwise established by the statutes of the Armed Forces.

Military personnel performing military service under contract, have the right to change their place of residence for military service, including by appointing another military unit located in another country, taking into account the state of health of these soldiers and their families on the basis of the conclusion of the military medical commission and on other grounds prescribed by the regulations on the procedure for military service approved by the President of the Republic of Belarus (hereinafter – ‘Regulations on the Procedure of Military Service’).

Article 7. Right to Freedom of Opinion, to Receive, Store and Disseminate Information, and to Participate in Meetings, Rallies, Street Processions, Demonstrations, Picketing and Other Mass Gatherings

When exercising the right to freedom of opinion, belief and expression and to receiving, storing and distributing information, military personnel are not entitled to disclose state or official secrets, nor to discuss or criticize the orders of the commander (chief).

Military personnel have the right to participate in meetings, rallies, street processions, demonstrations, picketing and other mass gatherings held outside the territory of a military unit in their free time from performing military service duties.

Military personnel are prohibited from participating in strikes, or any other activity that does not involve the performance of their military service duties, to resolve issues related to military service.

Article 8. Right to Freedom of Association

Military personnel are permitted to be members of public associations that do not pursue political goals, and to participate in the association’s activities in their free time when they are not performing military service duties.

Citizens who enter military service under a contract or are called up for military service are required to suspend their membership of political parties and other public associations that pursue political goals.

Article 9. Freedom of Religion

Military personnel have the right to profess any religion, as well as the right not to profess any religion.

Military personnel do not have the right to refuse to perform military service duties on the grounds of their religious belief or to use their official powers to promote it.

Religious rites may be performed by military personnel in their free time when they are not performing military service duties.

The state is not responsible for meeting the needs of military personnel based on their religious beliefs.

Religious symbols, literature and objects of worship may be used by military personnel in their free time.

The establishment of religious organizations in military units is not allowed. Religious rites on the territory of a military unit may be performed, as a rule, at the request of military personnel at their own expense, with the permission of the commander (chief) of the military unit.

The religious activities of foreign clergymen (persons who hold religious orders), as well as the activities of religious organizations that are not registered in accordance with the established procedure, are not allowed in military units.

Article 10. Right to Work

Military personnel exercise the right to work by performing military service under a contract in accordance with the procedure established by law.

The length of military service for citizens factors in the length of service, the length of service in the specialty (in the industry) and the duration of public service under the conditions and in accordance with the procedure established by law.

In cases established by the President of the Republic of Belarus, citizens may be offered preferential terms regarding the duration of military service.

In cases established by legislative acts, military personnel are allowed to be involved in work, or to perform duties that are not stipulated by military service, during the period of military service.

Military personnel who perform military service under a contract have the right:

- to be appointed to higher positions on a competitive basis in accordance with the qualifications they have obtained, the results achieved while performing military service and in cases established by legislative acts;
- to timely promotion to regular military ranks, except for cases established by legislative acts;
- to professional development, taking into account the interests of military service and their own preferences;
- to be transferred from one military unit to another to pursue military service while maintaining their military rank and years of service;
- to be transferred for service in paramilitary organizations with the assignment of special ranks corresponding to their military ranks, while maintaining seniority.

Military personnel are prohibited from performing other paid work that is not related to the performance of military service duties, except for teaching (in terms of implementing educational programmes); scientific, cultural and creative activities; and medical practice performed during off-duty hours on the basis of civil law contracts. Military personnel may be engaged in such activities in agreement with the commander (chief) of the military unit in which he is serving – with the agreement of the direct commander (chief) of the commander (chief) of the military unit.

Article 11. Monetary Allowance

Military personnel – depending on their position, military rank and qualifications; the duration and conditions of military service; the quality and results of service activities, and taking into account the specifics of military service – are provided with monetary allowances at the expense of the Republican budget.

There are two types of monetary allowance for military personnel: basic and supplementary. The basic monetary allowance includes the official salary corresponding to the position held and the assigned military rank, which constitute the substantive pay of military personnel. The additional allowance consists of monthly and one-time (single) payments.

Basic salaries, salaries for military ranks and the amount received by military personnel for monetary allowances are established by law.

The procedure for providing military personnel with monetary allowances is established by the Council of Ministers of the Republic of Belarus or, on its behalf, by the Ministry of Labour and Social Protection of the Republic of Belarus and state bodies that provide for military service.

Military personnel continue to receive basic and supplementary types of monetary allowance for periods of temporary disability, medical treatment, business trips and in cases stipulated by legislative acts, as well as for periods of leave. Military personnel are reimbursed for travel expenses up to the amounts and in the manner prescribed by law.

The procedure for providing monetary allowances and other payments to military personnel serving in state bodies that provide for military service, which are directly subordinate to The President of the Republic of Belarus, is established by the President of the Republic of Belarus or, on his instructions, by the relevant state body.

Article 12. Food and Clothing Provision

The provision of food for military personnel is carried out according to the standards established by the Council of Ministers of the Republic of Belarus – or, on its instructions, by state bodies that provide for military service – through:

- providing food;
- distributing food rations;
- paying financial compensation in exchange for food rations (food) to military personnel performing military service.

The procedure of food provision for military personnel is established by the state body that provides for military service.

The provision of clothing for military personnel is carried out depending on the conditions of military service according to the standards established by the Council of Ministers of the Republic of Belarus or, on its instructions, by state bodies that provide for military service.

Military personnel who perform military service under a contract are entitled to receive monetary compensation equivalent to the value of the items of clothing instead of the items of clothing required by the uniform standards.

The procedure for providing military personnel with items of clothing or for the payment of monetary compensation is established by the state body that provides for military service. The process and regulations for the provision of food and clothing for military personnel serving in state bodies that provide for military service, directly subordinate to the President of the Republic of Belarus, are established by the President of the Republic of Belarus or, on his instructions, by the relevant state body.

Article 13. Working Hours and the Right to Rest

The length and distribution of time spent in service for military personnel are determined by the military unit's daily schedule and regulations on service time, determined by the commander (chief) of the military unit in accordance with the requirements of the statutes of the Armed Forces. At the same time, the total duration of weekly service time for military personnel performing military service under contract and military service as conscripted officers should not exceed 40 hours. The involvement of military personnel (except for military personnel performing conscript military service and reservists while in the teaching facilities or training sessions and bound to military service while on reserve or special training) in military service duties for the established duration of weekly service time is compensated by the rest of the appropriate duration, in other days of the week. Trainings, firing practice and other events, the list of which is determined by the head of the state body that provides for military service, are held on any day of the week without exceeding the total duration of weekly service time.

A six-day service week with one day off is established for military personnel performing conscript military service and reservists bound to military service while participating in training or during training periods and studying at military schools.

A five-day service week with two days off is established for military personnel serving under contract and conscripted officers performing military service.

The type and duration of leave, as well as the procedure for granting leave, for military personnel (except for military personnel performing conscript military service) and reservists participating in trainings and during training periods shall be established by legislative acts.

Military personnel performing conscript military service are granted the following leave for the entire period of military service:

- 18 months of active military service: soldiers and sailors – 10 days; sergeants and petty officers – 15 days;
- 12 months of active military service: soldiers and sailors – 5 days; sergeants and petty officers – 10 days.

Military personnel performing conscript military service who have not taken leave for the entire period of military service, when entering military service under a contract, are granted leave for the duration established by Part Six of this article.

The duration of leave for the entire period of military service by military personnel performing conscript military service can be increased (through promotion) by up to 10 days in the manner prescribed by the Disciplinary Statute of Armed Forces of the Republic of Belarus, approved by the President of the Republic of Belarus (hereinafter – the 'Disciplinary Statute of the Armed Forces').

In accordance with the procedure established by the Disciplinary Statute of the Armed Forces, a disciplinary penalty may be imposed on military personnel performing conscript military service in the form of a reduction in the duration of leave for the entire period of conscript military service for a period of:

- 18 months of active military service: soldiers and sailors – up to 5 days; sergeants and petty officers – up to 8 days;
- 12 months of active military service: soldiers and sailors – up to 2 days; sergeants and petty officers – up to 5 days.

Military personnel performing conscript military service for 6 months are not granted leave.

Military personnel performing conscript military service are granted sick leave and leave for valid personal or family reasons.

Sick leave is granted on the basis of the conclusion of the military medical commission to military personnel performing conscript military service who, after completing inpatient treatment and rehabilitation, are still unable to perform military service for health reasons. The procedure for granting sick leave and defining its duration are established by law.

Up to 10 days' leave is granted to a military personnel member for valid personal or family reasons in the following cases:

- marriage;
- the serious illness or death of the military personnel member's father, mother, spouse, children, including adopted children, siblings or grandparents;
- a fire or other natural disaster that has impacted the military personnel member or the persons specified in the third paragraph of this part;
- when the presence of a military personnel member performing conscript military service is necessary in the family.

The circumstances in which a military personnel member performing conscript military service is granted leave for valid personal or family reasons should, as a rule, be confirmed by documentation.

Article 14. Right to Health Protection

Health protection for military personnel is ensured by the creation of favourable living and working conditions for military service, as well as a system of measures to limit the risks faced by military personnel in cooperation with state bodies (organizations).

Military personnel, Suvorov college cadets and pupils of military units have the right to receive medical care in healthcare organizations subordinate to state bodies that provide for military service (hereinafter referred to as 'military healthcare organizations'), in accordance with the law.

Medical care is provided for military personnel in the absence of military health organizations at their place of military service or place of residence (place of stay), or if they are in need of emergency medical care, in accordance with the law in other state health organizations (hereinafter referred to as 'civil health organizations').

Family members of military personnel who cannot receive medical care in civilian health organizations are provided with medical care in the relevant military health organizations on an equal basis with military personnel.

Citizens dismissed from military service because of illness (health reasons) and who have served for over 20 years (including in preferential calculation), senior and higher officers dismissed from military service as a result of their age, illness (health) or organizational outputs (redundancy), and members of their families (except families referred to in the sixth paragraph of Part Two of Article 3 of this Law) have the right to free medical care in military and civilian healthcare organizations according to the procedure established by the legislation.

Part Five of this article specifies the right to health care for citizens who have been dismissed from military service owing to wounds (contusion), trauma or injuries sustained while defending the Republic of Belarus or while performing their military duties fighting in other states, or owing to an illness contracted while performing military service duties (because of war injuries), regardless of their level of seniority.

Military personnel who have suffered from wounds (concussion), injuries, mutilation or illness while performing military service (owing to war injuries) are provided with medicines, – during their period of outpatient treatment for these wounds (concussion), injuries, mutilation or illness – in accordance with the essential drug list approved by the Ministry of Health of the Republic of Belarus, at the expense of the relevant State authorities which provide for military service.

Military personnel have the right to health resort treatment and rehabilitation under the conditions and in accordance with the procedure established by law.

Article 15. Insurance of Military Personnel who are Liable for Military Service during Military and Special Training Sessions and for Reservists during Classes and Training Sessions

Military personnel who are liable for military service during military or special training, as well as reservists during classes and training sessions (hereinafter referred to as 'insured persons') covered by mandatory state life and health insurance at the expense of the Republican budget.

In the event of the death of the insured person as a result of performing military duties that endangered his life, family members of the deceased (his heirs) are paid a lump sum equal to 10 years of salaries and allowances for the years of service of the insured person. This insurance amount is also paid in the event of the insured person's death on the grounds specified if it occurred within one year of their discharge from military service (the end of military service or special trainings or classes).

If the insured person, including within one year of being dismissed from military service (the end of military or special trainings or classes), is found to have a disability as a result of performing military duties that endangered his life or health, confirmed by a medical report, the person will receive the following amounts as a one-off insurance payment:

- 5-year salary amount of monetary support and superannuation for a disabled person of group I;
- 4-year salary amount of monetary support and superannuation for a disabled person of group II;
- 3-year salary amount of monetary support and superannuation for a disabled person of group III;

An insured person who has sustained a serious or less serious injury that did not cause disability in connection with the performance of military service duties confirmed by a medical report is paid a one-off insurance amount, respectively, equal to two years' to six months' salary, monetary support and superannuation.

In the event of the death of the insured person or a disability incurred as a result of wounds (contusion), trauma, injury, illness, a serious or less serious bodily injury, not resulting in disability, or a lung injury sustained while performing military duties, confirmed by a medical report, except for the cases stipulated by Parts Two to Four of this article, the following lump sum amount shall be paid:

- 250 basic values – family members of the deceased insured person (his heirs);
- 100 basic values – for a disabled person of group I;
- 75 basic values – for a disabled person of group II;
- 50 basic values – for a disabled person of group III;
- 10 basic values – to the insured person who received a serious injury that did not cause disability;
- 7 basic values – to the insured person who received a less serious injury that did not cause disability;
- 5 basic values – to the insured person who received a slight injury.

Military personnel performing conscript military service, cadets who are liable for military service during the period of military or special training, reservists during classes and training camps in the event of cases provided for in parts two to four of this article, the insurance amount is paid in the amounts provided for military personnel performing military service under a contract in positions to be replaced by soldiers and sergeants.

Payment of the insurance amount for the same insured event is made after deducting the previously received insurance amounts.

In the event of the destruction of or damage to property belonging to the insured person or his relatives in connection with the performance of military service, the insured person or his relatives shall be paid insurance compensation equal to the amount of damage caused, but not exceeding the actual value of the destroyed or damaged property on the day of the decision on payment.

If the life, health and property of the insured persons are covered by mandatory state insurance, in accordance with other legislative acts, then the insured persons or, in the event of their death, their heirs are paid insurance amounts on one basis of their choice.

When determining the persons responsible for the death of the insured person or for harm to his health or damage to his property, or that of his relatives, the amount of insurance paid is subject to recovery from the perpetrators.

The procedure and conditions for insurance payments under mandatory state insurance to insured persons are established by the Council of Ministers of the Republic of Belarus.

Article 16. Right to Housing

Military personnel have the right to residential premises in accordance with the procedure established by legislative acts.

Article 17. Right to Education

Military personnel who perform military service under contract can receive education in vocational, secondary special, higher education institutions or educational institutions and organizations that implement postgraduate education programmes, with the exception of military educational institutions, only in the form of correspondence education and with the permission of the commander (chief) of a military unit. During the period of education, they, as well as officers during the period of additional adult education, retain monetary allowances and other guarantees established by law.

Military personnel, with the exception of military personnel performing military service, can study at pre-university training faculties, preparatory departments or preparatory courses in educational institutions of the Republic of Belarus, with the permission of the commander (chief) of the military unit.

Military personnel performing conscript military service are prohibited from studying at institutions of vocational, secondary special or higher education, or educational institutions or organizations that implement postgraduate education programmes, with the exception of military educational institutions.

When entering educational institutions, military personnel, citizens dismissed from military service, graduates of Suvorov colleges and children of military personnel are entitled to benefits in accordance with legislative acts.

Article 18. Travel by Public Transport and Postal Items

Social guarantees related to travel and property relocation for military service members and their families, citizens discharged from military service and their families, and cadets and pupils of military units, as well as social guarantees related to free mail for military personnel performing military service, shall be established by legislative acts.

Article 19. Dismissal of Military Personnel from Military Service and Guarantees Provided to Them

Military personnel may be dismissed from military service on the grounds and in accordance with the procedure established by legislative acts.

Military personnel who are dismissed from military service are paid the severance payment in the cases and for the amounts established by the regulations on the procedure for military service.

If military personnel disagree with the dismissal or the grounds for their dismissal from military service, they have the right to appeal to the higher command and appeal to the court within three months of the day following the end of their military service.

In case of the illegal dismissal of military personnel from military service, the military personnel member is entitled to full compensation for the damage caused to them in this regard, taking into account the amount of severance pay received. At the same time, they are restored to military service in the same or an equal position in the same military unit or, with their consent, in another military unit and are provided with all types

of allowance. For military personnel reinstated to military service, the period from the date of their dismissal to the date specified in accordance with the procedure of reinstatement to military service is counted towards their length of service for the assignment of the next military rank and monetary allowances and pension calculations.

The reinstatement of military personnel to military service is performed by the decision of a higher command or a court in accordance with the procedure established by legislative acts.

Compensation for damage to military personnel, including moral damage caused by illegal dismissal from military service, is determined by a court decision in accordance with the procedure established by legislative acts.

Citizens dismissed from military service are provided with the following additional guarantees:

- retaining – for a period of three months from the day after the end of their military service, for citizens who worked in state organizations before their conscription – the right to work for the same employer in a position equivalent to that held before conscription and, in case of an illness or injury incurred during military service on conscription that does not prevent them from working for the same employer in a position equivalent to that held before conscription, subject to written notification by the citizen of the employer, for a period of three months from the date they are deemed fit to work or a disability is established;
- providing citizens who were dismissed after completing military service and accepted to their previous place of work with a one-off sum for financial assistance equal to at least one minimum wage;
- providing citizens who were dismissed after completing military service with their first job in accordance with labour legislation;
- assigning and paying benefits in case of illness or injury incurred during military service from the day after the end of their military service to the date they are deemed fit to work or a disability is established, but not more than 120 consecutive calendar days from the day after the last day of their military service. The allowance is paid at the expense of the Republican budget. The procedure for assigning, paying and calculating benefits and the bodies authorized to assign and pay them are determined by the Council of Ministers of the Republic of Belarus, unless otherwise established by legislative acts.

Bodies of the state employment service, together with state bodies that provide for military service, take measures to employ, train, retrain and improve the skills of citizens dismissed from military service and their family members.

Article 20. Right to Pension Provision

Citizens discharged from military service and their family members are entitled to pension benefits in accordance with the procedure established by law.

Article 21. Appeals of Military Personnel

Military personnel have the right to appeal to state bodies and other organizations in accordance with the procedure established by legislative acts.

Article 22. Appeal against Actions (Inaction) of Military Unit Officials

The actions (inaction) of military unit officials may be appealed against to a higher body (higher official) and/or to a court in accordance with the procedure established by law.

CHAPTER 3. OBLIGATIONS AND RESPONSIBILITIES OF MILITARY PERSONNEL

Article 23. General Duties of Military Personnel

Military personnel should:

- perform their military duty unquestioningly; be faithful to the military oath; selflessly serve their people; and courageously, skilfully, prepared to sacrifice their lives to protect the sovereignty, independence, territorial integrity and constitutional order of the Republic of Belarus;
- comply with the Constitution of the Republic of Belarus and other legislative acts, including the requirements of the statutes of the Armed Forces;
- execute orders of commanders (superiors) unquestioningly, accurately and on time;

- persevere despite the hardships of military service;
- constantly strengthen military professional knowledge and improve their training and military skills;
- know how to use and keep in constant readiness for use the weapons and military equipment entrusted to him, and protect military property;
- be honest, disciplined and brave and exercise initiative while performing military duty;
- unquestioningly obey the commanders (superiors) and protect them and the Colours of the military unit in the battle;
- cherish military comradeship, sacrificing his life to help comrades in danger, to help them in word and deed, respect the honour and dignity of everyone, prevent disrespectfulness and bullying aimed at them or other military personnel and keep them from unworthy actions;
- observe the rules of military courtesy, behaviour and the performance of military greetings, always be in uniform and clean and dressed neatly;
- be vigilant and keep state and official secrets;
- perform other duties established by the statutes of the Armed Forces and other legislative acts.

Article 24. Official and Special Duties of Military Personnel

Official duties of military personnel are determined by the statutes of the Armed Forces and other legislative acts.

When serving on combat duty, in daily and guard duty, as well as while responding to the consequences of natural and man-made emergencies and other circumstances, military personnel perform special duties established by legislative acts, including the statutes of the Armed Forces. When performing special duties, military personnel may be granted additional rights established by other legislative acts.

Article 25. Responsibility of Military Personnel

Military personnel, depending on the nature and severity of their offences, are subject to disciplinary, administrative, material, civil and criminal liability in accordance with legislative acts.

CHAPTER 4. FINAL PROVISIONS

Article 26. Invalidation of Certain Legislative Acts and Their Individual Provisions

Recognize as invalid:

1. The law of the Republic of Belarus of 13 November 1992 'On the Status of Military Personnel'.
2. The law of the Republic of Belarus of 25 March 1993 'On Amendments to the Law of the Republic of Belarus 'On the Status of Military Personnel'.
3. Expired.
4. The law of the Republic of Belarus of 22 March 1995 'On Amendments and Additions to the Law of the Republic of Belarus 'On the Status of Military Personnel'.
5. The law of the Republic of Belarus of 6 January 1998 'On Amendments and Additions to Certain Legislative Acts of the Republic of Belarus'.
6. Article 3 of the Law of the Republic of Belarus of 31 December 1999 'On Amendments and Additions to Certain Legislative Acts of the Republic of Belarus' (National Register of Legal Acts of the Republic of Belarus, 2000, No. 5, 2/126).
7. Paragraph 7 of Article 29 of the Law of the Republic of Belarus of 15 June 2006 'On Employment of the Population of the Republic of Belarus' (National Register of Legal Acts of the Republic of Belarus, 2006, No. 94, 2/1222).
8. Paragraph 7 of Article 20 of the Law of the Republic of Belarus of 14 June 2007 'On State Social Benefits, Rights and Guarantees for Certain Categories of Citizens' (National Register of Legal Acts of the Republic of Belarus, 2007, No. 147, 2/1336).
9. Law of the Republic of Belarus of 16 July 2007 'On Amendments to the Law of the Republic of Belarus 'On the Status of Military Personnel'' (National Register of Legal Acts of the Republic of Belarus, 2007, No. 172, 2/1355).

10. Article 5 of the Law of the Republic of Belarus of 26 December 2007 'On Amendments and Additions to Certain Legislative Acts of the Republic of Belarus and Invalidation of Certain Legislative Acts of the Republic of Belarus and Certain Provisions of Laws of the Republic of Belarus on Insurance' (National Register of Legal Acts of the Republic of Belarus, 2007, No. 305, 2/1397).
11. Article 2 of the Law of the Republic of Belarus of 5 January 2008 'On Amendments and Additions to Certain Laws of the Republic of Belarus and Invalidation of the Resolution of the Supreme Council of the Republic of Belarus on Civil Defence' (National Register of Legal Acts of the Republic of Belarus, 2008, No. 14, 2/1416).
12. Article 3 of the Law of the Republic of Belarus of 15 July 2008 'On Making Additions and Amendments to Certain Laws of the Republic of Belarus and Invalidating Certain Legislative Acts of the Republic of Belarus and their Individual Provisions on Housing Relations' (National Register of Legal Acts of the Republic of Belarus, 2008, No. 184, 2/1505).
13. Resolution of the Supreme Council of the Republic of Belarus of 13 November 1992 'On the Introduction of the Law of the Republic of Belarus 'On the Status of Military Personnel'.

Article 27. Measures to Implement the Provisions of This Law

The Council of Ministers of the Republic of Belarus, within six months, shall:

- bring the decisions of the Government of the Republic of Belarus into compliance with this Law;
- ensure that the Republican State Administration Bodies that are subordinate to the Government of the Republic of Belarus bring their normative legal acts into compliance with this Law;
- take other measures necessary to implement the provisions of this Law.

Until the legislative acts of the Republic of Belarus are brought into compliance with this Law, they are applied to the extent that they do not contradict this Law, unless otherwise established by the Constitution of the Republic of Belarus.

Article 28. Entry into Force

This law shall come into force within ten days after its official publication.

President of the Republic of Belarus

A. Lukashenka

**DECREE OF THE PRESIDENT
OF THE REPUBLIC OF BELARUS
‘On Pension Provision for Certain Categories
of Military Personnel’**

11 August 2016, No. 308

In order to improve the level of social protection for military personnel dismissed from military service owing to a reduction in the number of military personnel in the Armed Forces of the Republic of Belarus in 1992–1994:

1. Establish that:
 - for pensioners who have reached the age of retirement, which entitles them to receive an old-age pension on a standard basis, the amount received for the superannuation (pension) fund is one per cent of the monetary allowance amount, which increases for each year of service, in accordance with Paragraph 2 of the Resolution of Supreme Council of the Republic of Belarus of 17 December 1992 ‘On the Introduction of the Law of the Republic of Belarus ‘On Pension Provision for Military Personnel, Officers and Enlisted Personnel of Internal Affairs Bodies’. At the same time, the pension amount, taking into account this increase, cannot exceed 70 percent of the corresponding monetary allowance amount;
 - increases to the pension fund amount take into consideration the duration of employment (from the date of dismissal from military service to the day of reaching the age that entitles them to old-age pension on general grounds), in accordance with the second paragraph of this item, factoring in the periods specified in Article 51 of the Law of the Republic of Belarus of 17 April 1992 ‘On Pension Provision’.
2. This Decree shall enter into force on the first day of the month following the month of its official publication.

President of the Republic of Belarus

A. Lukashenka

LAW OF THE REPUBLIC OF BELARUS
‘On Pension Provision for Military Personnel, Officers and
Enlisted Personnel of the Internal Affairs Bodies,
the Investigative Committee of the Republic of Belarus,
the State Committee for Forensic Examinations
of the Republic of Belarus, Bodies and Subdivisions
for Emergency Situations,
and Financial Investigation Bodies’

17 December 1992, No. 2050-XII

(In the wording of the Laws of the Republic of Belarus of 18 March 1994, No. 2885-XII; of 18 March 1994, No. 2887-XII; of 22 February 1995, No. 3609-XII; of 24 September 1996, No. 618-XIII; of 17 May 1997, No. 35-3; of 7 December 1998, No. 215-3; of 9 July 1999, No. 291-3; of 31 December 1999, No. 351-3; of 15 May 2000, No. 385-3; of 22 June 2001, No. 34-3; of 3 January 2002, No. 75-3; of 11 January 2002, No. 89-3; of 15 July 2002, No. 122-3; of 5 November 2003, No. 244-3; of 22 December 2005, No. 76-3; of 19 July 2006, No. 155-3; of 8 January 2008, No. 323-3)

This Law defines the conditions, norms and procedures for pension provision for military personnel of the Armed Forces of the Republic of Belarus, transport troops, internal troops of the Ministry of Internal Affairs of the Republic of Belarus, state security bodies, Border Service bodies, other military formations created in accordance with the legislation of the Republic of Belarus, persons in command and rank of internal affairs bodies, bodies and divisions for emergency situations, and bodies of financial investigations of the State Control Committee of the Republic of Belarus, as well as their family members.

The conditions, norms and procedures for pension provision provided for by this Law also apply to military personnel of the Armed Forces; internal, border and railway troops; State Security Committee and other military formations; officers and rank-and-file members of the internal affairs bodies of the former USSR; and member states of the Commonwealth of Independent States and their family members permanently residing in the territory of the Republic of Belarus.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Types of Pension Provision

Military officers, warrant officers, midshipmen, sergeants and petty officers, soldiers and sailors who are performing military service under a contract (hereinafter – ‘military personnel performing military service under contract’), as well as persons of the commanding and ordinary staff of the internal affairs bodies, the Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examinations of the Republic of Belarus, emergency situations bodies and financial investigation bodies of the State Control Committee of the Republic of Belarus (hereinafter – ‘commanding officers’), the Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examinations of the Republic of Belarus, bodies and divisions for emergency situations and bodies of financial investigations of the State Control Committee of the Republic of Belarus (hereinafter – ‘services’) are entitled to a lifetime pension for years of service.

Military personnel, officers and enlisted personnel who have become disabled in the circumstances provided for by this Law shall acquire the right to a disability pension.

In the event of the death of military personnel, officers and men, their family members are entitled to a survivor’s pension.

Article 2. Conditions of Pension Provision

In accordance with this Law, military personnel, officers and men who are entitled to pension benefits are awarded and paid pensions after they are dismissed from military service or from service.

For military personnel, commanding officers and personnel of the internal affairs bodies who are entitled to a disability pension, and members of their families, pensions for the loss of the primary earner shall be provided regardless of the duration of military service and/or service.

Article 3. Persons Entitled to Pensions on an Equal Basis with Conscripts and Their Family Members

The conditions, norms and procedures for pension provision established by this Law for conscripts and members of their families, respectively, also apply (unless otherwise specified) to:

- a) partisans and their family members (other than those specified in Article 4 of this Law);
- b) workers and employees of the corresponding categories determined by the Council of Ministers of the Republic of Belarus who worked during the Great Patriotic War in the areas of military operations (on the frontline section of railways or the construction of defensive lines, naval bases, airfields, etc.), and their family members;
- c) citizens who were members of fighter battalions, platoons and people's protection units, and members of their families;
- d) those who are liable for military service or called up for military or special training, citizens who were in classes or training camps during their service in the reserve, and members of their families;
- e) employees of the paramilitary security service who were not subject to state social insurance and junior officers and enlisted personnel of the special communications service of the Ministry of Communications of the former USSR, as well as members of their families;
- f) citizens who have served in alternative service and their family members. Disability and survivor's pensions are also awarded to them under the conditions, for the amount and in the manner established for conscripts recognized as disabled (dead or deceased) owing to the reasons specified in Paragraph 'b' of Article 21 of this Law.

Article 4. Persons Entitled to Pensions on an Equal Basis with Military Personnel Who Served under Contract and Their Family Members

Pensions for persons who have held command positions corresponding to the positions of officers in partisan detachments and formations, and their family members, as well as women who have been voluntarily accepted for military service as soldiers, sailors, sergeants and petty officers, as well as their family members, are provided on the grounds established by this Law for military personnel who have served under contract and their family members.

Article 5. Pension Provision for Military Personnel, Officers and Enlisted Personnel of other States and for Their Family Members

Pensions for military personnel, officers and men of states with which the Republic of Belarus has concluded international agreements on social security, and for the family members of the aforementioned categories of military personnel and officers and men are provided in the manner prescribed by these agreements.

Article 6. Pension Provision for Persons Affected by the Chernobyl Disaster or Other Radiation Accidents and Their Family Members

Pension provision for military personnel, officers and enlisted personnel affected by the Chernobyl nuclear power plant (NPP) disaster or other radiation accidents and their family members is subject to the conditions and standards provided for by the law of the Republic of Belarus of 6 January 2009 'On Social Protection for Citizens Affected by the Chernobyl Disaster and other Radiation Accidents' (National Register of Legal Acts of the Republic of Belarus, 2009, No. 17, 2/1561).

Article 7. Assignment of Pensions to Military Personnel Who Performed Military Service Under Contract, to Persons in Command and Enlisted Personnel, and to Their Family Members on the Grounds Established by the Law of the Republic of Belarus 'On Pension Provision'

Military personnel who served under contract, persons in command and enlisted personnel who were dismissed from military service or service, and members of their families may be awarded pensions on the grounds established by the law of the Republic of Belarus of 17 April 1992 'On Pension Provision'. All types of monetary allowance for military personnel who served under a contract, as well as for officers and enlisted personnel, are also considered on an equal basis with the salaries of employees in the Republic.

Article 8. Pensions to Family Members of Deceased Pensioners

Family members of deceased retired military personnel, officers and men are entitled to a survivor's pension on the same basis as family members of military personnel, officers and men.

Article 9. Right to Choose a Pension

Military personnel, officers and men and members of their families entitled to different state pensions shall be assigned to one pension of their choice.

Article 10. Funds for Pensions Payment and Tax Exemption for Pensions

The financing of expenses related to the payment of pensions to military personnel, officers and members of their families is carried out at the expense of the Republican budget.

Pensions awarded in accordance with this Law are not subject to taxation.

Article 11. Benefit Payment

Military personnel, officers and men, those discharged from military service or service, families of the relevant categories of military personnel, officers and men and pensioners from among military personnel and officers and men, as well as their survivors shall be paid benefits in the manner and for the amount established by the Council of Ministers of the Republic of Belarus.

Article 12. Bodies Responsible for Pension Provision

Pension provision for conscripts and members of their families in accordance with this Law is carried out by the departments for labour, employment and social protection of City and District Executive Committees, and the Departments for Social Protection of Local Administrations of Districts in cities (hereinafter – 'Bodies for Labour, Employment and Social Protection'). The same procedure is used for providing pensions to military personnel who have served under contract, officers and enlisted personnel, and members of their families when they are awarded pensions on the grounds established by the law of the Republic of Belarus 'On Pension Provision' (Article 7 and Part One of Article 25 of this Law).

According to this Law, the Ministry of Defence of the Republic of Belarus, the Ministry of Internal Affairs of the Republic of Belarus, the Ministry of Emergency Situations of the Republic of Belarus and the State Security Committee of the Republic of Belarus shall provide pensions for military personnel who have served under contract, officers and members of their families in accordance with the procedure established by the Council of Ministers of the Republic of Belarus.

In relation to the procedure provided for in this article, pension provision is also provided for the corresponding categories of military personnel, officers and enlisted personnel of the internal affairs bodies of the former Soviet Union, other States and members of their families.

Article 13. Issues Related to the Competence of the Council of Ministers of the Republic of Belarus

The Council of Ministers of the Republic of Belarus, in addition to the issues stipulated in this Law, is responsible for issues relating to procedures for the appointment and payment of pensions, and the particularities of calculating and determining seniority – excluding periods of military service and service counted as years of service for the purposes of pensions on preferential terms, determined by the President of the Republic of Belarus – and taking into account the length of service of individual categories of military personnel, officers and men with the guarantees stipulated by this Law.

CHAPTER 2. PENSIONS FOR YEARS OF SERVICE

Article 14. Conditions for Assigning Pensions

The right to a superannuation pension is granted to:

- a) military personnel performing military service under contract and officers and men who have served in the military service and/or in the service for at least 20 years;

- b) military personnel who have served under contract and officers and men who have reached the age limit for military service or service on the day of their dismissal from military service or from service and who have at least 25 years of service, of which at least 12 years and 6 months are military service and/or service.

Old-age pensions are assigned to the persons specified in Paragraphs 'a' and 'b' of Part One of this article upon their dismissal from military service or service owing to age or disease, or in connection with organizational and staffing measures, poor state of health, or a disease contracted after their dismissal from military service or service, as well as to the persons specified in Paragraph 'a' of Part One of this article or dismissed on other grounds – upon reaching the military service or service age limit specified by the legislative acts of the Republic of Belarus.

Article 15. Pension Amount

The following amounts are awarded for superannuation pensions:

- a) for military personnel who served under contract, officers and men who have served for 20 years or more (Paragraph 'a' of the first part of Article 14 of this Law): for 20 years of service – 50 percent; for those dismissed under the conditions established by the legislative acts of the Republic of Belarus or those who have retired owing to age or illness – 60 percent of the corresponding amount of monetary allowance (Article 42 of this Law); for each year of service over 20 years – 3 percent of the corresponding amount of monetary allowance, but no more than 75 percent of the total amount;
- b) for military personnel who served under contract, officers and men with 25 or more calendar years of service, of which at least 12 years and 6 months are military service and/or service (Paragraph 'b' of the first part of Article 14 of this Law): for years of service with 25 years of employment – 50 percent of the corresponding amount of monetary allowances (Article 42 of this Law); for each year of service with more than 25 years of employment – 1 percent of the corresponding amount of monetary allowance, but no more than 75 percent of the total amount;
- c) for persons referred to in Paragraphs 'a' and 'b' of this article, the pension amount for the length of service is increased for periods of military service or service spent engaged in responding to the consequences of the Chernobyl catastrophe within the evacuation zone (exclusion) or engaged in operational or other tasks at the station (including temporary assignments): to 15 percent from 26 April to 31 May 1986; to 10 percent from 1 June to 31 December 1986; and to 5 percent from 1987 to 1989 for those who served at least 20 days or who served in the immediate evacuation and subsequent resettlement areas;
- d) for pensioners receiving pensions for years of service in accordance with Paragraph 'a' of Part One of Article 14 of this Law who have reached the generally established retirement age, the pension for the length of service increases for each year of seniority (from the date of their dismissal from military service or from service until the day they reach the generally established pension age) under the first paragraph of Article 51 of the Law of the Republic of Belarus 'On Pension Provision', to 1 percent of the corresponding amount of monetary allowances (Article 42 of this Law), but no more than 75 percent of the total amount.

Article 16. Minimum Pension

Superannuation pensions awarded in accordance with this Law may not be less than 150 percent of the minimum old-age pension established by the legislation of the Republic of Belarus.

Article 17. Supplement to the Pension for Years of Service

Retirement allowances are added to the superannuation pension assigned to military personnel who served under contract and to persons in command and enlisted personnel (including those who receive the minimum amount):

- people with a group I disability: 100 percent of the minimum old-age pension;
- pensioners who have reached the age of 80, as well as other single pensioners who require constant outside help according to the conclusion of medical rehabilitation expert commissions or medical consulting commissions: 50 percent of the minimum old-age pension.

If the person is entitled to a care allowance for various reasons provided for in this article, the allowance is calculated on one of these grounds.

Article 18. Calculating the Length of service for Assigning Pensions

The calculation of the number of years of service for the purpose of assigning pensions, in accordance with Paragraph 'a' of Part One of Article 14 of this Law, to military personnel performing military service under contract and officers and men shall be subject to the following:

- a) periods of military service or service in the positions of commanding and enlisted personnel or in partisan detachments and formations; periods spent working in state bodies and other organizations while remaining in military service or in the personnel of internal affairs bodies, the Investigative Committee of the Republic of Belarus, the State Committee for Forensic Examinations of the Republic of Belarus, bodies and divisions for emergency situations, and the financial investigation bodies of the State Control Committee of the Republic of Belarus; periods spent in captivity, if the captivity was not voluntary and if the military personnel member did not commit a crime against the state or the Motherland while in captivity; and periods spent in custody and serving a sentence by military personnel, officers and enlisted personnel who were unreasonably prosecuted or repressed and subsequently rehabilitated are included in the length of service for the purpose of assigning pensions;
- b) periods of military service and service are included in the length of service for the purpose of assigning pensions on appropriate preferential terms and under circumstances determined by the legislation of the Republic of Belarus;
- c) in addition to military service and service in the Republic of Belarus, military service and service, including on preferential terms, in the former USSR and in the member states of the Commonwealth of Independent States, as well as the service of officers and enlisted personnel in the internal affairs bodies of the Republic of Latvia, the Republic of Lithuania and the Republic of Estonia before 1 January 1993, are included in the length of service;
- d) while calculating the length of service for assigning pensions to the relevant categories of military personnel performing military service under contract outside the Republic of Belarus on the territory of other member states of the Commonwealth of Independent States – along with preferential military service terms for those under contract to seniority pensions established by the legislation of the Republic of Belarus, preferential terms shall also apply when classifying the seniority of military service for those under contract abroad or in remote, mountainous areas and areas with adverse conditions established by the legislation of the states on whose territory they passed military service under contract;
- e) the length of service for awarding pensions calculated in accordance with the earlier legislation in force shall not be recalculated in the direction of reduction with the entry into force of this Law and in the future, if the pension payment is resumed.

CHAPTER 3. DISABILITY PENSIONS

Article 19. Conditions for Assigning Pensions

Disability pensions are awarded to military personnel, officers and men who have become disabled if the disability occurred: during military service or service; no later than three months from the date of their dismissal from military service or service; no later than three months from the date of their dismissal from military service or service, but owing to an injury, contusion or illness incurred during military service or service.

Article 20. Establishing Disability

The group and cause of a disability, as well as the time of its occurrence, are established by medical and rehabilitation expert commissions acting in compliance with regulations approved by the Council of Ministers of the Republic of Belarus.

Depending on the degree of disability, people with disabilities are divided into three groups.

Article 21. Causes of Disability and Categories of Persons with Disabilities

Depending on the cause of disability, disabled persons from the ranks of military personnel, officers and men are divided into the following categories:

- a) war invalids (invalids due to military trauma): when the disability occurs owing to a wound, contusion or injury received while defending the country or performing other military service duties (official duties), or owing to a disease directly related to the specifics of military service or service (according to the list approved by the Council of Ministers of the Republic of Belarus) or incurred while at the front or when performing military and official duties abroad during local wars and conflicts. War invalids also include former military personnel who became disabled as a result of injuries, contusions, or illnesses incurred during their captivity (subject to the conditions specified in Paragraph 'a' of Article 18 of this Law);
- b) other invalids from among military personnel, persons in command and enlisted personnel (invalids due to a disease incurred during military service or service): when the disability occurs owing to an injury sustained as a result of an accident not related to the performance of military service (official duties), or a disease not related to being at the front or the performance of military and official duties abroad during local wars and conflicts.

Article 22. Size of Pension

The following amounts are assigned for disability pensions for military personnel, officers and men:

- group I category disability – 75 percent
- group II category disability – 65 percent
- group III category disability – 40 percent of earnings (sum of monetary allowances (Article 42 of this Law)).

Article 23. Minimum Pensions

The following minimum amounts are set for disability pensions:

- a) war invalids (Paragraph 'a' of Article 21 of this Law) of groups I or II – 200 percent of the minimum old-age pension, groups III – 100 percent of the minimum old-age pension;
- b) other persons with disabilities (Paragraph 'b' of Article 21 of this Law):
 - soldiers and sailors of conscript military service with a group I or II disability – 100 percent of the minimum old-age pension, or with a group III disability – 50 percent of the minimum old-age pension;
 - sergeants, petty officers, corporals and senior sailors of military service – 110 percent of the minimum old-age pension; disabled ensigns, midshipmen, sergeants and petty officers, soldiers and sailors who served under the contract, and persons of Junior commanding and enlisted personnel – 120 percent; and disabled military officers and persons of middle, senior and senior commanding personnel – 130 percent of the corresponding minimum pensions provided for in this paragraph for disabled soldiers and sailors of military service.

Article 24. Disability Pension Supplement

A care allowance is added to the disability pension for:

- people with a group I disability – 100 percent of the minimum old-age pension;
- other single people with a disability in need of outside care, according to the conclusion of the Medical Rehabilitation Expert Committee or Medical Advisory Committee for continuous care, and disabled persons with a disability who have reached 80 years of age – 50 percent of the minimum old-age pension.

If the person is entitled to a care allowance for various reasons provided for in this article, the allowance is calculated on one of these grounds.

Article 25. Assignment of Disability Pension Amount for Old-Age or Long-Service Pensions

For people with a group I or II disability of the military personnel, officers and men, who have the length of service required to be granted an old-age pension established by the Law of the Republic of Belarus 'On Pension Provision' (including on preferential terms), a disability pension may be awarded in the amount of an old-age pension, in presence of the appropriate length of work.

If group I and II invalids among the military personnel performing military service under contract, officers and men have the length of service required for a pension for years of service (item 'a' of Part One of article 14 of this Law), they may be awarded a disability pension in the amount of a pension for years of service, in presence of the appropriate length of service.

Article 26. Terms for Appointing and Paying Disability Pensions

The disability pension for military personnel, officers and enlisted personnel is assigned for the entire period of disability established by the Medical Rehabilitation Expert Commission.

If a pensioner is recognized as able-bodied, the pension is paid to him until the end of the month in which he is recognized as able-bodied, but for no longer than the day on which the disability is established.

Article 27. Recalculation of a Pension when Changing the Disability Group

If the disability group changes after the pension is awarded, the pension amount awarded in accordance with this Law will also change accordingly.

Article 28. Conditions for Pension Payments Resuming during Breaks in Disability

If a disabled person from among the military personnel, officers and men is not re-examined by the Medical Rehabilitation Expert Commission within the specified time period, the payment of his pension is suspended, and if he is recognized as a disabled person again, it is resumed from the day of the suspension, but for no more than one month before the re-examination date.

If a disabled person misses the specified re-examination time period for a valid reason, the pension is paid from the date of the suspension of payments until the re-examination date, but for no more than 3 years in advance, if the Medical Rehabilitation Expert Commission recognizes him as a disabled person during this period. At the same time, if the disabled person is transferred to another disability group (higher or lower) as a result of the re-examination, the pension for the specified time is paid for the previous group.

CHAPTER 4 . SURVIVOR'S PENSIONS**Article 29. Conditions for Pensions Assigning**

Survivor's pensions are assigned to the families of military personnel and officers and men if the primary earner died during the period of military service or service or no later than three months from the date of their dismissal from military service or service, or after three months from the date of their dismissal from military service or service if the death occurred as a result of injury, concussion, damage or illness incurred during the period of military service or service, as well as to members of pensioners' families from among these military personnel or officers and men – regardless of the cause of death – if the primary earner died while receiving a pension or no later than five years after the termination of the pension payment.

Family members of military personnel and officers and enlisted personnel who died while in captivity (subject to the conditions specified in Paragraph 'a' of Article 18 of this Law), as well as those who went missing during military operations, are equated with family members of those who died at the front.

Survivor's pensions for family members of military personnel who served under contract and officers and men who were dismissed from military service or from service with 20 or more years of service and who died before reaching the age limit for military service or service are assigned and paid regardless of the time elapsed from the day of dismissal to the day of the primary earner's death.

Article 30. Family Members Entitled to a Pension

The right to a survivor's pension is granted to family members with a disability of deceased military personnel, officers and enlisted personnel who were dependent on them (Article 32 of this Law).

Regardless of whether they were dependent on the primary earner, the pension is awarded to: disabled children; disabled parents and spouse, if they have lost their source of livelihood following the death of the primary earner; disabled parents and spouse of military personnel, officers and enlisted personnel who died as a result of the reasons specified in Paragraph 'a' of Article 21 of this Law; or the spouse or one of the parents or other family member specified in Paragraph 'b' of Part Three of this article.

