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Dear Readers,

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**Lawtrend**

is a group of professionals who work together using legal research and educational methods for the realization and effective protection of human rights and freedoms.

This *LawtrendMonitor* presents an overview of the situation with freedom of association and the situation of civil society organisations in September 2023. The newsletter traditionally presents information on new normative legal acts relating to civil society organisations adopted in the Republic of Belarus, as well as legislative activities in this area. We offer the readers of the bulletin to get acquainted with the results of the research of Lawtrend and OEEC «How the Regional Social & Political Situation Impacts the Belarusian Civil Society Organisations' Condition. The CSOs Acting under Relocation».

**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 September 2023. It is available on the [Lawtrend website](#).

**Legislative News**

2. [The Edict](#) of the President of the Republic of Belarus No. 278 of 4 September 2023 "On the Procedure for Issuing Documents and Performing Actions" significantly changes the list of consular actions and administrative procedures performed by foreign institutions of the Republic of Belarus upon citizens` applications.

It establishes the list of immovable property alienation deeds for notarization and state registration only with a property owner`s appear in person or on the basis of a power of attorney made in Belarus.

Notarisation and state registration of agreements [on the alienation and pledging of an item of immovable property](#) (alienation includes not only purchase and sale, but any transmission of title, including enfeoffment and exchange); on the alienation of motor vehicles, trailers, or self-propelled machines which are subject to state registration and state recording; as well as other agreements or deeds on the alienation of property is possible only with a property owner`s appear in person or on the basis of a power of attorney made in Belarus.

A citizen`s appear in person or power of attorney made in Belarus for his/her representative is necessary, in particular for:



- 1) obtaining duplicates of civil status certificates; official documents containing information from civil status records, and notices on the absence of such records (except for death certificates); duplicates of educational documents;
- 2) state registering vehicles (except for tractors, trailers and semi-trailers thereto), as well as their deregistration; land plots, residential houses, apartments, and other [immovable property](#);
- 3) placing Apostille on an official document drawn up in the territory of Belarus upon application of a person located in Belarus;
- 4) validating an official document in Belarus.

According to the Edict, authorised employees of embassies and consulates may certify: wills, consents, refusals; citizen's being alive and being in a certain place; identity of a citizen with the person depicted in the photo; presentation of documents time; may attest: copies of documents and extracts from them; the authenticity of signatures on documents; translation of documents from one language into another; and may issue duplicates of notarial documents, copies of which are kept in embassies and consulates.

The Edict excludes the powers of foreign offices to certify powers of attorney to Belarusian citizens, except for employees of diplomatic missions and state bodies, members of their families, and other persons to be listed by the Council of Ministers.

The powers of Belarusian foreign missions concerning the issuance, exchange, and prolongation of all kinds of passports and ID-cards are excluded.

A citizen of Belarus may apply for obtaining or exchanging a passport only to a citizenship and migration division of the Department of Internal Affairs at the place of her/his last registration at place of residence in Belarus.

Belarusians may receive and exchange a biometric passport only in law enforcement agencies or the main consular department of the Ministry of Foreign Affairs.

The possibility to extend the validity of a passport of a citizen, who temporarily left Belarus and confirmed the need for a long stay outside the country, is also excluded.



Thus, if a long-term staying abroad Belarusian citizen with an expired passport may enter the country only on the basis of a certificate of return, which is issued for a single entry by a diplomatic mission or a consulate.

The Edict entered into force on 7 September 2023. Appeals on the issues addressed in the Edict submitted to foreign institutions before its entry into force should be considered in a previous manner.

There is a [commentary](#) from the press service of the Ministry of Foreign Affairs on entering into force the Edict "On the Procedure for Issuing Documents and Performing Actions."

3. The Resolution of the Council of Ministers of 2 September 2023 No. 577 "On Amending the Resolution of the Council of Ministers of the Republic of Belarus of 24 January 2019 No. 49" amended the Regulation on the procedure for paying for services to protect public order provided by law enforcement agencies, for costs related with medical care, for cleaning of the territory after a mass event held on it.

The Resolution increases the cost of police services to be paid for by an organiser of a mass event. The necessity of this payment was introduced by the Law of the Republic of Belarus "On Mass Events" of 30 December 1997 No. 114-3, which obliges an organiser of a mass event to specify measures to ensure public order and safety in their applications to hold the event. At the same time, mass events include a wide range of events: an assembly; a rally; a street procession; a demonstration; picketing; sports, cultural, and religious events which are held in a place not specially designated for these purposes, in the open air or indoors.

The cost of the services for mass events with up to 10 participants increased from 3 to 10 basic units (1 basic unit is 37 Belarusian rubles). An additional gradation of the cost of the services for mass events with the number of participants over 1000 people was introduced.

The Regulation was also supplemented with the provision that it is necessary to pay for each date of the event (i.e. for each day of a longtime event).

It came into force on 6 September 2023.

4. The Resolution of the Council of Ministers of the Republic of Belarus of 19 September 2023 № 608 "On organising and holding cultural and entertainment events" amended 'The regulation on the procedure for



forming and maintaining the register of organisers of cultural and entertainment events' and supplemented the requirements to be met by organisers of these events.

Business entities having such status are obliged to confirm compliance with the established requirements by 22 October 2023 (up to and including).

The Resolution entered into force on 23 September 2023.

5. Decision of the Gomel Regional Executive Committee No. 668 of 28 August 2023 approved the Regulation on the Interdepartmental Council on the Rights of Persons with Disabilities of the Gomel Regional Executive Committee.

### **Legislative Drafting News**

6. On 19 September 2023, the tenth session of the House of Representatives of the National Assembly of the Republic of Belarus of the seventh convocation began its work.

Among the draft laws under consideration are: "On Amending the Laws on Licensing", "On Amending the Laws on Health Care" (it is proposed to adjust the laws "On Health Care" and "On State Minimum Social Standards"), "On Amending the Law of the Republic of Belarus 'On the Unified State System of Registration and Recording of Offences'."

7. In the period from 12 September to 1 October 2023, a [public discussion of the concept](#) of developing the national cultural space in all spheres of public life for 2024 - 2026 was held.

### **The research «How the Regional Social & Political Situation Impacts the Belarusian Civil Society Organisations' Condition. The CSOs Acting under Relocation».**

8. Experts of non-profit organizations Lawtrend and [OECC](#) have prepared and present an [analytical document](#) based on the results of the research «How the Regional Social & Political Situation Impacts the Belarusian Civil Society Organisations' Condition. The CSOs Acting under Relocation».

An analytical document is a continuation of systemic operations pertaining to monitoring and assessing the conditions, needs or prospects of the Belarusian civil society organisations' activities. The authors hereof look into the problems, challenges, requirements, operational conditions and planning horizons specific to an individual target groups of the Belarusian



CSOs, which have found themselves under the forced relocation (staying abroad) circumstances.

## **Комментарий Специальных процедур ООН к проекту новой редакции Закона Республики Беларусь «О свободе совести и религиозных организациях»**

9. The Special Rapporteur on the situation of human rights in Belarus; the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on freedom of religion or belief presented [a commentary](#) on the Bill on the Freedom of Conscience and Religious Organisations.