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Dear Readers,

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This *LawtrendMonitor* provides an overview of the situation of freedom of association and the situation of civil society organizations in June 2023. It traditionally contains information on new regulations adopted in the Republic of Belarus which concern civil society organizations and news on legal drafting. Here is a review of the draft law "On Freedom of Conscience and Religious Organizations." You can also get acquainted with the international reaction to human rights violations, especially of the freedom of association, in Belarus.

Situation of Civil Society Organizations

1. *Lawtrend* experts prepared a review of the situation of freedom of association and the environment for civil society organizations in Belarus in June 2023. It is available on the [Lawtrend website](#).

Legislative News

2. According to the presidential decree No 172 of 13 June 2023, a new edition of the Directive No 2 of 27 December 2006 "On de-bureaucratization of the state apparatus and raising the quality of human living environment" was introduced.

The directive imposes additional obligations on the leadership of state agencies, in particular:

- to involve civil society activists and representatives of civil society actors, including members of leading youth public associations, in the work of expert and advisory councils and to take account of citizens' views when creating human living environment;
- to ensure the proper operation of the hotline for receiving appeals on issues of reference and advisory nature related to the activities of state agencies;
- to prevent unjustified summoning of citizens and representatives of legal entities to courts; prosecution, internal affairs, and state security bodies; the State Control Committee; tax, customs and other state bodies and staying of these persons in these bodies beyond the time required for conducting procedural actions;

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- when adopting decisions affecting the rights, freedoms, and legitimate interests of citizens and legal entities, to strictly comply with legislative requirements and to avoid arbitrary law interpretation. In the event of vagueness or incorrectness of legal act provisions, the decisions must be taken with due regard for the legitimate interests of citizens and legal entities;

- to pay special attention to ensuring that officials treat citizens and representatives of legal entities in an attentive, responsible, and benevolent manner and complying with the requirements of official ethics. In each case of formalism, prejudicial and indelicate behaviour, rudeness and disrespect for people, it needs to conduct a probation and, if the relevant facts are confirmed, to bring those responsible to disciplinary responsibility, up to dismissal from their positions.

The Directive establishes that electronic documents, electronic messages, and other data in electronic form sent by public authorities, in cases determined by law, to activated personal accounts on [the Central Electronic Services Portal](#), must be considered valid, properly received by a user and must entail legal consequences for him/her

3. On 23 June 2023, the Decree No. 180 of the President of the Republic of Belarus "On Amendments to the Decrees of the President of the Republic of Belarus" was adopted. Among other changes, the Decree suspends Paragraph 3 of the Presidential Decree No. 2 of 26 January 1999 "On some measures to regulate activities of political parties, trade unions, other public associations" and some norms of the Regulation on state registration (reregistration) of trade unions and their unions (associations).

Decree No. 180 also amends the Presidential Decree No. 605 "On some issues of state registration of public associations and their unions (associations)" of 6 October 2006.

The analysis of the Decree No. 180 shows that it does not introduce new provisions related to establishing and operating non-profit organizations in Belarus.

4. The Resolution of the Council of Ministers No. 388 of 15 June 2023 approved the project of international technical assistance "Development of the Innovative Potential of Young People for Accelerated Sustainable Development of Belarus."



The Ministry of Education is authorized to coordinate the project.

The Resolution entered into force on 15 June 2023.

5. Resolution No. 373 of the Brest Regional Executive Committee (local government) of 5 June 2023 established the Interdepartmental Council on the Rights of Persons with Disabilities of the Brest Regional Executive Committee and approved its Statute.