When determining the right to a pension, disabled family members are considered to be:

- a) children (including adopted children, stepsons and stepdaughters), brothers, sisters and grandchildren under the age of 18 (students under the age of 23), as well as children (including adopted children, stepsons and stepdaughters), brothers, sisters and grandchildren over the age of 18 if they became disabled before the age of 18. Brothers, sisters and grandchildren are also entitled to a pension if they do not have

able-bodied parents, stepsons or stepdaughters or if they do not receive alimony from their parents in accordance with the procedure established by law. Students are beneficiaries in the Republic of Belarus and outside the Republic of Belarus if they are, in accordance with the international agreements of the Republic of Belarus, in full-time education; universal secondary, vocational secondary, higher or special education; further education for adults in the development of the content of educational programmes for workers (employees); advanced training educational programmes for executives and experts and for professional skills improvement; educational programmes for retraining executives and specialists with higher education; educational programmes for executives and specialists with secondary special education retraining; educational retraining programmes for workers (employees); educational vocational programmes for workers (employees); and educational programmes for persons training for admission to educational institutions of the Republic of Belarus at pre-University training faculties and preparatory departments (except persons in military service or in the service, as well as students who are on leave, envisaged by the legislation on education);

- b) the father, mother (adoptive parents) or spouse, if they have reached the generally established retirement age or are disabled;
- c) a spouse, parent, grandfather, grandmother, brother or sister, regardless of their age or ability to work, if he or she is engaged in caring for children, brothers, sisters or grandchildren of the deceased breadwinner who have not reached the age of 8 years, and who does not work (subject to the first part of Article 31 of this Law);
- d) the grandparents – in the absence of persons who are legally obliged to support them;
- e) the stepfather or stepmother, if they have reached the generally established retirement age or are disabled, if they raised or supported a deceased stepson or stepdaughter for at least five years.

All the rules of this Law concerning family members of the deceased also apply to the family members of those missing, if the unknown absence of the breadwinner is certified in accordance with the established procedure.

Article 31. Right to a Pension on Preferential Terms

The wives of military personnel or officers and men whose husbands have died while performing military service duties (official duties) or as a result of the reasons specified in Paragraph 'a' of Article 21 of this Law, and who are engaged in caring for children of the deceased (dead) younger than 8 years of age, have the right to a pension for loss of the primary earner regardless of age or disability and regardless of whether the wife works or not.

For mothers and wives (who have not remarried) of military personnel, officers and men whose husbands or children have died while performing military service duties (official duties) or during military service or service owing to the reasons specified in Paragraph 'a' of Article 21 of this Law, a survivor's pension is awarded five years before they reach the generally established retirement age, regardless of their ability to work and whether they are dependent on the deceased (dead).

Article 32. Family Members Considered Dependents

Family members of the deceased are considered to be dependent on him if they were fully supported by him or received assistance from him, and if he was their permanent and main source of livelihood.

Family members of the deceased who were dependent on the deceased and who themselves received a pension have the right to transfer to a new pension.

Article 33. Payment of a Survivor's Pension to Children, Orphans and Children Left Without Parental Care, as well as to Persons from Among Orphans, Children Left Without Parental Care, and Other Categories of Persons

For orphans and children left without parental care who are in foster and adoptive families or family-type orphanages, the designated survivor's pension is paid in full.

For the period of their stay on state support in the organizations and institutions specified in the first part of Article 54 of this Law, 50 percent of the assigned survivor's pension is paid to orphans and persons from among orphans.

Other children, including children left without parental care, as well as persons from among children left without parental care who are on state support in organizations and institutions specified in Part One of Article 54 of this Law, are paid 25 percent of the assigned survivor's pension.

Persons from among children (including adopted children, stepsons and stepdaughters), brothers, sisters and grandchildren who receive a survivor's pension for military personnel, commanding officers or enlisted personnel who died while performing military service duties (official duties) or during military service or service owing to the reasons specified in Paragraph 'a' of Article 21 of this Law, as well as for deceased war invalids, who are on state support provided by state institutions of vocational, secondary special and higher education, and who receive full-time education in these institutions, including pre-university training faculties and preparatory departments, are paid 25 percent of the assigned survivor's pension.

Article 34. Pension Saving when Entering into a New Marriage

A survivor's pension awarded to the spouse in accordance with Paragraph 'b' of Part Three of Article 30 or Part Two of Article 31 of this Law shall also be retained when the pensioner enters into a new marriage.

Article 35. Right to a Pension for Adopted Children

Minors who are entitled to a survivor's pension also retain this right when they are adopted.

Article 36. Pension Amount

The following amounts are awarded for survivor's pensions:

- a) for members of families of military personnel, officers and enlisted personnel who died while performing military service duties (official duties) or a result of the reasons specified in Paragraph 'a' of Article 21 of this Law – 50 percent of the primary earner's earnings for each family member entitled to such a pension. Pensions are awarded for the same amount, regardless of the cause of death of the primary earner, to family members of deceased pensioners who were disabled by war on the day of death (paragraph 'a' of Article 21 of this Law), as well as to orphans and persons from among orphans;
- b) to members of families of military personnel, persons in command and enlisted personnel who died as a result of the reasons specified in Paragraph 'b' of Article 21 of this Law – 40 percent of the primary earner's earnings for each family member entitled to such a pension.

Article 36¹. Monthly Allowance

Monthly allowance of 180 percent of the minimum old-age pension is assigned:

- a) parents and wives (who have not remarried) of military personnel, officers and men whose husbands or children died while performing military service duties (official duties) or during military service or service due to the reasons specified in Paragraph 'a' of Article 21 of this Law;
- b) parents and wives (who have not remarried) of workers and employees whose husbands or children died while performing their official duties in Afghanistan or other countries where military operations were performed – according to the list determined by the Ministry of Defence of the Republic of Belarus.

This allowance is paid to persons permanently residing in the territory of the Republic of Belarus. The monthly allowance to persons referred to in Paragraph 'a' of Part One of this article is made prior to the day a pension is granted in accordance with the legislation of the Republic of Belarus regardless of wages (cash allowance), and to the persons specified in Paragraph 'b' of Part One of this article – for life, regardless of wages received (cash allowances), pensions or other income.

The procedure for assigning and paying the allowance provided for in this article shall be established by the Council of Ministers of the Republic of Belarus.

Article 37. Minimum Pensions

Survivor's pensions assigned to family members of military personnel, officers and enlisted personnel, based on each family member who is entitled to such a pension, may not be lower than:

- a) when calculating pensions in accordance with Paragraph 'a' of Article 36 of this Law, family members of conscripts, military personnel who served under contract (except for military officers), persons of junior commanding and enlisted personnel – 150 percent of the minimum old-age pension, and for family

members of military officers, middle, senior and senior commanding personnel — 180 percent of the minimum old-age pension;

- b) when calculating pensions in accordance with Paragraph 'b' of Article 36 of this Law – 100 percent of the minimum old-age pension.

For orphans and persons from among orphaned children, the pension for each child may not be less than twice the minimum old-age pension.

Article 37¹. Survivor's Pension Supplement

A care allowance is set for the survivor's pension:

- disabled people of group I – 100 percent of the minimum old-age pension;
- pensioners who have reached the age of 80, children with disabilities under the age of 18 and disabled people from childhood of group II, as well as single pensioners who need constant outside help according to the conclusion of medical rehabilitation expert commissions or medical consulting commissions – 50 percent of the minimum old-age pension.

If the person is entitled to a care allowance for several reasons provided for in this article, the allowance is calculated on one of these grounds.

Article 38. Period for Which the Pension is Assigned

The survivor's pension is established for the entire period during which a family member of the deceased is considered incapable of working (Article 30 of this Law), and for family members who have reached the generally established retirement age and are entitled to a pension in accordance with the second part of Article 31 of this Law – for life.

Article 39. Pension Assignment for Each Disabled Family Member

The Survivor's pension is awarded for every disabled family member who is entitled to a pension (Article 30 of this Law).

At the request of family members, one general pension can be assigned to them.

Article 40. Change in the Pension Amount and the Termination of its Payment

If there is a change in the structure of a family that has been assigned a survivor's pension, as a result of which individual family members or the family as a whole loses the right to a pension, the pension is recalculated or its payment is terminated from the first day of the month following the month in which the change occurred.

Article 41. Procedure and Terms for Disability Establishing for Family Members

Family members who are disabled are subject to the rules on the procedure and terms for establishing disability and paying pensions during breaks in the examination by the Medical Rehabilitation Expert Commission, provided for in Articles 20, 26 and 28 of this Law.

CHAPTER 5. CALCULATION OF PENSIONS

Article 42. Earnings (Monetary Allowance) for the Calculation of Pensions

Pensions awarded, in accordance with this Law, to conscripts and members of their families are calculated, according to the established norms, as a percentage of the average monthly earnings received by military personnel before conscription or after their dismissal from military service before applying for a pension, or to the average monthly monetary allowance received by military personnel during the period of military service under contract. The average monthly salary (monetary allowance) for calculating their pensions is also determined in accordance with the procedure established by the law of the Republic of Belarus 'On Pension Provision'.

For conscripts who did not work before being called up for military service and who do not work having been dismissed from military service, who did not serve under a contract, and for their family members, pensions are established in the minimum amounts provided for in Articles 23 and 37 of this Law, respectively.

Pensions for military personnel who served under contract, persons in command and enlisted personnel, as well as for members of their families, are calculated from the monetary allowances of these military

personnel, persons in command and enlisted personnel. Thus, the pension calculation takes into account, in accordance with the procedure determined by the Council of Ministers of the Republic of Belarus, the reports for their regular or last position of employment, the salaries of military or special rank, bonus payments for long service (continuous service or work), including payments related to the indexation of remuneration. The specified monetary allowance is also taken into account when calculating the pension.

When calculating pensions for the years of service of military personnel who served under contract, persons in command and enlisted personnel who committed a serious or very serious crime against the interests of the service or a serious or very serious crime involving the use of their official powers by an official, the salary for a military (special) rank is taken into account for the military rank 'private' or the corresponding special rank.

When calculating the monetary allowance amount and establishing a pension, the fractional part of the monetary unit less than half is not taken into account, and more than half is rounded up.

Article 43. Recalculation of Pensions Owing to Changes in the Minimum Old-Age Pension

Minimum pension amounts, as well as allowances and increases to pensions assigned to military personnel, officers and members of their families in accordance with this Law, shall be recalculated at the same time as the change in the minimum old-age pension.

Article 44. Pensions Calculation for Family Members of Pensioners

Family members of retired military personnel, officers and men receive pensions for the loss of a primary earner from the same earnings (salary) from which the pension to the primary earner was calculated (recalculated) or was subject to recalculation.

Article 45. Increase of Pensions

Pensions awarded in accordance with this Law shall be increased for:

- a) Heroes of Belarus, Heroes of the Soviet Union, Heroes of Socialist Labour, Cavaliers of the Order of the Motherland of Three Degrees, the Order of Glory of Three Degrees, the Order of Labour Glory of Three Degrees – 500 percent of the minimum old-age pension;
- b) war invalids of groups I and II – by 400 percent, and for group III – by 250 percent of the minimum old-age pension;
- c) military personnel, officers and men who served in the active army, partisan detachments or formations, or who took part in combat operations by decision of the state bodies of the former Soviet Union or the Republic of Belarus, and partisans – 250 percent of the minimum old-age pension;
- d) persons from among the civilian personnel who served or worked in the active army – 250 percent of the minimum old-age pension;
- e) persons who took part in special formations in the demining of territories and facilities after the liberation from German occupation in 1943–1945 – 250 percent of the minimum old-age pension;
- f) persons who worked during the siege of the city of Leningrad at enterprises, institutions and organizations of the city, and persons awarded the badge 'Resident of the Besieged Leningrad' – 100 percent of the minimum old-age pension;
- g) former prisoners of Nazi concentration camps (ghettos and other places of forced detention during the war), if they did not commit crimes against the Motherland during this period – 100 percent of the minimum old-age pension;
- h) persons who are disabled from childhood owing to injuries or contusions related to military operations during the Great Patriotic War (or the consequences of military operations) – 50 percent of the minimum old-age pension;
- i) persons awarded orders and medals for selfless work and impeccable military service in the rear during the Great Patriotic War – 50 percent of the minimum old-age pension.

If the person is entitled to a pension increase for various reasons provided for in this paragraph, the pension amount is calculated on one of these grounds;

- j) citizens who were unreasonably repressed for political reasons during the period of repression in the 1920s–80s and subsequently rehabilitated – 50 percent of the minimum old-age pension;

- k) donors, who were awarded the badge of distinction of the Ministry of Health of the Republic of Belarus Honourable Donor of the Republic of Belarus, badge of honour 'Honourable Donor of the Republic of Belarus', signs 'Honourable Donor of the USSR' or 'Honourable Donor of the Red Cross Society of the BSSR' on reaching the generally established retirement age – 40 percent of the minimum old-age pension;
- l) parents and wives (who have not remarried) of military personnel, officers and men whose children or husbands died while performing military service duties (official duties) or during military service or service owing to the reasons specified in Paragraph 'a' of Article 21 of this Law – 180 percent of the minimum old-age pension;
- m) parents and wives (who have not remarried) of deceased war invalids, other family members who receive survivor's pensions for military personnel, officers and men who died while performing military service duties (official duties) or during military service or service owing to the reasons specified in Paragraph 'a' of Article 21 of this Law, as well as for deceased war invalids – 100 percent of the minimum old-age pension.

CHAPTER 6. ASSIGNMENT AND PAYMENT OF PENSIONS

Article 46. Petition for the Assignment of Pensions

Conscripts and members of their families apply for pensions to the labour, employment and social protection agencies at their place of residence, while military personnel who have served under contract, officers and enlisted personnel, and members of their families apply to the pension agencies of the Ministry of Defence of the Republic of Belarus, the Ministry of Internal Affairs of the Republic of Belarus, the Ministry of Emergency Situations of the Republic of Belarus and the State Security Committee of the Republic of Belarus, respectively.

Article 47. Pension-Assigning Bodies and Pension Assignment Documents for Consideration

Pensions for conscripts and members of their families are assigned by the bodies defined by the Law of the Republic of Belarus 'On Pension Provision', and for military personnel who have served under a contract, officers and members of their families – by the relevant pension bodies of the Ministry of Defence of the Republic of Belarus, the Ministry of Internal Affairs of the Republic of Belarus, the Ministry of Emergency Situations of the Republic of Belarus and the State Security Committee of the Republic of Belarus (taking into account the first part of Article 12 of this Law).

Documents for the assignment of pensions are considered by pensions assign bodies, no later than 10 days from the date of their receipt.

Article 48. Terms of Pension Assignment

Pensions, in accordance with this Law, are assigned to:

- a) military personnel of conscript military service – from the date of their discharge from the hospital or from the date of their dismissal from military service if the disability was recognised by the Medical Rehabilitation Expert Commission and the pension request submitted no later than three months respectively from the date of their discharge from the hospital or from the date of their dismissal from military service, and to members of families of conscripted military service and pensioners from among these military personnel – from the date of the primary earner's death or the emergence of pension rights. For parents or spouses of the specified military personnel and pensioners who have acquired the right to a pension in connection with the loss of a source of livelihood, a pension is assigned from the date of applying for a pension;
- b) military personnel who served under contract and officers and men who are entitled to a pension for years of service (Article 14 of this Law) and who have been dismissed from military service or service owing to age, illness, organizational or staff measures, or poor health – from the date of their dismissal from military service or service, but no earlier than the day before they were granted a monetary allowance;
- c) military personnel who served under contract, officers and men who are entitled to a pension for years of service (Paragraph 'a' of the first part of Article 14 of this Law) and who have been dismissed from military

service or service on other grounds – from the date they reach the age limit for military service or service established by the legislative acts of the Republic of Belarus.

Soldiers performing military service under contract, officers and men who have been deprived of military or special rank or had their military or special rank downgraded, in the prescribed manner – from the day they reach the age limit for military service or service specified by the legislative acts of the Republic of Belarus for the military or special rank they have been deprived of or downgraded to;

- d) military personnel performing military service under contract and officers and men who have a disability established during the period of military service or service, or no later than three months from the date of their dismissal from military service or service, owing to a wound, contusion, mutilation or disease incurred during the period of military service or service – from the date of their dismissal from military service or service but no earlier than the date they were granted monetary allowances in case of dismissal. If a disability is established due to the above reasons after three months from the date of their dismissal from military service or service, or a disability is established before the expiration of three months from the date of dismissal but owing to an accident or illness that occurred after dismissal – from the date of disability;
- e) members of families of military personnel, performing military service under contract, officers and men and pensioners from among these military personnel – from the date of the primary earner's death, but no earlier than the date on which the allowance or pension were paid, except for the following cases of awarding pensions starting from later terms:

family members entitled to a pension following the death of the breadwinner in connection with reaching the generally established pension age or determining their disability (Paragraph 'b' of Part Three of Article 30 of this Law) or in connection with the onset of the period specified in the second part of Article 31 of this Law, respectively – from the date of attaining the generally established pension age, establishment of disability, of reaching the term specified in the second part of Article 31 of this Law;

parents or spouses who have acquired the right to a pension due to the loss of their source of livelihood – from the date of applying for a pension (Article 49 of this Law);

- f) family members of dismissed military personnel performing military service under contract, officers and men who did not receive a pension for years of service as they did not reach the military service or service age limit – from the date of the death of these persons;
- g) persons entitled to a pension in accordance with this Law who receive another government pension – from the date they are entitled to receive a pension in accordance with this Law, but no earlier than the date their state pensions payments are terminated. Pensioners who have applied for a pension but who have not received it owing to a lack of data concerning the pensioner's status (on behalf of the appointed pension in case of loss of the primary earner) – including as military persons performing military service under contract or officers and men, the years of service for a pension, information concerning their disability or death or other information necessary to establish the right to a pension and/or the amount – are paid the difference in pension for the past time from the date of their application for a pension, but no more than 12 months before the date the pension is appointed;
- h) pensioners from among military personnel, officers and men and members of their families receiving pensions in countries with which the Republic of Belarus has signed international agreements on social security, who arrived in the Republic of Belarus and received a permanent residence permit in the Republic of Belarus – from the date of the termination of their pension payment at the previous place of residence, but no earlier than the month following the month in which the pensioner departed from the former place of residence (subject to the requirements of Paragraph 'b' of this part and Part Two of this article), unless otherwise provided in such contracts.

If applications are submitted late, a pension may be granted from the date the person became eligible to receive a pension, but no more than 12 months before they applied for it.

Article 49. Pension Application Date

The pension application date is considered to be the date the application for a pension is submitted with all the necessary documents, and when sending the application and documents by post – the date of their dispatch.

In cases where the pension application is not accompanied by all the necessary documents to resolve this issue, the additional documents required for the application are explained to the applicant. When submitting these documents within three months of the date the clarification was received, the pension application date shall be the date the application is submitted or the date the documents were sent by post, specified in Part One of this article.

Article 50. Timing of the Recalculation (Payment Termination) of Pensions

If circumstances arise that result in the recalculation or termination of pension payments for pensions awarded to military personnel performing military service under contract, officers and men and members of their families, the pension payment is recalculated (or terminated) on the first day of the month following the month in which the circumstances occurred, except in circumstances provided for by Part Two of Article 26 and Article 27 of this Law. If a pensioner is eligible for an increase in their pension payment, the difference in the pension may be paid retroactively if the application is submitted late, but for no more than 12 months before they applied for the pension recalculation.

If circumstances arise that result in a change to the pension payment amount for conscripts and members of their families, these pensions are recalculated in accordance with the terms established by the Law of the Republic of Belarus 'On Pension Provision'.

Article 51. Bodies that Pay Pensions and General Payment Procedures

Pensions are paid to pensioners from among conscripts and members of their families by the labour, employment and social protection authorities at their place of residence in the Republic of Belarus through the organizations specified in Part Four of Article 83 of the Law of the Republic of Belarus 'On Pension Provision'.

The organization of work on pensions payment to retired military personnel performing military service under contract, officers and members of their families is carried out by the relevant pension bodies of the Ministry of Defence of the Republic of Belarus, the Ministry of Internal Affairs of the Republic of Belarus, the Ministry of Emergency Situations of the Republic of Belarus and the State Security Committee of the Republic of Belarus through the open Joint Stock Company Savings Bank, Belarusbank (hereinafter referred to as the 'Bank').

The payment of pensions to the persons specified in Part Two of this article is coordinated at the direction of the relevant pension authority at the relevant place of residence in the Republic of Belarus by crediting the pension amounts to the accounts of pensioners in the Bank's divisions or by sending and delivering pensions to them through postal organizations, organizations that conduct activities for pensions delivery. The delivery and transfer of pensions are conducted at the expense of the Republican budget allocated for the payment of pensions. Pensions are paid for the current month within the time determined by the Bank in coordination with the Ministry of Finance of the Republic of Belarus, the Ministry of Defence of the Republic of Belarus, the Ministry of Internal Affairs of the Republic of Belarus, the Ministry of Emergency Situations of the Republic of Belarus and the State Security Committee of the Republic of Belarus.

If pensioners from military personnel performing military service under contract, officers and men and members of their families do not receive their pension payment via the postal office or the organization engaged in the delivery of pensions for six consecutive months, the pension payment is suspended from the 1st day of the month following the month in which the six months are expired. The pension payment is resumed on the basis of the pensioner's application to the relevant pension authority and in accordance with the first part of Article 53 of this Law.

If circumstances occur that entail the termination of the pension payment (death of a pensioner, departure for permanent residence abroad or other circumstances provided for by this Law), the pension amount transferred to the Bank is subject to return to the Republican budget income on the basis of an order from the relevant pension authority. If the pension amount is issued at the time of the receipt of the order to the

Bank, the recovery of the pension payment is performed in accordance with the procedure established by the legislation of the Republic of Belarus.

Pensions can be paid by power of attorney issued in accordance with the procedure established by the legislation of the Republic of Belarus.

The payment of pensions under a power of attorney certified outside the Republic of Belarus (other documents authorizing the receipt of pensions) is performed by the Bank on the basis of an order from the relevant pension authority that assigned the pension.

Article 52. Payment of Pensions to Pensioners in the Presence of Earnings or other Income

Pensions awarded in accordance with this Law are paid in full regardless of whether the pensioner has earnings or other income.

Article 53. Payment of a Pension Not Received in a Timely Manner by a Pensioner

Pension amounts accrued to a pensioner from among military personnel, officers and men and their family members and not claimed by them in a timely manner are paid retroactively, but for no more than three years before they applied for a pension.

Pension amounts that are not received by the pensioner in a timely manner due to the fault of the body that appoints or pays the pension are paid for the past time, taking into account indexation and without limitation by any period.

Article 54. Payment of Pensions to State-Supported Pensioners

Persons who are on state support in state inpatient social service institutions, children's boarding institutions, military units as pupils, as well as in state institutions of vocational, secondary special and higher education and receiving full-time education in these institutions, including at pre-university training faculties or preparatory departments, are paid 10 percent of the assigned pension (with the exception of the survivor's pension paid to persons specified in Article 33 of this Law), but no less than 20 percent of the minimum old-age pension. In cases where the pension amount exceeds the expenses related to organizations and institutions, the state-supported pensioner shall be paid the difference between the pension and the cost of maintenance, but no less than 10 percent of their pensions and at least 20 percent of the minimum old-age pension.

War invalids and other participants in the war who are on state support are paid pensions in the same manner, but no less than 25 percent of the assigned pension and no less than 20 percent of the minimum old-age pension.

If the pensioner receiving state support has children (including adopted children, stepsons and step-daughters) under the age of 18, the pension is paid in the following order: for one child – 25 percent, for two children – 33 percent, for three or more children – 50 percent of their pensions. The retired receive the remaining part of the pension after the deduction of the cost of maintaining the organizations and institutions referred to in the first paragraph of this article, but not less than 10 percent (disabled veterans and other war veterans – not less than 25 percent) of their pensions and at least 20 percent of the minimum old-age pension.

If a pensioner leaves a state inpatient social service organization for a period of more than one month (without a deduction from this organization), including for inpatient treatment in a health organization or in a leper colony, the pension is paid in full.

Note. For the purposes of applying this Law, children's boarding schools are understood as children's homes, social and pedagogical institutions, boarding schools for orphaned children and children left without parental care, auxiliary boarding schools, special general education boarding schools, special educational institutions, special medical and educational institutions and other institutions that provide conditions for the residence (maintenance) of children.

Article 55. Notification of Pension Authorities about Changes in Conditions Affecting the Payment of Pensions

The organization or institution specified in the first part of Article 54 of this Law that has accepted a pensioner for state support must notify the pension body that assigned a pension within five days. Pension amounts that are overpaid as a result of the failure to fulfil the specified requirement are collected in favour of

the pension body that assigned the pension, by its order, in an undisputed manner from the organization or institution, specified in Part One of Article 54 of this Law, that accepted the pensioner for state support.

A pensioner is obliged to notify the body that assigned him a pension about circumstances provided for by this Law that entail a change in the amount or termination of pension payment.

At the request of the relevant pension authorities, state bodies and other organizations are obliged to provide them with information necessary for the payment of pensions free of charge within 15 days.

Article 56. Payment of Pensions to Pensioners Sentenced to Imprisonment

If a pensioner is taken into custody or sentenced to the deprivation of liberty, the criminal prosecution authority or the court must notify the body that pays the pension within five days.

The pension amount assigned to a pensioner (except for minors) is transferred to the correctional institution where they are serving the sentence.

From the amount of pension received in a correctional institution, alimony for the maintenance of minor children, funds for the reimbursement of expenses spent by the state for the maintenance of children who are on state support, the cost of maintenance in a correctional institution, as well as other deductions, are made in accordance with the legislation of the Republic of Belarus. The pension amount payable to the pensioner after all deductions will be credited to the account of the pensioner in the correctional facility.

The amount of pension assigned to a minor pensioner who has been sentenced to imprisonment is paid to his legal representative (mother, father, adoptive parent or Trustee).

Article 57. Deductions from Pensions

Deductions from pensions paid in accordance with this Law are made on the basis of court decisions, rulings, decisions and sentences (in terms of property penalties), executive inscriptions of notaries, diplomatic agents of diplomatic missions of the Republic of Belarus and consular officials of consular institutions of the Republic of Belarus, and other acts that are executed in accordance with the procedure established by the legislation of the Republic of Belarus on enforcement proceedings. In addition, the amount of a pension or benefit overpaid to a pensioner as a result of abuse on his part or an accounting error may be withheld from the pension paid to him on the basis of a decision of the relevant pension authority (Part One of Article 47 of this Law).

Other deductions from pensions other than those specified in Part One of this article are not allowed.

Deductions based on decisions of the relevant pension authorities are made in the amount of not more than 20 percent of the pension in excess of deductions on other grounds.

In case of the termination of the pension payment until arrears on overpaid amounts of pension or benefit are repaid in full, on the basis of decisions of the relevant pension authority, the remaining debt is collected through a court order.

Article 58. Payment of Pensions and Benefits in the Event of the Death of a Pensioner (Benefit Recipient)

The pension amount or the monthly allowance amount assigned, in accordance with Article 36.1 of this Law, that were due to the pensioner (benefit recipient) and unpaid due to his death, but no more than three years before the day of the death of the pensioner (benefit recipient), are paid in equal shares to family members who lived with the pensioner (benefit recipient) on the day of his death, as well as to his disabled dependents, regardless of whether they lived with the deceased or not.

Claims for the payment of these amounts may be made within six months from the date of the death of the pensioner (benefit recipient). In this case, the payment is made in accordance with Article 53 of this Law.

In the event of the absence of the persons specified in Part One of this article, or a failure to submit claims for the payment of pension (benefit) amounts within the established period, the corresponding amounts are included in the inheritance and inherited in accordance with the procedure established by civil law.

Article 59. Payment of Pensions When Leaving for Permanent Residence Abroad

Military personnel, officers and enlisted personnel who were dismissed from military service or from service, and members of their families who went abroad before applying for a permanent residence pension are not granted pensions in the Republic of Belarus.

Pensions assigned in accordance with this Law shall be terminated from the 1st day of the month following the month of their departure to their new place of residence for retired military personnel, officers and enlisted personnel and members of their families who have left for permanent residence in states with which the Republic of Belarus has concluded international agreements on social security for military personnel, officers and enlisted personnel and members of their families.

Pensions granted in accordance with this Law shall be paid six months in advance to pensioners from among military personnel, commanding officers, enlisted personnel and members of their families who have left for permanent residence in states with which the Republic of Belarus has not concluded international agreements on social security for military personnel, commanding officers, enlisted personnel and members of their families. Owing to future changes to the pension amount, the pension payment is not reviewed. Pension amounts for six months in advance that are not received in the Republic of Belarus before departure are not subject to transfer abroad.

Article 60. Recalculation of Previously Assigned Pensions in Connection with the Entry into Force of This Law

Previously assigned pensions to military personnel, persons in charge and ordinary members of internal affairs bodies and their family members in connection with the entry into force of this Law are recalculated according to the documents available in the pension file at the time of the recalculation. If the pensioner subsequently submits additional documents entitling him to a further increase in the pension payment, the recalculation is made for the previous period, but for no more than 12 months from the date of the submission of additional documents and no earlier than the date of entry into force of this Law.

Article 61. Recalculation of Pensions in Connection with Changes in Monetary Allowances (Wages)

Pensions assigned to conscripts and members of their families are recalculated with changes in wages in accordance with the procedure established by the Law of the Republic of Belarus 'On Pension Provision'.

Pensions assigned to military personnel who served under contract, persons in command and enlisted personnel, and members of their families are subject to recalculation from the month when the change in the monetary allowance occurred (Article 42 of this Law).

Chairman of the Supreme Council of the Republic of Belarus

S. Shushkevich

LAW OF THE REPUBLIC OF BELARUS 'On Veterans'

17 April 1992, No. 1594-XII

(In the wordings of the Laws of the Republic of Belarus of 15 December 1992, No. 2041-XII; of 24 February 1994, No. 2813-XII; of 20 March 1995, No. 3665-XII; of 3 May 1996, No. 440-XIII; of 17 May 1996, No. 442-XIII; of 12 July 2001, No. 44-3; of 10 May 2007, No. 226-3; of 14 June 2007, No. 239-3; of 11 July 2007, No. 253-3; of 15 July 2008, No. 408-3; of 28 December 2009, No. 92-3; of 13 December 2011, No. 325-3; of 10 July 2012, No. 401-3; of 4 January 2014, No. 101-3; of 5 January 2016, No. 349-3; of 9 January 2017, No. 15-3)

This Law establishes the legal basis and measures for social protection for veterans and persons affected by the consequences of wars, as well as guarantees for the activities of public associations of veterans in the Republic of Belarus.

This Law applies to citizens of the Republic of Belarus, foreign citizens and stateless persons permanently residing in the Republic of Belarus.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Categories of Veterans

Taking into account the merits in the defence of the Motherland, impeccable military service and long-term conscientious work, the following categories of veterans are established:

1. Veterans of the Great Patriotic War, including disabled people of the Great Patriotic War;
2. Veterans of military operations on the territory of other States, including invalids of military operations on the territory of other States;
3. Veterans of labour;
4. Veterans of the Armed Forces;
5. Veterans of the internal affairs bodies, the Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examinations of the Republic of Belarus, bodies and divisions for emergency situations, Prosecutor's offices, and justice and courts.

Article 2. Veterans of the Great Patriotic War

Veterans of the Great Patriotic War are persons who took part in combat operations to protect the Motherland or formed part of military units of the active army in combat areas, as well as persons who were awarded with orders or medals of the USSR for selfless work and impeccable military service in the rear during the Great Patriotic War.

Veterans of the Great Patriotic War include:

1. Participants of the Great Patriotic War:
 - 1.1. Military personnel, including those dismissed to the reserve (retired), who served in military service or who were temporarily in military units, headquarters and institutions that were part of the active army (Navy) during the Civil or Great Patriotic War, as well as during other combat operations to protect the Motherland, and partisans and underground fighters of the Civil or Great Patriotic War;
 - 1.2. Military personnel, including those dismissed to the reserve (retired), persons in command and with the rank of internal affairs bodies and state security bodies who served during the Great Patriotic War in cities, or participated in defence that is counted towards the length of service for pensions granted on preferential terms established for military personnel of military units of the active army;
 - 1.3. Civilian personnel of the Soviet Army, Navy, forces and organs of internal affairs bodies and state security bodies who served during the Great Patriotic War in established posts in military units, staffs and institutions that were part of the army, or who were in cities during this period, and

whose participation in defence is counted towards the length of service for a pension on preferential terms established for military personnel of military units of the army;

- 1.4. Intelligence, counterintelligence officers and other persons who performed special tasks in military units of the active army, behind enemy lines or on the territory of other states during the Great Patriotic War;
 - 1.5. Employees of special formations of the National Commissariat of Railways, People's Commissariat of Communications, the crew of fishing and transport vessels and flying aviation personnel of the People's Commissariat of the Fishing Industry of the USSR marine and river fleet, and flying aviation personnel of the Main Directorate of the Northern Sea Way transferred during the Great Patriotic War to the status of military personnel performing tasks in the interests of the army (Navy) within the rear boundaries of operating fronts (operational areas of the fleets);
 - 1.6. Military personnel, including those who were dismissed to the reserve (retired), officers and enlisted personnel of internal affairs bodies and state security bodies, fighters and commanders of fighter battalions, and platoons and detachments of people's protection who took part in combat operations to combat enemy landings during the Great Patriotic War, as well as in combat operations to eliminate the nationalist underground on the territory of the Ukrainian SSR, Byelorussian SSR and the Baltic Republics in the period from 1 January 1944 to 31 December 1951;
 - 1.7. Persons who took part in combat operations against Nazi Germany and its allies as part of partisan detachments, and underground groups during the Second World War on the territory of other states.
2. Persons awarded orders or medals of the USSR for selfless work and impeccable military service in the rear during the Great Patriotic War.
 3. Persons of the following categories:
 - 3.1. Those who worked on air defence and local air defence facilities on the construction of defensive structures, at sea bases, airfields and other military facilities within the rear boundaries of active fronts or on the front-line sections of railways and roads;
 - 3.2. Crew members of transport fleet vessels interned at the beginning of the Great Patriotic War in ports of other states;
 - 3.3. Those who took part in special formations in the demining of territories and facilities after the liberation from the German occupation in 1943–1945.
 4. Persons who worked at enterprises, institutions and organizations of the city of Leningrad during the siege from 8 September 1941 to 27 January 1944 and who were awarded the medal 'For the Defence of Leningrad', and persons awarded the badge 'To a Resident of Besieged Leningrad'.
- Periods of assignment of military units, headquarters and institutions to the active army, as well as the list of cities and periods of their defence during the Great Patriotic War, are approved by the Ministry of Defence of the Republic of Belarus.

Persons convicted of treason, aiding the German-fascist invaders and their allies during the Great Patriotic War, or for participating in the nationalist underground on the territory of the Ukrainian SSR, the Byelorussian SSR and the Baltic Republics between 1 January 1944 and 31 December 1951 and subsequently not rehabilitated or recognized as veterans of the Great Patriotic War.

Article 3. Veterans of Military Operations on the Territory of other States

Veterans of military operations on the territory of other states include:

1. Military personnel, including those transferred to the reserve (resignation), reservists called up for military training, officers and men of organs of internal affairs bodies and state security bodies, employees of these bodies (including the specialists and advisers of the Ministry of Defence of the USSR, the State Security Committee and the Ministry of Internal Affairs of the USSR and BSSR), or those heading state authority bodies of the USSR in Afghanistan or other states who took part in the fighting while performing official duties in those states.

2. Military personnel of automobile battalions sent to Afghanistan to deliver cargo during the period of combat operations.
3. Military aircrew who flew combat missions to Afghanistan from the territory of the USSR during the period of combat operations.
4. Employees (including members of flight crews of civil aviation aircraft that flew to Afghanistan during the period of combat operations) who served in military contingents of the Armed Forces of the USSR on the territory of other states who were injured, concussed or maimed, or awarded orders or medals of the USSR for participation in combat operations.
5. Employees who were sent to Afghanistan in the period from December 1979 to December 1989, who completed the prescribed period or were seconded ahead of schedule for valid reasons.

The list of states, territories and periods of combat operations involving citizens of the Republic of Belarus is approved by the Ministry of Defence of the Republic of Belarus.

Article 4. Invalids of the Great Patriotic War and Invalids of Military Operations on the Territory of Other States
Persons with disabilities of the Great Patriotic War and persons with disabilities of military operations on the territory of other states include:

1. Military personnel, including those dismissed to the reserve (retired), who served in military service or were temporarily in military units, headquarters and institutions that were part of the active army, partisans and underground fighters who became disabled as a result of injuries, contusions or diseases incurred during the Civil or Great Patriotic War in combat areas.
2. Military personnel who became invalids owing to an injury, contusion, mutilation or disease incurred while protecting the Motherland or performing military service duties in states engaged in fighting.
3. Workers and employees that have become disabled owing to an injury, contusion, mutilation or disease incurred in combat areas, on the front-line sections of railway or roads, during the construction of defensive boundaries, or on naval bases or airfields, and those with the equivalent pension provision to military personnel of military units of the army under the special regulations and the orders of the Government of the USSR.
4. Senior personnel and the rank and file of internal affairs bodies and state security bodies who have become disabled owing to injuries, contusions or illnesses incurred while performing official duties in combat areas.
5. Military personnel, including those who were dismissed to the reserve (retired), officers and enlisted personnel of internal affairs bodies and state security bodies, fighters and commanders of fighter battalions, and platoons and detachments of people's protection who took part in combat operations to combat enemy landings during the Great Patriotic War, as well as in combat operations to eliminate the nationalist underground on the territory of the Ukrainian SSR, Byelorussian SSR and the Baltic Republics in the period from 1 January 1944 to 31 December 1951, who became disabled as a result of injuries, contusions or diseases incurred during these operations.
6. Persons who were involved by local authorities as part of special formations in the demining of territories and facilities after the liberation from German occupation in 1943–1945 and became disabled as a result of injuries, contusions or diseases incurred during this period while performing tasks.
7. Employees who served active military contingents in Afghanistan or other states and became disabled as a result of injuries, contusions or diseases incurred during the hostilities.

Article 5. Veterans of Labour

Veterans of labour are persons who have at least 30 years of employment for men and 25 years for women and have reached the age that entitles them to an old-age pension on a general basis.

Article 6. Veterans of the Armed Forces

Veterans of the Armed Forces are officers, warrant officers, soldiers and extended service soldiers serving under contract and transferred to the reserve (resignation) from the Armed Forces of the Union or Armed Forces of the Republic of Belarus and State Security Committee of the USSR or State Security Committee of the

Republic of Belarus, the border troops and the Border Service of the Republic of Belarus, internal and railway troops, transportation troops, troops of civil defence, military formations of Ministries and other Republican Bodies of State Administration, which provide for military service and which is designed in accordance with the legislation of the USSR or legislation of the Republic of Belarus, who have served at least 25 calendar years.

Article 7. Veterans of the Internal Affairs Bodies, the Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examinations of the Republic of Belarus, Bodies and Divisions for Emergency Situations, Prosecutor's Offices, and Justice and Courts

Veterans of the internal affairs bodies, the Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examinations of the Republic of Belarus, bodies and divisions for emergency situations, Prosecutor's offices, and justice and courts are:

1. Officers and men of internal affairs bodies, Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examinations of the Republic of Belarus, bodies and divisions for emergency situations – including those transferred to the reserve (resignation) from internal affairs bodies, the Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examinations of Republic of Belarus and bodies and divisions for emergency situations – with a total length of service (seniority) in these entities of at least 25 calendar years.
2. Employees of the Prosecutor's office, and justice and courts who have worked in these bodies for at least 25 years and who are entitled to an old-age pension on a general basis.

Article 8. State Policy on Veterans

The state policy on veterans provides for:

- the development and implementation of targeted national and local programmes for social protection for veterans, ensuring the provision of social protection measures established by this Law and other legislative acts of the Republic of Belarus for veterans and their family members;
- the allocation of the necessary funds from national and local budgets to finance the costs of implementing these programmes;
- the targeted promotion, using mass media, of the level of importance to the state and the public of fulfilling military service, labour and service duties;
- respect for state awards for military and labour merits.

Article 9. Financing of Expenses Related to the Implementation of this Law

Expenses related to the implementation of this Law are financed from the national and/or local budgets and other sources not prohibited by the legislation of the Republic of Belarus.

Article 10. Legislation of the Republic of Belarus on Veterans and the Correlation of Norms of International Agreements and Legislation on Veterans

The Legislation of the Republic of Belarus on veterans is based on the Constitution of the Republic of Belarus and consists of this Law and other legislative acts.

Norms of the legislation on veterans contained in international agreements of the Republic of Belarus that have entered into force form part of the legislation on veterans in the Republic of Belarus, are subject to immediate application, except cases where it follows from the international treaty that application of such rules requires issuance of an intra-state act, and have the force of the legal act, which expressed the consent of the Republic of Belarus to be bound by the relevant international treaty.

CHAPTER 2. SOCIAL PROTECTION FOR VETERANS

Article 11. Social Protection for Veterans and Persons Affected by the Consequences of War

Social protection for veterans and persons affected by the consequences of war includes a system of economic, organizational and legal measures guaranteed by the state, including the provision of the following state social benefits, rights and guarantees, regarding:

- an increase in pensions, taxation;
- medical services in state health organizations, sanatorium treatment and rehabilitation, the provision of medicines and technical means of social rehabilitation;

- the provision, purchase and construction of residential premises, payment for the use of residential premises, and payment for maintenance, elevator maintenance and utilities;
- payment for travel on passenger transport;
- commercial, household and social services, and services of communication organizations and other types of services.

Article 12. Social Protection Measures for Invalids of the Great Patriotic War Invalids of Combat Operations on the Territory of Other States

Invalids of the Great Patriotic War and invalids of military actions on the territory of other states (hereinafter – ‘disabled veterans’) are granted the following state social benefits, rights and guarantees as measures of social protection (except for the cases stipulated by this Law):

1. An increase in pension and preferential taxation, in accordance with the legislation of the Republic of Belarus.
2. Receiving state support for the construction (reconstruction) or acquisition of residential premises, in accordance with the legislative acts of the Republic of Belarus.
3. The exceptional provision of social housing premises of the state housing fund to registered persons who need to improve their housing conditions, and residential premises in the dormitories of the state housing fund to registered persons who wish to receive such housing, in accordance with the legislative acts of the Republic of Belarus.
4. Invalids of the Great Patriotic War and invalids of military actions on the territory of other states may not be evicted from residential premises in a hostel without being provided with other residential premises, unless otherwise determined by legislative acts of the Republic of Belarus.
5. The gratuitous transfer of ownership (taking into account the housing quota and the aggregate amount of quotas) of occupied residential premises within 20 square metres of the total area for a war invalid and for each disabled unemployed member of his family living with him, in accordance with the legislation of the Republic of Belarus.
6. Expired.
7. Priority entry into garage cooperatives and cooperatives that operate parking lots, in accordance with the legislative acts of the Republic of Belarus.
8. The repair of residential premises belonging to them at the expense of local budgets under conditions determined by local executive and administrative bodies.
9. Excluded.
10. Expired.
11. Upon their retirement, the use of health care organizations to which they were attached during the period of work (service), unless otherwise defined by legislative acts of the Republic of Belarus.
12. Exceptional care in health care organizations of the Great Patriotic War.
13. Expired.
14. Expired.
15. Expired.
16. The payment of temporary disability benefits to working war invalids for an amount equal to 100 percent of their average earnings. The benefit is paid for up to four consecutive months or up to five months in a calendar year.
17. The use of labour leave in the summer or another time that is convenient for them, as well as the provision of short-term leave without pay for up to 14 calendar days during the calendar year during the period agreed with the employer.
18. Expired.
19. Expired.
20. Expired.
21. Expired.

22. Expired.
23. Excluded.
24. The payment of special scholarships to students of institutions providing higher education, or students of institutions providing secondary special and vocational education, established by the legislation of the Republic of Belarus.
25. The extraordinary use of all types of communication services, cultural and educational and sports organizations, the purchase of tickets for all types of transport and preferential service by retail and consumer service organizations.
26. Excluded.
27. Priority admission to a stationary institution of social service in accordance with the established procedure.
28. Priority admission to state bodies and other organizations, regardless of the form of ownership.
State social benefits, rights and protections provided by the first part of this article shall apply to citizens – including those retired from among military personnel, officers and men of internal affairs bodies, the Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examinations of Republic of Belarus, bodies and subdivisions for emergency situations and entities of financial investigations of the State Control Committee of the Republic of Belarus – who became disabled owing to an injury, contusion, mutilation or disease incurred while performing military service duties (official duties), except when the disability occurred as a result of illegal actions, because of alcohol, narcotic or toxic intoxication, or self-mutilation.

