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# LAWTRENDMONITOR



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## Dear Readers,

*Lawtrend* wishes all you a Merry Christmas and a Happy New Year! We sincerely wish that the legislation and law enforcement we write in our newsletter about to comply with international standards and do not violate human rights.

This *LawtrendMonitor* presents an overview of the situation with freedom of association and the situation of civil society organizations in December 2023. The newsletter traditionally presents information on new normative legal acts relating to civil society organizations adopted in the Republic of Belarus, as well as legislative activities in this area. We kindly suggest you to read the Guidelines on the job arrangement of foreign citizens in Poland. In the newsletter you can also find information on the updated Timeline of Freedom of Association Violations and Civil Society Organizations Prosecution 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 December 2023. It is available on the [Lawtrend website](#).

## Legislative News

2. The Law of the Republic of Belarus of December 13, 2023 No. 318-Z "[On Amendments to Laws on Social Services and Social Payments](#)", including the new edition, sets out the Law "On Social Services". The law establishes that non-governmental non-profit organizations, in accordance with their goals as defined by the charter, in the field of social services can take part, inter alia, in the provision of social services, including within the framework of the state social order, financed by providing subsidies to non-governmental non-profit organizations for the provision of social services and the implementation of social projects; improving legislation and practical activities in the provision of social services; research activities, etc.

The new version of the law, like the current one, contains general rules on the mechanism of the state social decree.

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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.



Licensing is being introduced for non-governmental legal entities and individual entrepreneurs who provide residential social services to the elderly and disabled (the norm comes into force on July 1, 2024). The license will be issued by local authorities at the location of the social service facility.

The deadline for obtaining a license is until October 1, 2024.

After this date, activities to provide social services providing accommodation for the elderly and people with disabilities without a license are prohibited.

3. Decree of the President of the Republic of Belarus dated November 28, 2023 No. 380 [approved the plan for the preparation of draft legislative acts for 2024](#). The decree plans to amend the law "On the Rights of the Child", the Code on Education, the development of a Code on Health Care and the concept of an Environmental Code.

4. The Presidential Edict No. 381 "[On Digital Development](#)" was adopted on 29 November 2023.

The document approves the Regulations on the procedure for the implementation and financing of activities in the field of digital development, public procurement in this field and the Regulations on the procedure for the implementation and financing of pilot projects in the field of digital development.

Its main provisions entered into force on 3 December 2023.

5. Upon the Resolution of the Council of Ministers of the Republic of Belarus No. 859 dated 1 December 2023 "[On Fixing the Monthly Minimum Wage](#)", the monthly minimum wage will be 626 Belarusian rubles (currently 554 Belarusian rubles) from 1 January 2024.

6. [The Resolution of the Council of Ministers of the Republic of Belarus](#) No. 856 dated 1 December 2023 introduced amendments to the procedure for recognizing children as 'children at risk', including criteria and indicators of social risk. These indicators include the absence of both parents or a sole parent's employment or other activities not prohibited by law for more than three months.

It entered into force on 8 December 2023.

7. [The Resolution of the Ministry of Labor and Social Protection of the Republic of Belarus](#) No. 47 dated 30 November 2023 amended the



Resolution of the Ministry of Labor and Social Protection of the Republic of Belarus No. 40 dated 16 June 2014 "On Employment Record Books."

8. [The Decision of the Minsk Regional Executive Committee](#) of 16 November 2023, No. 1129 approved the regulation on the Interdepartmental Council on the Rights of Persons with Disabilities of the Minsk Regional Executive Committee.

9. On 24 November 2023, the Decision No. 426 of the Vitebsk Regional Council of Deputies ["On the implementation of civic initiatives in the territory of Vitebsk region"](#) was adopted (entered into force on 8 December 2023).

10. On 16 December 2023, the Law of 12 December 2022 No. 225-3 ["On employers' associations"](#) came into force. An employers' association means a non-profit organization established in the form of an association (union) uniting, on the basis of voluntary membership, employers and (or) association of employers for the purpose of representation and protection of their rights and legitimate interests in the sphere of social and labor and related economic relations that is included in the register of employers' associations. The activities of these associations are coordinated by the Employers' Confederation of Belarus. The Decree № 29 of the Ministry of Labor and Social Protection of 29 August 2023 aimed at the implementation of the law came into force on 22 December 2023. The document approves the Instruction on the procedure for inclusion in the register of employers' associations, exclusion from it, formation and maintenance of the register of employers' associations. According to the Instruction, the Ministry of Labor and Social Protection is responsible for forming and maintaining the register, as well as organizational and methodological support for its creation and maintenance.

### **Legal Drafting News.**

11. The draft law "On amending laws on counter-terrorism issues" was adopted in two readings.

In particular, the draft law provides for:

Vesting state security bodies with the competence to coordinate the activities of entities directly engaged in combating terrorism (except for the Belarus' Presidential Security Service), other state bodies and other



organizations in terms of the implementation of their powers in the field of counter-terrorism;

The possibility of involving the collection service in protecting facilities, escorting and ensuring the security of individuals and vehicles in the zone of a counter-terrorist operation, and granting them the right to use physical force and weapons in accordance with the procedure and on the conditions established for paramilitary guards;

Defining unified approaches to the compensation of counter-terrorism entities for material damage to their property during a counter-terrorist operation;

Clarification of the rules for the use of weapons by State security personnel.

## **Timeline of Freedom of Association Violations and Civil Society Organizations prosecution in Belarus: August 2020-November 2023.**

12. *Lawtrend* experts updated the [Timeline of freedom of association violations in Belarus](#) with the period of April-November 2023. It now includes an overview of freedom of association violations and civil society organizations prosecution in Belarus by month for the period August 2020-November 2023.

## **Guide for foreign nationals on how to arrange personal and professional life in Poland.**

13. The Belarus Solidarity Center (BSC), with the support of the Ford Foundation and the International Center for Not-for-Profit Law (ICNL) and with the participation of the human rights organization *Lawtrend*, prepared a guide for foreign nationals on how to arrange personal and professional life in Poland.

The Guidelines were prepared to educate foreign nationals (focusing on activists, human rights defenders, and representatives of civil society organizations from Belarus and Ukraine), both those already in Poland and those planning to relocate to Poland in the near future. Its aim is to help foreigners to comply with the requirements of Polish legislation, as well as to orient themselves in the existing practices and peculiarities of arranging their life activities in the territory of Poland.



The Guidelines consists of three parts, each of which deals with a specific aspect of foreign nationals' life in Poland.

[Part 1: Legalization of foreign nationals in Poland](#)

[Part 2: Conducting non-commercial activities by foreigners in Poland](#)

[Part 3: Conducting commercial activities by foreigners in Poland](#)

Information on arranging jobs for foreign citizens in Poland can also be found in the Telegram bot specially created by *Lawtrend* specialists. It also contains the data on legalization, registration of non-profit and commercial organizations, individual entrepreneurs, taxation, reporting and much more in Lithuania and Georgia.

[https://t.me/guidelines\\_for\\_foreigners\\_bot](https://t.me/guidelines_for_foreigners_bot)