Legislative drafting news

6. The draft law 'On Amending the Laws' was passed on first and second reading. It provides for, inter alia:

- amendments to the laws of the Republic of Belarus "On State Guard", "On the State Control Committee of the Republic of Belarus and its Territorial Bodies", "On Financial Investigation Bodies of the State Control Committee of the Republic of Belarus", and "On State Secrets";

- targeted amendments to the Law of the Republic of Belarus "On Mass Events" with regard to specifying the procedure for holding mass events on a paid basis, as well as prohibiting to hold mass events closer than 200 meters from the venue of the All-Belarusian People's Assembly;

- amendments to the Law of the Republic of Belarus "On the Procedure for Citizens of the Republic of Belarus to Exercise their Right to Legislative Initiative", including regulating the procedure for appealing to the All-Belarusian People's Assembly.

7. The [draft law](#) "On amending the laws on the constitutional proceedings" was adopted in the second reading.

8. The draft law "On amending the Criminal Procedure Code of the Republic of Belarus" was passed in two readings. It, in particular, makes it impossible to refuse initiating criminal proceedings and to terminate criminal proceedings on the basis of Paragraph 7 of Article 29(1) of the Criminal Procedure Code in case of death of a person who committed preparation or conduct of aggressive war, act of international terrorism, genocide, crime against safety of humanity, or other crime specified in Article 85 of the Criminal Code.

9. The draft law "On Amendments to the Laws on Local Government and Self-Government" was passed in second reading.



The draft law proposes to consider the implementation of citizens' initiative as a form of local self-government in the Republic of Belarus. It is defined that citizens' initiatives are activities aimed at improving the quality of life of the population of a particular administrative-territorial unit or its part, including improvement of areas, construction (erection, reconstruction, repair, restoration, improvement) of socially significant objects, general prevention of offenses, prevention of injuries and death of citizens, as well as addressing other issues of local importance.

10. The draft Code of the Republic of Belarus on Architectural, Urban Planning and Construction Activities was adopted in the second reading.

11. The draft law "On Amendments to the Law of the Republic of Belarus 'On Environmental Protection'" was adopted in the second reading.

It defines the terms "green economy", "low-carbon economy", "ecosystem services", and corrects definitions of the terms "pollution" and "environmental damage." The definitions of the terms "anthropogenic object", "biotope", "strategic environmental assessment", and "environmental information" are clarified.

Amendments are made concerning the right to access to environmental information and the obligation of holders of such information to provide and to disseminate it, and the cases where its providing may be refused (if information is classified as state secrets or its dissemination and provision are restricted by law) are specified.

12. The draft law "On amendments to the laws on state environmental expertise, strategic environmental assessment and environmental impact assessment" was adopted.

13. The [results](#) of the public [discussion](#) of the draft presidential edict amending a number of edicts on physical fitness and sports were summed up.

Among other things, the amendments provide that some public associations and republican public associations are authorized to conduct and confirm state accreditation for the right to carry out activities promoting physical fitness and sports.

Review of the draft Law "On Freedom of Conscience and Religious Organizations"



14. The draft law amending the Law "On Freedom of Conscience and Religious Organizations" and the rationale for its adoption were published as part of the public discussion organized by the Commissioner for Religious and Ethnic Affairs of Belarus from 5 to 15 June 2023.

The proposed new version of the law **provides for the re-registration of all forms religious organizations** existing in Belarus, including the largest nationwide confessional associations ('religious associations') and small religious cells and specific churches ('religious communities'). The draft law stipulates that all religious organizations existing in Belarus will have to introduce amendments to their charters and submit the documents for re-registration to local or central authorities within one year after the new law comes into force. The authorities will have 6 months to examine the documents submitted for re-registration.

[Review](#) of the draft law can be found on the *Lawtrend* website.

International Reaction to Human Rights Violations, in Particular of Freedom of Association, in Belarus

15. The International Labour Conference (ILC) adopted a [resolution](#) on Belarus drawing attention to the need to enforce specific recommendations of the International Labour Organization (ILO) based on Article 33 of the ILO Constitution.

The resolution calls for the immediate withdrawal of all charges and the release of democratic trade union's leaders and activists.

16. The Parliamentary Assembly of the Council of Europe [adopted](#), on 20 June 2023, a resolution "Addressing the specific challenges faced by Belarusians in exile."