Article 13. Social Protection Measures for Participants of the Great Patriotic War

Participants of the Great Patriotic War (Paragraph 1 of Part Two of Article 2 of this Law) are granted the following state social benefits, rights and guarantees as social protection measures:

1. An increase in pension and preferential taxation, in accordance with the legislation of the Republic of Belarus.
2. Receiving state support for the construction (reconstruction) or acquisition of residential premises, in accordance with the legislative acts of the Republic of Belarus.
3. The exceptional provision of social housing premises of the state housing fund to registered persons who need to improve their housing conditions and residential premises in the dormitories of the state housing fund to registered persons who wish to receive such housing, in accordance with the legislative acts of the Republic of Belarus.
4. Participants of the Great Patriotic War may not be evicted from residential premises in a hostel without being provided other residential premises, unless otherwise determined by legislative acts of the Republic of Belarus.
5. The gratuitous transfer of ownership (taking into account the housing quota and the aggregate amount of quotas) of occupied residential premises within 20 square metres of the total area for a participant of the Great Patriotic War and each disabled unemployed member of his family living with him, in accordance with the legislation of the Republic of Belarus.
6. Expired.
7. Priority entry into garage cooperatives and cooperatives that operate parking lots, in accordance with the legislative acts of the Republic of Belarus.
8. The repair of residential premises belonging to them at the expense of local budgets under conditions determined by local executive and administrative bodies.
9. Upon their retirement, the use of health care organizations to which they were attached during the period of work (service), unless otherwise defined by legislative acts of the Republic of Belarus.
10. Payment of temporary disability benefits to working war participants for an amount equal to 100 percent of average earnings. The benefit is paid for up to four consecutive months or up to five months in a calendar year.
11. Expired.

12. Expired.
13. Exceptional care in health care organizations and priority hospitalization.
14. The use of labour leave in the summer or at another time that is convenient for them, as well as the provision of short-term leave without pay for up to 14 calendar days during the calendar year in the period agreed with the employer.
15. Priority admission to state bodies and other organizations, regardless of the form of ownership.
16. Expired.
17. Expired.
18. The exceptional use of all types of communication services, cultural and educational and sports organizations, the purchase of tickets for all types of transport and preferential service by retail and consumer service organizations.
19. Priority admission to a stationary institution of social service in accordance with the established procedure. State social benefits, rights and guarantees granted to participants of the Great Patriotic War are applied to persons who took part in special formations in the demining of territories and facilities after the liberation from Nazi occupation in 1943–1945.

Article 14. Social Protection Measures for Persons Awarded Orders or Medals of the USSR for Selfless Work and Impeccable Military Service in the Rear During the Great Patriotic War

Persons awarded orders or medals of the USSR for selfless work and impeccable military service in the rear during the Great Patriotic War (Paragraph 2 of the second part of Article 2 of this Law) are granted the following state social benefits, rights and guarantees as social protection measures:

1. An increase in pension and preferential taxation, in accordance with the legislation of the Republic of Belarus.
2. Receiving state support for the construction (reconstruction) or acquisition of residential premises, in accordance with the legislative acts of the Republic of Belarus.
3. The exceptional provision of social premises of the state housing fund to registered persons who need to improve their housing conditions and residential premises in the dormitories of the state housing fund to registered persons who wish to receive such housing, in accordance with the legislative acts of the Republic of Belarus.
4. Expired.
5. Excluded.
6. Expired.
7. Upon their retirement, the use of health care organizations to which they were attached during the period of work (service), unless otherwise defined by legislative acts of the Republic of Belarus.
8. Expired.
9. Expired.
10. Expired.
11. The use of labour leave in the summer or at another time that is convenient for them, as well as the provision of short-term leave without pay for up to 14 calendar days during the calendar year in the period agreed with the employer.
12. Expired.
13. Expired.
14. The exceptional use of all types of communication services, cultural and educational and sports organizations, the purchase of tickets for all types of transport and preferential service by retail and consumer service organizations.

Article 15. Measures of Social Protection for Persons Who Worked at Air Defence Facilities, Local Air Defence, Construction of Fortifications, Sea Bases, Airfields and other Military Facilities within the Rear Boundaries of Active Fronts, on the Front-Line Sections of Railways and Roads, and Crew Members of Transport Fleet Ships Interned at the Beginning of the Great Patriotic War in Ports of other States

Persons working on objects of anti-aircraft defence, local anti-aircraft defence, on constructing defensive works, at sea bases, airdromes and other military facilities within the rear boundaries of operating fronts, or on the front-line sections of railways and roads, and members of ship crews of transport fleet interned at the beginning of the Great Patriotic War in ports of other states are granted the following state social benefits, rights and guarantees as measures of social protection:

1. Preferential taxation, in accordance with the legislation of the Republic of Belarus.
 - 1.1. Receiving the state support for the construction (reconstruction) or acquisition of residential premises in accordance with the legislative acts of the Republic of Belarus.
2. The exceptional provision of social housing premises of the state housing fund to registered persons who need to improve their housing conditions and residential premises in the dormitories of the state housing fund to registered persons who wish to receive such housing, in accordance with the legislative acts of the Republic of Belarus.
3. Upon their retirement, the use of health care organizations to which they were attached during the period of work (service), unless otherwise defined by legislative acts of the Republic of Belarus.
4. The use of labour leave in the summer or at another time that is convenient for them, as well as the provision of short-term leave without pay for up to 14 calendar days during the calendar year in the period agreed with the employer.
5. The exceptional use of all types of communication services organizations, cultural and educational and sports organizations, the purchase of tickets for all types of transport, and preferential service by retail and consumer service organizations.

Article 16. Expired

Article 17. Measures of Social Protection for Persons Who Worked at Enterprises, Institutions and Organizations of the City of Leningrad during the Siege from 8 September 1941 to 27 January 1944 and Who Were Awarded the Medal 'For the Defence of Leningrad', and Persons Awarded the Badge 'To a Resident of Besieged Leningrad'

The persons who worked at enterprises, institutions and organizations of Leningrad during the blockade from 8 September 1941 to 27 January 1944 and who were awarded the medal 'For the Defence of Leningrad', and persons awarded by the badge 'Resident of Besieged Leningrad' (Paragraph 4 of Part Two of Article 2 of this Law) are granted the following state social benefits, rights and guarantees as measures of social protection:

1. An increase in pension and preferential taxation, in accordance with the legislation of the Republic of Belarus.
2. Receiving state support for the construction (reconstruction) or acquisition of residential premises, in accordance with the legislative acts of the Republic of Belarus.
3. The exceptional provision of social housing premises of the state housing fund to registered persons who need to improve their housing conditions and residential premises in the dormitories of the state housing fund to registered persons who wish to receive such housing, in accordance with the legislative acts of the Republic of Belarus.
4. Expired.
5. Excluded.
6. Expired.
7. Upon their retirement, the use of health care organizations to which they were attached during the period of work (service), unless otherwise defined by legislative acts of the Republic of Belarus.
8. Expired.
9. Expired.
10. Expired.
11. The use of labour leave in the summer or at another time that is convenient for them, as well as the provision of short-term leave without pay for up to 14 calendar days during the calendar year in the period agreed with the employer.

12. Expired.
13. Expired.
14. Expired.
15. The exceptional use of all types of communication services, cultural and educational and sports organizations, the purchase of tickets for all types of transport and preferential service by retail and consumer service organizations.

Article 18. Social Protection Measures for Veterans of Military Operations on the Territory of Other States

Veterans of military operations in other states are granted the following state social benefits, rights and guarantees as social protection measures:

1. Military personnel, including those transferred to the reserve (resignation) or called up for military service or training, officers and men of organs of internal affairs and state security bodies, employees of these bodies (including the specialists and advisers of the Ministry of Defence of the USSR, the State Security Committee and the Ministry of Internal Affairs of the USSR and BSSR), or those heading the state authority bodies of the USSR in Afghanistan or other states who took part in the fighting while performing official duties in those states (Paragraph 1 of Article 3 of this Law), military personnel of automobile battalions sent to Afghanistan for the delivery of goods during the hostilities (Paragraph 2 of Article 3 of this Law) and military flight personnel carrying out combat missions in Afghanistan with the USSR during the hostilities (Item 3 of Article 3 of this Law):
 - 1.1. An increase in pension and preferential taxation, in accordance with the legislation of the Republic of Belarus.
 - 1.2. Receiving state support for the construction (reconstruction) or acquisition of residential premises, in accordance with the legislative acts of the Republic of Belarus.
 - 1.3. The provision of residential premises for the social use of the state housing fund to registered persons who need to improve their housing conditions, in accordance with the legislative acts of the Republic of Belarus;
 - 1.4. Veterans of military operations in other states may not be evicted from residential premises in a hostel without being provided with other residential premises, unless otherwise determined by legislative acts of the Republic of Belarus.
 - 1.5. Expired.
 - 1.6. Excluded.
 - 1.7. Excluded.
 - 1.8. Expired.
 - 1.9. Upon their retirement, the use of health care organizations to which they were attached during the period of work (service), unless otherwise defined by legislative acts of the Republic of Belarus.
 - 1.10. Expired.
 - 1.11. Expired.
 - 1.12. Expired.
 - 1.13. The use of labour leave in the summer or at another time that is convenient for them, as well as the provision of short-term leave without pay for up to 14 calendar days during the calendar year in the period agreed with the employer.
 - 1.14. Expired.
 - 1.15. Expired.
 - 1.16. Expired.
 - 1.17. Preferential retention at work, within reason, when reducing the number of staff;
 - 1.18. Excluded.
 - 1.19. The payment of special scholarships to students of institutions providing higher education and students of institutions providing secondary special and vocational education, established by the legislation of the Republic of Belarus.

- 1.20. The exceptional use of all types of communication services, cultural and educational and sports organizations, the purchase of tickets for all types of transport and preferential service by retail and consumer service organizations.
- 1.21. The gratuitous transfer of ownership (taking into account the housing quota and the aggregate amount of quotas) of occupied residential premises within 20 square metres of the total area for a veteran of military operations on the territory of other states and each disabled unemployed member of his family living with him, in accordance with the legislation of the Republic of Belarus.
2. Employees (including members of flight crews of civil aviation aircraft that flew to Afghanistan during the period of combat operations) who served military contingents of the Armed Forces of the USSR on the territory of other states and who were injured, concussed or maimed, or who were awarded orders or medals of the USSR for participating in combat operations (Item 4 of Part One of Article 3 of the present Law):
 - 2.1. The provision of residential premises for the social use of the state housing fund to registered persons who need to improve their housing conditions, in accordance with the legislative acts of the Republic of Belarus;
 - 2.2. These employees may not be evicted from residential premises in a hostel without being provided other residential premises, unless otherwise determined by legislative acts of the Republic of Belarus.
 - 2.3. Excluded.
 - 2.4. Expired.
 - 2.5. Upon their retirement, the use of health care organizations to which they were attached during the period of work (service), unless otherwise defined by legislative acts of the Republic of Belarus.
 - 2.6. Expired.
 - 2.7. The use of labour leave in the summer or at another time that is convenient for them, as well as the provision of short-term leave without pay for up to 14 calendar days during the calendar year in the period agreed with the employer.
 - 2.8. Preferential retention at work, within reason, when reducing the number of staff;
3. Employees who were sent to Afghanistan in the period from December 1979 to December 1989 and who completed the established term or were seconded ahead of time for valid reasons (Paragraph 5 of the first part of Article 3 of this Law):
 - 3.1. The provision of residential premises for the social use of the state housing fund to registered persons who need to improve their housing conditions, in accordance with the legislative acts of the Republic of Belarus;
 - 3.2. Excluded.
 - 3.3. Expired.
 - 3.4. Upon their retirement, the use of health care organizations to which they were attached during the period of work (service), unless otherwise defined by legislative acts of the Republic of Belarus.
 - 3.5. Expired.
 - 3.6. The use of labour leave in the summer or at another time that is convenient for them, as well as the provision of short-term leave without pay for up to 14 calendar days during the calendar year in the period agreed with the employer.
 - 3.7. Preferential retention at work, within reason, when reducing the number of staff.

Article 19. Social Protection Measures for Labour Veterans

The following state social benefits, rights and guarantees are provided to labour veterans as social protection measures:

1. Excluded.
2. The installation of a phone in the room.
3. Upon their retirement, the use of health care organizations to which they were attached during the period of work (service), unless otherwise defined by legislative acts of the Republic of Belarus.

Article 20. Social Protection Measures for Veterans of the Armed Forces

Social protection measures for veterans of the Armed Forces are established by the legislation of the Republic of Belarus.

When they reach the standard age that entitles them to an old-age pension, veterans of the Armed Forces also acquire the right to state social benefits, rights and guarantees established for labour veterans (Article 19 of this Law).

Article 21. Social Protection Measures for Veterans of the Internal Affairs Bodies, the Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examinations of the Republic of Belarus, Bodies and Divisions for Emergency Situations, Prosecutor's Offices, and Justice and Courts.

Veterans of the Internal Affairs Bodies, the Investigative Committee of the Republic of Belarus, the State Committee for Forensic Examinations of the Republic of Belarus, bodies and divisions for emergency situations, Prosecutor's offices, and justice and courts, when they reach the standard age that entitles them to an old-age pension, are granted state social benefits, rights and guarantees established for labour veterans as social protection measures (Article 19 of this Law).

CHAPTER 3. SOCIAL PROTECTION MEASURES FOR FAMILY MEMBERS OF THOSE WHO HAVE DIED WHILE PERFORMING MILITARY (OFFICIAL) DUTIES AND CERTAIN CATEGORIES OF CITIZENS AFFECTED BY THE CONSEQUENCES OF WARS

Article 22. Family Members of Military Personnel, Partisans and Underground Fighters Who Died During the Great Patriotic War and While Performing Military (Official) Duties

To members of families of military personnel, partisans and underground fighters who died owing to wounds, contusions, injuries or diseases incurred during the period of hostilities in the Great Patriotic War and military personnel, officers and men of internal affairs bodies, the Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examinations of Republic of Belarus, and bodies and divisions for emergency situations, victims (deceased) while performing military or office duty in Afghanistan or in other states, where people were fighting (and equally missing in areas of combat operations), or in while performing military service duties (official duties), unless the death occurred as a result of illegal actions, because of alcohol, narcotic or toxic intoxication, self-mutilation or suicide, if it was not caused by a painful condition or incitement to suicide (hereinafter – 'victims (deceased)') are:

1. Parents.
2. Spouse who has not entered into a new marriage.
3. Children (including adopted children) and other dependents of the deceased who receive a survivor's pension.

Article 23. Social Protection Measures for Family Members of the Deceased

The following state social benefits, rights and guarantees are provided to the family members of the deceased specified in Article 22 of this Law as social protection measures:

1. Parents or a spouse who has not entered into a new marriage:
 - 1.1. An increase in pension and preferential taxation, in accordance with the legislation of the Republic of Belarus.
 - 1.2. Receiving state support for the construction (reconstruction) or acquisition of residential premises, in accordance with the legislative acts of the Republic of Belarus.
 - 1.3. The exceptional provision of social housing premises of the state housing fund to registered persons who need to improve their housing conditions and residential premises in the dormitories of the state housing fund to registered persons who wish to receive such housing, in accordance with the legislative acts of the Republic of Belarus.

- 1.4. These family members may not be evicted from residential premises in a hostel without being provided with other residential premises, unless otherwise determined by legislative acts of the Republic of Belarus.
 - 1.5. The gratuitous transfer of ownership (taking into account the housing quota and the aggregate amount of quotas) of occupied residential premises within 20 square metres of the total area for a family member of the deceased and each disabled unemployed member of his family living with him, in accordance with the legislation of the Republic of Belarus.
 - 1.6. Expired.
 - 1.7. Priority entry into garage cooperatives and cooperatives that operate parking lots, in accordance with the legislative acts of the Republic of Belarus.
 - 1.8. Expired.
 - 1.9. Excluded.
 - 1.10. Expired.
 - 1.11. Upon their retirement, the use of health care organizations to which they were attached during the life of the deceased, unless otherwise determined by legislative acts of the Republic of Belarus;
 - 1.12. Expired.
 - 1.13. Expired.
 - 1.14. Expired.
 - 1.15. Providing short-term leave without pay for up to 14 calendar days during a calendar year in the period agreed with the employer;
 - 1.16. Expired.
 - 1.17. Expired.
 - 1.18. Expired.
 - 1.19. The exceptional use of all types of communication services, cultural and educational and sports organizations, the purchase of tickets for all types of transport and preferential service by retail and consumer service organizations.
 - 1.20. Excluded.
 - 1.21.19. Priority admission to a stationary institution of social service in accordance with the established procedure.
2. Children (including adopted children) and other dependents of the deceased who receive a survivor's pension:
 - 2.1. The exceptional provision of social housing premises of the state housing fund to registered persons who need to improve their housing conditions and residential premises in the dormitories of the state housing fund to registered persons who wish to receive such housing, in accordance with the legislative acts of the Republic of Belarus.
 - 2.2. Children and dependents of the deceased may not be evicted from residential premises in a hostel without being provided with other residential premises, unless otherwise determined by legislative acts of the Republic of Belarus.
 - 2.3. Receiving state support for the construction (reconstruction) or acquisition of residential premises, in accordance with the legislative acts of the Republic of Belarus.
 - 2.4. Expired.
 - 2.5. Expired.
 - 2.6. Expired.
 - 2.7. Expired.
 - 2.8. Expired.
 - 2.9. Competitive admission to training courses in the relevant profession, as well as the payment of special scholarships established by the Council of Ministers of the Republic of Belarus to students

in state institutions that provide higher and secondary special education in training courses in the relevant professions. Benefits for enrolling in the institutions of higher and secondary special education, are provided in the manner and on the terms established by the Rules of Admission to Higher Educational Institutions and Rules of Admission to Secondary Special Educational Institutions, approved by the decree of the President of the Republic of Belarus of 7 February 2006, No. 80 'On the Rules of Admission to Higher and Secondary Special Educational Institutions' (National Register of Legal Acts of the Republic of Belarus, 2006, No. 24, 1/7253);

- 2.10. The exceptional use of all types of communication services, cultural and educational and sports organizations, the purchase of tickets for all types of transport and preferential service by retail and consumer service organizations.

Article 24. Social Protection Measures for Former Prisoners of Nazi Concentration Camps, Prisons or Ghettos and Former Juvenile Prisoners of Other Places of Forced Detention Created by the Nazis and Their Allies During the Second World War

Former prisoners of Nazi concentration camps, prisons or ghettos and former minor prisoners of other places of forced detention created by the Nazis and their allies during the Second World War are granted the following state social benefits, rights and guarantees as social protection measures:

1. An increase in pension and preferential taxation, in accordance with the legislation of the Republic of Belarus.
2. Excluded.
3. The gratuitous transfer of ownership (taking into account the housing quota and the aggregate amount of quotas) of occupied residential premises within 20 square metres of the total area for himself and each disabled unemployed member of his family living with him, in accordance with the legislation of the Republic of Belarus.
4. Excluded.
5. Expired.
6. Upon their retirement, the use of health care organizations to which they were attached during the period of work (service), unless otherwise defined by legislative acts of the Republic of Belarus.
7. Expired.
8. Expired.
9. Expired.
10. Priority care in health care organizations and priority hospitalization.
11. Providing short-term leave without pay for up to 14 calendar days during a calendar year in the period agreed with the employer.

The Council of Ministers of the Republic of Belarus shall determine the list of places of forced detention for which one is entitled to the benefits and privileges established by this article, and the procedure and conditions for establishing the facts and periods of stay in these places.

Article 25. Social Protection Measures for People Disabled from Childhood Owing to Injuries, Contusions or Wounds Related to Military Operations During the Great Patriotic War or the Consequences of Military Operations

People disabled since childhood owing to wounds, contusions or injuries related to fighting during the Great Patriotic War or the consequences of war are granted the following state social benefits, rights and guarantees as measures of social protection:

1. An increase pension and preferential taxation, in accordance with the legislation of the Republic of Belarus.
2. Receiving state support for the construction (reconstruction) or acquisition of residential premises, in accordance with the legislative acts of the Republic of Belarus.
3. The exceptional provision of social housing premises of the state housing fund to registered persons who need to improve their housing conditions and residential premises in the dormitories of the state housing fund to registered persons who wish to receive such housing, in accordance with the legislative acts of the Republic of Belarus.

4. Excluded.
5. The gratuitous transfer of ownership (taking into account the housing quota and the aggregate amount of quotas) of occupied residential premises within 20 square metres of the total living area for himself and each disabled unemployed member of his family living with him, in accordance with the legislation of the Republic of Belarus.
6. Expired.
7. Expired.
8. Upon their retirement, the use of health care organizations to which they were attached during the period of work (service), unless otherwise defined by legislative acts of the Republic of Belarus.
9. Expired.
10. Priority care in health care organizations and priority hospitalization.
11. Expired.
12. Expired.
13. Providing short-term leave without pay for up to 14 calendar days during a calendar year in the period agreed with the employer;
14. Expired.
15. Expired.
16. Expired.
17. Expired.
18. The exceptional use of all types of communication services, cultural and educational and sports organizations, the purchase of tickets for all types of transport and preferential service by retail and consumer service organizations.

CHAPTER 4. OTHER PROVISIONS

Article 26. Burial and Funeral Services

The burial of deceased veterans and the provision of funeral-related services are undertaken in accordance with the legislation of the Republic of Belarus on burial and funeral services.

Organizations where the veteran previously worked and military commissariats assist relatives in organizing the funeral of the deceased veteran.

Article 27. Documents Confirming the Rights of Veterans and Other Persons Specified in this Law

The right to state social benefits, rights and guarantees by veterans and other persons specified in this Law are ensured upon the presentation of uniform certificates established for each category by the Government of the Republic of Belarus, and with respect to citizens who were entitled to benefits before 1 January 1992 – by the Government of the USSR.

If documents issued in order to exercise the right to state social benefits, rights and guarantees are found to be illegal, the issuing authority withdraws such documents. Documents may be withdrawn in other cases and in accordance with the procedure provided for by the legislation of the Republic of Belarus.

Article 28. Public Associations of Veterans

In order to protect the rights and legitimate interests of veterans, public associations of veterans may be established in accordance with the legislation of the Republic of Belarus.

Public Associations of Veterans have the right to participate, at the appropriate level, in the decision-making process of state bodies, to represent and protect the interests of veterans in these bodies, and to receive the necessary information related to their activities from state bodies and other legal entities.

Republican state administration bodies and local government and self-government bodies provide assistance to public associations of veterans in their activities.

Article 29. Suspension and Termination of the Right to State Social Benefits, Rights and Guarantees

The right to state social benefits, rights and guarantees for citizens specified in this Law is suspended from the date of entry into force of a court's guilty verdict until the expungement or cancellation of the criminal re-

cord, with the exception of the right to benefits for the provision of medication and the equipment required for social rehabilitation, without the use of which the vital activity of the body and compensation for its functional capabilities are impossible.

If the use of certain state social benefits, rights and guarantees is found to be illegal, owing to the fault of citizens specified in this Law, the right to these state social benefits, rights and guarantees is terminated, and the right to all other state social benefits, rights and guarantees (if any) are suspended for one year, with the exception of the rights to benefits for the provision and medication and the equipment required for social rehabilitation, without the use of which the vital activity of the body and compensation for its functional capabilities are impossible.

Article 30. Responsibility for Violations of the Legislation of the Republic of Belarus on Veterans

State body officials are responsible, in accordance with the legislation of the Republic of Belarus, for violations of the legislation of the Republic of Belarus on Veterans.

Article 31. Protection of the Rights of Veterans and Other Persons Specified in this Law

Veterans and other persons specified in this Law have the right to apply to state bodies, other organizations, including the court, as well as to individual entrepreneurs, for the protection of their rights and benefits established by this Law, as well as other acts of the legislation of the Republic of Belarus.

Article 32. Features of Application of this Law

The requirement to recognize citizens that are veterans of the Armed Forces for the duration of the period of work (service) stipulated under Articles 5 and 6 of this Law shall not be applied to persons who had the appropriate status at the time of entry into force of this Law.

Chairman of the Supreme Council of the Republic of Belarus

S. Shushkevich

LAW OF THE REPUBLIC OF BELARUS

‘On State Social Benefits, Rights and Guarantees for Certain Categories of Citizens’

14 June 2007, No. 239-3

National Register of Legal Acts of the Republic of Belarus, 2007, No. 147, 2/1336

(In the wording of the Laws of the Republic of Belarus of 8 July 2008, No. 371-3; of 16 July 2008, No. 414-3; of 17 July 2008, No. 427-3; of 6 January 2009, No. 9-3; of 8 May 2009, No. 16-3; of 12 May 2009, No. 19-3; of 16 July 2009, No. 45-3; of 7 December 2009, No. 65-3; of 4 January 2010, No. 100-3; of 30 November 2010, No. 197-3; of 27 December 2010, No. 224-3; of 13 July 2012, No. 405-3; of 13 December 2011, No. 325-3; of 4 January 2014, No. 106-3; of 4 June 2015, No. 277-3; of 9 January 2017, No. 19-3; of 10 July 2012, No. 390-3)

This Law defines the legal, economic and organizational basis for granting state social benefits, rights and guarantees to certain categories of citizens in the Republic of Belarus.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Concept of State Social Benefits, Rights and Guarantees

For the purposes of this Law, state social benefits, rights and guarantees (hereinafter – ‘social benefits’) are statutory benefits, the full or partial exemption from the execution of prescribed duties, or support related to the particular socio-legal status of a citizen or his professional activities.

Article 2. Assignment and Principles of State Policy in the Field of Social Benefits

1. The state policy for the provision of social benefits is aimed at improving state social support for the population and ensuring economic efficiency and social justice. It is based on the principles of humanism, accessibility, and targeted and guaranteed assistance.
2. Funds released in the process of streamlining social benefits to provide targeted social assistance to the population and to implement state programmes related to the protection of motherhood and childhood, as well as additional measures for the rehabilitation of territories subjected to radioactive contamination as a result of the catastrophe at the Chernobyl NPP (hereinafter – the ‘territory of radioactive contamination’) following the procedure determined by the Government of the Republic of Belarus in coordination with the President of the Republic of Belarus.

Article 3. Main Categories of Citizens Entitled to Social Benefits

The following persons are entitled to social benefits in accordance with this Law:

1. Heroes of Belarus, Heroes of the Soviet Union, Heroes of Socialist Labour and full Cavaliers of the Order of the Motherland, Glory and Labour Glory.
2. Participants of the Great Patriotic War:
 - 2.1. military personnel, including those transferred to the reserve (resignation), who performed military service or were temporarily in military units or staff in institutions that were part of the army (Navy) during the Civil or the Great Patriotic War, or during other combat operations for the protection of the Motherland, and guerrillas and underground fighters of the Civil or the Great Patriotic War;
 - 2.2. military personnel, including those transferred to the reserve (resignation) who were part of the commanding and ordinary structure of internal affairs bodies and state security bodies during the period of the Great Patriotic War in cities, and whose participation in defence is counted towards the length of service for a pension on preferential terms established for military personnel of military units of the army;
 - 2.3. civilian personnel of the Soviet Army, Navy, forces and bodies of internal affairs, and state security bodies who served during the Great Patriotic War in established posts in military units, staffs and

- institutions that were part of the army, or who were in cities during this period, and whose participation in defence is counted towards the length of service for a pension on preferential terms established for military personnel of military units of the army;
- 2.4. the staff of the intelligence, counterintelligence and other persons who performed special tasks in military units of the army behind enemy lines or on the territory of other states during Great Patriotic War;
 - 2.5. employees of special formations of the National Commissariat of Railways or the People's Commissariat of Communications, the crews of fishing and transport vessels and crews of aircraft of the People's Commissariat of the Fishing Industry of the USSR Marine and River Fleet, and the crews of aircraft of the Main Directorate of the Northern Sea Way who were transferred during the Great Patriotic War with the status of military personnel performing tasks in the interests of the army (Navy) within the rear boundaries of operating fronts (operational areas of the fleets);
 - 2.6. military personnel, including those transferred to the reserve (resignation), officers and men of internal affairs bodies and state security bodies, fighters and command structure of fighter battalions, platoons and detachments for the protection of people who took part in combat operations against the troops of the enemy during the Great Patriotic War and in combat operations to eradicate the nationalist underground in the territory of the Ukrainian SSR, the Byelorussian SSR and the Baltic Republics in the period from 1 January 1944 to 31 December 1951;
 - 2.7. persons who participated in the fighting against Nazi Germany and its allies as part of guerrilla groups or underground groups during the Second World War on the territory of other states.
3. Invalids of the Great Patriotic War and invalids of military operations on the territory of other states (hereinafter – 'invalids of war'):
- 3.1. military personnel, including those transferred to the reserve (resignation), who performed military service or were temporarily present in military units, or staffs in institutions that were part of the army, the guerrillas, underground fighters who became disabled owing to an injury contusion, mutilation or disease incurred during the Civil or the Great Patriotic War in combat areas;
 - 3.2. military personnel who became invalids owing to an injury, contusion, mutilation or disease incurred while protecting the Motherland or performing military service duties in states where operations were carried out;
 - 3.3. workers and employees who became disabled owing to an injury, contusion, mutilation or disease incurred in combat areas, on frontal sections of railway, roads, during the construction of defensive boundaries, or on naval bases or airfields, and those with the equivalent pension provision to military personnel of military units of the army under the special regulations and orders of the Government of the USSR;
 - 3.4. officers and men of internal affairs bodies and state security bodies that have become disabled owing to an injury, contusion, mutilation or disease incurred while performing their duties in combat areas;
 - 3.5. military personnel, including those transferred to the reserve (resignation), officers and men of internal affairs bodies and state security bodies, fighters and command structure of fighter battalions, platoons and detachments for the protection of people who took part in combat operations against the troops of the enemy during the Great Patriotic War and in combat operations to eradicate the nationalist underground in the territory of the Ukrainian SSR, the Byelorussian SSR and the Baltic Republics in the period from 1 January 1944 to 31 December 1951 and who became disabled owing to an injury, contusion, mutilation or disease incurred while carrying out these operations;

- 3.6. persons engaged by the local authorities within the special groups for the demining of territories and facilities after the release from German occupation in 1943–1945 years and who became disabled owing to an injury, contusion, mutilation or disease incurred during this period while performing tasks;
- 3.7. employees serving active military contingents in Afghanistan or in other states who became disabled owing to an injury, contusion, mutilation or disease incurred during the period of hostilities, except in cases when the disability occurred as a result of illegal actions, because of alcohol, narcotic or toxic intoxication or self-mutilation.
4. Persons who took part in special formations in the demining of territories and facilities after the liberation from the German occupation in 1943–1945.
5. Persons awarded orders and/or medals of the USSR for selfless work and impeccable military service in the rear during the Great Patriotic War.
6. Persons who worked on air defence and local air defence facilities, on the construction of defensive structures, at sea bases, airfields and other military facilities within the rear boundaries of active fronts or on the front-line sections of railways and roads.
7. Crew members of transport fleet vessels interned at the beginning of the Great Patriotic War in ports of other states;
8. Persons who worked at enterprises, institutions and organizations of the city of Leningrad during the siege from 8 September 1941 to 27 January 1944 who were awarded the medal 'For the Defence of Leningrad', and persons awarded the badge 'To a Resident of Besieged Leningrad'.
9. Military personnel, including those transferred to the reserve (resignation), reservists called up for military training, officers and men of internal affairs bodies and state security bodies, employees of these bodies (including the specialists and advisers of the Ministry of Defence of the USSR and the State Security Committee and the Ministry of Internal Affairs of the USSR and BSSR), those heading state authority bodies of the USSR in Afghanistan or in other states who took part in fighting while performing official duties in those states and who incurred a wound, concussion or injury during the period of hostilities; military automobile battalions sent to Afghanistan to deliver goods during the period of fighting who incurred a wound, concussion or injury during the period of hostilities; and military personnel and flight personnel performing sorties (combat missions) in Afghanistan with the USSR during the period of fighting who incurred a wound, concussion or injury during the period of hostilities.
10. Citizens, including those retired from among military personnel, officers and men of internal affairs bodies, the Investigative Committee of the Republic of Belarus, bodies and divisions for emergency situations, and financial investigation bodies of the State Control Committee of the Republic of Belarus who became disabled owing to an injury, contusion, mutilation or disease incurred while performing military service duties (official duties), except in cases when the disability occurred as a result of illegal actions, because of alcohol, narcotic or toxic intoxication, or self-mutilation.
11. People disabled e from childhood as a result of injuries or contusions associated with military operations during the Great Patriotic War or with the consequences of military operations.
12. Parents of:
 - 12.1. military personnel, partisans and underground fighters who died as a result of an injury, contusion or illness incurred during fighting of the Great Patriotic War;
 - 12.2. military personnel, officers and enlisted personnel of internal affairs bodies who died while performing military or official duties in Afghanistan or in other states where fighting occurred, as well as those who died as a result of an injury, contusion or illness incurred during the fighting, except for cases when the death occurred as a result of illegal actions,
 - 12.3. military personnel, officers and enlisted personnel of the internal affairs bodies, the Investigative Committee of the Republic of Belarus, bodies and divisions for emergency situations,

financial investigation bodies of the State Control Committee of the Republic of Belarus who died while performing military service, as well as those who died while performing military service as a result of injuries, contusions or diseases directly related to the specifics of military service (service), except in cases where the death occurred as a result of illegal actions, owing to alcohol, drug, toxic intoxication, self-harm or suicide, if it was not caused by a painful condition or incitement to suicide.

13. Citizens who have fallen ill and suffered the radiation sickness caused by the consequences of the Chernobyl disaster or other radiation accidents, persons with disabilities – except for persons whose disability occurred as a result of illegal actions owing to alcohol, narcotic or toxic intoxication, self-harm – and disabled children under the age of 18.
14. Military personnel of conscript military service and conscripts called up for military (special) training, as well as Suvorov college cadets and pupils of military units.
15. Other categories of citizens in accordance with this Law.

Article 4. Legislation on Social Benefits

Legislation on social benefits is based on the Constitution of the Republic of Belarus and consists of this Law and other legislative acts.

Article 5. Scope of this Law

1. The provisions of this Law are applied to citizens of the Republic of Belarus, foreign citizens and stateless persons permanently residing in the territory of the Republic of Belarus.
2. The provisions of this Law are not applied to benefits provided for by tax legislation, legislation on customs regulation, legislation on education, housing (with the exception of social benefits for payment for maintenance and the use of residential premises and utilities), land and labour, and pension legislation.

Article 6. Implementation of the Right to Social Benefits

1. The right to social benefits by citizens specified in this Law shall be ensured upon the presentation of uniform certificates established for each category by the Government of the Republic of Belarus, and with respect to citizens who were entitled to benefits before 1 January 1992 – by the Government of the USSR. In the absence of or in case of insufficient information in certificates, the right to social benefits is exercised on the basis of additional documents, the list and procedure for submission of which are determined by the Government of the Republic of Belarus.
2. The right to social benefits may also be exercised on the basis of other documents not specified in Paragraph 1 of this article, the list and procedure for submission of which are determined by the Government of the Republic of Belarus.
3. If a citizen is entitled to the same social benefit on several grounds provided for by this Law, the benefit is granted on one basis of their choice.
4. If documents issued in order to exercise the right to social benefits are found to be illegal, the issuing authority withdraws the document. Documents may be withdrawn in other cases and in accordance with the procedure provided for by the legislation.

Article 7. Suspension of the Right to Social Benefits

1. The right to social benefits for citizens specified in the present Law is suspended from the date of the entry into force of a conviction until the sentence has been served, with the exception of eligibility for benefits for the provision of medicines or technical means of social rehabilitation, without the use of which the vital activity of the body and compensation for its functional capabilities are impossible.
2. If the use of certain social benefits is found to be illegal owing to the fault of citizens specified in this Law, the right to these social benefits is terminated, and the right to all other social benefits (if any) is suspended for one year, with the exception of the rights to benefits for the provision of medication or technical means of social rehabilitation, without the use of which the vital activity of the body and compensation for its functional capabilities are impossible.

Article 8. Termination of the Right to Social Benefits

The right to social benefits granted to the citizens specified in this Law is terminated in the event of the death of a citizen who enjoys social benefits, or the loss of the basis for which social benefits were provided.

Article 9. Protection of the Right to Social Benefits

Citizens specified in this Law and their legal representatives have the right to apply to the court for the protection of the right to social benefits established by this Law.

CHAPTER 2. BENEFITS FOR THE PROVISION OF MEDICINES AND THE PROVISION OF TECHNICAL MEANS OF SOCIAL REHABILITATION IN SANATORIUM-RESORT TREATMENT AND HEALTH IMPROVEMENT**Article 10. Benefits for the Provision of Medicines**

1. The right to the free provision of medicines issued on prescription conforming to the list of essential medicines, determined by the Government of the Republic of Belarus, have:
 - 1.1. Heroes of Belarus, Heroes of the Soviet Union, Heroes of Socialist Labour, and full Cavaliers of the Order of the Motherland, Glory and Labour Glory;
 - 1.2. participants of the Great Patriotic War;
 - 1.3. war invalids;
 - 1.4. persons who participated in the special formations in mine clearing of territories and facilities after the liberation from German occupation in 1943–1945;
 - 1.5. persons awarded orders and/or medals of the USSR for selfless labour and flawless military service in the rear during the Great Patriotic War;
 - 1.6. persons working on equipment of anti-aircraft defence or local anti-aircraft defence, on building of defensive works, at sea bases, airfields and other military facilities within the rear boundaries of operating fronts or on the front-line sections of railways and roads;
 - 1.7. members of ship crews of transport fleet interned at the beginning of the Great Patriotic War in ports of other states;
 - 1.8. persons who worked in enterprises, institutions and organizations of Leningrad during the blockade from 8 September 1941 to 27 January 1944 who were awarded the medal 'For the Defence of Leningrad', and persons awarded the badge 'To a Resident of Besieged Leningrad'.
 - 1.9. unemployed citizens from among:
 - military personnel, including those transferred to the reserve (resignation), persons liable to be called up for military training, officers and men of internal affairs bodies and state security bodies, employees of these bodies (including the specialists and advisers of the Ministry of Defence of the USSR, the State Security Committee and the Ministry of Internal Affairs of the USSR and BSSR), those heading the state authority bodies of the USSR in Afghanistan or in other states participating in the fighting while performing official duties in those states who incurred a wound, concussion or injury during the period of hostilities;
 - military personnel of automobile battalions going to Afghanistan to deliver goods in the period of combat action who incurred a wound, concussion or injury during the period of hostilities;
 - military personnel, flight personnel, those performing sorties (combat missions) in Afghanistan with the USSR during the period of fighting who incurred a wound, concussion or injury during the period of hostilities;
 - 1.10. citizens, including those retired from among military personnel, officers and men of internal affairs bodies, the Investigative Committee of the Republic of Belarus, bodies and divisions for emergency situations, and financial investigation bodies of the State Control Committee of the

Republic of Belarus, who became disabled owing to an injury, contusion, mutilation or disease incurred while performing military service duties (official duties), except in cases when the disability occurred as a result of illegal actions, because of alcohol, narcotic or toxic intoxication, or self-mutilation;

- 1.11. people disabled from childhood as a result of injuries or contusions associated with military operations during the Great Patriotic War or with the consequences of military operations;
 - 1.12. parents of the deceased specified in Sub-paragraphs 12.1–12.3 of Paragraph 12 of Article 3 of this Law;
 - 1.13. disabled children under the age of 18;
 - 1.14. conscripts, those conscripted for military (special) training, as well as Suvorov college cadets and pupils of military units;
 - 1.15. citizens suffering from diseases included in the Special List approved by the Government of the Republic of Belarus – for outpatient treatment;
 - 1.16. children under the age of 3 years.
- (Article 10, Paragraph 1.16 is introduced by the law of the Republic of Belarus of 13 July 2012, No. 405-3)
2. The right to a 90-percent discount from the cost of medicines issued on prescription within the list of essential medicines and surgical diseases – also dressings (with the appropriate medical reports) in the manner determined by the Government of the Republic of Belarus, have citizens who suffered from radiation sickness caused by the consequences of the catastrophe at the Chernobyl NPP, other radiation accidents, and also invalids of I and II groups, except for persons who have disabilities that occurred as a result of illegal actions, because of alcohol, narcotic, toxic intoxication, self-mutilation.
 3. The right to a 50 percent discount on the cost of medicines issued on prescription conforming to the list of essential medicines, determined by the Government of the Republic of Belarus, for the treatment of diseases that led to a group III disability, except those referred to in Paragraphs 1 and 2 of this article and persons who have disabilities that occurred as a result of illegal actions because of alcohol, narcotic or toxic intoxication, or self-mutilation (Item 3 of Article 10 is introduced by the law of the Republic of Belarus of 13 July 2012, No. 405-3).

Article 11. Benefits for Providing Technical Means of Social Rehabilitation

1. The right to free manufacturing and repair of dentures – except dentures of precious metals, metallogenetic (of metal composites), metal-ceramics and porcelain, as well as applying protective and decorative covering from nitride-titan – in public health institutions at the place of residence and the right to the free provision of other technical means of social rehabilitation in accordance with the State Register (list) of Technical Means of Social Rehabilitation as determined by the Government of the Republic of Belarus are:
 - 1.1. Heroes of Belarus, Heroes of the Soviet Union, Heroes of Socialist Labour and full Cavaliers of the Order of the Motherland, Glory and Labour Glory;
 - 1.2. participants of the Great Patriotic War;
 - 1.3. war invalids;
 - 1.4. persons who participated in the special formations in mine clearing of territories and facilities after the liberation from German occupation in 1943–1945;
 - 1.5. persons awarded orders and/or medals of the USSR for selfless labour and flawless military service in the rear during the Great Patriotic War;
 - 1.6. persons working on equipment of anti-aircraft defence and local anti-aircraft defence, on building of defensive works, at sea bases, airfields and other military facilities within the rear boundaries of operating fronts or on the front-line sections of railways and roads;
 - 1.7. members of ship crews of transport fleet interned at the beginning of the Great Patriotic War in ports of other states;

- 1.8. persons who worked in enterprises, institutions and organizations of Leningrad during the blockade from 8 September 1941 to 27 January 1944 who were awarded the medal 'For the Defence of Leningrad' and persons awarded the badge 'To a Resident of Besieged Leningrad';
- 1.9. unemployed citizens from among:
 - military personnel, including those transferred to the reserve (resignation), persons liable to be called up for military training, officers and men of internal affairs bodies and state security bodies, employees of these bodies (including the specialists and advisers of the Ministry of Defence of the USSR, the State Security Committee and the Ministry of Internal Affairs of the USSR and BSSR), those heading the state authority bodies of the USSR in Afghanistan or in other states participating in the fighting while performing official duties in those states who incurred a wound, concussion or injury during the period of hostilities;
 - military personnel of automobile battalions going to Afghanistan to deliver goods in the period of combat action who incurred a wound, concussion or injury during the period of hostilities;
 - military personnel and flight personnel performing sorties (combat missions) in Afghanistan with the USSR in the period of fighting who incurred a wound, concussion or injury during the period of hostilities;
- 1.10. citizens, including those retired from among military personnel, officers and men of internal affairs bodies, the Investigative Committee of the Republic of Belarus, bodies and divisions for emergency situations, and financial investigation bodies of the State Control Committee of the Republic of Belarus who became disabled owing to an injury, contusion, mutilation or disease incurred while performing military service duties (official duties), except in cases when the disability occurred as a result of illegal actions because of alcohol, narcotic or toxic intoxication, or self-mutilation; (as amended by the Law of the Republic of Belarus of 13 December 2011, No. 325-3)
2. The right to free manufacturing and repair of dentures – except dentures of precious metals, metallogenetic (of metal composites), metal-ceramics and porcelain, as well as applying protective and decorative covering from titanium nitride – in public health institutions at the place of residence and the right to the provision of other technical means of social rehabilitation in accordance with the State register (list) of technical means of social rehabilitation under the conditions determined by the Government of the Republic of Belarus for:
 - 2.1. citizens who have fallen ill and suffered radiation sickness caused by the consequences of the Chernobyl disaster or other radiation accidents, as well as disabled people of group I and II, except for people whose disability occurred as a result of illegal actions, because of alcohol, narcotic or toxic intoxication, or self-harm;
 - 2.2. disabled children under the age of 18.
3. The right to priority manufacturing and repair of dentures – except dentures of precious metals, metallogenetic (of metal composites), metal-ceramics and porcelain, as well as applying protective and decorative covering from titanium nitride – in public health organizations at the place of residence for those disabled since childhood owing to an injury or contusion associated with the fighting during the Great Patriotic War or the consequences of hostilities.
4. The right to free manufacturing and repair of dentures – except dentures made of precious metals, metal acrylates (metal composites), cermet and porcelain, as well as the application of protective and decorative coatings made of titanium nitride – in military medical units, military units and organizations for military conscripts.

Article 12. Benefits for Health Resort Treatment and Health Improvement

1. The following persons have the right to receive monetary assistance for health improvement in the amount and under the conditions established by the President of the Republic of Belarus:

- 1.1. Heroes of Belarus, Heroes of the Soviet Union, Heroes of Socialist Labour and full Cavaliers of the Order of the Motherland, Glory and Labour Glory;
- 1.2. disabled participants of the Great Patriotic War;
- 1.3. unemployed war invalids;
- 1.4. unemployed persons who participated in the special formations in mine clearing of territories and facilities after the liberation from German occupation in 1943–1945;
- 1.5. unemployed citizens from among the military personnel, officers and men of internal affairs bodies, the Investigative Committee of the Republic of Belarus, bodies and divisions for emergency situations, and financial investigation bodies of the State Control Committee of the Republic of Belarus who became disabled owing to an injury, contusion, mutilation or disease incurred while performing military service duties (official duties), except in cases when the disability occurred as a result of illegal actions, because of alcohol, narcotic or toxic intoxication, or self-mutilation.
2. Citizens specified in Sub-paragraphs 1.1–1.5 of Paragraph 1 of this article, at their request, are granted the right to exceptional free health resort access and treatment instead of monetary assistance for health care (if there are medical reasons for such treatment and no medical contraindications) or health improvement (if there are no medical contraindications).
3. Working citizens from among the categories specified in Sub-paragraphs 1.2–1.5 of Paragraph 1 of this article are granted the right to exceptional free health resort access and treatment (if there are medical reasons for such treatment and no medical contraindications) or health improvement (if there are no medical contraindications).
4. The right to priority free health resort and treatment (if there are medical reasons for such treatment and no medical contraindications) or health improvement (in the absence of medical contraindications) for:
 - 4.1. disabled veterans of the Great Patriotic War (except for those specified in Sub-paragraphs 1.1–1.5 of Paragraph 1 of this article);
 - 4.2. unemployed citizens from among:
 - military personnel, including those transferred to the reserve (resignation), persons liable to be called up for military training, officers and men of internal affairs bodies and state security bodies, employees of these bodies (including the specialists and advisers of the Ministry of Defence of the USSR, the State Security Committee and the Ministry of Internal Affairs of the USSR and BSSR), those heading the state authority bodies of the USSR in Afghanistan or in other states participating in the fighting while performing official duties in those states who incurred a wound, concussion or injury during the period of hostilities;
 - military personnel of automobile battalions going to Afghanistan to deliver goods in the period of combat action who incurred the wound, concussion or injury during the period of hostilities;
 - military personnel and flight personnel who performed sorties (combat missions) in Afghanistan from the USSR during the period of fighting and incurred a wound, concussion or injury during the period of hostilities;
 - 4.3. unemployed citizens from among military personnel, officers and men of internal affairs bodies, the Investigative Committee of the Republic of Belarus, bodies and divisions for emergency situations, financial investigation bodies of the State Control Committee of the Republic of Belarus, and those dismissed from military service due to sickness and deemed unfit for military service by the Military Medical Commission, with the exception of military registration;
 - 4.4. persons disabled since childhood owing to an injury or contusion associated with the fighting during the Great Patriotic War or with the consequences of military action;
 - 4.5. retired employees that are parents or remarried spouses of the victims (deceased) specified in Sub-paragraph 12.1 of Paragraph 12 of Article 3 of this Law;

- 4.6. pensioners, whose parents are dead, specified in Subparagraphs 12.2 and 12.3 of Paragraph 12 of Article 3 of this Law;
 - 4.7. unemployed people who have suffered from radiation sickness caused by the consequences of the catastrophe at the Chernobyl NPP or other radiation accidents and disabled children under the age of 18 years;
 - 4.8. unemployed disabled persons of group I and II, except for persons whose disability occurred as a result of illegal actions, due to alcohol, drug or toxic intoxication, or self-mutilation.
5. Persons accompanying individuals with disabilities of group I or children with disabilities under the age of 18 to health resorts or health organizations are provided with vouchers for health resort treatment or health improvement free of charge (without treatment), provided that the need for such support is confirmed by the conclusion of the Medical Advisory Commission of the state health organization.
 6. The right to free health resort and treatment (if there are medical reasons for such treatment and no medical contraindications) or health improvement (if there are no medical contraindications) for up to one month is granted to minor children who permanently (mainly) live or study in educational institutions on the territory of radioactive contamination or in the zone of subsequent resettlement, in the zone with the right to resettlement and in the zone of residence with periodic radiation control.
 7. Minor children have the right to free health resort access and treatment (if there are medical reasons for such treatment and no medical contraindications) according to the conclusion of the Medical Consultation Commission of the state health organization.
 8. Teaching staff employed to support children referred to in Paragraph 6 of this article who are sent for free health resort access and treatment and rehabilitation as part of an organized group, and those at the educational institutions for children, are provided vouchers for sanatorium-resort treatment or rehabilitation for free (no treatment).
 9. The right to free health resort access and treatment (if there are medical reasons for such treatment and no medical contraindications) for military personnel, officers and men of internal affairs bodies, the Investigative Committee of the Republic of Belarus, bodies and divisions for emergency situations, financial investigation bodies of the State Control Committee of the Republic of Belarus sent to the sanatorium for the continuation of hospital treatment according to the conclusion of the Military Medical Commission.
 10. The right to free health resort access and treatment (if there are medical reasons for such treatment and no medical contraindications) with the payment of a ticket equal to 15 percent of its cost for:
 - 10.1. one of the parents (the person who replaces them):
 - sent together with minor children (minor child) on the conclusion of the Medical Advisory Commission of the state health organization to a sanatorium-resort organization (department) for parents with children;
 - accompanying a child aged 3 to 6 years, permanently (mainly) living in the territory of radioactive contamination in the zone of subsequent resettlement, in the zone with the right to resettlement and in the zone of residence with periodic radiation control;
 - 10.2. persons studying in institutions that provide vocational, secondary special, higher and postgraduate education in full-time education.
 11. For other categories of citizen, sanatorium treatment (if there are medical reasons for such treatment and no medical contraindications) and health improvement benefits (if there are no medical contraindications) may be established by the President of the Republic of Belarus.
 12. Persons who have the right to health resort treatment and rehabilitation in accordance with this Law may be allocated no more than one permit during a calendar year, with the exception of:

- 12.1. teaching staff accompanying minor children affected by the Chernobyl disaster who are sent for sanatorium treatment or rehabilitation as part of an organized group, and who belong to an educational process at the place of stay of these children;
(as amended by the Law of the Republic of Belarus of 27 December 2010, No. 224-3)
- 12.2. persons accompanying individuals with disabilities of group I and disabled children under 18 years of age to sanatorium treatment.
13. Persons referred to in Sub-paragraphs 4.2, 4.3, 4.5, 4.6 and 4.8 of Paragraph 4 of this article shall be provided with free health resort access and treatment or rehabilitation no more than once every two years.

CHAPTER 3. PASSENGER TRANSPORT TRAVEL BENEFITS

Article 13. Concessions for Travel by Rail, Urban Rail and Inland Water Transport, Regular Passenger Urban Transport, City Electric Transport and Metro, Transport by Car in Urban Areas and Regular Passenger Intercity Transport

The right to free travel by rail, urban rail, inland water transport, regular passenger urban transport, city electric transport and metro, car transport engaged in regular passenger urban transportation, except a taxi, regardless of their place of residence or whether they reside in the territory of village councils, urban-type settlements and cities of regional subordination, being administrative-territorial units, towns, the territorial units (if they are administrative centres of districts), cities of region subordination, non-territorial units, and also by road transport performing regular long-distance passenger transportation, within the boundaries of the district at the place of residence belongs to:

1. Heroes of Belarus, Heroes of the Soviet Union, Heroes of Socialist Labour, full holders of the Order of the Motherland, Glory and Labour Glory.
2. Participants of the Great Patriotic War.
3. War Invalids.
4. Persons who took part in special formations in the demining of territories and facilities after the liberation from German occupation in 1943–1945.
5. Persons awarded orders and/or medals of the USSR for selfless work and impeccable military service in the rear during the Great Patriotic War.
6. Persons who worked on air defence and local air defence facilities, on the construction of defensive structures, at sea bases, airfields and other military facilities within the rear boundaries of active fronts or on the front-line sections of railways and roads.
7. Crew members of transport fleet vessels interned at the beginning of the Great Patriotic War in ports of other states;
8. Persons who worked at enterprises, institutions and organizations of the city of Leningrad during the siege from 8 September 1941 to 27 January 1944 who were awarded the medal 'For the Defence of Leningrad', and persons awarded the badge 'To a Resident of Besieged Leningrad'.
9. Unemployed citizens from among:
 - 9.1. military personnel, including those who were dismissed to the reserve (retired), those who were conscripted for military training, officers and enlisted personnel of internal affairs bodies and state security bodies, and employees of these bodies (including specialists and advisers of the Ministry of Defence of the USSR, the State Security Committee and the Ministry of Internal Affairs of the USSR and the BSSR) who were sent by the state authorities of the USSR to Afghanistan or other states, who took part in combat operations while performing their official duties in these states and received an injury, contusion or mutilation during combat operations;
 - 9.2. military personnel of automobile battalions who were sent to Afghanistan;
 - 9.3. aircrew who flew combat missions to Afghanistan from the territory of the USSR during the period of combat operations and were injured, concussed or maimed during the period of combat operations.

10. Unemployed citizens from among the military personnel, persons in command and rank of the internal affairs bodies, the Investigative Committee of the Republic of Belarus, bodies and divisions for emergency situations, financial investigation bodies of the State Control Committee of the Republic of Belarus who became disabled as a result of an injury, contusion or illness incurred while performing military service duties (official duties), except in cases where the disability occurred as a result of illegal actions, due to alcohol, drug or toxic intoxication or self-mutilation.
11. People disabled from childhood as a result of injuries or contusions associated with military operations during the Great Patriotic War or with the consequences of military operations.
12. Citizens who have been ill and suffered radiation sickness caused by the consequences of the Chernobyl NPP disaster or other radiation accidents, as well as disabled people of group I and II, except for persons whose disability occurred as a result of illegal actions, due to alcohol, drug or toxic intoxication, or self-mutilation.
13. Disabled children under the age of 18.
14. Children under 7 years of age (except for the right to use intercity road transport).
15. Orphans and children left without parental care.
16. Soldiers of conscript military service, cadets and pupils of military units.
17. Person accompanying a group I disabled person or a disabled child under the age of 18.

Article 14. Benefits for Travel on Public Railway Transport on Regional Train Lines in Economy Class, Internal Water Transport of Public Use, Regular Suburban Passenger Transport, Public Transport, which Performs Regular Suburban Automobile Transportation of Passengers

1. The following persons have the right to free travel on public railway transport on regional train lines in economy class, internal water transport of public use, performing regular suburban transportation of passengers, public road transport, performing regular suburban automobile transportation of passengers, except for taxis:
 - 1.1. Heroes of Belarus, Heroes of the Soviet Union, Heroes of Socialist Labour, and full Cavaliers of the Order of the Motherland, Glory, Labour Glory;
 - 1.2. participants of the Great Patriotic War;
 - 1.3. war invalids;
 - 1.4. persons who participated in the special formations in mine clearing of territories and facilities after the liberation from German occupation in 1943–1945;
 - 1.5. persons awarded orders and/or medals of the USSR for selfless labour and flawless military service in the rear during the Great Patriotic War;
 - 1.6. persons working on anti-aircraft defence or local anti-aircraft defence equipment, on building of defensive works, at sea bases, airfields and other military facilities within the rear boundaries of operating fronts or on the front-line sections of railways and roads;
 - 1.7. members of ship crews of transport fleet interned at the beginning of the Great Patriotic War in ports of other states;
 - 1.8. persons who worked in enterprises, institutions and organizations of Leningrad during the blockade from 8 September 1941 to 27 January 1944 and awarded the medal 'For the Defence of Leningrad', and persons awarded the badge 'To a Resident of Besieged Leningrad';
 - 1.9. unemployed citizens from among military personnel, officers and men of internal affairs bodies, the Investigative Committee of the Republic of Belarus, bodies and divisions for emergency situations, financial investigation bodies of the State Control Committee of the Republic of Belarus who became disabled owing to an injury, contusion, mutilation or disease incurred while performing military service duties (official duties), except in cases when the disability occurred as a result of illegal actions, because of alcohol, narcotic or toxic intoxication, or self-mutilation;
 - 1.10. people disabled since childhood owing to a wound, contusion or injury associated with the fighting during the Great Patriotic War or the consequences of war;

- 1.11. citizens who suffered from radiation sickness caused by the consequences of the catastrophe at the Chernobyl NPP or other radiation accidents, as well as people with a I or II group disability, except in cases when the disability occurred as a result of illegal actions, because of alcohol, narcotic or toxic intoxication, or self-mutilation;
 - 1.12. disabled children under the age of 18;
 - 1.13. children under the age of 7;
 - 1.14. orphans and children left without parental care;
 - 1.15. conscripts and Suvorov college cadets and pupils of military units;
 - 1.16. minor children permanently (mainly) living on the territory of radioactive contamination in the zone of subsequent resettlement, in the zone with the right to resettlement and in the zone of residence with periodic radiation control – from their place of residence to the place for health resort treatment and back, as well as in the direction of state health organizations from the place of residence to the place of dispensary, outpatient or clinical examination (treatment) and back on the terms and in the manner determined by the Government of the Republic of Belarus;
 - 1.17. person accompanying a disabled person of group I or a disabled child under the age of 18.
2. Unemployed citizens from the following categories have the right to free travel on public road transport that is performed by regular suburban automobile passengers transport, except for taxis (as amended by the Law of the Republic of Belarus of 04 January 2014, No. 106-3):
- 2.1. military personnel, including those who were dismissed to the reserve (retired), those who were conscripted for military training, officers and enlisted personnel of internal affairs bodies and state security bodies, employees of these bodies (including specialists and advisers of the Ministry of Defence of the USSR, the State Security Committee and the Ministry of Internal Affairs of the USSR and the BSSR) who were sent by the state authorities of the USSR to Afghanistan or other states, who took part in combat operations while performing their official duties in these states and were injured, concussed or maimed during combat operations;
 - 2.2. military personnel of automobile battalions who were sent to Afghanistan;
 - 2.3. aircrew who flew combat missions to Afghanistan from the territory of the USSR during the period of combat operations and were wounded, concussed or maimed during the period of combat operations.

Article 15. Benefits for Travel by Public Railway Transport on Regional Train Lines in Business Class, Interregional Train Lines, Cars or Trains of International Lines of the Belarusian Railway (within the Republic of Belarus), Internal Water Transport of Public Use Performing Regular Intercity Passenger Transportation, Domestic Air Travel, Public Road Transport Performing Regular Intercity Passenger Transportation (as amended by the Law of the Republic of Belarus of 4 January 2014, No. 106-3)

1. The right to free travel (with coupons issued by the relevant authorities) once a year (round trip) by public railway transport on regional train lines in business class, on interregional train lines, or on international train lines of the Belarusian railway (in the territory of the Republic of Belarus) or on inland water transport engaged in regular intercity transportation of passengers, aircraft engaged in domestic air transport, road transport, performing regular long-distance carriage of passengers is granted to Heroes of Belarus, Heroes of the Soviet Union, Heroes of Socialist Labour and full Cavaliers of the Order of the Motherland, Glory and Labour Glory.
2. The right to free travel (on coupons issued by the relevant authorities) once a year (round trip) on public railway transport on regional train lines in business class, on interregional train lines, or on international train lines of the Belarusian railway (in the territory of the Republic of Belarus) or to a 50 percent discount on the fare once a year (round trip) for public inland water transport that performs regular intercity passenger transportation, domestic air travel, or on public road transport that performs regular intercity passenger transportation for:

- 2.1. participants of the Great Patriotic War;
- 2.2. war invalids;
- 2.3. unemployed citizens from among military personnel, officers and enlisted personnel of the internal affairs bodies, the Investigative Committee of the Republic of Belarus, bodies and divisions for emergency situations, and financial investigation bodies of the State Control Committee of the Republic of Belarus who became disabled as a result of injury, contusion or illness received while performing military service duties (official duties), except in cases where the disability occurred as a result of illegal actions, due to alcohol, narcotic or toxic intoxication, or self-mutilation.
3. The right to free travel (with coupons issued by the relevant authorities) once every two years (round trip) on public railway transport on regional train lines in business class, on interregional train lines, or on international train lines of the Belarusian railway (in the territory of the Republic of Belarus) or on public internal water transport for intercity passenger transportation in regular traffic, domestic air travel or on public road transport that performs intercity road transportation of passengers in regular traffic, or to a 50 percent discount on the fare once per year (round trip) for specified modes of transport for:
 - 3.1. persons who took part in special formations in the demining of territories and facilities after the liberation from German occupation in 1943–1945;
 - 3.2. persons who worked at enterprises, institutions and organizations of the city of Leningrad during the siege from 8 September 1941 to 27 January 1944 who were awarded the medal 'For the Defence of Leningrad', and persons awarded the badge 'To a Resident of Besieged Leningrad';
 - 3.3. unemployed citizens from among:
 - military personnel, including those who were dismissed to the reserve (retired), officers and enlisted personnel of internal affairs bodies and state security bodies, employees of these bodies (including specialists and advisers of the Ministry of Defence of the USSR, the State Security Committee and the Ministry of Internal Affairs of the USSR and the BSSR), sent by the state authorities of the USSR to Afghanistan or to other states, who took part in combat operations in the performance of their duties in these states and were wounded, concussed or injured during combat operations;
 - military personnel of automobile battalions sent to Afghanistan to deliver cargo during combat operations who were wounded, concussed or injured during combat operations;
 - those who flew combat missions to Afghanistan from the territory of the USSR during the period of combat operations and who were wounded, concussed or maimed during combat operations.
4. Heroes of Belarus, Heroes of the Soviet Union, Heroes of Socialist Labour and full Cavaliers of the Order of the Motherland, Glory, and Labour Glory have the right to free travel (with coupons issued by the relevant authorities) to the place of medical care and back in the direction of state health organizations on public railway transport on regional train lines in business class, interregional lines, international train lines of the Belarusian railway (within the Republic of Belarus), domestic air travel, or public road transport engaged in intercity automobile transportation of passengers in regular traffic.
5. The right to free travel on public railway transport on regional train lines in business class, interregional lines, international train lines of the Belarusian railway (in the territory of the Republic of Belarus), inland water transport engaged in regular intercity transportation of passengers, or regular long-distance public road passenger transport, from their place of residence to the health resort for treatment and back, as well as for public health organizations from the place of residence to the place of the dispensary, outpatient or clinical examination (treatment) and back under the conditions determined by the Government of the Republic of Belarus for those with minor children, permanently (mainly) residing on the territory

of radioactive contamination in the zone of subsequent resettlement, the zone with the right for resettlement and the zone of residence with periodic radiation control.

6. Children under 5 years of age have the right to free travel on public railway transport on regional train lines in business class, interregional lines, international train lines of the Belarusian railway (within the Republic of Belarus) and public road transport for intercity road transportation of passengers in regular traffic, without the right to a separate seat.
7. The right to free travel from their residence to the place of training and back on road transport, regular long-distance public road passenger transport, from 1 September to 30 June, for those with minor children residing on the territory of village councils, urban-type settlements and cities of regional subordination, which are administrative-territorial units, towns, territorial units (if they are administrative centres of districts), cities of district subordination, which are territorial units, and students in institutions of universal secondary education.
8. The right to a 50 percent discount on the fare for public railway transport on regional train lines in business class, interregional train lines, international train lines of the Belarusian railway (in the territory of the Republic of Belarus), or inland water transport engaged in regular intercity transportation of passengers, domestic air travel, or long-distance public road transport from 1 October to 15 May for:
 - 8.1. Heroes of Belarus, Heroes of the Soviet Union, Heroes of Socialist Labour and full Cavaliers of the Order of the Motherland, Glory and Labour Glory;
 - 8.2. participants of the Great Patriotic War;
 - 8.3. war invalids;
 - 8.4. unemployed persons who participated in the special formations in mine clearing of territories and facilities after the liberation from German occupation in 1943–1945;
 - 8.5. unemployed citizens from among the military personnel, officers and men of internal affairs bodies, the Investigative Committee of the Republic of Belarus, bodies and divisions on emergency situations and financial investigation bodies of the State Control Committee of the Republic of Belarus who became disabled due to an injury, contusion, mutilation or disease incurred while performing military service duties (official duties), except in cases when the disability occurred as a result of illegal actions, because of alcohol, narcotic or toxic intoxication, or self-mutilation.
9. The right to a 50 percent discount one a year on the rail transport fare for regional train lines in business class, interregional lines, international train lines of the Belarusian railway (in the territory of the Republic of Belarus), inland water transport engaged in regular intercity transportation of passengers, domestic air travel, and regular long-distance public road transport for the person accompanying a person with a group I disability, from among the persons specified in Sub-paragraphs 8.1–8.5 of Paragraph 8 of this article, to the public health organization or place of medical care and back.
10. Children under 5 to 10 years of age have the right to travel at a reduced rate on public railway transport on regional train lines in business class, interregional train lines or international train lines of the Belarusian railway (within the Republic of Belarus) and public road transport that performs intercity road transportation of passengers in regular traffic.

CHAPTER 4. BENEFITS FOR MAINTENANCE AND USE OF RESIDENTIAL PREMISES AND MUNICIPAL SERVICES. BENEFITS FOR PROVIDING COMMUNICATION SERVICES

Article 16. Benefits for Payment for Maintenance, Use of Residential Premises and Utilities

1. The following persons are exempt from payments for maintenance and/or for the use of residential premises within 20 square metres of the total area of the occupied residential premises:
 - 1.1. Heroes of Belarus, Heroes of the Soviet Union, as well as Heroes of Socialist Labour, participants of the Great Patriotic War, full Cavaliers of the Order of the Motherland and Glory;

- 1.2. Invalids of the Great Patriotic War of group I and II who do not have able-bodied family members who are legally obliged to support them, and who live alone or together with their spouse.
2. Heroes of Belarus, Heroes of the Soviet Union and Heroes of Socialist Labour, participants of the Great Patriotic War, full Cavaliers of the Order of the Motherland and Glory are exempt from charges for utilities (hot and cold water supply, water removal (sewerage), gas, electricity and heat, use of a lift, export, neutralization and recycling of solid municipal waste) at the prescribed rates within the approved norms of consumption, and for those living in houses without central heating – payment for fuel purchased within the standards set by law for sale to the public.
3. The right to a 50 percent discount on maintenance fees and/or the use of residential premises within 20 square metres of the total area of the occupied residential premises and the right to a 50 percent discount on utility fees (hot and cold water supply, sanitation (sewerage), gas, electricity and heat supply, use of lift, removal, disposal and processing of municipal solid waste) at the rates established by law within the approved consumption standards, and for those living in houses without central heating – for fuel purchased within the norms established by law for sales to the public, for:
 - 3.1. Heroes of Socialist Labour (except for those specified in Subparagraph 1.1 of Paragraph 1 of this article), and full Cavaliers of the Order of Labour Glory;
 - 3.2. participants of the Great Patriotic War;
 - 3.3. invalids of war;
 - 3.4. persons who participated in the special formations in mine clearing of territories and facilities after the liberation from German occupation in 1943–1945;
 - 3.5. persons awarded orders and/or medals of the USSR for selfless labour and flawless military service in the rear during the Great Patriotic War;
 - 3.6. persons working on equipment of anti-aircraft defence, local anti-aircraft defence, on building of defensive works, at sea bases, airfields and other military facilities within the rear boundaries of operating fronts or on the front-line sections of railways and roads;
 - 3.7. members of ship crews of transport fleet interned at the beginning of the Great Patriotic War in ports of other states;
 - 3.8. persons who worked in enterprises, institutions and organizations of Leningrad during the blockade from 8 September 1941 to 27 January 1944 and awarded the medal 'For the Defence of Leningrad', and persons awarded the badge 'To a Resident of Besieged Leningrad';
 - 3.9. pensioners from among military personnel, officers and men of internal affairs bodies, the Investigative Committee of the Republic of Belarus, bodies and divisions on emergency situations, and financial investigation bodies of the State Control Committee of the Republic of Belarus who became disabled due to an injury, contusion, mutilation or disease incurred while performing military service duties (official duties), except in cases when disability occurred as a result of illegal actions, because of alcohol, narcotic or toxic intoxication, or self-mutilation;
 - 3.10. people disabled since childhood owing to a wound, contusion or injury associated with the fighting during the Great Patriotic War or the consequences of hostilities;
 - 3.11. unemployed parents of the victims (deceased), referred to in Subparagraphs 12.1 to 12.3 of Paragraph 12 of Article 3 of this Law who have reached the age that entitles them to an old-age pension on general grounds, or who are under that age but disabled persons of group I or II, except for persons who have disabilities that occurred as a result of illegal actions, because of alcohol, narcotic or toxic intoxication, or self-mutilation;
 - 3.12. citizens who suffered from radiation sickness caused by the consequences of the catastrophe at the Chernobyl NPP or other radiation accidents who do not have able-bodied family members who are obliged by law to maintain them, and who live alone or only with disabled people of group I or II and/or with unemployed pensioners who have reached the age that entitles them to an old-age pension on a general basis;

- 3.13. disabled persons of group I and II, except for persons whose disability occurred as a result of illegal actions, due to alcohol, drug or toxic intoxication, or self-mutilation, who do not have able-bodied family members who are legally obliged to support them, and who live alone or only with disabled people of group I or II and/or with unemployed pensioners who have reached the age that entitles them to an old-age pension on a general basis.

Article 17. Benefits for Paying for the Installation of Apartment Phones

The right to a priority one-time free installation of an apartment phone when the length of the subscriber's line is no more than 500 metres (if the length of the subscriber line exceeds the established norm, the fee is charged in full) for:

- Heroes of Belarus, Heroes of the Soviet Union, Heroes of Socialist Labour, and Full Cavaliers of the Order of the Motherland, Glory and Labour Glory;
- participants of the Great Patriotic War;
- disabled veterans;
- persons who took part in the composition of the special formations in mine clearing of territories and facilities after the liberation from German occupation in 1943–1945;
- unemployed citizens from among military personnel, officers and men of internal affairs bodies, the Investigative Committee of the Republic of Belarus, bodies and divisions on emergency situations, financial investigation bodies of the State Control Committee of the Republic of Belarus who became disabled due to an injury, contusion, mutilation or disease incurred while performing military service duties (official duties), except in cases when the disability occurred as a result of illegal actions, because of alcohol, narcotic or toxic intoxication, or self-mutilation.
(in the wording of the Republic of Belarus dated 13.12.2011 N 325-3)

Article 18. Benefits for Payment for Using the Apartment Phone and for Postal Items

1. The right to free telephone use (except long distance and international calls) for Heroes of Belarus, Heroes of the Soviet Union, Heroes of Socialist Labour, participants of the Great Patriotic War, and full Cavaliers of Orders of Motherland and Glory.
2. The following persons are entitled to a 50 percent discount on payments for using an apartment telephone (except for long-distance and international telephone calls):
 - 2.1. Heroes of Socialist Labour (except as specified in Paragraph 1 of this article) and full Cavaliers of the Order of Labour Glory;
 - 2.2. participants of the Great Patriotic War;
 - 2.3. war invalids;
 - 2.4. persons who participated in the special formations in mine clearing of territories and facilities after the liberation from German occupation in 1943–1945;
 - 2.5. persons awarded orders and/or medals of the USSR for selfless labour and flawless military service in the rear during the Great Patriotic War;
 - 2.6. persons working on equipment of anti-aircraft defence or local anti-aircraft defence, on the building of defensive works, at sea bases, airfields and other military facilities within the rear boundaries of operating fronts or on the front-line sections of railways and roads;
 - 2.7. members of ship crews of transport fleet interned at the beginning of the Great Patriotic War in ports of other states;
 - 2.8. persons who worked in enterprises, institutions and organizations of Leningrad during the blockade from 8 September 1941 to 27 January 1944 who were awarded the medal 'For the Defence of Leningrad', and persons awarded the badge 'To a Resident of Besieged Leningrad';
 - 2.9. unemployed citizens from among military personnel, officers and men of internal affairs bodies, the Investigative Committee of the Republic of Belarus, bodies and divisions on emergency situations, financial investigation bodies of the State Control Committee of the Republic of Belarus who became disabled owing to an injury, contusion, mutilation or disease incurred while performing

military service duties (official duties), except in cases when the disability occurred as a result of illegal actions, because of alcohol, narcotic or toxic intoxication, or self-mutilation;

- 2.10. people disabled since childhood owing to a wound, contusion or injury associated with the fighting during the Great Patriotic War or the consequences of war who have reached the age that entitles them to an old-age pension on general grounds.
3. The duration of telephone conversations provided free of charge or with a 50 percent discount in accordance with Paragraphs 1 and 2 of this article is determined by the Government of the Republic of Belarus.
4. Conscripts have the right to forward letters sent by a military unit free of charge. Private clothing for citizens who are called up for military service may be posted for free.

CHAPTER 5. FINAL PROVISIONS

Article 19. Financing the Costs of Providing Social Benefits

The costs of providing the social benefits provided for by this law are financed from the national and local budgets, and social benefits for health resort and treatment and rehabilitation are financed from the state social insurance and the national budget. The procedure for the reimbursement of expenses incurred by organizations in connection with the provision of social benefits is determined by the Government of the Republic of Belarus in agreement with the President of the Republic of Belarus.

President of the Republic of Belarus

A. Lukashenka

PART V

THE LEGISLATIVE ASPECTS OF LAW ENFORCEMENT AND FIGHTING CORRUPTION

LAW OF THE REPUBLIC OF BELARUS 'On Operational Intelligence Activities'

15 July 2015, No. 307-3

Adopted by the House of Representatives on 26 June 2015
Approved by the Council of the Republic on 30 June 2015

National Register of Legal Acts of the Republic of Belarus, 24 July 2015, 2/2305

This Law defines the content and procedure for performing operational intelligence activities and regulates legal relations arising during its implementation.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Operational Intelligence Activities

Operational intelligence activities are activities performed, in accordance with this Law, by state bodies (hereinafter, unless otherwise specified – 'bodies performing operational intelligence activities') that observe secrecy and carry out public or covert operational intelligence activities aimed at protecting the lives, health, rights, freedoms and legitimate interests of citizens of the Republic of Belarus, foreign citizens and stateless persons (hereinafter, unless otherwise specified – 'citizens'); the rights and legitimate interests of organizations; and property from criminal attacks, as well as ensuring the security of society and the state.

Article 2. Main Terms Used in This Law and Their Definitions

For the purposes of this Law, the following main terms and definitions are used:

- 'kin': close relatives and family members of officials of the authority performing the operational intelligence activity, as well as citizens providing assistance on a confidential basis to the authority engaged in investigative activities or other citizens, whom officials of the body performing the operational intelligence activity, or citizens providing assistance on a confidential basis to the authority performing operational intelligence activity, reasonably consider as kin;
- 'citizen providing assistance on a confidential basis to the authority performing the operational intelligence activity': a citizen recruited by the body exercising the operational intelligence activity to cooperate on a confidential basis, or a citizen, who is not the official of the body performing the operational intelligence activity, who participates or participated, on a confidential basis, in the operational intelligence activity and who contributes or contributed, on a confidential basis, to its preparation and/or conduct – under a contract or upon application of a citizen in accordance with this Law;

- 'contract': an agreement entered into by the authority performing the operational intelligence activity for a citizen to provide assistance on a confidential basis, in accordance with this Law;
- 'cover organization': an organization created by the body conducting the operational intelligence activity to carry out tasks related to operational intelligence activities and to maintain confidentiality;
- 'operational intelligence activity materials': operational documents and other means of transmitting information on procedures for performing operational intelligence activities and information obtained during these operations, as well as other data and documents obtained while carrying out operational-investigative activities;
- 'investigative mode': mode of action used by the body carrying out operational intelligence activities when performing tasks to obtain information in accordance with this Law;
- 'operational documents': decisions on performing operational intelligence activities or special assignments, the protocol for operational intelligence activities; records of assistance, reports, certificates, written requests from the body performing the operational intelligence activity; and other documents generated while carrying out operational intelligence activities;
- 'objects and documents': substances, items, objects, proprietary rights, software products, including those withdrawn from or with limited circulation, obtained or used in the implementation of operational intelligence activities;
- 'means of secretly obtaining information': technical means, equipment, apparatus, appliances, devices, drugs, software products and other products specially designed, developed, programmed or upgraded to obtain information covertly for the execution of operational intelligence activities;
- 'regular unofficial member': an official of the body performing operational intelligence activities whose membership to the body remains secret and who performs their duties on a confidential basis.

Article 3. Tasks of Operational Intelligence Activities

The tasks of operational intelligence activities are:

- collecting information about events and actions that threaten the national security of the Republic of Belarus;
- preventing revealing and suppressing crimes, as well as identifying citizens who are preparing, committing or have committed crimes;
- searching for those accused of crimes who have escaped from the criminal prosecution body or court and/or whose whereabouts are unknown to these authorities, for missing citizens, and for those sentenced to punishment in the cases established by legislative acts;
- establishing personal data for citizens who have died;
- establishing personal data for citizens who cannot report such data themselves because of their health or age;
- establishing property that is or may be subject to being seized in criminal proceedings;
- ensuring the security of citizens who provide assistance on a confidential basis to agencies performing operational intelligence activities, and their relatives, as well as the safety of their property from criminal encroachments, and ensuring the safety of other citizens in accordance with the legislation;
- collecting information for decision-making on the admission of citizens to state secrets, technical operation of facilities, threats to the life or health of citizens or the environment, participation in investigative activities, and assistance on a confidential basis to agencies performing operational intelligence activities;
- protecting state secrets.

Article 4. Legislation on Operational Intelligence Activities

Legislation on operational intelligence activities is based on the Constitution of the Republic of Belarus and consists of this Law, other legislative acts and international agreements of the Republic of Belarus.

If an international agreement of the Republic of Belarus establishes rules other than those established by this Law, the rules of the International Agreement shall apply.

Article 5. Principles of Operational Intelligence Activities

Operational intelligence activities are based on the principles of legality; respect for the rights, freedoms and legitimate interests of citizens; and the rights and legitimate interests of organizations and performing operational intelligence activities publicly and secretly.

Article 6. Legality in the Implementation of Operational Intelligence Activities

Operational intelligence activities are performed on the basis of the Constitution of the Republic of Belarus in accordance with this Law and other legislative acts.

Article 7. Respect for the Rights, Freedoms and Legitimate Interests of Citizens, and the Rights and Legitimate Interests of Organizations in the Implementation of Operational Intelligence Activities

The State guarantees the observance of the rights, freedoms and legitimate interests of citizens, and the rights and legitimate interests of organizations in the implementation of operational intelligence activities.

Compliance with the rights, freedoms and legitimate interests of citizens, and the rights and legitimate interests of organizations in the implementation of operational intelligence activities is ensured by establishing the duties of the bodies engaged in operational intelligence activities and determining the procedure for performing operational intelligence activities and for supervising and controlling operational intelligence activities.

The restriction of the rights, freedoms and legitimate interests of citizens, and the rights and legitimate interests of organizations in performing the operational intelligence activities is allowed in the interests of national security of the Republic of Belarus, public order, the protection of morals, public health, and the rights and freedoms of other citizens in accordance with this Law and other legislative acts.

Article 8. The Covert Implementation of Operational Intelligence Activities

Operational intelligence activity is performed by protecting the secrecy of information on:

- the organization, tactics, resources, means, methods and plans of operational-investigative activity, used in the execution of operational intelligence activity tasks of the authorities performing operational-investigation activity;
- citizens providing assistance to bodies performing operational-investigative activities;
- citizens providing assistance on a confidential basis to bodies implementing operational intelligence activities;
- organizations in connection with the implementation of operational intelligence activities;
- officials of the bodies performing operational-investigative activities, which participate or have participated in carryout these activities, staff collusion staff, and other officials of bodies who have performed operational-investigative activities, in accordance with the legislation;
- operational intelligence activities, operational-investigative activities and tasks related to operational intelligence activities.

Article 9. Performing Operational Intelligence Activities Publicly and Covertly

An operational search performed publicly requires an official of the relevant body to notify the citizen in respect of whom it is being carried out and to obtain the citizen's consent to execute it.

An operational search event performed covertly is performed by an official of the body that performs operational intelligence activities, without notifying the citizen in respect of whom it is being carried out or obtaining the citizen's consent to execute it.

Article 10. Rights and Obligations of Citizens in Connection with the Implementation of Operational Intelligence Activities

In connection with the implementation of operational intelligence activities, citizens have the right to agree to provide assistance to the bodies engaged in operational intelligence activities, or to refuse to provide such assistance.

Citizens who are or have participated in operational intelligence activities have the right to:

- refuse to participate in investigative activities that are performed publicly;
- appeal the actions of the bodies performing operational intelligence activities to the higher authorities carrying out operational intelligence activities, the Prosecutor or the court, in accordance with legislative acts;

- compensation for harm caused to them when performing operational intelligence activities, in accordance with the legislation;
- consult received information in cases where criminal proceedings against them are refused, discontinued or terminated in the absence of a socially dangerous act, under the criminal law, or in connection with the absence of an offence, or if the court has acquitted these citizens and they have information about carrying out operational intelligence activities that concern them and believe that the actions of the bodies performing operational-investigative activities led to the violation or limitation of their rights, freedoms and legitimate interests.

Citizens recruited by the bodies implementing operational intelligence activities to prepare operational intelligence activities and/or participation in them have the right to:

- provide the authorities performing operational intelligence activities, on a grant or reimbursable basis, information required to perform operational intelligence activity tasks;
- provide premises, vehicles, communications and other property belonging to them by right of ownership for the use, under contract, of bodies performing the operative investigation activity;
- receive remuneration and other payments, which are not specified in the declaration on income and property, in accordance with this Law and other legislative acts;
- compensation for expenses incurred in connection with their participation in operational intelligence activities, as well as compensation for other negative consequences;
- appeal the actions of bodies performing operational intelligence activities to the higher authorities performing the operational intelligence activities, the Prosecutor or the court in accordance with legislative acts;
- preserve the confidentiality of information about their provision of assistance to the bodies performing operative investigation activity;
- refuse unilaterally from the execution of the contract to participate in an operation search event provided they refund the payment received under this contract;
- to keep secret the means of obtaining information for the performance of their duties when assisting on a confidential basis to the agencies performing the operational intelligence activities.

Citizens involved in the preparation of operational intelligence activities and/or participation in them by the bodies engaged in operational intelligence activities are required to:

- keep secret information about their assistance to bodies engaged in operational intelligence activities;
- keep secret information that became known to them in connection with participation in operational intelligence activities;
- indicate the source of their knowledge when providing information necessary for performing operational intelligence activity tasks to bodies engaged in operational intelligence activities;
- comply with the conditions of a special task.

Citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities, in addition to the rights provided for in Part Three of this Article, have the right to:

- access to state secrets to the extent necessary for them to perform their duties in providing assistance on a confidential basis to bodies engaged in operational intelligence activities;
- ensure their safety and the safety of their loved ones, as well as the safety of their property from criminal attacks related to their assistance on a confidential basis to bodies engaged in operational intelligence activities;
- conclude a contract with bodies engaged in operational intelligence activities.

Citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities shall perform the duties provided for in Part Four of this article.

Citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities under contract, in addition to the duties provided for in Part Four of this article, should comply with the terms of the contract.

Citizens with special knowledge in science, technology, art, craft or another field of activity, who are recruited to participate in an operational intelligence event as a specialist, have the right to:

- refuse to participate in the operational intelligence event if they do not have sufficient special knowledge in science, technology, art, craft and other fields of activity necessary to participate in the operational intelligence event;
- request materials necessary for performing research related to their participation in the operational intelligence event.

Citizens with special knowledge in science, technology, art, craft or another field of activity engaging in the operational intelligence event as a specialist shall:

- submit documents confirming their special skills to the authorities performing the operational intelligence activities;
- give explanations about what they do while participating in investigative tasks;
- submit a report on the results of research undertaken on the matters assigned to them or other matters within their competence and the circumstances that became apparent when performing the research;
- refuse assistance with drafting the report, if the questions asked are beyond their level of expertise or the materials submitted are insufficient to respond to the questions, or further research if they come to the conclusion that they cannot provide drafting assistance, and notify in writing the bodies implementing operational intelligence activities, entrusting them with the research, with justification for this refusal;
- permit the complete or partial destruction of objects of study or allow for their appearance or basic properties to be changed to render the research impossible, prior to the commencement of such research, and shall not perform research in the absence of such permission.

The use of means to secretly record secret information by citizens who are not authorized to do so by this Law is prohibited.

Article 11. Rights and Obligations of Organizations in Connection with the Implementation of Operational Intelligence Activities

In connection with the implementation of operational intelligence activities, organizations have the right to:

- provide authorities performing the operational intelligence activities the information necessary to perform the tasks related to the operational intelligence activity;
- provide premises, vehicles, communications or other property belonging to them by right of ownership, economic management or operational management for the use, under contract, of the bodies performing the operational-investigative activity;
- for compensation of the harm caused to them when performing operational intelligence activities, in accordance with the legislation;
- compensation for expenses incurred in connection with the implementation of operational-investigative activity, with the exception of cases stipulated by legislative acts, as well as compensation for their negative consequences;
- submit a written request to the bodies implementing operational intelligence activities for the documents necessary for the execution of operational-search activities, and to assist in their production in the absence of agreements between the authorities performing operational intelligence activities and organizations;
- at the written request of the bodies performing operational intelligence activities, participate in operational-investigative activities as a cover organization or to refuse such participation;
- appeal actions of the bodies performing operational intelligence activities to the higher authorities performing operational intelligence activities, the Prosecutor or the court in accordance with the legislative acts.

In connection with the implementation of operational intelligence activities, organizations are required to:

- provide information from databases (records) and information systems owned by them, free of charge, by remote access and/or other means of transmitting information in accordance with agreements between

bodies engaged in operational intelligence activities and organizations, unless otherwise specified by legislative acts;

- make changes to databases (records) and information systems owned by them that are necessary for performing operational intelligence activity tasks;
 - at the written request of bodies engaged in operational intelligence activities, make changes to documents required to perform operational intelligence activity tasks or assist in their production, in accordance with agreements between the bodies engaged in operational intelligence activities and organizations;
 - assist in the creation and functioning of specialized organizations at the written request of the bodies engaged in operational intelligence activities, in accordance with agreements between the bodies engaged in operational intelligence activities and organizations.
- It is prohibited for organizations to use the means of secretly obtaining (recording) information.

CHAPTER 2. AGENCIES ENGAGED IN OPERATIONAL INTELLIGENCE ACTIVITIES AND THEIR LEGAL STATUS

Article 12. Bodies Performing Operational Intelligence Activities

Operational intelligence activities are performed by:

- Internal affairs bodies of the Republic of Belarus;
- State security Bodies of the Republic of Belarus,
- The Border Service of the Republic of Belarus,
- The Presidential Security Service of the Republic of Belarus;
- The Operational and Analytical Centre, under the President of the Republic of Belarus;
- Financial investigation bodies of the State Control Committee of the Republic of Belarus;
- Customs authorities of the Republic of Belarus;
- The Intelligence Service of the Armed Forces of the Republic of Belarus.

Article 13. Interaction of Bodies Engaged in Operational Intelligence Activities

The bodies that perform operational intelligence activities, when performing operational intelligence activity tasks within their competence, interact with each other in accordance with this Law and other legislative acts.

Article 14. Responsibilities of Bodies that Perform Operational Intelligence Activities

When performing operational intelligence activity tasks, bodies that perform operational intelligence activities are obliged to:

- take measures within their competence to protect the life, health, rights, freedoms and legitimate interests of citizens, the rights and legitimate interests of organizations, and property from criminal encroachments, and to ensure the security of society and the state;
- execute orders, instructions, resolutions and rulings within the limits of their competence in accordance with legislative acts;
- provide and submit to the criminal prosecution body and the court materials of operational intelligence activities in accordance with this Law and other legislative acts;
- fulfil written requests of international organizations, law enforcement agencies and special services of foreign states in accordance with this Law and the international treaties of the Republic of Belarus;
- inform other bodies engaged in operational intelligence activities about the information received during the performance of operational intelligence activities related to their competence;
- maintain secrecy on the implementation of operational intelligence activities;
- ensure the safety of officials of bodies engaged in operational intelligence activities, citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities, and their relatives, as well as the safety of their property from criminal encroachments in accordance with this Law and other legislative acts;

- pay remuneration and other payments that are not specified in the declaration of income and property, in accordance with this Law and other legislative acts, to citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities, as well as to citizens involved in the preparation of operational intelligence activities and/or participation in them;
- provide compensation for expenses incurred by citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities, as well as citizens involved in the preparation of operational intelligence activities and/or participation in them, in connection with their participation in operational intelligence activities and by organizations in connection with the implementation of operational intelligence activities, except for cases provided for by legislative acts, as well as compensation for the negative consequences that have occurred in this regard for citizens and organizations;
- compensate expenses incurred by officials of bodies engaged in operational intelligence activities in connection with their participation in operational intelligence activities, as well as to eliminate the negative consequences that have occurred in this regard for them;
- provide compensation for damage caused to citizens and organizations during operational intelligence activities, in accordance with legislation;
- determine the regulatory legal acts of the Ministry of Internal Affairs of the Republic of Belarus, the State Security Committee of the Republic of Belarus, the State Border Committee of the Republic of Belarus, the Security Service of the President of the Republic of Belarus, the Operational and Analytical Centre under the President of the Republic of Belarus, the State Control Committee of the Republic of Belarus, the State Customs Committee of the Republic of Belarus, the Ministry of Defence of the Republic of Belarus for the procedure for providing compensation for harm caused to citizens or organizations when performing operational intelligence activities, as well as the type, amount and procedure for providing compensation to citizens for costs incurred while providing or assisting, on a confidential basis, the bodies implementing operational intelligence activities, to citizens recruited by bodies performing operational intelligence activities for the preparation of performing operational intelligence activities and/or participation in them, in connection with their participation in the operational intelligence activities, and to organizations in the implementation of operational intelligence activities, as well as compensation for the negative consequences that have occurred in this regard for citizens and organizations, unless otherwise determined by legislative acts;
- take measures to restore violated rights, freedoms and legitimate interests of citizens, and the rights and legitimate interests of organizations;
- destroy materials of operational intelligence activities that contain information not related to illegal activities, in accordance with this Law and other legislative acts;
- represent citizens in cases where criminal proceedings against them are refused, discontinued or terminated in the absence of a socially dangerous act, under the criminal law, or in connection with the absence of an offence, or if the court has acquitted these citizens and they have information about carrying out operational intelligence activities that concern them and believe that the actions of the bodies performing operational-investigative activities led to the violation or limitation of their rights, freedoms and legitimate interests, in accordance with this Law.
- fulfil written requests from other bodies performing operational intelligence activities related to operational intelligence activity tasks;
- coordinate regulatory legal acts issued (adopted) by bodies that perform operational intelligence activities that regulate the organization and tactics of performing operational intelligence activities with the Prosecutor General of the Republic of Belarus or the person performing his duties, unless otherwise determined by the President of the Republic of Belarus;
- determine the regulatory legal acts of the Ministry of Internal Affairs of the Republic of Belarus, the State Security Committee of the Republic of Belarus, the State Border Committee of the Republic of Belarus,

the Security Service of the President of the Republic of Belarus, the Operational and Analytical Centre under the President of the Republic of Belarus, the State Control Committee of the Republic of Belarus, the State Customs Committee of the Republic of Belarus, the Ministry of Defence of the Republic of Belarus for the list of divisions or officials authorized to perform operational intelligence activities and the list of officials authorized to make or approve decisions on performing operational intelligence activities; on suspending, resuming or terminating these activities; on extending the term of performing operational intelligence activities; on providing, not providing, or delaying the provision of materials for operational intelligence activities; and on the application of security measures or the refusal to apply them, as well as to approve special tasks, sign written requests for performing operational intelligence activities, and draft, sign and approve other operational service documents;

- keep secret information about the provision of assistance by citizens to bodies engaged in operational intelligence activities, as well as information about citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities;
- submit to the court the materials that served as the basis for refusing to submit to the citizen for review the information received about him while performing operational intelligence activities in relation to it, in accordance with this Law, as well as to submit to the judge at his written request, in accordance with this Law and other legislative acts, operational service documents containing information;
- perform other duties in accordance with this Law and other legislative acts.

Bodies engaged in operational intelligence activities and their officials are prohibited from:

- performing operational intelligence activities that are not provided for by this Law;
- creating an environment (situation) that excludes the possibility of free choice for citizens in respect of whom operational intelligence activities are performed, and influences their actions, including provoking citizens to commit a crime);
- disclosing and/or using, to the detriment of citizens or organizations, information that affects the privacy, personal and family secrets of citizens and/or their other rights, freedoms and legitimate interests or the rights and legitimate interests of organizations, and which became known during the conduct of operational intelligence activities, except for cases stipulated by legislative acts;
- falsifying the results of operational intelligence activities.

Article 15. Rights of Bodies Engaged in Operational Intelligence Activities

Bodies that perform operational intelligence activities, when performing operational intelligence activity tasks, have the right to:

- perform investigative activities in accordance with this Law and other legislative acts;
- engage citizens with their consent in preparations for performing operational intelligence activities and/or participation in them;
- establish, on a grant or reimbursable basis, cooperation with citizens who have agreed to provide assistance on a confidential basis to bodies implementing operational intelligence activities and conclude the contract with them, in accordance with this Law;
- create and/or use databases (accounting) and information systems;
- receive free information from databases (accounting) and information systems through remote access and/or material media, in accordance with agreements between bodies performing operational intelligence activities and organizations that are owners of these databases (accounting) or information systems, unless otherwise determined by legislative acts;
- to use premises, vehicles, communications or other property that belong to citizens, under contract, by right of ownership that are being used by or belong to organizations by right of ownership, economic management or operational management;
- produce and/or use the documents necessary to execute operational intelligence activity tasks, or to make a written request for these documents to be produced or for assistance in the production of such documents in organizations and other bodies performing operational intelligence activities;

- collect and study information and documents necessary for the execution of operational intelligence activity tasks;
- receive from citizens, on a grant or reimbursable basis, information required to perform operational intelligence activity tasks;
- use information obtained in the implementation of operational intelligence activities, in accordance with this Law and other legislative acts;
- create and/or use cover organizations;
- send written requests for performing operational intelligence actions to other bodies engaged in operational intelligence activities;
- fulfil the written requests of international organizations, law enforcement agencies and special services of foreign states on the basis of the principle of reciprocity;
- collect information for making decisions on applying measures to ensure the security of citizens and their relatives, as well as safety of their property from criminal encroachments in accordance with this Law and other legislative acts, and providing assistance on a confidential basis to agencies performing operational intelligence activities;
- collect information for decision-making on the admission of citizens to state secrets to work connected on operations that pose an increased threat to the life and health of citizens and the environment, to participate in investigative activities and to assist, on a confidential basis, bodies implementing operational intelligence activities;
- issue (accept), within its competence, the normative legal acts regulating the organization and implementation of operational intelligence activities, in accordance with this Law;
- refuse unilaterally from the execution of the contract to participate in the operational-investigative activity provided they refund the payment received under this contract;
- send in written requests for changes to databases (accounting) and information systems owned by these organizations that are required to perform operational intelligence activity tasks;
- exercise other rights in accordance with this Law and other legislative acts.

The rights provided for in Paragraph Twelve of Part One of this Article do not apply to the customs authorities of the Republic of Belarus.

The Intelligence Services of the Armed Forces of the Republic of Belarus perform operational intelligence activities to ensure the security of the intelligence services of the Armed Forces of the Republic of Belarus.

CHAPTER 3. PERFORMING OPERATIONAL INTELLIGENCE ACTIVITIES

Article 16. Grounds for Performing Operational Intelligence Activities

The grounds for performing operational intelligence activities are:

- information about events and actions that threaten the national security of the Republic of Belarus;
- information about crimes being prepared, committed or having been committed, as well as citizens preparing, committing or having committed crimes and citizens aware of these crimes;
- the order, specifying that the decision of the prosecuting authority in a criminal case, to consider the statement or report on a crime;
- the decision of a criminal prosecution body, a ruling, a court order declaring the search of the defendant;
- the decision of the authority or institution enforcing the penalty on the announcement of the investigation, in the cases established by legislative acts, of a convict sentenced to punishment;
- information about a citizen who is missing;
- data on a citizen, who has died and personal data that should be restricted;
- information about a citizen who cannot, because of health or age, report the personal data that needs to be registered;
- a written request of the body performing the operational intelligence activity on performing operational intelligence activities on the grounds specified in Paragraphs 2 and 9 of this subsection;

- an official ruling of the body performing the operational-investigative activities, a criminal prosecution, the ruling, or the decision of the court to apply security measures;
- a written request of an international organization, law enforcement authority, or the special service of a foreign state in accordance with the international treaties of the Republic of Belarus and on the basis of the principle of reciprocity;
- the need to collect information for making decisions on applying measures to ensure the security of citizens providing assistance on a confidential basis to agencies performing operational intelligence activities, and their relatives, as well as safety of their property from criminal attacks;
- the need to collect information for decision-making on the admission of citizens to state secrets, work associated with operations that pose an increased risk to the life and health of citizens and the environment, to participate in investigative activities or to assist, on a confidential basis, the agencies performing operational intelligence activities.

The information specified in the second, third, seventh and ninth paragraphs of the first part of this article should be reflected in the relevant operational and service documents.

A written request of the body performing operational intelligence activities to another body performing operational intelligence activities to perform an operational intelligence event shall be accompanied by a resolution on its performance.

Article 17. Account of Operational Intelligence Activities

An official of the body performing operational intelligence activities, if there is one of the grounds for performing operational intelligence activities provided for in Paragraphs Two, Five–Nine of Part One of Article 16 of this Law, starts an account of operational intelligence activity. If there are grounds for performing operational intelligence activities provided for in Paragraphs Three, Four, Ten or Fourteen of Part One of Article 16 of this Law, the account of operational intelligence activity shall be opened if such a decision is made by an official of the body performing operational intelligence activities. The case of operational accounting is initiated by the decision of an official of the body performing operational intelligence activities.

The business operating account is produced separately and includes the materials of operational intelligence activities in order to systematize, test, and evaluate information obtained while performing operational intelligence activity tasks. The materials are accepted on the basis of the relevant decision by an official of the body performing the operational intelligence activity, in accordance with this Law and other legislative acts on operational intelligence activity.

The account of operational intelligence activity is terminated by a decision of an official of the body performing operational intelligence activities, in cases of performing operational intelligence activity tasks or establishing circumstances that indicate the objective impossibility of performing these tasks. If new information is received for a terminated account of operational intelligence activity that requires verification through operational intelligence activities, a new account of operational intelligence activity is started.

The accounts of operational intelligence activity are filed on the grounds stipulated by Subparagraphs Five to Nine of the first paragraph of Article 16 of this Law, are to:

- detain the accused or establish their location on the territory of the Republic of Belarus;
- establish the whereabouts of the person convicted of the punishment;
- terminate the criminal prosecution or exemption from criminal responsibility or punishment of a citizen – the investigation is performed in cases established by legislative acts;
- cancel the order or decision on the search announcement for the citizen;
- establish the whereabouts of a missing citizen, or establish his death;
- terminate the preliminary investigation for a criminal case initiated as a result of the citizen disappearing or committing a socially dangerous act under criminal law associated with the disappearance of the citizen;
- establishing personal data on the deceased citizen;
- establish personal data on a citizen who, because of health or age, cannot report the data themselves.

The types of accounts of operational intelligence activity, the procedures of their keeping, terms of keeping the accounts of operational intelligence activity not specified in Part Four of this Article, the grounds for the extension of deadlines, in accounts of operational intelligence activity, the procedure for extending these deadlines, the grounds for termination of the accounts of operational intelligence activity and the procedure for their termination are determined by the normative legal acts of the Ministry of Internal Affairs of the Republic of Belarus, the State Security Committee of the Republic of Belarus, the State Border Committee of the Republic of Belarus, the Security Service of the President of the Republic of Belarus, the Operational and Analytical Centre under the President of the Republic of Belarus, the State Control Committee of the Republic of Belarus, the State Customs Committee of the Republic of Belarus and the Ministry of Defence of the Republic of Belarus.

The fact that an account of operational intelligence activity has been started is not a reason for restricting the rights, freedoms and legitimate interests of citizens, or the rights and legitimate interests of organizations.

Article 18. Operational Intelligence Activities

Operational intelligence activities are:

- operational surveys;
- making inquiries;
- collecting samples;
- researching items and documents;
- operational identification;
- operational inspection;
- observation;
- test purchasing;
- controlled delivery;
- auditory surveillance;
- surveillance in telecommunication networks;
- surveillance of postal items;
- operational infiltration;
- operational experiment.

Article 19. General Conditions for Performing Operational Intelligence Activities

Operational intelligence activity is implemented by the ordinance on performing operational intelligence activities by the decision of the officials of the authority performing operational intelligence activity, to performing operational intelligence activities and special tasks, without judgement, upon the written request of the body performing the operational intelligence activity, in accordance with this Law.

Operational surveys, collection of samples of cases performed publicly, operational identification, operational inspection, with the exception of the case specified in Part Five of this article, are performed by decision of an official of the body performing operational intelligence activities.

Collection of samples of cases performed covertly, the study of items and documents, surveillance, except for the case specified in Part Five of this Article, test purchasing, except for the case specified in Part Five of this Article, controlled delivery and operational infiltration are performed under a decree on performing an operational search event.

Inquiries about information constituting banking, medical, commercial and other secrets protected by law shall be made at the written request of the body performing operational intelligence activities, with the approval of the Prosecutor or his Deputy, unless otherwise established by Articles 35–37 of this Law and other legislative acts.

The operational inspection of the residence and other legal possessions of citizens, or the premises, buildings, constructions, vehicles, other property or grounds of the organization, performed covertly and associated with their penetration in the absence of the owner; using secret means to obtain information and monitor other facilities installed in the dwelling and other legal property of a citizen, including indoors and in buildings, structures, vehicle, or other objects on the premises, except in public places, terrain, and all types of public

transport; test purchasing, performed repeatedly or more than two times on a citizen in the framework of the same account of operational intelligence activity; hearing testing; surveillance of networks; surveillance of mail; and operational experiment are performed by the decision on performing of operational intelligence activities with the Public Prosecutor or his deputy, unless otherwise provided by Articles 35–39 of this Law.

Operational intelligence activity may be suspended or resumed in the cases provided for by this Law. Operational intelligence activity is terminated in accordance with this Law. Decisions on performing an operational intelligence activity, on its suspension, resumption or termination are made by an official of the body performing operational intelligence activities. Decisions on performing an operational intelligence activity, on its suspension, resumption or termination are approved by an official of the body performing operational intelligence activities. The decision to perform an operational intelligence activity should have a motive. The decision on performing of operational intelligence activity is obligatory for its execution by the citizens and organizations for which it is intended.

An official of the body performing operational intelligence activities, at the same time as the decision to perform or resume an operational intelligence activity, by a written request of the body performing operational intelligence activities, in the cases specified in Parts Four and Five of this Article, shall submit to the Prosecutor or his Deputy operational-service documents including grounds for performing or resuming an operational search event. The decision on performing operational intelligence activities, or renewing them, upon the written request of the authority performing operational intelligence activities in cases specified in Parts Four and Five of this article shall be promptly considered by the Prosecutor or his Deputy at the place of performing of operational intelligence activities or at the location of the body implementing the operational intelligence activity. The Prosecutor or his Deputy, when giving the authorization, indicate the period during which the operational search action can be performed. An authorization to perform an operational intelligence activity or to resume it, a refusal to give the authorization, or the establishment of a period for performing an operational intelligence activity shall be issued by the Prosecutor or his Deputy in the form of a resolution on performing or resuming an operational search event, upon the written request of the body performing operational intelligence activities. An official of a body performing operational intelligence activities, if the Prosecutor or his Deputy refuses to give an authorization to perform an operational search event or to resume it, has the right to appeal to a higher Prosecutor or his Deputy, who consider the decision to perform an operational search event or to resume it, upon the written request of the body performing operational intelligence activities, in the same order.

An operational search event is prepared and performed by an official of the body performing operational intelligence activities. An official of the body performing operational intelligence activities, when preparing and performing operational intelligence activities, reports only to the direct supervisor. An official of a body performing operational intelligence activities may involve citizens with special knowledge in science, technology, art, craft and other fields of activity, other citizens and/or organizations, use service animals, the property of citizens and organizations, means of secretly obtaining (recording) information and other means, databases (records), information systems, and other means that do not harm the life and health of citizens or environment. Notification to citizens and organizations about the use of secret means of obtaining (recording) information and other means is not required. The decision to perform an operational intelligence activity is announced upon the signature of the citizen involved in the operational intelligence activity, before it begins. The decision to terminate the operational intelligence activity is announced upon the signature of a citizen who participated in this operational intelligence activity. An official of the body performing operational intelligence activities, having received information about a crime being prepared or committed during an operational intelligence activity, which was not specified in the resolution on performing an operational intelligence activity, takes measures to identify and suppress this crime. The procedure for performing operational intelligence activities is determined by this Law and other legislative acts on operational intelligence activities. An official of a body engaged in operational intelligence activities, a citizen who provides or has provided assistance on a confidential basis to a body engaged in operational intelligence activities or a citizen involved in the preparation of an operational intelligence activity and/or participating in it,

during the operational intelligence activity, may be forced to cause harm to law enforcement interests in cases and in accordance with the procedure provided for by acts of legislation on operational intelligence activities. The harm caused should be less significant than the harm prevented.

The collection of samples, research of items and documents, test purchasing, controlled delivery, auditory surveillance, surveillance in telecommunication networks, surveillance of postal items, operational infiltration, and operational experiments are performed within the framework of accounts of operational intelligence activity. Operational inspection and monitoring are performed within the framework of accounts of operational intelligence activity for activities that the Prosecutor or his Deputy authorizes in accordance with this Law. Operational intelligence activities performed on the grounds provided for in Paragraphs Four, Ten, Twelve and Fourteen of Part One of Article 16 of this Law may be performed outside the scope of accounts of operational intelligence activity.

Operational surveys, the collection of samples and operational inspections, for which an official of the body performing operational intelligence activities has recruited citizens who provide or have provided assistance on a confidential basis to the body performing operational intelligence activities, may be performed as a special assignment. Test purchasing, controlled delivery, operational infiltration and operational experiments are performed as special tasks. A special task is approved by an official of the body that performs operational intelligence activities. A special task is announced upon the signature of a citizen involved in the operational intelligence activity, before it begins. Requirements for the content of a special task are determined by acts of legislation on operational intelligence activities.

An official of the body performing operational intelligence activities who performs an operational inspection, test purchasing, or the controlled delivery of items whose circulation is prohibited by criminal law under threat of punishment shall notify the Prosecutor or his Deputy in writing within 48 hours from the end of their assignment.

The customs authorities of the Republic of Belarus perform auditory controls, operational infiltration using the sources and mean of the internal affairs bodies of the Republic of Belarus, the State Security bodies of the Republic of Belarus and the Operational and Analytical Centre under the President of the Republic of Belarus in accordance with the legislative acts on operational intelligence activities.

Article 20. Obtaining Information for Operational Intelligence Activities

An official of the body performing operational intelligence activities who performs an operational intelligence activity, draws up an operational service document, after the activity has been performed, suspended or terminated, indicating the names of the means of secretly obtaining (fixing) information and other means used, their models, as well as the information received. Other requirements for the content of an operational service document are determined by this Law and other legislative acts on operational intelligence activities.

The operational service document is signed by the official of the body performing operational intelligence activities who performed the operational intelligence activity. Items and documents received during the operational intelligence activity are attached to the operational service document.

Article 21. Online Survey

An operational survey is a communication with a citizen in order to obtain information from this citizen directly or through the telecommunication network that is necessary for performing operational intelligence activity tasks.

The recording by an official of a body performing operational intelligence activities and carrying out an operational survey – or a citizen who provides or has provided assistance on a confidential basis to a body performing operational intelligence activities – of information transmitted to them via the telecommunication network by the citizen being interviewed does not mean surveillance in telecommunication networks.

Article 22. Inquiry

Inquiries are written requests to a citizen or organization made in order to obtain information related to the professional activities of this citizen, or information that this organization has that is necessary for performing operational intelligence activity tasks.

The request for information from databases (records) or information systems by remote access and/or on material media and their receipt do not constitute inquiries, except for the request for information that constitutes a banking, medical, commercial or other legally protected secret.

Article 23. Collection of Samples

Sample collection is the copying and removal of items and documents in order to obtain information necessary to perform operational intelligence activity tasks.

Article 24. Research of Objects and Documents

The research of objects and documents is the study of objects and documents obtained in the course of operational intelligence activities in order to obtain information necessary for the performance of operational intelligence activity tasks.

In the resolution on performing an operational intelligence activity, the surname, proper name, patronymic (if any) of a citizen who has special knowledge in science, technology, art, craft and other fields of activity, or the name of the organization that is entrusted with performing research of objects and documents, questions put to them, objects and documents provided to them, and the term of its implementation are specified.

A certificate is drawn up based on the results of the study of items and documents.

Article 25. Operational Identification

Operational identification is the establishment of personal data of a citizen, using individual characteristics, or the identity of a citizen or a document relevant to the operational intelligence activity, respectively, with the citizen, item or document, about which, information was obtained previously in the exercise of operational intelligence activities by the body performing the operational intelligence activity, in order to obtain information necessary to perform operational intelligence activity tasks.

Operational identification is performed in relation to citizens, objects and documents by visual perception of the citizen or objects and documents in relation to which the operational identification is performed, in kind, by photos, videos, phonograms and other means in accordance with legislative acts.

Article 26. Operational Inspection

Operational inspection is a survey of the home and other legal possessions of a citizen, or the premises, buildings, structures, vehicles, other objects and the territory of the organization, or a section of terrain in order to obtain information necessary for performing operational intelligence activity tasks.

During the operational inspection, items and documents may be copied and removed.

Article 27. Observation

Observation is a visual or other surveillance of the acts of the citizen, under operational intelligence activity, monitoring events, activities, processes, acts of other citizens, surveilling housing and other legal property of a citizen, indoors, building, structure, vehicle, other object, and site organization, site area, directly or indirectly, in order to obtain information necessary to perform operational intelligence activity tasks.

The recording of events, activities, processes, actions of citizens during an operational survey, operational inspection, test purchase, controlled delivery, operational experiment, operational infiltration using secret means of receiving or recording information and other means is not an observation.

Article 28. Test Purchasing

A test purchase is the acquisition of items and documents or information without the intension of consumption or sale from a citizen or organization, or the execution of an order for the performance of work (provision of services) in order to obtain information necessary for performing operational intelligence activity tasks.

The actual performance of a test purchase starts with the initiative of the officials of the authority performing operational-investigative activities engaged in the test purchase, or a citizen participating in it, involving discussion of the circumstances of the acquisition of specific items and documents, information, or execution of an order to perform a specific work (rendering specific services) with the citizen subject to operational intelligence activity, or an organization.

The implementation of an order for the execution of works (rendering of services) in order to obtain information necessary to perform operational intelligence activity tasks, in case the customer's actions for the

preparation and implementation of such order is prohibited by the criminal law under threat of punishment, is not a test purchase but is part of an operational experiment.

Article 29. Controlled Delivery

Controlled delivery is the movement of items and documents by a citizen or organization that is controlled by an official of the body performing operational intelligence activities in order to obtain information necessary for performing operational intelligence activity tasks.

Items and documents that pose an increased risk to the health of citizens and the environment or serve as the basis for the manufacture of weapons of mass destruction, the movement of which is controlled by an official of the body performing operational intelligence activities, during the controlled delivery may be fully or partially withdrawn or replaced in accordance with legislative acts.

An official of the body performing operational intelligence activities notifies the customs authorities of the Republic of Belarus and the Border Service of the Republic of Belarus, and the Prosecutor or his Deputy in writing about the controlled delivery across the state border of the Republic of Belarus.

Article 30. Auditory Surveillance

Auditory surveillance is the acquisition and recording of acoustic signals using technical means in order to obtain information necessary to perform operational intelligence activity tasks.

The recording of acoustic signals during other operational intelligence activities using secret means of receiving or recording information and other means is not auditory surveillance.

Article 31. Monitoring in Telecommunication Networks

Surveillance in telecommunication networks is the receipt, transformation and recording by technical means of data and messages received, transmitted, processed and stored in telecommunication networks, interrupting connections in telecommunication networks with the simultaneous establishment of subscriber numbers and/or unique identification codes for subscribers (users of telecommunication services) and/or their location in order to obtain information necessary for performing operational intelligence activity tasks.

Surveillance in telecommunication networks, in the absence of information about the personal data of a citizen in respect of whom an operational intelligence activity is planned, is performed before their establishment if there is information about the subscriber number, email address, unique identification code, subscriber device, or information about the address of the place of residence or residence of the subscriber (user of telecommunication services) or the address (place) of installation of the terminal subscriber device (terminal), which are specified in the resolution on performing an operational intelligence activity.

The interruption of connections in telecommunication networks while monitoring telecommunication networks is allowed if an activity poses an immediate threat to the life or health of a citizen or the national security of the Republic of Belarus.

Surveillance in telecommunication networks, performed in relation to telecommunication networks (means) of citizens or organizations providing telecommunication services, is performed using the forces and means of the internal affairs bodies of the Republic of Belarus, the State Security bodies of the Republic of Belarus and the Operational and Analytical Centre under the President of the Republic of Belarus, in accordance with legislative acts on operational intelligence activities.

An official of a body performing operational intelligence activities who performed surveillance in telecommunication networks in the absence of information about the personal data of a citizen – if there was information about the subscriber number, email address, unique identification code, subscriber device, or information about the address of the place of residence or residence of the subscriber (user of telecommunication services) or the address (place) of installation of the terminal subscriber device (terminal) – and established the personal data of the citizen, notifies the Prosecutor or his Deputy in writing within 48 hours.

An official of the body performing operational intelligence activities who performed surveillance in telecommunication networks by the subscriber number, email address, unique identification code, subscriber device or address of residence or residence of the subscriber (user of telecommunication services) or the address (place) of installation of the terminal subscriber device (terminal) used by the citizen in respect of whom it was

performed, and not specified in the resolution on performing this operational intelligence activity, as well as an interruption of the telecommunication network connection, notifies the Prosecutor or his Deputy in writing within 24 hours.

Article 32. Monitoring of Mailpieces

Surveillance of mailpieces is the viewing of mail items in order to obtain information necessary for performing operational intelligence activity tasks.

The surveillance of postal items can be performed with the simultaneous production of copies of postal items, and the selection of samples (samples) of their contents.

The surveillance of postal items is performed using the resources and means of the internal affairs bodies of the Republic of Belarus, the State Security bodies of the Republic of Belarus and the Operational and Analytical Centre under the President of the Republic of Belarus, in accordance with legislative acts.

Article 33. Operational infiltration

Operational infiltration is the penetration of an official of a body performing operational intelligence activities, or a citizen who provides or has provided assistance on a confidential basis to a body performing operational intelligence activities, into the environment of a citizen or among citizens in order to obtain information necessary to perform operational intelligence activity tasks.

Operational infiltration is performed with the written consent of an official of the body performing operational intelligence activities or a citizen who provides or has provided assistance on a confidential basis to the body performing operational intelligence activities.

The operational infiltration of the officials of the bodies performing operative investigation activity is performed with the permission of the Minister of Internal Affairs of the Republic of Belarus, the Chairman of the State Security Committee of the Republic of Belarus, the Chairman of the State Border Committee of the Republic of Belarus, the Head of the Security Service of the President of the Republic of Belarus, the Head of the Operational and Analytical Centre under the President of the Republic of Belarus, the Minister of Defence of the Republic of Belarus and their deputies, the Deputy Chairman of the State Control Committee of Belarus and the Director of the Financial Investigation Department or the person performing his duties.

Article 34. Operational Experiment

Operational experiment is the involvement under the control of officials of the body performing operational intelligence activities, of a citizen against whom there is evidence of criminal activity, based on information that strongly suggests criminal activity, in an operation in order to induce a specific activity, as well as to obtain information necessary for the execution of operational intelligence activity tasks.

Mandatory conditions for performing an operational experiment, in addition to the grounds specified in Article 16 of this Law, are:

- the presence of statement or reports by the citizen on preparing and committing a less serious, serious or very serious crime – or crimes committed against him or his relatives – provided that the citizen against whom a crime is being prepared or committed takes part in the operational experiment;
- the availability of pre-checked by the bodies performing operational intelligence activity, of information about the signs of preparing, committing or having committed a grave or especially grave crime by a citizen or group of citizens, provided there is not enough information to solve the question on institution of a criminal case and the execution of operational intelligence activity tasks are impossible or difficult without an operational experiment.

The resolution on performing an operational experiment specifies what actions are expected to be performed to involve the citizen in respect of whom the operational experiment will be performed in the created situation.

An operational experiment performed repeatedly or more than twice in relation to the same citizen within the framework of the same account of operational intelligence activity is performed on the basis of a resolution with the approval of a higher Prosecutor or his Deputy, unless otherwise established by Article 35 of this Law.

Finding out from a citizen the circumstances of their previous actions is not an operational experiment and is performed as part of an operational survey.

CHAPTER 4. PERFORMING OPERATIONAL INTELLIGENCE ACTIVITIES IN INDIVIDUAL CASES

Article 35. Performing Operational Intelligence Activities in Individual Cases

Operational intelligence activities, which, in accordance with the present Law, require the approval of the Prosecutor or his Deputy in cases requiring immediate action to ensure the security of society and the state, and urgency, to proactively detect and deter grave or especially grave crimes, to search and arrest a citizen who committed it, and in the presence of information about activities and actions that threaten the national security of the Republic of Belarus, can be performed on the basis of the decision of the Minister of Internal Affairs of the Republic of Belarus, the Chairman of the State Security Committee of the Republic of Belarus, the Deputy Chairman of the State Control Committee of Belarus and the Director of the Financial Investigation Department or the persons performing their duties, without the sanction of the Prosecutor or his Deputy.

The Minister of Internal Affairs of the Republic of Belarus, the Chairman of the State Security Committee of the Republic of Belarus, the Deputy Chairman of the State Control Committee of Belarus and the Director of the Financial Investigation Department or the persons performing their duties make the decision to perform operational intelligence activities in accordance with the first part of this Article, and at the same time arrange a meeting to take place within 90 days.

A copy of the resolution on performing an operational intelligence activity issued in accordance with Part One of this Article shall be sent to the Prosecutor General of the Republic of Belarus or to the person performing his duties within 24 hours.

Article 36. Performing Operational Intelligence Activities in Relation to Certain Categories of Citizens

Operational intelligence activities, which, in accordance with the present Law require the approval of the Prosecutor or his Deputy, in relation to the citizen, the position of which is included in the personnel register of the Head of State of the Republic of Belarus, are performed with the consent of the President of the Republic of Belarus and the Attorney General of the Republic of Belarus or the person performing his duties, or with the consent of the President of the Republic of Belarus on the basis of the decision of the Minister of Internal Affairs of the Republic of Belarus, the Chairman of the State Security Committee of the Republic of Belarus, the Deputy Chairman of the State Control Committee of Belarus and the Director of the Financial Investigation Department or the persons performing their duties without the approval of the Prosecutor General of the Republic of Belarus or the person fulfilling its duties.

Operational intelligence activities, which, in accordance with the present Law require the approval of the Prosecutor or his Deputy, in respect of a member of the house of representatives of the National Assembly of the Republic of Belarus, a member of the Council of the Republic of the National Assembly of the Republic of Belarus, a judge, the Prosecutor, the head of the investigative unit, and the investigator are performed with the approval of the Attorney General of the Republic of Belarus or persons acting on his, or on the basis of the decision of the Minister of Internal Affairs of the Republic of Belarus, the Chairman of the State Security Committee of the Republic of Belarus, the Deputy Chairman of the State Control Committee of Belarus and the Director of the Financial Investigation Department or the persons performing their duties without the approval of the Prosecutor General of the Republic of Belarus or the person fulfilling its duties, unless otherwise stipulated by the first part of this Article.

Operational intelligence activities in respect of the citizens specified in the first part of this Article, from the moment they are prosecuted in a criminal case, are performed in accordance with Article 19 of this Law.

Article 37. Performing Operational Intelligence Activities in Cases of Emergency

Operational intelligence activity, which, in accordance with the present Law requires the approval of the Prosecutor or his Deputy in cases of urgency, to proactively detect and deter grave or especially grave crimes, to search and arrest a citizen who committed it, to proactively take actions that may lead to the destruction of objects and documents that may be deemed material evidence, as well as the presence of information about activities and actions that threaten the national security of the Republic of Belarus can be performed without the approval of the Prosecutor or his Deputy.

An official of a body performing operational intelligence activities who performs an operational intelligence activity in accordance with Part One of this Article shall notify the Prosecutor or his Deputy in writing within 24 hours of the operational intelligence activity, and in cases specified in Parts One and Two of Article 36 of this Law, the Prosecutor General of the Republic of Belarus or the person performing his duties.

An official of a body performing operational intelligence activities that performs an operational intelligence activity in accordance with Part One of this Article, within 48 hours from the start of the operational intelligence activity, should receive the approval of the Prosecutor or his Deputy, and in cases specified in Parts One and Two of Article 36 of this Law – the approval of the Prosecutor General of the Republic of Belarus or a person performing his duties to perform an operational intelligence activity or to terminate it.

The official of the body performing the operational intelligence activities in cases of the termination or suspension of operational intelligence activities, which were performed in accordance with Part One of this Article within 48 hours from the moment of its inception obtain authorization from the Prosecutor, or his deputy, the materials of operational intelligence activities, which formed the basis for decision-making on performing of operational intelligence activities without the sanction of the Prosecutor or his deputy. The Prosecutor or his Deputy, having received the materials of operational intelligence activities that served as the basis for making a decision to perform an operational intelligence activity in accordance with Part One of this Article, immediately consider them and make a decision on the validity or unreasonableness of the decision to perform an operational intelligence activity without the authorization of the Prosecutor or his Deputy, about which a corresponding record certified with the seal shall be made on the resolution on carrying out the operational intelligence activity. Information obtained while performing an operational intelligence activity, the implementation of which is recognized by the Prosecutor or his Deputy as unjustified without the authorization of the Prosecutor or his Deputy, may not be used to perform operational intelligence activity tasks.

Article 38. Performing Operational Intelligence Activities at the Request of a Citizen

Observation with the use of secret means of obtaining (receiving) information and other facilities installed in the dwelling and other legal property of a citizen or indoors, or in a building, structure, vehicle or other object on the premises, except in public places, terrain, and all types of public transport, auditory surveillance, inspection of mail, surveillance in telecommunication networks in activity that poses a threat to the life, health and property of the citizen, at his request or with his consent in writing and upon receipt of a report from a citizen caught up in a situation associated with the emergence of the threat to his life, health and property safety, or the statement of his close guardian that the citizen was in a situation that endangered his life, health and property, are performed on the basis of the decision on performing of operational intelligence activities without the sanction of the Prosecutor or his Deputy.

An official of a body performing operational intelligence activities who performs an operational intelligence activity in accordance with the first part of this Article shall notify the Prosecutor or his Deputy in writing within 48 hours of its implementation.

Article 39. Performing Operational Intelligence Activities when Collecting Information and Applying Security Measures

When collecting information for making decisions on the access of citizens to state secrets and/or works related to the operation of facilities that pose an increased danger to the life and health of citizens and the environment, participation in operational intelligence activities and assistance on a confidential basis to bodies engaged in operational intelligence activities, an official may perform an operational survey, make inquiries, collect samples, study objects and documents, and carry out operational identification and monitoring.

Operational inspection, monitoring, auditory surveillance, surveillance of networks and surveillance of postal items in the collection of information for decision-making on the application of measures to ensure the security of citizens providing assistance on a confidential basis to agencies performing operational intelligence activities, and their relatives, as well as the safety of their property from criminal attacks, and the application of measures to ensure the safety of these citizens with their consent in writing can be performed without the approval of the Prosecutor or his Deputy.

CHAPTER 5. TERMS OF PERFORMING OPERATIONAL INTELLIGENCE ACTIVITIES AND THEIR PROLONGATION

Article 40. Calculation of the Terms of Performing Operational Intelligence Activities

The term of each operational intelligence activity in relation to the same citizen within the same case of operational accounting is calculated separately.

The terms of reference, research of items and documents, operational inspection, observation, test purchase, controlled delivery, auditory surveillance, surveillance in telecommunication networks, surveillance of postal items, operational infiltration and operational experiment are calculated in hours and days. The terms of performing an operational survey, collecting samples and operational identification are calculated in hours.

The term of performing operational intelligence activities, calculated in hours, shall start from the hour following the hour in which the decision on performing of operational intelligence activities is approved, or the number of hours, approved for the search operation by the decision of the officials of the authority performing operational intelligence activities, until the appropriate deadline.

The term of the operational intelligence activities, measured in days, begins with the day on which the decision on performing of operational intelligence activities was approved, or the days during which search operations were launched if it is held by the decision of the officials of the body performing operational intelligence activity, and expires 24 hours after the last day of the period.

The term of performing an operational intelligence activity requiring the approval of the Prosecutor or his Deputy begins with the day during which such a sanction was received, unless otherwise provided by Part Three of this Article.

The duration of the operational intelligence activity is suspended with the suspension of the operational intelligence activity. From the date of resumption of the operational intelligence activity, the period of its implementation continues. The total period for performing an operational intelligence activity that is suspended, resumed, or implemented more than twice is calculated by adding up the terms of its implementation from the moment of the approval or authorization of decisions on its implementation or resumption to the moment of approval of decisions on its suspension or termination.

The general term of performing the same operational intelligence activity in respect of the same citizen within the same case of operational accounting may not exceed the terms established by this Law.

Article 41. Terms of Individual Operational Intelligence Activities

The term for performing an operational inspection of a citizen's home and other legal possession, premises, buildings, structures, vehicles, other object and territory of an organization that is performed secretly and is associated with their penetration in the absence of the owner or user, or for auditory surveillance, surveillance in telecommunications networks, surveillance of mail and test purchases performed repeatedly or more than twice, or controlled deliveries performed in relation to the same citizen within the same account of operational intelligence activity, is up to 90 days.

The duration of observation with use of secret means of obtaining (receiving) information and other facilities installed in the dwelling and other legal property of a citizen, indoors, building, structure, vehicle, other object on the premises, except in public places, terrain, and all types of public transport is up to 90 days. In other cases, the monitoring period is up to 180 days.

The period of operational infiltration and operational experiment is up to 180 days.

Article 42. Terms of Performing of Operational Intelligence Activities in Some Cases

The terms of performing operational intelligence activities may be set within the period of performing the relevant account of operational intelligence activity, if:

- information about preparing or committing a crime against the state, peace and security of mankind is verified;
- information about corruption, organized groups or criminal organizations and their activities is verified.

The terms of performing operational intelligence activities for the assignment of tracing the accused, who escaped from the criminal prosecution body or the court and/or whose whereabouts are unknown to these

authorities, citizens who are missing (disappeared without trace), and sentenced to punishment in the cases established by legislative acts, the establishment of personal data on citizens who have died, or personal data on citizens who, because of health or age, cannot report the data themselves are within the terms of reference of the account of operational intelligence activity filed on the grounds provided for in Sub-paragraphs Five to Nine of Paragraph One of Article 16 of this Law.

The time frame for performing operational intelligence activities performed in a criminal case is limited to the time period for making a decision on the end of the preliminary investigation in this criminal case.

Operational intelligence activities performed in accordance with the first part of Article 38 of this Law are performed within the period of consideration of the citizen's application.

When collecting information for making a decision on the application of measures to ensure the safety of citizens who provide or have provided assistance on a confidential basis to the bodies engaged in operational intelligence activities, and their relatives, operational intelligence activities are performed within the time limits for reviewing the application or verifying information in accordance with Part One of Article 56 of this Law.

The terms of performing operational intelligence activities when applying security measures to citizens who provide or have provided assistance on a confidential basis to the bodies engaged in operational intelligence activities and their relatives are set within the terms of applying security measures.

Article 43. Prolongation of Operational Intelligence Activities

The extension of the period for performing an operational intelligence activity is performed by a resolution on extending the period for performing an operational intelligence activity of an official of the body performing operational intelligence activities. The decision on the prolongation of the term for performing operational intelligence activities should have a motive. The decision to extend the term of the operational intelligence activity is approved by an official of the body that performs the operational intelligence activities.

The duration of the operational inspection of the residence and other legal possessions of citizens, premises, buildings, constructions, vehicles, other property and grounds of the organization, performed covertly and associated with their penetration in the absence of the owner or user, and of monitoring, using secret means to obtaining (receiving) information and other facilities installed in the dwelling and other legal property of a citizen, indoors, in the building, structure, vehicle, or other object on the premises, except in public places, terrain, and all types of public transport auditory surveillance, surveillance in telecommunication networks, monitoring of postal items, controlled delivery may be extended to 180 days by the prosecutors of oblasts, Minsk city, or their deputies. The extension of the term for performing these operational intelligence activities to up to 365 days is performed by the Deputy Prosecutor General of the Republic of Belarus, up to 545 days – by the Prosecutor General of the Republic of Belarus or a person performing his duties, unless otherwise established by Article 42 of this Law.

The term of observation, except for the cases specified in Part Two of this Article, of operational infiltration may be extended to 365 days by an official of the body performing operational intelligence activities. The extension of the operational infiltration to 545 days is by the Minister of Internal Affairs of the Republic of Belarus, Chairman of the State Security Committee of the Republic of Belarus, the Chairman of the State Border Committee of the Republic of Belarus, the Chairman of the State Customs Committee of the Republic of Belarus, the Head of the Security Service of the President of the Republic of Belarus, the Minister of Defence of the Republic of Belarus, the Head of the Operational and Analytical Centre under the President of the Republic of Belarus, the Deputy Chairman of the State Control Committee of Belarus and the Director of the Financial Investigation Department or the persons performing their duties, unless otherwise established by Article 42 of this Law.

The period for performing an operational experiment can be extended up to 365 days by the regional and Minsk city Prosecutors or their Deputies. The extension of the operational experiment period to up to 545 days is performed by the Deputy Prosecutor General of the Republic of Belarus, the Prosecutor General of the Republic of Belarus or the person performing his duties, unless otherwise established by Article 42 of this Law.

The General Prosecutor of the Republic of Belarus or a person performing his/her duties shall extend the terms of performing operational intelligence activities performed in accordance with Articles 35 and 36 of this Law.

The decision to prolong the term of performing operational intelligence activities agreed by the Prosecutor or his Deputy is available to the Prosecutor or his Deputy no later than the day prior to the expiration of the term for the operational intelligence activities.

CHAPTER 6. SUSPENSION, RESUMPTION, TERMINATION OF OPERATIONAL INTELLIGENCE ACTIVITIES AND PERFORMING OPERATIONAL INTELLIGENCE ACTIVITIES REPEATEDLY OR MORE THAN TWICE

Article 44. Suspension of Performing Operational Intelligence Activities

Monitoring, auditory surveillance, surveillance in telecommunication networks, surveillance of postal items, or operational infiltration may be suspended until the expiration of the terms specified in Paragraphs Three and Four of Part One of Article 46 of this Law. The suspension of other operational intelligence activities is prohibited.

Grounds for suspension of performing of operational intelligence activities are:

- the absence of technical, organizational and other opportunities to continue performing operational intelligence activities;
- the temporary lack of need for the continuation of investigative activities;
- the emergence of threats to the confidentiality of operational intelligence activities performed covertly, including details of the officials of the authority performing operational intelligence activity, citizens providing assistance on a confidential basis to the authority performing operational intelligence activity that are involved in the investigative activity, citizens recruited by a body performing operational intelligence activities to prepare operational intelligence activities and/or participate in them.

The Prosecutor or his Deputy shall be notified in writing within 48 hours of the suspension of surveillance, auditory surveillance, surveillance in telecommunication networks, and surveillance of postal items that were carried out with the approval of the Prosecutor or his Deputy.

Article 45. Resuming Operational Intelligence Activities

An operational intelligence activity that has been suspended may be resumed if there are grounds provided for in Part One of Article 16 of this Law.

An operational intelligence activity that was suspended is resumed on the basis of:

- the decision to resume the operational intelligence activity with authorization from the Prosecutor or his Deputy in respect of operational intelligence activities, that may be authorized by a Prosecutor or his Deputy;
- the resolution to renew the operational intelligence activities implemented on the basis of a decision, for activities that do not require the approval of the Prosecutor or his Deputy.

The Prosecutor or his Deputy and an official of the body performing operational intelligence activities, when resuming the implementation of an operational intelligence activity, set the period for its implementation, taking into account the duration of the operational intelligence activity before its suspension.

Article 46. Terminating Operational Intelligence Activities

The grounds for terminating an operational intelligence activity are:

- establishing circumstances indicating the absence of grounds for continuing to conduct operational intelligence activities;
- the expiration of the term of operational intelligence activities implementation, which was authorized by the Prosecutor or his Deputy, for operational intelligence activities that require the approval of the Prosecutor or his Deputy;
- the expiration of the term of operational intelligence activities implementation specified in the decision on performing operational intelligence activities in respect of operational-investigative activities held on the basis of the decision, for operational intelligence activities that do not require the approval of the Prosecutor or his Deputy;

- the time limit for performing operational intelligence activities is exceeded;
- the cessation of an account of operational intelligence activity that performed the operational intelligence activity.

The basis for terminating an operational survey, making inquiries, collecting samples, examining items and documents, operational identification, operational inspection, test purchasing, controlled delivery or operational experiment, except for the grounds specified in Part one of this Article, is the achievement of the goals of these operational intelligence activities.

Upon terminating activities related to monitoring, test purchasing, controlled delivery, auditory surveillance, surveillance in telecommunication networks, surveillance of postal items, operational infiltration and operational experiment, decisions are made indicating the grounds for their termination.

The Prosecutor or his Deputy is notified in writing within 48 hours of the termination of operational intelligence activities performed authorized by the Prosecutor or his Deputy, before the expiration of the period specified in the authorization of the Prosecutor or his Deputy.

Article 47. Performing Operational Intelligence Activities Repeatedly or More Than Twice

An operational intelligence activity may be conducted repeatedly, or more than twice, after its termination in relation to the same citizen within the same account of operational intelligence activity, in accordance with this Law and other legislative acts on operational intelligence activities.

The period for performing an operational intelligence activity repeatedly or more than twice is set taking into account the entire period during which the operational intelligence activity was held before its termination.

CHAPTER 7. PROTECTION OF INFORMATION ABOUT OPERATIONAL INTELLIGENCE ACTIVITIES, AND DELIVERY, PERFORMANCE, AND USE OF MATERIALS OF OPERATIONAL INTELLIGENCE ACTIVITIES

Article 48. Protection of Information about Operational Intelligence Activities

The protection of information about the organization and implementation of operational intelligence activities, information about citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities, officials of bodies engaged in operational intelligence activities who participate or participated in operational infiltration, full-time secret employees, and other information about operational intelligence activities is performed in accordance with this Law and other legislative acts.

Information in the materials of operational intelligence activities that indicates the progress of operational intelligence activities and concerns the personal data of a citizen who provides or has provided assistance on a confidential basis to the body performing operational intelligence activities may only be included with the citizen's consent in writing by the decision of the body performing operational intelligence activities.

The disclosure of information about citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities, officials of bodies engaged in operational intelligence activities who participate or participated in operational infiltration or full-time secret employees is allowed only with their consent in writing in accordance with this Law and other legislative acts.

The storage of information about citizens providing assistance on a confidential basis to the authority performing operational intelligence activity in operational intelligence activity materials shall be determined by the normative legal acts of the Ministry of Internal Affairs of the Republic of Belarus, the State Security Committee of the Republic of Belarus, the State Border Committee of the Republic of Belarus, the Security Service of the President of the Republic of Belarus, the Operational and Analytical Centre under the President of the Republic of Belarus, the State Control Committee of the Republic of Belarus, the State Customs Committee of the Republic of Belarus and the Ministry of Defence of the Republic of Belarus.

Article 49. Use of Operational Intelligence Activity Materials

Operational intelligence activity materials can be used for the following assignments:

- operational intelligence activity tasks;
- the preparation and implementation of investigative and other procedural actions of proof in the criminal process;

- the execution of written requests from international organizations, law enforcement bodies and the special services of foreign states, in accordance with this Law and the international treaties of the Republic of Belarus and on the basis of reciprocity;
- inform other bodies performing operative investigation activity of the information obtained in the performance of operational intelligence activity tasks within their competence.

Operational intelligence activity materials may be the basis for initiating criminal proceedings in accordance with legislative acts.

Operational intelligence activity materials are taken into account when making decisions specified in Paragraphs Thirteen and Fourteen of Part One of Article 16 of this Law.

Operational intelligence activity materials that do not contain information about citizens with respect to whom operational intelligence activities were performed are prohibited from being transferred to the criminal prosecution body or the court.

Article 50. Provision and Presentation of Operational Intelligence Activity Materials

Operational intelligence activity materials are provided for use by another body performing operational intelligence activities, a criminal prosecution body or a court, an international organization, a law enforcement agency or a special service of a foreign state, in accordance with this Law and other legislative acts.

The provision of operational intelligence activity materials and the regulation of the provision of operational intelligence activity materials by the officers of the authority performing the operational intelligence activity are approved by the official of the body performing the operational intelligence activity.

Operational intelligence activity materials may not be provided if their use threatens the secrecy of information about citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities, officials of bodies engaged in operational intelligence activities who participate or participated in operational infiltration or full-time secret employees, or the disclosure of information about the organization and operational intelligence activity tactics containing state secrets, except for cases when information about these citizens is made public in accordance with this Law and other legislative acts, or threatens the secrecy of information about operational intelligence activities performed covertly, until the operational intelligence activity tasks are complete.

The provision of operational intelligence activity materials in the cases specified in Part Three of this Article may be postponed for the period necessary to remove obstacles that do not allow the use of these materials. This period may not exceed the period for performing the relevant account of operational intelligence activity.

The failure to provide operational intelligence activity materials or the postponement of their provision is executed by a decision of an official of the body performing operational intelligence activities, approved by an official of the body performing operational intelligence activities. Written notifications of the failure to provide materials for operational intelligence activities are provided to:

- the criminal prosecution body or the court that sent to the body performing the operational intelligence activity a written request for operational intelligence activity materials or the assignment to implement operational intelligence activities – within 24 hours;
- international organizations, law enforcement agencies and the special services of a foreign state – in accordance with the international treaties of the Republic of Belarus and on the basis of the principle of reciprocity.

The notification specifies the reasons for the failure to provide operational intelligence activity materials, the delay in their provision, and the period during which these materials cannot be provided. The seizure of operational intelligence activity materials, in respect of which an official of the body performing operational intelligence activities issued a decision on the failure to provide materials of operational intelligence activities or on postponing their provision, is prohibited during investigative and other procedural actions.

An official of the body performing operational intelligence activities, when removing obstacles to the provision of materials for operational intelligence activities, within 48 hours notifies the criminal prosecution body or the court that sent a written request for the provision of materials for operational intelligence activities

or an order to perform operational intelligence activities, and provides the specified materials. An international organization, a law enforcement agency and a special service of a foreign state are notified of the removal of obstacles to the provision of operational intelligence activity materials, in accordance with the international treaties of the Republic of Belarus, as well as on the basis of the principle of reciprocity.

Operational intelligence activity materials, on the basis of the written permission of the official of the body performing the operational intelligence activity, may be submitted to the criminal prosecution body in order to assess the sufficiency of the information contained in them for making a procedural decision. The scope of these materials is determined by the official of the body performing operational intelligence activities, with the written permission for the operational intelligence activity for which they are submitted.

Information about citizens providing assistance on a confidential basis to agencies performing operational intelligence activities, officers of operational intelligence activities who participate or have participated in the operational infiltration, undercover staffers, is presented only to the Prosecutor or his Deputy, the court with the written consent of the citizens, the officials of the bodies performing operational intelligence activities, undercover staffers, except in cases of bringing them to justice.

The bodies implementing operational intelligence activities represent citizens in respect of whom the criminal proceeding is refused or discontinued, or the criminal prosecution terminated in the absence of a socially dangerous act under criminal law, or in connection with the absence in of a criminal offence, or if the court has acquitted these citizens and they have information about carrying out operational intelligence activities that concern them and believe that the actions of the bodies performing operational-investigative activities led to the violation or limitation of their rights, freedoms and legitimate interests, in accordance with this Law.

CHAPTER 8. COOPERATION OF CITIZENS WITH BODIES ENGAGED IN OPERATIONAL INTELLIGENCE ACTIVITIES AND THEIR PROTECTION

Article 51. Assistance of Citizens to Bodies that Perform Operational Intelligence Activities

The assistance of citizens to the bodies engaged in operational intelligence activities is performed in accordance with this Law and other legislative acts.

Bodies that perform operational intelligence activities involve citizens to assist bodies that perform operational intelligence activities on a confidential basis, as well as to prepare for and/or participate in operational intelligence activities, in accordance with this Law and other legislative acts.

Bodies engaged in operational intelligence activities, with the exception of the customs authorities of the Republic of Belarus, may conclude contracts with adult citizens involved in cooperation with bodies engaged in operational intelligence activities on a confidential basis, regardless of their citizenship, nationality, gender, property, social and official status, education, membership in public associations, attitude to religion or political beliefs.

The procedure for concluding contracts and the standard form are determined by the normative legal acts of the Ministry of Internal Affairs of the Republic of Belarus, the State Security Committee of the Republic of Belarus, the State Border Committee of the Republic of Belarus, the Security Service of the President of the Republic of Belarus, the Operational and Analytical Centre under the President of the Republic of Belarus, the State Control Committee of the Republic of Belarus and the Ministry of Defence of the Republic of Belarus.

Bodies performing operative investigation activity are prohibited to engage on a confidential basis under the contract deputies of the House of Representatives of the National Assembly of the Republic of Belarus, members of the Council of the Republic of National Assembly of the Republic of Belarus, deputies of local councils of deputies, judges, prosecutors, investigators, lawyers, clergymen and representatives of religious organizations.

Article 52. Ensuring the Protection of Citizens Who Provide or Have Provided Assistance to Bodies Engaged in Operational Intelligence Activities

Citizens involved in the preparation of operational intelligence activities and/or participation in them are guaranteed legal protection, in accordance with this Law and other legislative acts.

Citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities are guaranteed legal and social protection and security, including the application of security measures, in accordance with this Law and other legislative acts.

Article 53. Legal Protection for Citizens Who Provide or Have Provided Assistance to Bodies Engaged in Operational Intelligence Activities

Legal protection for citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities, as well as citizens involved in the preparation of operational intelligence activities and/or participation in them, is performed in accordance with this Law.

If there is a real criminal threat to the life, health, or property of the citizens specified in Part One of this Article, in connection with their assistance on a confidential basis to the bodies engaged in operational intelligence activities, as well as in connection with their involvement in the preparation of operational intelligence activities and/or participation in them, measures are taken to proactively suppress these threats, in accordance with this Law and other legislative acts.

Article 54. Social Protection for Citizens Who Provide or Have Provided Assistance on a Confidential Basis to Bodies Engaged in Operational Intelligence Activities

The period of assistance provided by citizens on a confidential basis to bodies engaged in operational intelligence activities is included in the length of service under the contract as their main occupation. Citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities have the right to pension provision in accordance with the Law.

In case of the death of the citizen providing assistance on a confidential basis to the authority performing the operational intelligence activity, by contract, in connection with the provision of assistance on a confidential basis to the authority performing operational intelligence activity, his family and the citizens who were dependent on him – from the funds of the republican budget by decision of the head of the body performing the operational intelligence activity – shall be paid a lump sum of up to 10 years' allowance of the deceased citizen and, in accordance with the law, are granted a survivor pension.

When a citizen providing assistance on a confidential basis to the authority performing operational intelligence activity, by contract, incurs injuries, in connection with the provision of assistance on a confidential basis to the authority performing operational intelligence activity, precluding him from assisting the body exercising the operational intelligence activity further owing to his state of health, the citizen shall be paid a lump sum of up to 5 years' pay, from the republican budget by decision of the head of the body performing the operational intelligence activity, and in accordance with the laws assigned to the disability pension.

The procedure for the payment of a lump sum in the cases specified in Parts Two and Three of this Article shall be determined by the normative legal acts of the Ministry of Internal Affairs of the Republic of Belarus, the State Security Committee of the Republic of Belarus, the State Border Committee of the Republic of Belarus, the Security Service of the President of the Republic of Belarus, the Operational and Analytical Centre under the President of the Republic of Belarus, the State Control Committee of the Republic of Belarus and the Ministry of Defence of the Republic of Belarus.

Article 55. Measures to Ensure Security

Security measures are applied to citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities, and their relatives.

Security measures are:

- ensuring confidentiality of information;
- personal protection and the protection of housing and property;
- issuance of special personal protective equipment and warning of danger;
- temporary placement in a safe place;
- transfer to another job (service), change of work (service) or study place;
- relocation to another place of residence;
- change of identity document data and the replacement of documents;
- transfer from one place of detention or serving a sentence to another.

Security measures are applied to ensure the protection of the life, health and property of citizens who provide or have provided assistance on a confidential basis to the bodies performing operational intelligence activities, and their relatives. Security measures applied with the written consent of citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities and their relatives are applied to minors with the written consent of their parents or their legal guardians.

Security measures are applied taking into account the circumstances, nature and degree of danger to the life, health and safety of property of citizens who provide or have provided assistance on a confidential basis to the bodies performing operational intelligence activities, and their relatives.

Article 56. Reason and Basis for Applying Measures to Ensure Security

The grounds for applying security measures in relation to a citizen who provides or has provided assistance on a confidential basis to the body performing operational intelligence activities, and his relatives are:

- a statement of the citizen providing or assisting on a confidential basis to the authority performing operational intelligence activity, to the body performing the operational intelligence activity;
- information indicating the threat to the life, health and property of the citizen providing assistance on a confidential basis to the authority performing operational intelligence activity, or his family, or other information indicating whether to apply safety measures.

The basis for applying security measures against a citizen who provides or has provided assistance on a confidential basis to a body engaged in operational intelligence activities and his relatives is the presence of information indicating a threat to the life, health and safety of the property of this citizen and his relatives, as well as other information about the circumstances indicating the existence of grounds for taking security measures.

Article 57. Order for Applying Security Measures

If there is a reason to apply security measures, an official of the body performing operational intelligence activities, decides, within a day, whether to apply or refuse them. A decision is issued on the application of security measures or on the refusal to apply them, which should include a reason. The decision on the application of security measures is immediately sent for execution to the territorial internal affairs body of the Republic of Belarus or the state security body of the Republic of Belarus at the place of residence, work (service) or study of a citizen who provides or has provided assistance on a confidential basis to the body performing operational intelligence activities and his relatives, in respect of whom security measures are applied. This citizen and his relatives are notified of the application of security measures.

The territorial internal affairs body of the Republic of Belarus or the state security body of the Republic of Belarus charged with the application of security measures shall immediately determine security measures and other measures that do not contradict this Law and other acts of legislation, and apply them.

The Council of Ministers of the Republic of Belarus shall determine the procedure for applying security measures to citizens who provide or have provided assistance on a confidential basis to bodies engaged in operational intelligence activities and their relatives.

Article 58. Ensuring Confidentiality of Information

A security measure ensuring the confidentiality of information about a citizen who provides or has provided assistance on a confidential basis to a body engaged in operational intelligence activities consists of temporarily prohibiting the issuance of information about his personal data, place of residence or residence, property, personal data of his relatives, except in cases when such information is requested in connection with criminal proceedings.

Article 59. Personal Security and Home and Property Protection

The personal protection of a citizen who provides or has provided assistance on a confidential basis to the body performing operational intelligence activities, and his relatives, and the protection of their homes and property are applied with the written consent of this citizen and their relatives in the presence of information indicating a threat to their life, health or property.

The home and property of a citizen who provides or has provided assistance on a confidential basis to the body performing operational intelligence activities, and his relatives, if necessary, are equipped with fire and security alarm systems.

The body exercising operational intelligence activities, replaces, if necessary, any numbers and/or unique identification codes of the subscriber (the user of telecommunications services) and vehicle licence plates belonging to the citizen providing assistance on a confidential basis to the authority performing operational intelligence activities, or his relatives.

Article 60. Issuance of Special Individual Protection Means and Warning of Dangers

Special means of individual protection and notification of danger, taking into account the nature and degree of danger to the life and health of a citizen who provides or has provided assistance on a confidential basis to the body performing operational intelligence activities, and his relatives, are issued to the citizen and his relatives in accordance with legislative acts.

Article 61. Temporary Placement in a Safe Place

The temporary placement in a safe place of a citizen who provides or has provided assistance on a confidential basis to the body performing operational intelligence activities, and his relatives is performed at the request or with the written consent of the citizen and his relatives.

Article 62. Transfer to another Job (Service) or Change of Place of Work (Service) or Study

The transfer to another job (service) or change of place of work (service) or study of a citizen, who provides or has provided assistance on a confidential basis to the body performing operational intelligence activities, and his relatives, are performed at the request or with the written consent of the citizen and his relatives.

Article 63. Relocation to another Place of Residence

The relocation to another place of residence of a citizen, who provides or has provided assistance on a confidential basis to the body performing operational intelligence activities, and his relatives, is performed at the request or with the written consent of the citizen and his relatives.

Article 64. Changing the Data of Identity Document and Replacing Documents

Changes in the data of documents certifying the identity of a citizen who provides or has provided assistance on a confidential basis to the body performing operational intelligence activities, and his relatives, and the replacement of documents are performed at the request or with the written consent of this citizen and his relatives.

Article 65. Transfer from One Place of Detention or Serving a Sentence to Another

A citizen who provides or has provided assistance on a confidential basis to a body performing operational intelligence activities, and his relatives who are in custody or serving a sentence are transferred to another place of detention or for serving a sentence if their life or health is threatened, in accordance with legislative acts.

Article 66. Cancellation of Security Measures

Security measures are cancelled by the decision of the official of the body performing operational intelligence activities who made the decision to apply them.

The grounds for cancelling the security measures in respect of a citizen who provides or has provided assistance on a confidential basis to a body engaged in operational intelligence activities and their relatives are:

- the elimination of the threat to the life, health and property of the citizen providing assistance on a confidential basis to the authority performing operational intelligence activity, and his family;
- the statement of the citizen providing assistance on a confidential basis to the authority performing operational intelligence activity, and his family on the termination of the application of security measures;
- the systematic failure of the citizen providing assistance on a confidential basis to the authority performing operational intelligence activity and his family to fulfil the responsibilities assigned to them in connection with the application of measures to ensure security if they are advised of the possibility of their withdrawal on this basis.

CHAPTER 9. FINANCIAL AND LOGISTICAL SUPPORT FOR OPERATIONAL INTELLIGENCE ACTIVITIES

Article 67. Financial Support for Operational Intelligence Activities

Financial support for operational intelligence activities is performed at the expense of the republican budget, as well as other sources provided for by law.

The procedure of spending funds allocated for the implementation of operational intelligence activity shall be determined by the normative legal acts of the Ministry of Internal Affairs of the Republic of Belarus, the State Security Committee of the Republic of Belarus, State Border Committee of the Republic of Belarus, the Security Service of the President of the Republic of Belarus, the Operational and Analytical Centre under the President of the Republic of Belarus, the State Control Committee of the Republic of Belarus, the State Customs Committee of the Republic of Belarus and the Ministry of Defence of the Republic of Belarus.

Article 68. Material and Technical Support for Operational Intelligence Activities

Material and technical support for operational intelligence activities is performed at the expense of the republican Budget, as well as other sources provided for by law.

The procedure for creating or acquiring property for the implementation of operational intelligence activities, including cash and non-property rights, except for the resolution of this issue by the court, shall be determined by the normative legal acts of the Ministry of Internal Affairs of the Republic of Belarus, the State Security Committee of the Republic of Belarus, the State Border Committee of the Republic of Belarus, the Security Service of the President of the Republic of Belarus, the Operational and Analytical Centre under the President of the Republic of Belarus, the State Control Committee of the Republic of Belarus, the State Customs Committee of the Republic of Belarus and the Ministry of Defence of the Republic of Belarus.

CHAPTER 10. SUPERVISION AND CONTROL OF OPERATIONAL INTELLIGENCE ACTIVITIES

Article 69. Prosecutor's Supervision of Operational Intelligence Activities

The Prosecutor General of the Republic of Belarus and the prosecutors authorized by him within the limits of their competence exercise supervision over the precise and uniform implementation of the legislation on operational intelligence activities.

Article 70. Control of Operational Intelligence Activities

Control of operational intelligence activities is performed by the heads of bodies that perform operational intelligence activities.

CHAPTER 11. FINAL PROVISIONS

Article 71. Amendments and Additions to Certain Laws

1. Make the following changes and additions to the Criminal Procedure Code of the Republic of Belarus of 16 July 1999 (National Register of Legal Acts of the Republic of Belarus, 2000, No. 77-78, 2/71; 2008, No. 1, 2/1394; 2011, No. 140, 2/1877; National Legal Internet Portal of the Republic of Belarus, 17 January 2015, 2/2239):

In Article 34:

Part 4, state the following wording:

'4. During pre-trial proceedings, the Prosecutor has the right to get acquainted with the materials of operational intelligence activities that relate to the statement or report, to give binding written instructions to the authorities empowered by law to make an inquiry, to undertake operational-investigative activity, investigative or other procedural actions, to perform operational intelligence activities, to initiate a criminal case and to deny prosecution. During the pre-trial criminal proceedings, the Prosecutor shall accept a criminal case for proceeding and investigate it fully while using the powers of an investigator or delegate his investigation to the subordinate Prosecutor or to the relevant preliminary investigation body; supervise the investigation of criminal cases by the body of inquiry or investigator; perform procedural management and supervision of the subordinate Prosecutor performing the preliminary investigation';

Paragraph 6 of Part 5 should be read as follows:

'6) give to the lower-level Prosecutor, the bodies authorized by law to perform the inquiry and operational intelligence activities and the person performing the inquiry mandatory written instructions on the implementation of investigative and other procedural actions and on performing operational intelligence activities, as well as on the application of security measures';

Part 7 of Article 36 should be set out in the following wording:

'7. An investigator investigating a criminal case or considering an application or report of a crime has the right to get acquainted with the materials of operational intelligence activities relating to the case under investigation, to consider the statement or report, to give instructions to the authorities authorized by law to make an inquiry, to undertake operational-investigative activity, investigative or other procedural actions, to perform operational intelligence activities and to require them to assist in the implementation of investigatory and other procedural actions. These instructions of the investigator shall be given in writing to these bodies and their execution is obligatory';

In Part 3 of Article 39 the words 'operational intelligence activities and urgent investigatory and other procedural actions' are replaced with the words 'urgent investigatory and other procedural actions, performing operational intelligence activities';

Paragraph 8 of Part 2 of Article 60 should read as follows:

'8) a person providing or assisting on a confidential basis the authority empowered by law to perform operational intelligence activity, without his consent and the consent of the authority duly authorized by law to perform operational intelligence activity, to which that person has provided assistance on a confidential basis';

In Part 2 of Article 103, the word 'engaged' should be replaced with the words 'authorized by law to exercise';

Part 4 of Article 184 should read as follows:

'4. If it is necessary to perform investigative and other procedural actions in another locality, the investigator or the body of inquiry has the right to perform them personally or entrust the implementation of these actions to the investigator or the body of inquiry on the territory. The investigator may entrust the implementation of investigative and other procedural actions and the performance of operational intelligence activities to the bodies authorized by law to perform inquiries or operational intelligence activities at the place of preliminary investigation or at the place of their production or perform. The order is given in writing and is subject to execution within ten days, unless otherwise agreed with the investigator or the body of inquiry that gave the order';

Part 4 of Article 186 should read as follows:

'4. After the transfer of a criminal case to the investigator, the bodies authorized by law to perform an inquiry or operational intelligence activities may perform investigative and other procedural actions and perform operational intelligence activities only on the investigator's instructions. In the case of a transfer to the investigator of a case for which it was not possible to identify the person who committed a crime, bodies authorized by law to make an inquiry or operational-investigative activity are obliged to perform operational search measures to identify the person who committed the crime and to notify the investigator of the results obtained';

Part 5 should be added to Article 192:

'5. A person who provides or has provided assistance on a confidential basis to a body authorized by law to perform operational intelligence activities, or a person against whom security measures have been applied, is called up for investigative actions by a body authorized by law to perform operational intelligence activities, or a state body entrusted with the application of security measures';

In Part 8 of Article 193, replace the words 'data on person' with the words 'personal data';

Part 6 of Article 216 should read as follows:

'6. A person who provides or has provided assistance on a confidential basis to a body authorized by law to perform operational intelligence activities, or a person in respect of whom security measures have been applied, is called up for questioning in accordance with the procedure established by Part 5 of Article 192 of this code';

Part 3 of Article 262 should be worded as follows:

'3. The list of persons subject to summons to the court session shall indicate their place of residence or location and the criminal case sheets containing their testimony or conclusions. This list separately, under fictitious personal names, shall name the persons summoned to the trial through a body authorized by law to

perform operational intelligence activity, or a state entity entrusted with the application of security measures, indicating that body’;

Add Part 5 to Article 281 as follows:

‘5. A person who provides or has provided assistance on a confidential basis to a body authorized by law to perform operational intelligence activities, or a person against whom security measures have been applied, is summoned to a court session by a body authorized by law to perform operational intelligence activities, or a state body entrusted with the application of security measures’;

2. Make the following additions and amendments to the Criminal Executive Code of the Republic of Belarus of 11 January 2000 (National Register of Legal Acts of the Republic of Belarus, 2000, No. 32, 2/140; 2008, No. 184, 2/1514);

Add Part 41 to Article 67 as follows:’

- 41. A person sentenced to the deprivation of freedom with his consent and with the approval of the Prosecutor may be left in detention for the period necessary for performing operational intelligence activities in a criminal case concerning a crime committed by another person, but not exceeding the term of imprisonment for a convict sentenced to the deprivation of liberty’;
- Of Part 1 of Article 75, the words ‘and violations of the established order of serving of punishment’ should be excluded.

3. Add to Article 22 of the law of the Republic of Belarus of 17 July 2007 ‘On Internal Affairs Bodies of the Republic of Belarus’ (National Register of Legal Acts of the Republic of Belarus, 2007, No. 173, 2/1360; 2011, No. 4, 2/1779; No. 140, 2/1877; National Legal Internet Portal of the Republic of Belarus, 12 January 2014, 2/2121) the following changes and additions:

The eleventh paragraph should be read as follows:

- ‘ensure the safety of participants in criminal proceedings and citizens who provide or have provided assistance on a confidential basis to the internal affairs bodies, their relatives, as well as the safety of the court when considering cases in accordance with the legislative acts of the Republic of Belarus’;
- add the words ‘defendants, debtors in civil and economic cases’ to the thirteenth paragraph after the words ‘criminal liability’.

4. Chapter 47 of the Law of the Republic of Belarus of 10 January 2014 ‘On Customs Regulation in the Republic of Belarus’ (National Legal Internet Portal of the Republic of Belarus, 22 January 2014, 2/2127) should be excluded.

Article 72. Invalidation of Some Laws and Certain Provisions of the Laws

To declare inoperative:

1. Law of the Republic of Belarus of 9 July 1999 ‘On Operational intelligence activities’ (National Register of Legal Acts of the Republic of Belarus, 1999, No. 57, 2/64).
2. Law of the Republic of Belarus of 16 June 2000 ‘On Amendments to Certain Laws of the Republic of Belarus’ (National Register of Legal Acts of the Republic of Belarus, 2000, No. 59, 2/175).
3. Law of the Republic of Belarus of 9 August 2004 ‘On Amendments and Additions to the Law of the Republic of Belarus ‘On Operational intelligence activities’ (National Register of Legal Acts of the Republic of Belarus, 2004, No. 126, 2/1063).
4. Article 3 of the law of the Republic of Belarus of 30 December 2006 ‘On Amendments and Additions to Certain Laws of the Republic of Belarus on Criminal Prosecution of Certain Categories of Persons and Other Issues of Criminal Procedure’ (National Register of Legal Acts of the Republic of Belarus, 2007, No. 4, 2/1292).
5. Article 8 of the Law of the Republic of Belarus of 21 July 2008 ‘On Amendments and Additions to Certain Laws of the Republic of Belarus on the Activities of Internal Affairs Bodies of the Republic of Belarus’ (National Register of Legal Acts of the Republic of Belarus, 2008, No. 184, 2/1514).
6. Paragraph Three of Article 36 of the Law of the Republic of Belarus of 8 May 2009 ‘On State Protection’ (National Register of Legal Acts of the Republic of Belarus, 2009, No. 119, 2/1568).

7. Article 2 of the Law of the Republic of Belarus of 15 July 2009 'On Amendments and Additions to Certain Laws of the Republic of Belarus on Criminal Liability and Operational intelligence activities' (National Register of Legal Acts of the Republic of Belarus, 2009, No. 173, 2/1594).
8. Article 18 of the Law of the Republic of Belarus of 31 December 2009 'On Amendments and Additions to Certain Laws of the Republic of Belarus on Budget Relations' (National Register of Legal Acts of the Republic of Belarus, 2010, No. 15, 2/1666).
9. Article 1 of the Law of the Republic of Belarus of 4 January 2010 'On Amendments and Additions to Certain Laws of the Republic of Belarus on Strengthening the Fight against Crime' (National Register of Legal Acts of the Republic of Belarus, 2010, No. 14, 2/1659).
10. Law of the Republic of Belarus of 31 December 2010 'On Amendments and Additions to the Law of the Republic of Belarus 'On Operational intelligence activities'' (National Register of Legal Acts of the Republic of Belarus, 2011, No. 4, 2/1778).
11. Article 13 of the Law of the Republic of Belarus of 13 December 2011 'On Amendments and additions to Certain Laws of the Republic of Belarus on the Formation of the Investigative Committee of the Republic of Belarus' (National Register of Legal Acts of the Republic of Belarus, 2011, No. 140, 2/1877).
12. Paragraph three of Article 42 of the Law of the Republic of Belarus of 10 July 2012 'On State Security Bodies of the Republic of Belarus' (National Legal Internet Portal of the Republic of Belarus, 18 July 2012, 2/1942).
13. Article 2 of the Law of the Republic of Belarus of 1 July 2014 'On Amendments and Additions to Certain Laws of the Republic of Belarus on Improving Civil Proceedings' (National Legal Internet Portal of the Republic of Belarus, 10 July 2014, 2/2173).

Article 73. Measures to Implement the Provisions of This Law

The Council of Ministers of the Republic of Belarus, the Prosecutor General of the Republic of Belarus, the State Control Committee of the Republic of Belarus, the Security Service of the President of the Republic of Belarus, and the Operational and Analytical Centre under the President of the Republic of Belarus shall, within six months:

- ensure bringing the normative legal acts into conformity with this Law;
- take other measures for the implementation of provisions of this Law.

Article 74. Entry into Force

This Law shall enter into force in the following order:

- Articles 1–72 – six months after the official publication of this Law;
- other provisions – after the official publication of this Law.

President of the Republic of Belarus

A. Lukashenka

LAW OF THE REPUBLIC OF BELARUS

‘On Internal Troops of the Ministry of Internal Affairs of the Republic of Belarus’

3 June 1993, No. 2341-XII

(In the wordings of the Laws of the Republic of Belarus of 25 November 2004, No. 343-3; of 15 July 2015, No. 294-3; of 10 December 2020, No. 63-3)

This Law defines the organizational and legal basis for the activities of the internal troops of the Ministry of Internal Affairs of the Republic of Belarus (hereinafter – ‘internal troops’), the procedure for performing the tasks assigned to them, and the legal and social protection guarantees for the internal troops of the Ministry of Internal Affairs of the Republic of Belarus and their family members.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Internal troops

The internal troops is a state military organization designed to protect the life, health, rights, freedoms and legitimate interests of citizens, society and the state, the constitutional system, and the security and sovereignty of the Republic of Belarus from criminal and other illegal encroachments.

Article 2. Tasks of Internal Troops

The main tasks of the internal troops are:

- to assist the internal affairs bodies in the protection of public order, public security, state of emergency and martial law;
- to protect correctional colonies, medical correctional institutions and supervision of convicts together with their administrations;
- to escort and protect convicts and persons in custody;
- to participate in the search for persons who have escaped from custody and supervision in correctional institutions, from military guards during escorting;
- to protect especially important state objects and special cargoes;
- to neutralize and destruct unexploded aviation ammunition and other unexploded ordnance in localities, and to verify reports on the installation of explosive devices, their detection, neutralization and destruction throughout the territory of the Republic of Belarus;
- to participate in the territorial defence of the Republic of Belarus.

If circumstances arise that are threatening to the security of citizens, organizations and public order, as well as in the interests of the defence of the Republic of Belarus, internal troops may be called up upon to perform other tasks in accordance with this Law and other legislative acts of the Republic of Belarus.

Article 3. Principles of Activities of Internal Troops

The activities of the internal troops are performed on the basis of the principles of legality, humanism, respect for human rights and freedoms, unity of command, and centralization of management.

Article 4. Legal Basis of Internal Troops Activities

In their activities, the internal troops are guided by the Constitution of the Republic of Belarus, this Law and other legislative acts, including the international treaties of the Republic of Belarus.

If an international treaty ratified by the Republic of Belarus establishes rules other than those contained in this Law, the international treaty shall prevail.

Article 5. Activities of Internal Troops to Protect the Lives, Health, Rights, Freedoms and Legitimate Interests of Citizens

The internal troops protect the lives, health, rights, freedoms and legitimate interests of citizens from criminal and other illegal encroachments, regardless of citizenship, social, property or other status, gender, race

or nationality, age, education, language, place of residence, religious or other beliefs, or membership in public associations, as well as in other circumstances.

Members of the internal troops are prohibited from receiving treatment that is degrading to human dignity.

When performing tasks assigned to the internal troops, military personnel of the internal troops may restrict the rights and freedoms of citizens only in cases stipulated by the legislative acts of the Republic of Belarus, in the interests of ensuring national security, public order, protecting morals, public health, and the rights and freedoms of others.

Article 6. Composition of Internal Troops

Internal troops are composed of:

- a military administration body;
- special police units and military units;
- formations and military units for the protection of especially important state objects and special cargo;
- special designation formations and military units;
- institutions and military units that support the activities of the internal troops;
- educational institutions that train personnel in specialties (areas of specialties, specializations) for the internal troops and for training military units.

The military administration body, formations and military units of the internal troops have the rights of a legal entity.

Article 7. Leadership and Management of Internal Troops

The internal troops are managed by the Minister of Internal Affairs of the Republic of Belarus, and the direct management is performed by the Commander of internal troops, who is ex officio Deputy Minister of Internal Affairs of the Republic of Belarus.

To ensure the management of the internal troops a military authority is created: the Main Directorate of the Commander of internal troops of the Ministry of Internal Affairs of the Republic of Belarus (hereinafter – the ‘Main Directorate of the Commander of internal troops’). The Military Council of internal troops is formed in the Main Directorate of the Commander of internal troops. The activities of the Main Directorate of the Commander of internal troops and the Military Council of internal troops are performed in accordance with the regulations approved by the President of the Republic of Belarus.

The Minister of Internal Affairs of the Republic of Belarus:

- issues normative legal acts on the organization of activities of the internal troops in compliance with the laws of the Republic of Belarus, directives and decrees of the President of the Republic of Belarus, and controls their implementation;
- approves the staff of the Main Directorate of the Commander of internal troops, as well as the composition of the Military Council of internal troops;
- makes proposals for the creation of formations and military units of the internal troops in accordance with the established procedure;
- recommends, in accordance with the established procedure, for appointment to the military position of the Commander of internal troops, his deputies and for the assignment to officers of the military rank ‘Colonel’, as well as military ranks of the general officer staff;
- appoints officers to military positions at the request of the Commander of internal troops and dismisses the leadership of the internal troops from military positions, with the exception of the Commander of internal troops and his deputies;
- assigns military ranks to officers within the limits of his authority;
- exercises other powers in accordance with the legislation of the Republic of Belarus.

The Commander of internal troops:

- is personally responsible for maintaining the combat and mobilization readiness of the internal troops and the successful execution of their missions;

- approves the rosters of formations and military units of the internal troops;
- issues, within his competence, legal acts regulating the activities of the internal troops;
- decides, in accordance with the legislation of the Republic of Belarus, on the procedure for military service by military personnel and the establishment of labour relations with civilian personnel of the internal troops;
- appoints, within his competence, officers to military positions and dismisses from military positions up to and including deputy commanders of formations, Heads of Departments of the Main Directorate of the Commander of internal troops;
- takes measures to provide the internal troops with weapons, combat and special equipment, special means and other property, to create training and material resources, and to ensure the necessary social and living conditions for the internal troops;
- exercises other powers in accordance with the legislation of the Republic of Belarus.

CHAPTER 2. POWERS OF THE PRESIDENT OF THE REPUBLIC OF BELARUS AND STATE BODIES IN THE SPHERE OF INTERNAL TROOPS ACTIVITY

Article 8. Powers of the President of the Republic of Belarus in the Sphere of Internal Troops Activity

The President of the Republic of Belarus in the field of internal troops:

- performs general supervision of internal troops;
- appoints and dismisses the Commander of internal troops and his deputies to a military position;
- approves the structure and total strength of internal troops and their deployment;
- approves the list of weapons, combat and special equipment, and special means that are in service with the internal troops;
- engages internal troops to strengthen the protection of public order, public security, state of emergency and martial law;
- approves the list of especially important state objects and special cargo to be protected by internal troops;
- establishes a list of military positions in the internal troops to be replaced by the top officers, and their corresponding military ranks;
- sets norms and procedures for material and technical support for internal troops;
- makes decisions on legal and social protection for internal troops and their family members;
- performs other powers stipulated by the legislative acts of the Republic of Belarus.

Article 9. Powers of the Council of Ministers of the Republic of Belarus in the Sphere of Internal Troops Activity

The Council of Ministers of the Republic of Belarus in the field of internal troops:

- ensures the implementation of decisions of the President of the Republic of Belarus on legal and social protection for internal troops and their families;
- organizes equipping internal troops with weapons, combat and special equipment, and special means, as well as other material means and resources;
- performs other powers stipulated by the legislative acts of the Republic of Belarus.

Article 10. Powers of Local Government and Self-Government Bodies in the Sphere of Internal Troops Activity

Local government bodies in the sphere of internal troops activity:

- participate in the consideration of proposals for the development of formations and military units of the internal troops;
- assist the internal troops in creating the necessary conditions for their activities;
- ensure the implementation of legal and social protection guarantees for internal troops and their family members;
- ensure the recruitment and enrolment of citizens for military service in the internal troops;
- provide with residential premises for commercial use, utility, household and other services, in accordance with the legislation of the Republic of Belarus;
- provide for the needs of internal troops in material resources, energy and other resources and services on their order and provide land plots for the deployment of internal troops.

Local government bodies may establish additional guarantees of social protection for internal troops that are not provided for by the Law of the Republic of Belarus of 4 January 2010 'On the Status of Military Personnel' (National Register of Legal Acts of the Republic of Belarus, 2010, No. 15, 2/1652).

Local self-government bodies, within the limits of their powers, take part in supporting the activities of the internal troops, in accordance with the legislation of the Republic of Belarus.

CHAPTER 3. MILITARY SERVICE IN INTERNAL TROOPS

Article 11. Military Service in Internal Troops

Internal troops are equipped with military personnel on the basis of the conscription of citizens for military service, as well as the voluntary admission of citizens to military service under a contract, in accordance with the legislation of the Republic of Belarus.

The conditions, procedure and terms of military service for internal troops; their status, rights and obligations; and the procedure for promotion, assigning military ranks, certification, dismissal and providing legal and social protection guarantees are determined by this Law and other legislative acts of the Republic of Belarus.

Article 12. Training and Advanced Training of Personnel for Internal Troops

Training and advanced training of personnel in fields and areas of education, specialties, areas of specialties, specializations for internal troops are performed in educational institutions of the Republic of Belarus or organizations of foreign states.

The training of personnel for internal troops in military accounting specialties, including junior officer training courses, is performed in formations and military units of the internal troops, at the faculty of internal troops of the educational institution 'Military Academy of the Republic of Belarus' or in other organizations.

Article 13. Procedure and Conditions of Military Service by Military Personnel of Internal Troops

The procedure and conditions for performing military service by internal troops are established by the general military statutes of the Armed Forces of the Republic of Belarus, other legislative acts of the Republic of Belarus, resolutions of the Council of Ministers of the Republic of Belarus and the normative legal acts of the Ministry of Internal Affairs of the Republic of Belarus.

CHAPTER 4. SPECIFICS OF THE STATUS, RIGHTS, DUTIES AND RESPONSIBILITIES OF INTERNAL TROOPS

Article 14. Specifics of the Status of Internal Troops

The status of military personnel of the internal troops is determined in accordance with the Law of the Republic of Belarus 'On the Status of Military Personnel'.

The specifics of the status of internal troops are determined by this Law and other legislative acts of the Republic of Belarus.

The status of personnel of the internal affairs bodies applies to military personnel of the internal troops during the performance of their duties of the internal affairs bodies.

When performing tasks assigned to the internal troops, military personnel of the internal troops are representatives of the authorities and are under special protection of the state.

The legal demands of the military personnel of the internal troops during the performance of tasks assigned to the internal troops are mandatory for officials and other citizens.

Failure to comply with the legal demands of the internal troops, as well as other actions that hinder the performance of tasks assigned to the internal troops, entail liability established by the legislation of the Republic of Belarus.

Article 15. Rights of Military Personnel of Internal Troops

In order to perform the tasks assigned to them, military personnel of the internal troops are granted the right to:

- perform a search, in accordance with the established procedure, of convicted persons in correctional colonies, medical correctional institutions and persons in custody, when they are escorted or detained as a result of a search, to search vehicles and cargo at checkpoints of protected objects and, in cases stipulated

by the legislation of the Republic of Belarus, to perform a personal search of citizens and their belongings when going through checkpoints of such objects;

- cordon off (block) areas on the ground, individual buildings and objects when searching for escaped convicts, persons in custody or persons suspected (accused) of committing crimes, when suppressing mass riots and group violations of public order and other anti-social actions in localities, and in emergency situations, as well as when neutralizing and destroying unexploded ammunition and explosive devices;
- use physical force, special means, weapons, military and special equipment in the cases and in the manner provided for by this Law and other legislative acts of the Republic of Belarus;
- transfer, for temporary placement in places of detention and correctional institutions, persons escorted to and out of court building sessions and convicts detained after a failed attempt to escape;
- demand that officials and other citizens observe public order when performing tasks to protect public order;
- check the identity documents of persons suspected of committing offences when performing tasks to protect public order;
- detain persons who have committed offences, perform their personal search and inspection of their belongings and vehicles;
- withdraw documents, objects and articles that may become material evidence of the offences in accordance with the established procedure;
- transfer persons suspected of committing offences to employees of the internal affairs bodies;
- enter freely, and if necessary with damage to locking devices and other items, at any time of the day into the home or other legal possessions of citizens, to premises and/or other objects of organizations – except buildings and other facilities of diplomatic missions, consular offices and other missions of foreign states or international organizations, which, in accordance with the international treaties of the Republic of Belarus, have diplomatic immunity and premises inhabited by employees of these offices, institutions, organizations and their families – and to examine them in the presence of sufficient grounds to believe that a crime is being or has just been committed, an emergency situation has arisen, or there is the person suspected (accused) of committing a crime or hiding from authorities performing criminal proceedings, evading the execution of the punishment and other measures of criminal liability, or to prevent socially dangerous acts endangering the lives or health of citizens, or for the verification of warnings about the installation of explosive devices with subsequent notification in accordance with the established procedure to the public Prosecutor;
- perform a personal search of persons detained on suspicion of committing crimes, to deliver them to the territorial internal affairs bodies and to draw up reports in accordance with the Criminal Procedure Code of the Republic of Belarus;
- use, without hindrance, the means of communication and vehicles belonging to legal entities or citizens (except for the vehicles of diplomatic missions, consular offices and other representative offices of foreign states and international organizations that enjoy diplomatic immunity, in accordance with the international treaties of the Republic of Belarus, and operational vehicles) for the prosecution of escaped convicts, persons in custody, persons suspected (accused) of committing crimes, and their delivery to the territorial internal affairs bodies, as well as in other cases that do not allow for delays, with the subsequent reimbursement of expenses in accordance with the legislation of the Republic of Belarus.

Article 16. Responsibilities the Military Personnel of Internal Troops

In order to perform the tasks assigned to the internal troops, military personnel of the internal troops should:

- participate in the protection of public order and the suppression of mass riots and group violations of public order;
- take part in ensuring the state of emergency or martial law in accordance with the established procedure;
- guard the correctional colony and medical correctional facility;
- perform, together with the administrations of correctional colonies and medical correctional institutions, supervision of convicts in correctional colonies and medical correctional institutions, including those who are being treated in health care institutions;

- prevent, together with the administrations of correctional colonies and medical correctional institutions, the organization by convicts of riots and violations of internal regulations established by the legislation of the Republic of Belarus;
- escort convicted persons and persons in custody to court sessions of the Supreme Court of the Republic of Belarus, regional and Minsk city courts, out of the court building sessions and back, and protect these persons during the court sessions, as well as escort these persons to correctional institutions and places of detention;
- take into custody and release persons from custody on the basis of a decision (ruling) of a court (judge) or a court verdict;
- participate in the search for persons who have escaped from custody and supervision in correctional institutions, or from military guards during escorting;
- protect especially important state objects and special cargo;
- detain, perform a personal search of, interview and transfer to the territorial internal affairs bodies persons who have tried to enter protected objects, delivered prohibited items to these objects, performed illegal removal (transportation) of property from these objects or committed an attack on them, as well as those who have escaped from detention and surveillance or from custody;
- participate in operations performed according to special or routine plans of the internal affairs bodies;
- participate in the release of hostages, captured railway rolling stock, air or water vessels, special cargo, military and special equipment, and other objects;
- decommission and destroy unexploded aviation ammunition and other unexploded ordnance in localities, check reports on the installation of explosive devices and detect, neutralize and destroy explosive devices throughout the territory of the Republic of Belarus;
- participate in the elimination of fires, effects of explosions and accidents at protected sites and repel attacks on them;
- participate in the territorial defence of the Republic of Belarus.

Article 17. Liability of Military Personnel of Internal Troops

In the event of the abuse of power or official authority, or the failure to perform or the improper performance of their duties and other offences, military personnel of the internal troops are liable as established by legislative acts of the Republic of Belarus.

Disciplinary responsibility of internal troops is established by the Disciplinary Statute of the Armed Forces of the Republic of Belarus, approved by the President of the Republic of Belarus.

CHAPTER 5. APPLICATION OF PHYSICAL FORCE, SPECIAL MEANS, WEAPONS, COMBAT AND SPECIAL EQUIPMENT BY MILITARY PERSONNEL OF INTERNAL TROOPS

Article 18. Conditions and Limits of the Use of Physical Force, Special Means, Weapons, Combat and Special Equipment

When performing the tasks assigned to them, military personnel of the internal troops have the right to use physical force, special means, weapons and military and special equipment, if it is not possible to perform the tasks assigned to them by other means.

Physical force, special means, weapons, military and special equipment are used depending on the situation in cases stipulated by this Law and other legislative acts of the Republic of Belarus. The use of physical force, special means, weapons, military and special equipment should be preceded by a clearly expressed and obvious warning to the person against whom they are used about the intention to use them, except in cases where delay in their use will create an immediate danger to human life or may entail other serious consequences.

The military personnel of internal troops when performing the tasks assigned to them, in a state of necessary defence or extreme necessity in the absence of weapons, special means, as well as combat and special equipment, or the inability to use them, have the right to use improvised means to repel dangerous attacks.

If it is impossible to avoid the use of physical force, special means, weapons, combat and special equipment, the military personnel of the internal troops are obliged to take all possible measures to ensure the

safety of citizens and strive to cause the least harm to their health, honour, dignity and property, as well as to take measures to provide medical assistance to victims.

A military personnel member of the internal troops who has used physical force, special means, weapons, military or special equipment that caused harm to human health shall immediately report the incident to the direct commander (chief). The Prosecutor is notified of the incident in accordance with the established procedure.

The use of physical force, special means, weapons, combat and special equipment by military personnel of the internal troops in excess of their powers entails liability established by the legislation of the Republic of Belarus.

Article 19. Use of Physical Force

Military personnel of the internal troops have the right to use physical force, including hand-to-hand combat techniques, to preclude and suppress offences, in self-defence, and to overcome resistance to their legal demands, if non-violent methods cannot provide for the fulfilment of their tasks.

Article 20. Use of Special Tools

When performing their duties, military personnel of the internal troops have the right to use handcuffs, rubber sticks, binding devices, special chemicals, light and sound distraction devices, devices for opening premises, devices for forcibly stopping transport and other special means, including service animals, in the following cases:

- to repel attacks on internal troops and/or personnel of internal affairs bodies and other citizens;
- for the release of hostages;
- to repel attacks on buildings, premises, structures and/or vehicles, regardless of their ownership, or for their release;
- to suppress disobedience or resistance to legal demands of the military personnel of internal troops and other persons performing official duties or civil duty to protect public order, and prevent and suppress offences;
- to suppress mass riots and group violations of public order or actions aimed at the ruination and/or destruction of property of all forms of ownership;
- to detain and deliver to the territorial internal affairs bodies persons suspected (accused) of committing crimes or persons who have committed administrative offences, as well as escorting and protecting convicted persons or persons in custody who show disobedience or resistance, or if there are grounds to believe that they may escape or cause harm to others and themselves;
- to detain persons suspected (accused) of committing crimes and hiding in premises and other hard-to-reach places;
- in other cases determined by the President of the Republic of Belarus.

The type of special means and the intensity of its use are determined by the rules of their application, taking into account the current situation, the nature of the offence and the identity of the offender.

It is prohibited to use special means against women with visible signs of pregnancy, persons with obvious signs of disability or minors when their age is obvious or known, except in cases of armed resistance, group or armed attacks on personnel of the internal troops and/or personnel of internal affairs bodies or other citizens or other actions that threaten the life or health of citizens.

Article 21. Engagement and Use of Weapons

In order to accomplish the missions assigned to them, military personnel of the internal troops, if other methods and means to ensure their implementation have proved ineffective, have the right to engage weapons against a person:

- attacking military personnel of the internal troops and/or personnel of the internal affairs bodies, or other persons when their life or health is in danger;
- participating in a group or armed attack involving the use of weapons or explosive agents or explosive devices, arson and/or other generally dangerous methods, the use of vehicles or machines or mechanisms, on the home or other legal possessions of citizens, premises and/or other objects of organizations

or military units, protected objects, sentries or other member of the guard, military unit or guard room in order to suppress this attack;

- performing actions directly aimed at forcibly taking possession of special means, weapons, ammunition, explosives, military or special equipment held by military personnel of the internal troops;
- taking or holding a person as a hostage;
- captured while performing the actions provided for in Paragraphs Two to Five of Part One of this Article and trying to escape;
- a convicted person or a person in custody who resorts to armed resistance or escapes from custody;
- a person who defies the request of military personnel of the internal troops to immediately hand over (put down) a weapon, explosive substance, explosive device or other object specially adapted for causing bodily injuries, the use of which may endanger the life or health of military personnel of the internal troops and/or personnel of the internal affairs bodies or other persons.

A person committing an action that is forbidden by the military personnel of the internal troops, and expressed in an attempt to get closer to the military personnel of internal troops or closer than the specified distance, an attempt to touch the weapon or to get something from their clothing or baggage without permission, or other actions that may be interpreted by the military person of the internal troops as a threat of violence that endangers the life or health of another person, provides the military personnel of the internal troops with the right to use weapons in accordance with this Law.

It is forbidden to use weapons:

- if there is a significant crowd of people, when this may cause damage to bystanders;
- in the direction of warehouses (storage facilities) containing flammable, explosive or highly toxic substances;
- in relation to women, persons with obvious signs of disability or minors, when their age is obvious or known, with the exception of cases when these persons commit an armed or group attack on personnel of the internal troops and/or personnel of internal affairs bodies or other citizens.

Military personnel of the internal troops have the right to use firearms for:

- an alarm or call for help;
- the neutralization of an animal that directly threatens the life or health of citizens;
- stopping a vehicle by damaging it, if the vehicle is used by a convicted person to make an escape.

Military personnel of the internal troops have the right to engage weapons, including firearms, and to use firearms in other cases determined by the President of the Republic of Belarus.

Military personnel of the internal troops have the right to prepare weapons in readiness if they believe that the possibility of their use or engagement is not excluded in the current situation.

Article 22. Use of Military and Special Equipment

Military and special equipment that is in service at the internal troops is used in the following cases:

- for the release of hostages or captured railway rolling stock, air or water vessels, special cargo, military and special equipment, and other objects;
- to protect citizens from an attack that threatens their life or health, if it is not possible to stop this attack in any other way;
- to ensure the state of emergency or martial law;
- to repel a group or armed attack, including using vehicles, on military camps, military echelons (transport), transport columns, protected objects, special cargo, residential premises of citizens or premises occupied by state bodies and other organizations;
- to suppress the resistance of armed persons who refuse to comply with the legal demands of military personnel of the internal troops or personnel of internal affairs bodies to stop illegal actions and surrender weapons, ammunition, explosives, explosive devices and military equipment available to these persons;
- in other cases determined by the President of the Republic of Belarus.

CHAPTER 6. FINANCING, LOGISTICS AND MEDICAL SUPPORT OF THE INTERNAL TROOPS

Article 23. Financing of Internal Troops

Internal troops are financed from the national budget and other sources provided for by the legislation of the Republic of Belarus.

Article 24. Logistics and Medical Support of Internal Troops

The premises, buildings and facilities of the Main Directorate of the Commander of internal troops, military camps of military units and formations of the internal troops, training, technical security equipment, weapons and ammunition, military and special equipment, and other property used by internal troops to perform the tasks assigned to them are provided in the prescribed manner for the internal troops by the right of operational management.

The construction, reconstruction or provision of facilities for housing of formations and military units of the internal troops are performed in accordance with the procedure and standards established for the Armed Forces of the Republic of Belarus, at the expense of the Republican and local budgets.

Expenses for the maintenance (including maintenance, operation, major repairs and maintenance, utility costs) of military camps, and structures allocated for accommodating units of the internal troops assigned for the protection of correctional institutions and other objects of organizations are made at the expense of these institutions and organizations.

Funds received for the performance of work (services) and other contractual obligations on a paid basis, in accordance with the procedure established by the legislation of the Republic of Belarus, are also directed to the material and technical support of the internal troops.

Military personnel of formations and military units of the internal troops engaged in performing their assigned tasks outside the areas of their permanent deployment are provided with housing for quartering, utilities, communication lines and channels, vehicles, fuel and lubricants, and additional food at the expense of funds allocated from the national or local budget.

Medical support for personnel of internal troops and their family members is provided by health organizations of the Ministry of Internal Affairs of the Republic of Belarus, as well as other health organizations at the place of residence, service (work) or study of the personnel of internal troops and their family members.

CHAPTER 7. OTHER PROVISIONS

Article 25. Personal Security Guarantees for Military Personnel of Internal Troops and Members of Their Families

The internal troops are obliged to ensure the personal safety of the military personnel of internal troops and their family members from criminal attacks on their life, health, honour, dignity and property related to the performance of the tasks assigned to the internal troops.

In order to ensure the personal safety of the military personnel of internal troops and their family members, it is not allowed to disseminate information in public speech or in the mass media about the locations or relocation of formations or military units of the internal troops, or about their participation in operations providing for public security.

Information about the activities of formations and military units of the internal troops may be provided only with the permission of the commander of the corresponding formation or military unit, in the manner determined by the Minister of Internal Affairs of the Republic of Belarus.

Article 26. Supervision of the Implementation of the Legislation of the Republic of Belarus in Internal Troops

The Prosecutor General of the Republic of Belarus and his subordinate prosecutors supervise the accurate and uniform implementation of the legislation of the Republic of Belarus in the internal troops.

THE LAW OF THE REPUBLIC OF BELARUS

‘On Fight against Corruption’

15 July 2015, No. 305-3

Adopted by the House of Representatives on 26 June 2015

Approved by the Council of the Republic on 30 June 2015

National Register of Legal Acts of the Republic of Belarus, of 23 July 2015, 2/2303

This Law establishes the legal basis of state policy on combating corruption and is aimed at protecting the rights and freedoms of citizens and public interests from threats arising from corruption, and ensuring the effective operation of state bodies, other organizations, state officials and persons equated to them by preventing, detecting, and suppressing offences that create conditions for corruption and corruption offences, and eliminating their consequences.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Main Terms and Definitions Used in This Law

The following terms and definitions are used in this Law:

- ‘corruption’: the deliberate use of an official position, and related opportunities by the state official or person equated to him or foreign official, in order to illegally obtain property or other benefits in the form of operations, services, patronage, promises of advantages for themselves or for third parties, as well as the bribery of state officials or persons equated to them or foreign officials by providing them with property or other benefits in the form of operations, services, patronage, benefits or promises of advantages for them or for third parties for the state official or person equated to him or foreign official to act or refrain from acting in the exercise of his official (labour) duties, as well as commitment of the above actions on behalf or in the interests of legal entities, including foreign ones;
- ‘state officials’: the President of the Republic of Belarus, deputies of the House of Representatives of the National Assembly of the Republic of Belarus, members of the Council of the Republic of the National Assembly of the Republic of Belarus, deputies of local councils exercising their powers on a professional basis, as well as other state officials covered by the legislation on civil service (hereinafter – ‘state officials’); the staff of the Investigative Committee of the Republic of Belarus; members of the State Committee of Forensic Examinations of the Republic of Belarus; persons permanently or temporarily or by special authority having positions, including military, in the Armed Forces of the Republic of Belarus; other troops and military formations of the Republic of Belarus, internal affairs bodies, bodies and divisions dealing with emergency situations, financial investigation bodies of the State Control Committee of the Republic of Belarus and other relevant bodies in accordance with legislative acts of the officials (further – the ‘military personnel, persons of ordinary and commanding structure of internal affairs bodies, bodies and divisions on emergency situations, and financial investigation bodies of the State Control Committee of the Republic of Belarus’); deputy heads of local councils; persons permanently or temporarily or by special authorization assigned to posts connected with the performance of organizational administrative or administrative economic duties in state institutions and organizations with authorized funds of 50 or more percent of shares (stocks) owned by the state and/or its administrative territorial units;
- ‘state officials holding responsible positions’: the President of the Republic of Belarus, the Chairman of the House of Representatives and the Chairman of the Council of the Republic of the National Assembly of the Republic of Belarus, the Prime Minister of the Republic of Belarus and their deputies, heads of state bodies directly subordinated or accountable to the President of the Republic of Belarus, the Parliament of the Republic of Belarus, the Government of the Republic of Belarus and their deputies, and other state officials whose posts are included in the personnel registers of the Head of State of the Republic of Belarus and the Council of Minis-

ters of the Republic of Belarus; heads of local councils, executive and administrative bodies and their deputies; judges; prosecutors of regions, Minsk city, as well as districts, districts in cities, cities or interdistrict and equated to them transport prosecutors and their deputies; heads of investigative divisions of bodies of inquiry and their deputies (with the exception of the captains of sea or river ships, commanders of aircraft outside of the Republic of Belarus and their deputies), investigators; the heads of bodies of the State Control Committee of the Republic of Belarus, internal affairs, state security, border guards, customs and tax bodies, and their deputies;

- 'persons equated to government officials (equivalent persons)': members of the Council of the Republic of the National Assembly of the Republic of Belarus and deputies of local Councils of deputies exercising their powers on a non-professional basis, with the exception of deputy heads of local councils; citizens registered in the manner prescribed by law, the Presidential candidates of the Republic of Belarus, for deputies of the House of Representatives, for the members of the Council of the Republic of the National Assembly of the Republic of Belarus, deputies of local councils; persons permanently or temporarily or by special authorization assigned to posts in non-governmental organizations, connected with the performance of organizational administrative or administrative economic duties, with the exception of persons referred to in the third paragraph of this article; persons authorized in the prescribed manner to perform legally significant actions; members of the public when performing duties for the protection of public order, combating crime and the administration of justice;
- 'foreign officials': officials of foreign states, members of foreign public assemblies, officials of international organizations, members of international parliamentary assemblies, judges and officials of international courts;
- 'persons who have entered the civil service by election': members of the Council of the Republic of the National Assembly of the Republic of Belarus elected in accordance with the established procedure, exercising their powers on a professional basis, and deputies of the House of Representatives of the National Assembly of the Republic of Belarus;
- 'managerial position': position of the Head or Deputy Head of the organization, or other employee who performs organizational and administrative (managerial, organizing, directing, coordinating and controlling) functions in relation to the organization, its structural divisions, employees and areas of activity;
- 'property': immovable and movable things (including money and securities), other property, including property rights established by civil legislation;
- 'close relatives': parents, children, including adopted children, adoptive parents, blood brothers and sisters, grandparents and grandchildren;
- 'relatives-in-law': close relatives of the spouse;
- 'conflict of interests': a situation in which the personal interests of a state official, his/her spouse, close relatives or relatives-in-law affect or may affect the proper performance by a state official of his/her official (labour) duties when making a decision or participating in making a decision or performing other actions in the service (work);
- 'state organizations': unitary enterprises, institutions, state associations and other legal entities whose property is owned by the state or its administrative territorial unit and assigned to them on the right of economic management or operational management;
- 'incomes': any funds, including loans, as well as other property received by individuals from citizens of the Republic of Belarus, foreign citizens, stateless persons and organizations;
- 'cohabitation and sharing a common household': living in the same residential premises and sharing a common household with full or partial consolidation and expenditure of their funds and other property;
- 'object with incomplete construction': a capital structure (building, structure) and other property, for which the construction is not allowed in accordance with legislative acts, that is not completed (construction of which is ongoing, suspended, discontinued or preserved) or for which the construction is completed but the objects are not registered in accordance with the procedure established by legislative acts;
- 'expenses': any funds and other property of individuals used by them to purchase property, pay for works and services, or for other assignments.

Article 2. Legislation on Combating Corruption

Legislation on combating corruption is based on the Constitution of the Republic of Belarus and consists of this Law and other legislative acts, as well as the international treaties of the Republic of Belarus.

Responsibility for offences that create conditions for corruption are established by the Code of the Republic of Belarus on Administrative Offences, the Criminal Code of the Republic of Belarus and other legislative acts.

Article 3. Subjects of Offences that Create Conditions for Corruption and Corruption-Related Offences

The subjects of offences that create conditions for corruption are:

- state officials;
- persons equated to state officials.

The subjects of corruption offences are:

- state officials;
- persons equated to state officials;
- foreign officials;
- persons who engage bribing state officials or equivalent persons or foreign officials.

Article 4. Principles of Combating Corruption

Combating corruption is based on the following principles:

- legality;
- justice;
- equality before the law;
- publicities;
- priority of corruption prevention measures;
- inevitability of responsibility;
- personal culpable liability;
- humanism.

Article 5. Measures for Combating Corruption

The combating of corruption is performed by state bodies and other organizations through the integrated application of the following measures:

- planning and coordinating the activities of state bodies and other organizations on combating corruption;
- establishing restrictions, as well as special requirements, aimed at ensuring financial control over state officials and persons equated to them in order to prevention and detect corruption;
- ensuring the legal regulation of the activities of state bodies and other organizations, state and public control, as well as the supervision of these activities;
- improving the system of state bodies, personnel work and procedures for resolving issues that protect the rights, freedoms and legitimate interests of individuals and legal entities;
- performing public-awareness activities to reduce the chances of corruption (combating corruption through education and upbringing);
- ensuring transparency in the activities of state officials and persons equated to them, unless otherwise provided by legislation;
- restoring violated rights, freedoms and legitimate interests of individuals and legal entities, eliminating other harmful consequences of offences that create conditions for corruption and corruption offences;
- establishing legal prohibitions in order to distinguish between official (labour) duties and personal, group and other off-duty interests of state officials and persons equated to them;
- providing guarantees and compensations to state officials and persons equated to them in accordance with the procedure established by legislative acts related to restrictions established by this Law and other legislative acts in the field of combating corruption;
- applying procedures for hiring, selecting, training, and promoting state officials in accordance with the principles of efficiency and fairness;
- adopting codes of ethics (standards of behaviour) for state officials and other state officials;

- forbidding the financing or provision of other forms of material support for the activities of state bodies and other organizations from sources and in the manner not provided for by legislation;
- performing criminological expertise of draft legal acts, previously adopted (issued) legal acts, as well as criminological studies of corruption crime in order to assess and predict corruption by identifying the prerequisites and causes of corruption and taking timely and effective measures to prevent it;
- combining combating corruption with the creation of economic and social prerequisites to eliminate the causes of corruption;
- simplifying administrative procedures and reducing their number;
- submitting draft normative legal acts in the field of combating corruption to public (national) discussion;
- organizing training on combating corruption for state officials, as well as persons studying in educational institutions.

Anti-corruption measures are implemented by the Republican State Administration Bodies and other state organizations subordinate to the Government of the Republic of Belarus, regional, Minsk city, district executive committees and local administrations of districts in cities, through the creation and operation of anti-corruption commissions, in accordance with the procedure established by the Council of Ministers of the Republic of Belarus.

CHAPTER 2. STATE BODIES ENGAGED IN COMBATING CORRUPTION AND THEIR SPECIAL UNITS, STATE BODIES AND OTHER ORGANIZATIONS INVOLVED IN COMBATING CORRUPTION

Article 6. State Bodies Engaged in Combating Corruption

Measures to combat corruption are performed by the Prosecutor's office, Internal Affairs and State Security bodies.

State bodies responsible for combatting corruption implement their tasks independently and in cooperation with each other, with other state bodies and other organizations, as well as with the assistance of citizens of the Republic of Belarus.

Article 7. Powers of the Prosecutor General Office of the Republic of Belarus in Combating Corruption

The Prosecutor General's office of the Republic of Belarus is a state body responsible for organizing the combating of corruption.

In order to ensure the organization of anti-corruption measures, the Prosecutor General's office of the Republic of Belarus:

- accumulates information on the evidence of corruption;
- analyses the effectiveness of measures to combat corruption;
- coordinates the law enforcement activities of other state bodies engaged in combating corruption;
- supervises the implementation by the heads of state bodies and other organizations of the requirements of this Law and other legislative acts in the field of combating corruption and, in the event of the detection of offences, takes measures to bring the persons who committed them to justice, as established by legislative acts;
- prepares proposals for improving the legal regulation for combating corruption;
- exercises other powers in the field of combating corruption established by legislative acts.

Article 8. Special Combating Corruption Units and their Rights

Special units for combating corruption are created in the Prosecutor's office, internal affairs, and state security bodies.

The procedure for creating special combating corruption units in the Prosecutor's office, internal affairs and state security bodies is determined by the President of the Republic of Belarus.

Special combating corruption units are granted the right to perform the following assigned tasks:

- to receive free-of-charge from state bodies and other organizations, in accordance with the procedure established by legislative acts, information necessary to perform anti-corruption functions, including from automated information and reference systems and data banks;

- to travel freely through checkpoints on the state border of the Republic of Belarus and places where border control is performed, using official certificates and passes issued by the State Border Committee of the Republic of Belarus or authorized officials of other bodies of the Border Service of the Republic of Belarus;
- with the approval of the Prosecutor, to suspend the financial transactions of individuals and legal entities in full or in part for up to ten days and to restrict their right to dispose of property for the same period, if there are sufficient grounds to believe that funds and/or other property were obtained from persons involved in corruption offences or may result in the legalization of proceeds from crime;
- make requests to state bodies and other state organizations about the termination or cancellation of special permits (licenses) for certain types of activities.

Other rights and duties of special combating corruption units are determined by this Law and other legislative acts.

Article 9. State Bodies and other Organizations Involved in Combating Corruption

The investigative Committee of the Republic of Belarus, bodies of the State Control Committee of the Republic of Belarus, the State Customs Committee of the Republic of Belarus and Custom, the State Border Committee of the Republic of Belarus and other bodies of the Border Service of the Republic of Belarus, the Ministry for Taxes and Fees of the Republic of Belarus and its inspections, the Ministry of Finance of the Republic of Belarus and its territorial bodies, the National Bank of the Republic of Belarus, and other banks and non-bank loan-financial institutions, as well as other state bodies and other organizations, participate in combating corruption within their competence in accordance with the legislation.

Public associations participate in combating corruption in accordance with this Law and other legislative acts.

Article 10. Interaction of State Bodies and other Organizations in Combating Corruption

State bodies and other organizations are required to transmit information related to evidence of corruption to state bodies engaged in combating corruption.

The procedure and conditions for interaction between state bodies engaged in combating corruption are determined jointly.

State bodies engaged in combating corruption, on the basis of the international agreements to which the Republic of Belarus is party, can exchange the necessary information with bodies of foreign states engaged in combating corruption activities.

Article 11. Assistance to State Bodies Engaged in Combating Corruption, and State Bodies and other Organizations Involved in Combating Corruption

State bodies, other organizations and their officials within their competence, as well as citizens of the Republic of Belarus, foreign citizens and stateless persons located on the territory of the Republic of Belarus, are obliged to provide assistance to state bodies engaged in combating corruption, and state bodies and other organizations involved in combating corruption.

Information, documents and other materials in the field of combating corruption requested by state bodies engaged in combating corruption are provided by state bodies, other organizations and their officials immediately, or within three days.

The provision of information, documents and other materials containing information, the distribution and/or provision of which is restricted, is performed in accordance with the procedure provided for by legislative acts. The provision of the specified information, documents and materials is performed within the time limits provided for in Part Two of this article.

Article 12. Information Support for Combating Corruption

When collecting, storing, analysing and summarizing information providing evidence of corruption, including on individuals and legal entities involved in corruption, operational records and centralized data banks are created and maintained in special combating corruption units.

The General Prosecutor's office of the Republic of Belarus maintains a single databank on the status of combating corruption, which is updated on the basis of information submitted by the prosecution, internal

affairs bodies and state security bodies in the manner and terms established by the General Prosecutor of the Republic of Belarus in coordination with the Ministry of Internal Affairs of the Republic of Belarus and the State Security Committee of the Republic of Belarus.

Article 13. Coordination of the Activities of State Bodies Engaged in Combating Corruption and State Bodies and other Organizations Involved in Combating Corruption

The coordination of activities of state bodies involved in combating corruption, and state bodies and other organizations involved in combating corruption, is performed through coordination meetings to combat crime and corruption in the manner determined by the President of the Republic of Belarus.

Article 14. Financial and Logistical Support for Special Combating Corruption Units

Financial and logistical support for special combating corruption units is provided at the expense of the republican budget. The specific amounts of funds required for this assignment, including foreign currency, are established annually when approving the republican budget for the maintenance of Prosecutor's offices, internal affairs and state security bodies, which direct these funds for the financial and logistical support of these special units.

CHAPTER 3. CORRUPTION PREVENTION

Article 15. Requirements for the Procedure for Making Individual Decisions by State Bodies and Other State Organizations in the Field of Economic Relations

Decisions on providing state support to legal entities and individual entrepreneurs are made in accordance with the procedure established by legislative acts.

State bodies and other state organizations, in accordance with the procedure established by legislative acts, are obliged to hold tenders, auctions or other procedures provided for by legislative acts when making decisions:

- on the disposal of state property;
- on making purchases;
- on the involvement of legal entities and/or individual entrepreneurs in the implementation of state programmes and orders;
- on the allocation of quotas for the selection of suppliers for government needs;
- on the assignment of separate functions of the state customer to the legal entity and/or individual entrepreneur;
- in other cases stipulated by legislation.

The President of the Republic of Belarus may establish a different procedure for making decisions provided for in Parts One and Two of this Article.

Article 16. Obligation of a State Official or a Person Applying for the Position of a State Official

A state official or the person applying for a state official position, for prevention of actions that may lead to the abuse of his official position and related opportunities, as well as the authority based on it, for personal, group and other off-duty interests, commit to complying with the restrictions set out in Articles 17–20 of this Law and is aware of the legal consequences of a breach of this obligation.

The obligation of a state official or a person applying for the position of a state official is made in writing by the personnel service of the relevant state body or other organization. Failure to sign such an obligation entails refusal to register as a candidate for the position of a state official, to appoint a state official or to release a state official from his/her post in accordance with the procedure established by legislative acts.

The failure of service personnel officials of the relevant public authority or other organization to provide a written obligation of a state official or the person applying for the position of a state official or a failure to familiarize state officials with their requirements entail disciplinary liability in accordance with the procedure established by legislative acts.

Article 17. Restrictions Imposed on State Officials and Persons Equated to Them

State officials may not:

- engage in business activities personally or through other persons, assist a spouse, close relatives or relatives-in-law in performing business activities using their official position;

- represent third parties on issues related to the activities of a state body or other organization that it is an employee of, or a subordinate and/or controlled state body or other organization;
- perform transactions on behalf of state organizations without the consent of the state bodies (organizations) that they are subordinate to (which they are part of) or with legal entities whose property owners or affiliates, in accordance with the legislative acts on business companies, are their spouse, close relatives or relatives-in-law, as well as with individual entrepreneurs who are their spouse, close relatives or relatives-in-law, or instruct other officials to perform such transactions without the specified approval;
- make transactions on behalf of organizations with authorized funds of 50 or more percent of shares (stocks) owned by the state and/or its administrative territorial units, in violation of the procedure established by legislative acts on business companies, or with legal entities whose property owners or affiliates, in accordance with the legislative acts on business companies, are their spouse, close relatives or relatives-in-law, as well as with individual entrepreneurs who are their spouse, close relatives or relatives-in-law, or entrust such transactions to other officials;
- participate personally or through other persons in the management of a commercial organization, except for the cases stipulated by this Law and other legislative acts;
- maintain accounts in foreign banks, except for cases concerning the performance of state functions in foreign countries and other cases established by legislative acts;
- perform instructions and instructions related to official (labour) activity of a political party or other public Association of which it is a member (with the exception of deputies of the House of Representatives and Members of the Council of the Republic of the National Assembly of the Republic of Belarus and deputies of local Councils of Deputies) or use the official position in the interests of political parties, religious organizations or other legal entities, including individuals, if this is at odds with the interests of the state service;
- accept property (gifts), with the exception of souvenirs given during protocol and other official activities, or receive other benefits for yourself or for third parties in the form of work or services in connection with the performance of official (labour) duties;
- travel at the expense of physical and/or legal entities with which relations are included in the service (labour) activities, except for the following trips: business trips; trips at the invitation of the husband (wife), close relatives or relatives-in-law; and trips performed in accordance with the international treaties of the Republic of Belarus or by agreement between the state bodies of the Republic of Belarus and bodies of foreign states at the expense of the relevant state body and/or international organizations performed with the consent of a superior officer or governing body to participate in international and foreign scientific, sports, creative and other activities at the expense of public associations (funds), including journeys undertaken in the framework of the statutory activities of such public associations (funds) at the invitation and at the expense of foreign partners;
- use for off-duty assignments the means of financial, material, technical or information support, or other property of a state body or organization, or information, the distribution and/or provision of which is restricted, received in the performance of their official (labour) duties.
- state officials, employees of the Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examination of Republic of Belarus, military personnel, persons of ordinary and commanding structure of internal affairs bodies, bodies and divisions on emergency situations, financial investigation bodies of the State Control Committee of the Republic of Belarus, the heads, their deputies and chief accountants of state organizations and organizations with authorized funds of 50 or more percent of shares (stocks) owned by the state and/or its administrative territorial units may not perform other paid work not connected with the performance of service (employment) duties at the primary place of service (work) (except for pedagogical (only with respect to the implementation of educational programmes)), scientific, cultural, creative activities and medical practice), unless otherwise provided by the Constitution of the Republic of Belarus and other legislative acts.

A state official is obliged to suspend his/her membership in a political party if, in accordance with the law, the performance of public functions is incompatible with belonging to a political party.

A state official who violates a written obligation to comply with the restrictions established by Parts One–Three and Six of this Article shall be held liable in accordance with legislative acts.

Persons equated to state officials, the spouse of a state official or a person equated to him, close relatives or relatives-in-law who live together and share a common household with a state official or a person equated to him are not entitled to:

- accept property (gifts), with the exception of souvenirs handed out during protocol and other official activities, or receive other benefits for yourself or for third parties in the form of work or services in connection with the performance of official (labour) duties by a state official or a person equated to him ;
- travel at the expense of physical and/or legal entities with which relations make part of the service (labour) activities of state officials or persons equated to them, except for the following trips: business trips; trips at the invitation of the husband (wife), close relatives or relatives-in-law; and trips performed in accordance with international treaties of the Republic of Belarus or by agreement between the state bodies of the Republic of Belarus and bodies of foreign states at the expense of the relevant state bodies and/or international organizations performed with the consent of a superior officer or governing body to participate in international and foreign scientific, sports, creative and other activities at the expense of public associations (funds), including journeys undertaken in the framework of the statutory activities of such public associations (funds) at the invitation and at the expense of foreign partners.

Other restrictions may be imposed by legislative acts on state officials and persons equated to them.

Article 18. Restrictions on Joint Service (Work) in State Bodies and Organizations of Spouses, Close Relatives or Relatives-in-Law

It is prohibited to perform mutual state service for state officials, employees of the Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examinations of the Republic of Belarus, military personnel, persons of ordinary and commanding structure of the internal affairs bodies, bodies and divisions for emergency situations, and financial investigation bodies of the State Control Committee of the Republic of Belarus who are spouses, close relatives or relatives-in-law, if their service is connected with the direct subordination or control of one of them to the other.

It is prohibited to work together in the same state organization (separate division) as the head (his deputies), chief accountant (his deputies) and person responsible for the payment of salaries in cash to employees for spouses, close relatives or relatives-in-law, if their work is related to the direct subordination or control of one of them to the other.

Article 19. Restrictions on Participation in Bodies Performing Supervision and Control Functions in Organizations

The head (his deputies) or chief accountant (his deputies) of an organization may not be part of the bodies performing the functions of supervision and control in this organization, except in cases stipulated by legislative acts.

Article 20. Restrictions on Shares Managing in Authorized Funds (Shares) of Commercial Organizations

State officials, employees of the Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examination of Republic of Belarus, military personnel, persons of ordinary and commanding structure of internal affairs bodies, bodies and divisions on emergency situations, and financial investigation bodies of the State Control Committee of the Republic of Belarus who own shares in authorized funds (shares) of commercial organizations shall be obliged, within three months of their appointment (election) to the position or the receipt of the property during the period of tenure, to transfer them for trust management under a guarantee of the state at the time of performing state service or service in the Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examinations of the Republic of Belarus, military service (service) in the Armed Forces of the Republic of Belarus, other troops and military formations of the Republic of Belarus, internal affairs bodies, bodies and divisions on emergency situations, or financial investigation bodies of the State Control Committee of the Republic of Belarus.

The persons specified in the Part One of this Article who own the property of a private unitary enterprise are obliged to make a decision on the re-organization or liquidation of the unitary enterprise or conclude a contract for the purchase and sale of the enterprise as a property complex, in accordance with civil legislation, within three months of their appointment (election) to the position or the receipt of the specified property during the term of their position.

Persons not specified in the Part One of this Article who own shares in the authorized funds (shares) of commercial organizations may personally or through other persons take part in the management of these commercial organizations.

The persons specified in Part One of this Article conclude a Trust Management Agreement with the open joint stock company 'Saving Bank Belarusbank' (hereinafter – the 'Trustee'), in accordance with a standard agreement, for which the form and procedure for concluding are determined by the Council of Ministers of the Republic of Belarus.

The standard agreement should provide for the essential terms of the Trust Management Agreement in accordance with the Civil Code of the Republic of Belarus, this Law, and other legislative acts.

When entering into a trust management agreement, the Trustee should request a statement from a state official accompanied by copies of the contract (agreement) and the decision (order or other act) of the relevant state body or official on their admission (acceptance, appointment) to service.

The amount and form of remuneration to the Trustee and the procedure for its payment are determined in the Trust Management Agreement. The amount of remuneration may not be more than five percent of the income from the shares in the authorized funds (shares) of commercial organizations that are under trust management. In the absence of such income, no remuneration is paid to the Trustee. During the period when government officials are in service, the income from the shares in the authorized funds (shares) of commercial organizations that are under trust management is not paid to them but is recorded and capitalized with the Trustee.

The Trust Management Agreement is terminated upon the termination of service, and shares in the authorized funds (shares) of commercial organizations and incomes from them are transferred to the citizen who has ceased service within a month of the date of the termination of this Agreement or to another person in accordance with legislative acts.

The Trustee is obliged to compensate the losses caused to the state official if the Trustee is unable to fulfil its obligations to return shares in the authorized funds (shares) of commercial organizations and income from them.

Disputes arising during the execution of the Trust Management Agreement are resolved in court.

Article 21. Procedure for Preventing and Resolving of Conflicts of Interest in Connection with the Performance of Duties of a State Official

A state official is obliged to notify in writing him supervisor, to which he is in direct subordination, on the occurrence of a conflict of interest or the possibility of its occurrence, as soon as he become aware of it, and shall be entitled in writing to recuse himself from decision-making, participation in decision-making or committing other actions for the service (work) that cause or may cause a conflict of interest. The supervisor may refuse to accept the recusal declared by a state official and oblige the state official in writing to perform the appropriate actions in the service (work). On the occurrence or possibility of a conflict of interest and the results of the decision to accept or reject the declaration of the state official, his supervisor informs the Head of the State Agency or other organization.

The head of a state body or other organization that has become aware of the occurrence or possibility of a conflict of interest should immediately take measures to prevent or resolve it.

In order to prevent or resolve conflicts of interest, the head of a state body or other organization has the right to:

- provide a state official with a written recommendation on the adoption of measures for the prevention or resolution of a conflict of interest;

- remove a state official from performing actions in the service (work) that cause or may cause a conflict of interest for a state official;
- transfer a state official, in accordance with the procedure established by legislative acts, from a position where the performance of duties has caused or may cause a conflict of interests to another equivalent position;
- assign the performance of previous official duties at a new work place or to change, including temporarily, the official duties of a state official, in accordance with the procedure established by legislative acts, in order to prevent a conflict of interest or the possibility of its occurrence;
- take other measures provided for by legislation.

A state official, their superiors and the head of a state body or other organization who has committed a violation of the requirements provided for in Parts One and Two of this Article shall be liable in accordance with legislative acts.

Failure by a state official to provide a notification of a conflict of interest or the possibility of its occurrence, if he or she was aware of the conflict of interest or the possibility of its occurrence, is a ground for refusing to appoint a state official to another public position or for bringing him or her to disciplinary justice, up to and including dismissal from his post, in accordance with the procedure established by legislative acts.

The requirements provided for in Parts One and Two of this Article do not apply to participants in relations regulated by legislative acts that establish the procedure for criminal, administrative proceedings, constitutional, civil proceedings and proceedings in courts that consider economic cases.

Article 22. Grounds for Refusal of Appointment to a Managerial Position or Admission to the Civil Service

It is not permitted to appoint persons dismissed under discrediting circumstances established by legislative acts to positions included in the personnel registers of the Head of State of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, Regional Executive Committees and the Minsk city Executive Committee, district Executive Committees, city Executive Committees (cities of regional subordination), and local administrations of districts in cities, within five years of such dismissal, unless otherwise established by the President of the Republic of Belarus.

The appointment of the persons dismissed under discrediting circumstances established in the legislative acts to executive positions in public or private organizations within five years of such dismissal, except as provided in the first paragraph of this Article shall be subject to the approval of this appointment with the Chairman of the district, the city (cities of regional subordination) Executive Committee or the head of the District Administration of Minsk city (cities of regional subordination), in which the organization or its relevant structural unit is based, in accordance with the Council of Ministers of the Republic of Belarus.

In some cases, the President of the Republic of Belarus may determine a different procedure for appointment to senior positions.

Persons who have committed a serious or particularly serious crime against the interests of the service, or a serious or particularly serious crime involving the use of official powers by an official, may not be accepted into the public service.

Article 23. Additional Grounds for Bringing the Heads of State Bodies and other State Organizations to Disciplinary Justice

Violation of the procedure for the admission of persons to the public service, or the provision of testimonials about employees containing deliberately false information, is a gross violation of official (labour) duties and entails disciplinary action against the head of the state body in question, up to and including their dismissal from office, in accordance with the procedure established by legislative acts.

Article 24. Features of Appointment and Payment of Pension, Monthly Monetary Support when Committing a Serious or Particularly Serious Crime against the Interests of the Service or a Serious or Particularly Serious Crime Involving the Use of Official Powers

For state officials who have committed a serious or particularly serious crime against the interests of the service or a serious or particularly serious crime involving the use of their official powers during the period of public service, a long-service pension provided for by the law of the Republic of Belarus of 14 June 2003 'On State Service in the Republic of Belarus' (National Register of Legal Acts of the Republic of Belarus, 2003, No.

70, 2/953) and the monthly allowance provided for by the decree of the President of the Republic of Belarus of 30 November 2006, No. 705 'On Monthly Allowance of Certain Categories of State Officials' (National Register of Legal Acts of the Republic of Belarus, 2006, No. 201, 1/8123) are not assigned (not paid).

When calculating the pension for years of service to employees of the Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examinations of the Republic of Belarus, military personnel who served under contract, individuals of ordinary and commanding staff of Internal Affairs bodies, emergency situations bodies and divisions, and financial investigation bodies of the State Control Committee of the Republic of Belarus who committed a serious or particularly serious crime against the interests of the service or a serious or particularly serious crime involving the use of their official powers, the salary for military (special) rank is taken into account by the military rank 'common soldier' or the corresponding special rank.

Article 25. Offences that Create Conditions for Corruption

Offences that create conditions for corruption are:

- the interference of a state official with the use of his official powers in the activities of other state bodies and other organizations, if this is not within the scope of his powers and is not based on a legislative act;
- when preparing and making decisions, a state official gives undue preference to the interests of individuals or legal entities, or provides them with unjustified benefits and privileges or assists in their provision;
- the use of the official position of a state official or a person equated to him when resolving issues that influence his/her personal, group and other off-duty interests, if this is not related to official (labour) activity;
- the participation of a state official as a representative of third parties in the affairs of a state body or other organization of which he is an employee, or a subordinate (subordinate) and/or controlled (controlled) state body or other organization;
- the use by a state official or a person equated to him in the off-duty interests of information, the dissemination and/or provision of which is restricted, obtained in the performance of their official (labour) duties;
- the refusal of a state official or a person equated to him to provide information to individuals or legal entities, the provision of which is provided for by legislative acts to these persons, the deliberate untimely provision of it, or the provision of incomplete or unreliable information;
- the demand by a state official or a person equated to him from individuals or legal entities for information, including documents, the provision of which is not provided for by legislative acts;
- the violation by a state official in the personal, group, and other off-duty interests of the procedure established by legislative acts for considering appeals from citizens, including individual entrepreneurs and legal entities, and making decisions on issues within its competence;
- creating obstacles for individuals or legal entities to exercise their rights and legitimate interests by a state official or a person equivalent to him ;
- the delegation by a state official of the authority to regulate state business activity or to control it to a person engaged in such activity, if this is not provided for by legislative acts;
- the violation by a state official or an equivalent person of the procedure for performing tenders, auctions, and procurement procedures established by legislative acts;
- a request by a state official or a person equated to him to provide gratuitous (sponsorship) assistance, as well as a violation by a state official or a person equated to him of the procedure for its provision, receipt and use established by legislative acts.

The committal of the offences referred to in Part One of this Article entails liability in accordance with legislative acts.

CHAPTER 4. DECLARATION OF INCOME AND PROPERTY

Article 26. Income Subject to Mandatory Declaration

Income received during a calendar year from sources in the Republic of Belarus, as well as from sources outside the Republic of Belarus, is subject to mandatory declaration in the cases and in the manner provided for in this chapter.

The declaration of income and property also indicates loans received for the period preceding the period for which the declaration of income and property is submitted, and not returned on the date of the submission of such declaration. Such income is indicated in the amount of loans received.

If a declaration of income and property has been submitted to a state body, other organization or official before, then, when submitting a declaration of income and property to this state body, other organization or official, the information on income previously reflected in such a declaration may not be indicated, unless otherwise provided for in Part Six of Article 31 of this Law.

The income specified in the first part of this article is subject to mandatory declaration regardless of whether or not it is subject to taxation in accordance with legislative acts.

Legislative acts may establish cases when income or certain types of income are not subject to mandatory declaration.

Article 27. Property Subject to Mandatory Declaration and Determination of its Value

The mandatory declaration, in the cases and manner provided for in this chapter, of the following items shall be made by persons required in accordance with this chapter to submit declarations of income and assets, as of the date of such declaration, unless otherwise provided by Part Six of Article 31 of this Law:

- land plots, capital structures (buildings, structures), isolated premises, parking spaces;
- vehicles (with the exception of scooters and equivalent motor vehicles, bicycles and horse-drawn vehicles), self-propelled vehicles, sea vessels, inland navigation vessels and mixed (river-sea) navigation vessels and aircrafts;
- works of art, precious metals and precious stones, and products made from them, the value of each of which exceeds one thousand basic values or the total value of which exceeds two thousand basic values;
- construction materials, the total cost of which exceeds two thousand basic values;
- shares in the authorized funds (shares) of business partnerships and companies, shares in the property of production and consumer cooperatives, objects with incomplete construction, their parts, and enterprises with property complexes in the amount exceeding fifteen thousand basic values;
- other property whose unit value exceeds two thousand basic values;
- shares in ownership of the property specified in Paragraphs Two and Three of this part;
- shares in the right of ownership of the property specified in Paragraphs Four to Seven of this part, if their value exceeds the limits set by the corresponding paragraphs of this part.

Property specified in Paragraphs Two, Three and Eight of Part One of this Article is subject to declaration regardless of its value.

The value of the property specified in Paragraphs Four–Seven and Nine of Part One of this Article shall be determined in accordance with the procedure established by the Council of Ministers of the Republic of Belarus in order to establish the need for its declaration.

The value of the declared property is indicated in the declaration of income and property at the price of its acquisition. If the property is received free of charge, as an inheritance, or under transactions that do not involve settlements, the value of such property is not indicated in the declaration of income and property.

When determining the value of the declared property, the provisions of the legislation on valuation activities are not applied, unless otherwise established by the President of the Republic of Belarus.

Article 28. Declaration of Income and Property of Minors, as well as Persons Restricted by the Court in their Legal Capacity and Recognized by the Court as Incompetent Income and property declarations for:

- minors under the age of fourteen (minors) are performed by their legal representatives (parents, adoptive parents or guardians), unless otherwise provided by Part Four of Article 31 of this Law;
- minors between the ages of fourteen and eighteen, with the exception of persons who have acquired full legal capacity as a result of emancipation or marriage, are performed by these persons with the written consent of their legal representatives (parents, adoptive parents) or guardians);

- persons who are restricted, by the court in their legal capacity are performed by these persons with the consent of their Trustees;
- persons recognized as legally incompetent, by the court are performed by their guardians.

Article 29. Declaration of Income and Property when Entering the Service

The declaration of income and property to the relevant state body, other organization or official, unless otherwise established by the President of the Republic of Belarus, should be submitted by persons entering the state service or military service under contract, service to the Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examinations of the Republic of Belarus, internal affairs bodies, bodies and divisions for emergency situations, and financial investigation bodies of the State Control Committee of the Republic of Belarus.

When a citizen of the Republic of Belarus enters the state service by election, the declaration of income and property is submitted before the registration (approval) of the citizen in accordance with the established procedure as a candidate for public office.

Article 30. Declaration of Income and Property when Appointed to Certain Positions

The Declaration of income and property to the relevant state body, other organization or official, unless otherwise established by the President of the Republic of Belarus, must be submitted:

- by state officials – when appointed to a public position in another state body or other organization;
- by military personnel – for appointment to the post of deputy heads of state bodies, which provide for military service, heads and deputy heads of departments of the Central Apparatus of state bodies, which provide for military service and their subordinate bodies, the Commander of internal troops of the Ministry of Internal Affairs of the Republic of Belarus, as well as for the positions of commanders of military units, formations, heads of military authorities and organizations of the Armed Forces of the Republic of Belarus, other troops and military formations of the Republic of Belarus and their deputies;
- by employees of bodies and divisions on emergency situations – when appointed to the posts of heads and deputy heads of departments of the Central Apparatus of the Ministry of Emergency Situations of the Republic of Belarus, heads and deputy heads of territorial bodies of the Ministry of Emergency Situations of the Republic of Belarus, departments of emergency situations with the rights of a legal entity, as well as senior, middle and junior officers of the bodies exercising state fire supervision and state supervision and control for the protection of populations and territories from emergency situations;
- by employees of internal affairs bodies – when appointing senior, middle and junior officers of internal affairs bodies to senior positions;
- by employees of the financial investigation bodies of the State Control Committee of the Republic of Belarus – when appointed to another position in the financial investigation bodies of the State Control Committee of the Republic of Belarus;
- by the staff of the Investigative Committee of the Republic of Belarus – in the appointment to the posts of heads and deputy heads of structural subdivisions of the Central Apparatus of the Investigative Committee of the Republic of Belarus, heads and deputy heads of the Investigative Committee of the Republic of Belarus by regions and the city of Minsk, heads of district (interdistrict), city, or district in cities departments of the Investigative Committee of the Republic of Belarus;
- by employees of the State Committee of forensic examinations of the Republic of Belarus – when appointing heads and deputy heads of structural divisions of the Central office of the State Committee of forensic examinations of the Republic of Belarus, heads and deputy heads of departments of the State Committee of forensic examinations of the Republic of Belarus for regions and the city of Minsk, heads of district (interdistrict), city, district departments of the State Committee of forensic examinations of the Republic of Belarus;
- by persons appointed to the positions of heads of state organizations;
- by persons appointed to the positions of heads of organizations with authorized funds of 50 or more percent of the shares (shares) owned by the state and/or its administrative territorial units.

Article 31. Annual Declaration of Income and Property of State Officials in a Responsible Position and Persons

Who Entered the Public Service by Election, their Spouse, Minor Children, Including Adopted Children, as Well as Close Adult Relatives Who Live Together with Them and Share a Common Household

Unless otherwise provided by Part Two of this Article, the following persons are required to submit annual income and property declarations:

- duly elected members of the Council of the Republic of the National Assembly of the Republic of Belarus who exercise their powers on a professional basis – to the Council of the Republic of the National Assembly of the Republic of Belarus;
- deputies of the House of Representatives of the National Assembly of the Republic of Belarus – to the House of Representatives of the National Assembly of the Republic of Belarus;
- duly elected judges of the Constitutional Court of the Republic of Belarus – to the Constitutional Court of the Republic of Belarus;
- judges of economic courts of regions (Minsk city), regional (Minsk city) and district (city) courts – to the Supreme Court of the Republic of Belarus;
- Deputy Chairmen of Regional (Minsk city) Councils of deputies – in the Regional (Minsk city) Council of deputies;
- chairmen of city (cities of regional subordination), district Councils of deputies, their deputies – to regional Councils of deputies;
- chairmen of rural, settlement, city (cities of district subordination) Councils of deputies, their deputies – to district Councils of deputies;
- persons holding positions included in the personnel register of the Council of Ministers of the Republic of Belarus – to the Office of the Council of Ministers of the Republic of Belarus;
- prosecutors of districts, districts in cities, cities, inter-district and equivalent transport prosecutors and their deputies – to a higher body of the Prosecutor's office, determined by the Prosecutor General of the Republic of Belarus;
- the heads of the Investigative Departments of the Investigative Committee of the Republic of Belarus and their deputies, investigators of the Investigative Committee of the Republic of Belarus – to the Central office of the Investigative Committee of the Republic of Belarus or a state body, included in the system of the Investigative Committee of the Republic of Belarus determined by the Chairman of the Investigative Committee of the Republic of Belarus;
- heads of state security bodies and their deputies, heads of investigative divisions and pre-trial detention centres of state security bodies and their deputies, and investigators of State Security agencies – to the State Security Committee of the Republic of Belarus;
- heads of Border Service bodies and their deputies – to the State Border Committee of the Republic of Belarus;
- heads of internal affairs bodies and their deputies, heads of institutions executing punishment in the form of imprisonment, detention centres of penitentiary system of the Ministry of Internal Affairs of the Republic of Belarus and their deputies – to the Ministry of Internal Affairs of the Republic of Belarus or other body of internal affairs determined by the Minister of Internal Affairs of the Republic of Belarus;
- heads of state fire supervision bodies and their deputies – to higher authorities responsible for emergency situations;
- military commanders of military commandant's offices, military commissioners, commanders of military units, connections, chiefs of military educational institutions, organizations of the Armed Forces of the Republic of Belarus and garrisons and their alternates (in the Armed Forces of the Republic of Belarus and transport troops of the Republic of Belarus), commanders of military units, formations, heads of military institutions and their deputies (in other troops and military formations), with the exception of heads of bodies of the Border Service, their deputies – to the direct commander (chief);
- heads of customs authorities – to the State Customs Committee of the Republic of Belarus;
- heads of territorial bodies of financial investigations of the State Control Committee of the Republic of Belarus and their deputies – to a higher financial investigation authority as determined by the Deputy Chairman of the State Control Committee of Belarus – Director of the Financial Investigations Department;

- heads of diplomatic missions and consular offices of the Republic of Belarus – to the Ministry of Foreign Affairs of the Republic of Belarus.

Persons appointed to the highest state positions of the Republic of Belarus and other positions included in the personnel register of the Head of State of the Republic of Belarus are required to submit annual income and property declarations to the Head of the Presidential Administration of the Republic of Belarus, who determines the declarations to be verified in the current year. The head of the presidential administration of the Republic of Belarus reports to the President of the Republic of Belarus on the results of the verification of such declarations annually until 31 December.

State officials holding a responsible position, with the exception of the persons specified in Parts One and Two of this Article, are required to submit annual declarations of income and property to state bodies and other organizations that have appointed them to their positions.

Along with the persons specified in Parts One to Three of this Article, their spouse, minor children, including adopted children, as well as adult close relatives who live together with them and share a common household, are required to submit annual income and property declarations in accordance with the procedure established by this Article. In this case, the declaration of income and property of minor children under the age of fourteen (minors) is performed in accordance with the procedure established by Article 28 of this Law. The declaration of income and property of minor children under the age of fourteen (minors) who continue to live, in connection with the dissolution of marriage, with the former spouse of persons who are obliged in accordance with this article to submit income and property declarations on behalf of such children is performed by the former spouse.

Income and property declarations are submitted annually until 1 March.

Persons who are obliged in accordance with Parts One to Four of this Article to submit declarations of income and property shall, in the annual declarations of income and property, indicate information about the income and property received, owned and/or actually owned or used, regardless of their indication in the declarations of income and property previously submitted to the state body, other organization or official.

The property which is in actual possession or use by the persons required, in accordance with Parts One–Four of this article, to submit a declaration on income and property, refers to property provided by Paragraphs Two to Four of Part One of Article 27 of this Law, in their actual possession or used by these individuals on a reimbursable or non-reimbursable basis for 183 days or more during the declared period, except for residential premises in a hostel, residential premises of the State Housing Fund, as well as property used for the execution of official (labour) duties, provided in accordance with the established procedure. The number of days such property is in actual possession or use during the declared period is set by the specified persons independently.

In accordance with this article, information on shares in the authorized funds (shares) of business partnerships and companies, shares in the property of production and consumer cooperatives, regardless of their value as of the date of submission of the declaration of income and property, is subject to mandatory declaration.

For persons who are obliged, in accordance with Parts One to Four of this Article, to submit declarations of income and property, the declaration of income and property shall contain information (explanations) about the sources and amounts of income at the expense of which the property specified in the declaration of income and property was acquired (obtained in possession, use) during the declared period.

In case of the non-declaration of income and property (failure to submit within the period of waiver submission) husband (wife) and/or minor children, including adopted, and/or adult close relatives who are living together and sharing a common household with the person liable, in accordance with Parts One to Three of this Article to submit a declaration on income and property, the person shall be informed in writing of the reason for the failure to submit the declaration on incomes and property of his spouse (wife) and/or minor children, including adopted (adopted), and/or adult close relatives living together with him and sharing a common household. At the same time, state bodies, other organizations and officials, to which the annual income and property declarations are submitted, make a decision to request through the tax authorities a declaration on income and property of a spouse and/or minor children, including adopted, and/or adult close relatives who live together and share a common household with a person who is obliged, in accordance with Parts One to Three of this Article to submit income and property declarations, and to send a corresponding request.

A person who is obliged, in accordance with Parts One to Three of this Article to submit declarations of income and property, is determined from among the adult close relatives of those persons who live together with him or her and sharing a common household.

If necessary, at the reasoned request of state bodies, other organizations and officials to whom income and property declarations are submitted annually, the tax authorities issue income and property declarations from close adult relatives of persons who are required, in accordance with this chapter, to submit income and property declarations who do not live together with them and/or do not share a common household, but not more than once a year. The tax authority sends declarations of income and property submitted at its request to state bodies, other organizations, and officials who have decided to request declarations of income and property and have sent a request for these declarations.

Article 32. Annual Declaration of Income and Property by Other Categories of Government Officials

In accordance with this article, annual declaring of income and property of persons not specified in Parts One to Four of Article 31 of this Law is performed.

State officials, with the exception of heads of State Organizations, are required to submit annual declarations of income and property to the state bodies in which they hold public positions.

Military personnel occupying military positions of heads and deputy heads of departments of the Central Apparatus of state bodies, which provide for military service, and their subordinate bodies, or the main department of the commander of internal troops of the Ministry of Internal Affairs of the Republic of Belarus or the Security Service of the President of the Republic of Belarus are obliged to submit an annual declaration on income and property respectively to the state bodies that provide for military service and their subordinate agencies, the Ministry of Internal Affairs of the Republic of Belarus and the Security Service of the President of the Republic of Belarus.

Military personnel holding military positions of heads of Military Administration Bodies of the Armed Forces of the Republic of Belarus, other troops and military formations of the Republic of Belarus and their deputies are required to submit annual income and property declarations to their direct commanders (superiors).

Military personnel of border service bodies who perform military service under contract as officers and ensigns in units that directly protect the state border of the Republic of Belarus and/or border control at checkpoints across the state border of the Republic of Belarus (with the exception of military personnel specified in Parts Three and Four of this Article) are required to annually submit income and property declarations to the commander of a military unit of the border service body.

Employees of bodies and divisions on emergency situations appointed to the posts of heads and deputy heads of departments of the Central Apparatus of the Ministry of Emergency Situations of the Republic of Belarus, heads and deputy heads of territorial bodies of the Ministry of Emergency Situations of the Republic of Belarus, departments of emergency situations with the rights of a legal entity, as well as senior, middle and junior officers of bodies exercising state fire supervision and state supervision and control in the field of protection of population and territories from emergency situations, are required to submit an annual declaration on incomes and property respectively to the authority or the emergency unit.

Employees of internal affairs bodies who hold senior and middle-ranking officer positions within internal affairs bodies are required to submit annual income and property declarations to the relevant internal affairs body.

Employees of financial investigation bodies of the State Control Committee of the Republic of Belarus are obliged to submit annual income and property declarations to bodies of financial investigation determined by the Deputy Chairman of the State Control Committee of Belarus – Director of the Financial Investigations Department.

Employees of the Investigative Committee of the Republic of Belarus are required to submit annual income and property declarations to the Central Office of the Investigative Committee of the Republic of Belarus or to a state body that is part of the Investigative Committee of the Republic of Belarus, determined by the Chairman of the Investigative Committee of the Republic of Belarus.

Employees of the State Committee of Forensic Examinations of the Republic of Belarus are obliged to submit annual income and property declarations to the Central Apparatus of the State Committee of Forensic

Examinations of the Republic of Belarus or a state body included in the system of the State Committee of Forensic Examinations of the Republic of Belarus, determined by the Chairman of the State Committee of Forensic Examinations of the Republic of Belarus.

Heads of state organizations are required to submit annual income and property declarations to state bodies and other organizations that have appointed these managers to positions.

Heads of organizations with authorized funds of 50 or more percent of shares (stocks) owned by the state and/or its administrative territorial units are obliged to submit annual income and property declarations to the state and other bodies authorized to manage shares (stocks) in authorized funds of such organizations (if the shares (stocks) in authorized funds of such organizations are owned by the state and/or its administrative territorial units – to the state bodies or other organizations that manage the bigger part of stocks of their capital (more shares)).

Along with the persons specified in Parts Two to Twelve of this Article, their spouse, as well as close adult relatives who live together with them and share a common household, are required to submit an annual income and property declaration in accordance with the procedure established by this article.

Income and property declarations are submitted annually until 1 March.

In case of the non-declaration of income and property (failure to submit within the period or refusal from submission) of a husband (wife) and/or close relatives (adults) who live together and share a common household with the person liable, in accordance with Paragraphs Two to Twelve of this Article, to submit an income and property declaration, the person shall be informed in writing of the reason for the failure to submit the declaration on incomes and property of his spouse (wife) and/or close relatives (adults) living together with him and sharing a common household. At the same time, the state bodies, other organizations or officials to which the annual income and property declarations are submitted make a decision to request, through the tax authorities, a declaration on the income and property of a spouse and/or close relatives (adults) who live together and share a common household with a person who is obliged in accordance with this chapter to submit income and property declarations, and to send a corresponding request.

A person who is obliged, in accordance with Parts Two to Twelve of this Article, to submit an income and property declaration independently determines the persons who live together with him or her and sharing a common household from among his or her adult close relatives.

If necessary, at the reasoned request of state bodies, other organizations and officials to whom income and property declarations are submitted annually, the tax authorities issue income and property declarations from close relatives (adults) of persons who are required, in accordance with Parts Two to Twelve of this Article to submit income and property declarations who do not live together with them and/or do not share a common household, but no more than once a year. The tax authority sends income and property declarations submitted at its request to state bodies, other organizations, and officials who have made a decision to request income and property declarations and have sent a request for such declarations.

Article 33. Income and Property Declaration Form and the Procedure for its Completion

Income and property declarations are submitted in the form established by the Council of Ministers of the Republic of Belarus, except for the cases provided for in Part Two of this article.

Persons appointed to the highest state positions of the Republic of Belarus, other positions included in the personnel register of the Head of State of the Republic of Belarus, their spouse, minor children, including adopted children, as well as close relatives (adults) who live together with them and share a common household, submit income and property declarations in the form established by the President of the Republic of Belarus.

Income and property declaration forms are issued free-of-charge by the state body (organization) to which the income and property declaration is submitted.

The procedure for filling out the income and property declaration is determined by the Ministry of Taxes and Duties of the Republic of Belarus.

Article 34. Rights, Duties and Responsibilities of Persons who are Obligated to Submit Income and Property Declarations in Accordance

In accordance with this chapter, persons who are required to submit income and property declarations have the right to:

- free advice on the form and content of the submitted documents and the procedure for completing the specified declaration from the state body, other organization or official to whom the income and property declaration is submitted;
- the representation of their interests in state bodies and other organizations independently or through an authorized representative;
- obtain from organizations and individual entrepreneurs that are the source of income a certificate indicating the amount of income paid (issued), including the value of transferred property.

For persons obligated under this chapter to submit an income and property declaration, it is prohibited to obstruct public authorities, other bodies or officials when verifying the completeness and accuracy of the information specified in the income and property declaration notes on the sources and amount of income.

Persons guilty of violating the requirements of this chapter are liable in accordance with legislative acts.

Failure to submit the income and property declaration or to provide incomplete and/or false information to persons entering public service, state officials and equivalent persons, with the exception of cases stipulated by Part Eight of this Article, constitute the basis for refusing employment (work) or an appointment to another position, or for disciplinary action, up to and including dismissal from the position, in accordance with the procedure established by legislative acts.

Liability for failure to submit an income and property declaration of a spouse (spouse), minor children, including adopted, close relatives (adults) of the person obliged in accordance with this chapter to submit an income and property declaration, or for providing incomplete and/or false information for an income and property declaration, or violation of the procedure for the submission of an income and property declaration for a spouse (spouse), minor child, under the age of sixteen years at the time of the offence, including adopted, or an entity in accordance with this chapter, or for a declaration submitted on behalf of a minor child or an close relative (adults), shall be established in accordance with the legislative acts.

The application of measures of responsibility to a person for violation of the requirements of this chapter, except in cases resulting in a dismissal from office, does not release him from the obligation to submit an income and property declaration.

If a person who is obliged to submit income and property declarations in accordance with this chapter finds incomplete and/or unreliable information in the income and property declaration submitted to them before they are identified by state bodies, other organizations or officials performing verification of the completeness and accuracy of the information specified in the income and property declaration, such person has the right to report this to the relevant state body, other organization or official and to submit a revised income and property declaration. In this case, the specified person is released from liability for violation of the requirements of this chapter.

Liability measures for violation of the legislation on income and property declarations are not applied in cases where the income and property declaration includes:

- incomplete information about income, if the amount of income not specified in the income and property declaration does not exceed 10 percent of the total amount of income subject to mandatory declaration;
- false information about the amount of income, if the amount of income falsely specified in the income and property declaration exceeds the actual amount of such income by no more than 10 percent;
- false information about the date of the acquisition of property (share in the property ownership right), if the date of the acquisition of property (share in the property ownership right), incorrectly indicated in the income and property declaration is within the calendar year in which the property was actually acquired (share in the property ownership right);
- false information about land plots, capital properties (buildings, structures), isolated premises and parking spaces, if the area of such property incorrectly indicated in the income and property declaration deviates from the actual area of such property by no more than 10 percent;

- false information about the value of the property (share in the ownership of the property), if the value of the property (share in the ownership of the property) incorrectly indicated in the income and property declaration deviates from the actual value of such property (share in the ownership of the property) by not more than 10 percent.

Article 35. Control over the Declaration of Income and Property

State bodies, other organizations and officials to whom declarations of income and property are submitted shall monitor compliance with the declaration procedure, including the completeness and accuracy of information specified in income and property declarations submitted in accordance with this chapter, unless otherwise established by the President of the Republic of Belarus.

The verification and storage of income and property declarations submitted in accordance with this chapter shall be performed in accordance with the procedure established by the Council of Ministers of the Republic of Belarus, unless otherwise established by the President of the Republic of Belarus.

State bodies, other organizations and officials receiving income and property declarations who discover that the income and property declaration is incomplete and/or includes false information send, within fifteen calendar days of establishing such fact, a relevant notification to the tax authority at the place of residence of the person obliged in accordance with this chapter to submit an income and property declaration, as well as copies certified by the head or his deputy of the income and property declaration and other documents confirming the established fact in order to bring such persons to justice in accordance with legislative acts. Such notification shall not be sent in the cases provided for in Part Eight of Article 34 of this Law.

Information contained in income and property declarations is not subject to dissemination, except in cases stipulated by legislative acts.

Persons who have allowed the disclosure of information about income and property are liable in accordance with legislative acts.

Article 36. Seizure of Property (Recovery of Expenses), the Value of Which (the Amount of Which) Exceeds the Income Received from Legal Sources

State bodies, other organizations, officials, in which (to whom) public officials occupying a responsible position, persons who entered public service by election, their spouses, minor children, including adopted children, adult close relatives living together with them and running a common household submit declarations of income and property, as well as tax authorities monitor the compliance of the value of the property owned by the specified persons, subject to mandatory declaration, and other expenses incurred with the income declared by the specified persons in the declarations of income and property and information (explanations) about the sources and amounts of income, at the expense of which such property was acquired and other expenses were incurred.

In cases where the check of declarations of income and property of the persons specified in part one of this article revealed a clear excess of the value of the property belonging to them and other expenses of these persons for the period when the officials held the positions specified in part one of this article, but not more than 10 years, over the income received from legitimate sources, the property and other expenses in an amount clearly exceeding the confirmed income are seized (exacted) free of charge, or the value of such property is collected into state revenue on the basis of a court verdict on a claim of the prosecutor. A clear excess of the value of property and other expenses over income received from legitimate sources means an excess of at least 25 percent of the income received from legitimate sources.

After the establishments of the fact of a clear excess of the value of property and other expenses of the persons specified in Part One of this article over their income received from legitimate sources, the head of the state body, another organization, an official to which (to whom) income and property declarations are submitted, or an official of the tax authority take written explanations from such persons about the sources of income, at the expense of which the property was acquired, the value of which clearly exceeds the income, or expenses clearly exceed the income. If the persons specified in Part One of this article refuse or cannot explain the sources of such income, or the unreliability of their explanations has been established, the head of the state body, another organization, an official to whom (to whom) income and property declarations are submitted, or

an official of the tax body, within ten days from the receipt of explanations or refusal of the persons specified in Part One of this article, to give explanations proposes those persons to voluntarily transfer to the state revenue the property in the amount clearly exceeding the confirmed income, or to pay its value and the amount of other expenses clearly exceeding the confirmed income.

Information about the apparent excess of the value of the property belonging to the persons specified in Part One of this article and other expenses of those persons over their income, which they refuse or cannot explain, or with respect to which the unreliability of their explanations has been established, the head of the state body, another organization, an official, in which (to which) income and property declarations are submitted, or an official of the tax authority shall within ten days from the date of receipt of an explanation or refusal to provide explanations send to the prosecutor's office at the place of residence (service) of said persons to instructions to consider the existence of grounds for organization and conduct of an audit in accordance with the procedure provided for by the Criminal Procedure Code of the Republic of Belarus. In absence of grounds for such an inspection, for a decision to reject institution of a criminal case or to terminate a preliminary investigation or criminal prosecution in an instituted criminal case and in case of a refusal of the persons specified in Part One of this article refuse, within one month from the date of the request, to voluntarily transfer to the state revenue property in the amount that clearly exceeds the confirmed income, or to pay its value and other expenses in the amount clearly exceeding the confirmed income, in presence of the fact of a clear excess of the value of the property owned and other expenses of those persons over the income received from legitimate sources, the prosecutor's office goes to court with a claim for the uncompensated seizure of that property or for the recovery of its value, or the recovery of other expenses in the amount clearly exceeding the confirmed income.

A dispute on the seizure of property or on the recovery of its value, or on the recovery of other expenses in the amount clearly exceeding the confirmed income, is considered by the court at the place of residence (service) of the persons specified in Part One of this Article, in accordance with the procedure of claim proceeding.

If the property subject to uncompensated seizure in the manner provided in this Article is the only housing, and the person named in Part One of this Article has no other property that can be freely withdrawn, the prosecutor's office shall go to court with the claim for collection of the amount, by which the value of the property clearly exceeds the income derived from legitimate sources.

CHAPTER 5. CORRUPTION OFFENCES

Article 37. Corruption Offences

Corruption offences include:

- the extortion of property or other benefits in the form of work, services, patronage or the promise of benefits for themselves or for third parties in exchange for any act or omission in the performance of official (labour) duties by a state official or a person equivalent to them or a foreign official;
- the acceptance by a state official or a person equated to him or a foreign official of property or other benefits in the form of work, services, patronage or the promise of benefits for themselves or for third parties in exchange for any act or omission in the performance of official (labour) duties, except for remuneration provided for by law;
- the offer or provision of property or other benefits in the form of work, services, patronage or the promise of benefits for them or for third parties in exchange for any act or omission in the performance of official (labour) duties to a state official or a person equivalent to him or a foreign official;
- any act or omission of a state official or a person equated to him or a foreign official in the performance of official (labour) duties to obtain benefits illegally in the form of work, services, patronage or the promise of benefits for themselves or for third parties;
- the illegal use or deliberate concealment of property obtained by a state official or a person equated to him or a foreign official through any activity specified in Paragraphs Two, Three and Five of Part One of this Article;
- the acceptance of property (gifts) by a state official or a person equated to him or a foreign official, with the exception of souvenirs given during protocol and other official activities, or receiving other benefits

for themselves or for third parties in the form of work or services in connection with the performance of official (labour) duties;

- the travel undertaken by a state official or a person equated to him at the expense of physical and/or legal entities, relations with which make part of the service (labour) activities, except for the following trips: business trips; trips at the invitation of the husband (wife), close relatives or relatives-in-law; trips performed in accordance with the international treaties of the Republic of Belarus or by agreement between the state bodies of the Republic of Belarus and bodies of foreign states at the expense of the relevant state bodies and/or international organizations; and trips performed with the consent of a superior officer or governing body to participate in international and foreign scientific, sports, artistic and other activities at the expense of public associations (funds), including journeys undertaken in the framework of the statutory activities of such public associations (funds) at the invitation and at the expense of foreign partners;
- the transfer by a state official to individuals and non-governmental organizations of budget funds or other property owned by the state or owned by organizations with authorized funds of 50 or more percent of shares owned by the state and/or its administrative territorial units, unless this is provided for by legislative acts;
- the use by a state official for personal and other off-duty interests of the property provided to him for the performance of state functions that is in state ownership, if this is not provided for by legislative acts;
- the use by a state official of official powers to obtain a loan, credit, purchase of securities, real estate and other property;
- the petty theft of property by an official authority.

The committal of offences referred to in Part One of this Article entails liability in accordance with legislative acts.

Article 38. Notification of an Offence that Creates Conditions for Corruption, or a Corruption Offence

In case of committing any of the offences specified in the first paragraph of Article 25 and Article 37 of this act by a deputy of the House of Representatives, a member of the Council of the Republic of the National Assembly of the Republic of Belarus, deputies of the local council of deputies, or citizens, registered in accordance with the law, a candidate for the President of the Republic of Belarus, the deputies of the House of Representatives, members of the Council of the Republic of the National Assembly of the Republic of Belarus, the deputies of local councils of deputies, and the state bodies involved in combating corruption notify respectively the House of Representatives, the Council of the Republic of the National Assembly of the Republic of Belarus, the relevant local council of deputies, and the Election Commission.

Article 39. Guarantees to Individuals Who Assist in the Detection of Corruption

An individual who has reported on conditions which may enable corruption, or on a suspected corruption offence, or otherwise contributed to the detection of corruption is protected by the state.

An individual who contributes to the detection of corruption, as well as his or her spouse, and close relatives – if there is sufficient data indicating that there is a real threat of murder, violence, destruction or damage to property, or other illegal acts – is guaranteed to be provided with security in accordance with the procedure established by legislative acts.

Remuneration and other payments that are not specified in the income and property declaration are paid to an individual who contributes to the detection of corruption in cases and in accordance with the procedure determined by the Council of Ministers of the Republic of Belarus.

CHAPTER 6. ELIMINATION OF THE CONSEQUENCES OF CORRUPTION

Article 40. Seizure (Recovery) of Illegally Obtained Property or the Value of Illegally Obtained Works or Services

Funds provided in violation of the legislation on the fight against corruption and transferred to the bank account of a state official or equivalent person shall be transferred to the republican budget within ten days from the day when the state official or equivalent person became aware of this.

Property, including gifts, received by a state official or a person equated to him in violation of the procedure established by legislative acts, in connection with the performance of their official (labour) duties, shall be surren-

dered for free at the place of service (work) of the specified person. The procedure of surrender, accounting, storage, evaluation, and sale of such property is determined by the Council of Ministers of the Republic of Belarus.

If it is not possible to hand over property at the place of service (work), a state official or a person equated to him is obliged to reimburse its cost, as well as to reimburse the cost of works and services that they used illegally to the republican budget by transferring funds to the republican budget in accordance with the procedure established by legislative acts.

A state official or a person equated to him is obliged to hand over the property illegally acquired by the husband (wife), close relatives or relatives-in-law living together with him and managing a common household to the financial authority at the place of residence within ten days from the day when a state official or the person equated to him became aware of that, or within a specified period of time to reimburse the cost or value of the works or services used illegally by the husband (wife), close relatives or in-laws living together with him and managing a common household, by transferring funds to the republican budget in accordance with the procedure established by the legislation. Funds provided in violation of the law and received in the bank account of the spouse of a state official or equivalent person, close relatives or relatives who live together with him or her and share a common household are subject to transfer to the republican budget within ten days from the day when the state official or equivalent person became aware of this.

In the event that the state official or equated person refuses to voluntarily hand over property obtained illegally by the husband (wife), close relatives or cousins living together with him and managing a common household or to reimburse its cost, or the cost of services obtained unlawfully by the husband (wife), close relatives or cousins living together with him and managing a common household, in the absence of evidence of a crime, the property or corresponding value of works and services are subject to recovery based on the decision of the court at the suit of the state bodies engaged in the fight against corruption. State bodies engaged in the fight against corruption, before applying to the court, have the right to seize property obtained illegally by a state official or a person equivalent to him or a foreign official who does not have diplomatic immunity.

Property received by a public body or a public organization in violation of the procedure of funding shall be subject to seizure on the basis of a court decision at the suit of the state bodies combating corruption, and carried out in the manner prescribed by the law on the sale of property seized, arrested or turned to the state revenue, and the cost of work and services received in violation of this procedure and transferred to the republican budget.

Article 41. Annulment of Decisions Made as a Result of Committing Offences that Create Conditions for Corruption, or Corruption Offences

Decisions taken as a result of committing offences that create conditions for corruption or corruption offences may be annulled by a state body, other organization or official authorized to make them, or by a higher state body, other higher organization, a higher official or a court at the request of state bodies, other organizations or citizens of the Republic of Belarus.

A natural or legal person whose rights and interests protected by law are infringed as a result of such decisions has the right to appeal them in court.

Article 42. Legal Protection Measures for Persons Who Have Been Harmed by the Commission of an Offence that Creates Conditions for Corruption or a Corruption Offence

Damage caused by the commission of an offence that creates conditions for corruption, or a corruption offence, is compensated in accordance with the procedure established by legislative acts.

For claims related to compensation for damage caused by the commission of an offence that creates conditions for corruption, or a corruption offence, a ten-year statute of limitations is established, calculated from the date of their commission.

Article 43. Duties and Responsibilities of Heads of State Bodies and other Organizations for Failure to Take Measures to Combat Corruption

Heads of state bodies and other organizations within their competence are obliged to:

- take measures established by this Law and other legislative acts aimed at combating corruption;

- to subject persons who have committed offences that create conditions for corruption or corruption offences and who have breached a written commitment to respect restrictions set out in this Law, to disciplinary action, up to and including dismissal from their position, in accordance with the procedure established by legislative acts;
- inform state bodies engaged in combating corruption of subordinate employees who have committed offences that create conditions for corruption, or corruption offences, within ten days from the time when they became aware of such offences.

Heads of state bodies and other organizations who have not fulfilled or have not fully fulfilled the requirements provided for in Part One of this Article, as well as those who have not provided information requested by state bodies engaged in combating corruption and necessary for the performance of their functions, are liable in accordance with legislative acts.

CHAPTER 7. CONTROL AND SUPERVISION OF COMBATING CORRUPTION ACTIVITIES

Article 44. State Control over the Activities of Special Combating Corruption Units

The Prosecutor General of the Republic of Belarus, the Minister of Internal Affairs of the Republic of Belarus and the Chairman of the State Security Committee of the Republic of Belarus exercise state control over the activities of special-purpose anti-corruption units in the Prosecutor's office, internal affairs and state security bodies, respectively.

Article 45. Supervision of the Implementation of Legislation on the Combating Corruption

The Prosecutor General of the Republic of Belarus and his subordinate prosecutors supervise the precise and uniform implementation of legislation on combating corruption.

Article 46. Public Oversight in Combating Corruption

Public control in combating corruption is performed by citizens of the Republic of Belarus and organizations, including public associations, in accordance with the procedure established by legislative acts and resolutions of the Council of Ministers of the Republic of Belarus.

The oversight activities of citizens of the Republic of Belarus and organizations, including public associations, can be carried out in the following forms:

- participating in the development and national (public) discussion of draft regulatory legal acts on combating corruption;
- participating in the activities of anti-corruption commissions established in state bodies and organizations;
- other forms of such participation provided for by legislative acts.

The activities of representatives of public associations in the exercise of public oversight in combating corruption, along with the forms provided for in Part Two of this Article, may be carried out in the following forms:

- providing public expertise on draft regulatory legal acts in the field of combating corruption and sending relevant conclusions to state bodies engaged in combating corruption;
- participating in meetings of boards of state bodies engaged in combating corruption and coordinating meetings on combating crime and corruption with the right to an advisory vote;
- participating in the preparation of draft normative legal acts, the decisions of executive authorities and other documents affecting the rights and legitimate interests of citizens and organizations;
- participating in carrying out opinion polls on issues related to combating corruption.

CHAPTER 8. FINAL PROVISIONS

Article 47. Amendments and Additions to Certain Laws

1. To amend Article 42 of the Law of the Republic of Belarus of 17 December 1992 'On Pension Provision of Military Personnel, Officers and men of Bodies of Internal Affairs, Investigative Committee of the Republic of Belarus, the State Committee of Forensic Examination of Republic of Belarus, Bodies and Subdivisions on Emergency Situations and Bodies of Financial Investigations' (National Register of Legal Acts of the

Republic of Belarus, 2003, No. 127, 2/993; 2011, No. 140, 2/1877; National Legal Internet Portal of the Republic of Belarus 17 July 2014, 2/2184) the following addition:

after Part Three, add the following part to the Article:

When calculating pensions for years of service to military personnel who served under contract, to persons in command and enlisted personnel who committed a serious or particularly serious crime against the interests of the service or a serious or particularly serious crime involving the use of their official powers by an official, the salary for a military (special) rank is taken into account for the military rank 'private' or the corresponding special rank.

Part Four should be considered as Part Five

2. In Paragraph 2 of Article 236 of the Civil Code of the Republic of Belarus of 7 December 1998 the following wording should be added to Subparagraph 10:

'10) gratuitous seizure of property in cases stipulated by legislative acts in the field of combating corruption.'

3. Make the following additions and amendments to the Criminal Code of the Republic of Belarus of 9 July 1999 (National Register of Legal Acts of the Republic of Belarus, 1999, No. 76, 2/50; 2006, No. 111, 2/1242):

in Part 5 of Article 4:

Paragraph 7 after the words 'State Security,' add the words 'Border Service';

add the following to Paragraph 8:

'8) other officials whose positions are included in the Personnel Register of the Head of State of the Republic of Belarus and the Personnel Register of the Council of Ministers of the Republic of Belarus';

in the first paragraph of Article 429, replace the word 'trusted' with the word 'other'.

4. Add to the Criminal Procedure Code of the Republic of Belarus of 16 July 1999 (National Register of Legal Acts of the Republic of Belarus, 2000, No. 77-78, 2/71; No. 47, 2/152) the following additions and changes: Part 4 of Article 29 should read as follows:

'4. if the circumstances specified in Paragraphs 3 (if there is a person to be brought as an accused) and 4 of Part 1 of this article are discovered at the stage of the consideration of the application or report of a crime, the preliminary investigation is mandatory';

Part 4 of Article 252 should read as follows:

'4. In the case of the termination of the preliminary investigation or criminal prosecution on the grounds provided for in Paragraphs 3 and 4 of Part 1 of Article 29, Paragraph 5 of Part 1 or Part 2 of Article 30 of this Code, in respect of a person upon the fact of committing a serious or particularly serious crime against the interests of the service or a serious or particularly serious crime involving the use of official powers by an official, a copy of the decision on the termination of the preliminary investigation or criminal prosecution shall be sent to the body that assigns and recalculates pensions at the place of residence of this person';

Part 3 of Article 303 should read as follows:

'3. Upon the termination of the criminal proceedings, the applied restraints and other measures of procedural coercion, as well as measures of securing a civil claim and confiscation of property are cancelled, the issue of material evidence is resolved, and the right to compensation for the inflicted harm is explained. A copy of the ruling (resolution) on the termination of proceedings in a criminal case is sent to the accused, the victim or their legal representatives. In the event of the termination of proceedings in a criminal case at a court session on the grounds provided for in Paragraphs 3 and 4 of Part 1 of Article 29, Paragraph 5 of part 1 of Article 30 of this Code, in respect of a person who has committed a serious or particularly serious crime against the interests of the service or a serious or particularly serious crime involving the use of official powers by an official, a copy of the ruling (resolution) on the termination of proceedings in a criminal case is sent to the body that assigns and recalculates pensions at the place of residence of this person';

Part 1 of Article 401 after the second sentence should be supplemented with the following sentence: 'When a person is convicted of committing a serious or particularly serious crime against the interests of the service or a serious or particularly serious crime involving the use of official powers by an official, a copy of the

sentence that has entered into legal force is sent to the body that assigns and recalculates pensions at the place of residence of this person.‘

5. Make the following additions and amendments to the Labour Code of the Republic of Belarus of 26 July 1999 (National Register of Legal Acts of the Republic of Belarus, 1999, No. 80, 2/70; 2007, No. 183, 2/1369; National Legal Internet Portal of the Republic of Belarus, 24 January 2014, 2/2129):

in Article 27:

- add to the title of the Article the words ‘or proper’;

the first part should be worded as follows:

- ‘It is prohibited to work together in the same state organization (separate division) as the head (his deputies), chief accountant (his deputies) and person responsible for the payment of salaries in cash to employees for persons who are closely related or related to each other (parents, children, adoptive parents, adopted children, siblings, grandparents, grandchildren, spouses and similar relatives of the spouse) if their work is related to the direct subordination or control of one of them to the other.’;

in Article 47:

- delete the words ‘or violations’ from Paragraph 5;

add the following paragraph 5.1 to the Article:

- ‘5.1) violation by an employee who is a state official of a written obligation to comply with the restrictions provided for by the Legislation on Combating corruption, Commission of an offence that creates conditions for corruption, or a corruption offence;’;
- in Paragraph 3 of Part One of Article 198, replace the words ‘Paragraph 1’ with the words ‘Paragraphs 1 and 5.1.’

6. Amend the Code of the Republic of Belarus on Administrative Offences of 21 April 2003 (National Register of Legal Acts of the Republic of Belarus, 2003, No. 63, 2/946; No. 87, 2/980; 2004 No. 94, 2/1039; 2010, No. 16, 2/1651; National Legal Internet Portal of the Republic of Belarus, 27 July 2013, 2/2062) the following changes and additions:

in Article 11.16:

Part 4 should read as follows:

- ‘4. Unlawful restriction by an official or an individual entrepreneur, a member of the commission created to conduct the public procurement procedure, of access of suppliers (contractors, executors) to participation in the public procurement procedure, including through non-compliance with the rules for posting information on public procurements, other violations of the procedure of public procurement on the territory of the Republic of Belarus, or a change by an official of the customer (organizer) or an individual entrepreneur of the terms of the contract made upon the results of the procurement procedure, unless provided otherwise by legislative acts, as well as their evasion of conclusion of a contract according to the results of the procurement procedure – entails a warning or imposition of penalty in the amount of up to fifty basic values.’;

Part 5 of the article should read as follows:

‘5. Acts envisaged by Part 4 of this Article committed repeatedly within a year after imposing an administrative penalty for the same violation and/or causing an additional expenditure of funds from the Republican and/or local budgets, including target republican budget funds, and from state extra-budgetary funds or reducing the amount of purchased goods (volume of performed works, rendered services), changes towards narrowing the complement of purchased goods, deterioration of the parameters and technical characteristics of the goods, an increase in the cost of their operation (use) or other deterioration in the quality indicators of goods, if these acts do not contain elements of a crime,

entail imposition of a fine in the amount of fifty to one hundred basic values’;

Article 23.9 should be read as follows:

- ‘Article 23.9. Violation of the Procedure for Declaring Income and Property

1. failure by an individual to submit an income and property declaration within the time period established by law or in a written request of a tax authority in cases stipulated by legislative acts, or provide incomplete or unreliable information about income and/or property that is subject to mandatory declaration entails the imposition of a fine in the amount of five to fifty basic values.
 2. The same acts committed repeatedly within one year after the imposition of an administrative penalty for the same violations entail the imposition of a fine in the amount of twenty to fifty basic values with the confiscation of property subject to declaration, or property subject to declaration, but not specified in the income and property declaration and/or in respect of which false information is indicated in the income and property declaration, or without confiscation.
7. Amend the law of the Republic of Belarus of 14 June 2003 'On Public Service in the Republic of Belarus' (National Register of Legal Acts of the Republic of Belarus, 2003, No. 70, 2/953; 2004, No. 120, 2/1053; 2006, No. 78, 2/1208; 2008, No. 14, 2/1413; No. 184, 2/1506; National Legal Internet Portal of the Republic of Belarus, 01 November 2012, 2/1985) the following amendments and additions:
- from the first paragraph of Paragraph 2 of Article 16, the words 'in accordance with Part One of Paragraph 2, Paragraph 3 of Article 23 of this Law' should be deleted;
 - in Article 22, Paragraph 1:
 - in Sub-paragraph 1.1, replace the words 'authorized persons, to assist close relatives' with the words 'other persons, to assist the spouse, close relatives or relatives';
- Subparagraph 1.5 should read as follows:
- '1.5. Perform other paid work that is not related to the performance of official duties at the place of primary service, except for teaching (providing educational programmes), scientific, cultural, creative activities and medical practice. Pedagogical (providing educational programmes), scientific, cultural, creative activities, and medical practice during working hours may be performed in coordination with the head of the state body where the civil servant holds a public position, or a person authorized by him';
 - Subparagraph 1.6 should be deleted;
 - delete Article 23;
- Paragraph 1 of Article 33 should be supplemented with Subparagraph 1.10.2 as follows:
- '1.10.2. The commission of a serious or particularly serious crime against the interests of the service, or a serious or particularly serious crime involving the use of official powers by an official';
 - in Article 40, Paragraph 1:
 - from Subparagraph 1.9, the words 'committing an offence incompatible with being in the public service' should be deleted;
 - add paragraph 1.9.1 should read as follows:
 - '1.9.1. committing a misdemeanour that is incompatible with being in the public service';
- Paragraph 8 to Article 54 should read as follows:
- '8. State officials who have committed a serious or particularly serious crime against the interests of the service or a serious or particularly serious crime involving the use of their official powers by an official during the period of public service shall not be awarded (paid) a long-service pension under the provisions of this article.'
8. Add to the Procedural and Executive code of the Republic of Belarus on administrative offences of 20 December 2006 (National Register of Legal Acts of the Republic of Belarus, 2007, No. 14, 2/1291; No. 118, 2/1307; No. 121, 2/1326; No. 305, 2/1397, 2/1401; 2010, No. 16, 2/1651; No. 300, 2/1750; National Legal Internet Portal of the Republic of Belarus, 27 July 2013, 2/2062; 3 July 2014, 2/2163; 17 January 2015, 2/2239; 22 January 2015, 2/2240, 2/2241) the following changes:
- in Part 1 of Article 3.2, replace the words 'Part 4' with the words 'Parts 4 and 5';
 - in Part 2 of Article 3.15, replace the words 'and 4' with the words '4 and 5';
 - in the second and third paragraphs of Paragraph 2 and Paragraph 64 of part 1 of Article 3.30, replace the words 'Part 4' with the words 'Parts 4 and 5'.

Article 48. Recognition for Becoming Invalid for Some Laws and Certain Provisions of the Laws
Recognize as invalid:

- Law of the Republic of Belarus of 20 July 2006 'On the Fight against Corruption' (National Register of Legal Acts of the Republic of Belarus, 2006, No. 122, 2/1262);
- Article 15 of the law of the Republic of Belarus of 21 July 2008 'On Amendments and Additions to Certain Laws of the Republic of Belarus on the Activities of Internal Affairs Bodies of the Republic of Belarus' (National Register of Legal Acts of the Republic of Belarus, 2008, No. 184, 2/1514);
- Article 2 of the Law of the Republic of Belarus of 3 December 2009 year 'On Amendments and Additions to Certain Laws of the Republic of Belarus on the Declaration of Income, Property and Sources of Funds by Individuals' (National Register of Legal Acts of the Republic of Belarus, 2009, No. 300, 2/1616);
- Article 13 of the law of the Republic of Belarus of 28 December 2009 'On Amendments and Additions to Certain Laws of the Republic of Belarus' (National Register of Legal Acts of the Republic of Belarus, 2010, No. 5, 2/1630);
- Article 4 of the law of the Republic of Belarus of 14 June 2010 'On Amendments and Additions to Certain Laws of the Republic of Belarus on Preventing the Legalization of Proceeds from Crime and the Financing of Terrorist Activities' (National Register of Legal Acts of the Republic of Belarus, 2010, No. 147, 2/1684);
- Law of the Republic of Belarus of 22 December 2011 'On Amendments and Additions to the Law of the Republic of Belarus 'On the Fight against Corruption'' (National Register of Legal Acts of the Republic of Belarus, 2012, No. 5, 2/1885).

Article 49. Measures to Implement the Provisions of this Law

To the Council of Ministers of the Republic of Belarus, within six months, shall:

- prepare and submit proposals on bringing legislative acts into compliance with this Law in accordance with the established procedure;
- bring the decisions of the Government of the Republic of Belarus into compliance with this Law;
- ensure that the Republican State Administration Bodies, which are subordinate to the Government of the Republic of Belarus, bring their normative legal acts into compliance with this Law;
- take other measures necessary to implement the provisions of this Law.

Article 50. The Present Law Entry into Force

This Law shall enter into force in the following order:

- Articles 1–48 – six months after the official publication of this Law;
- other provisions – after the official publication of this Law.

President of the Republic of Belarus

A. Lukashenka

CACDS

COMPENDIUM OF SECURITY SECTOR LEGISLATION: BELARUS

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