

# **On General Concepts of State Youth Policy in the Republic of Belarus**

## **Law of the Republic of Belarus**

*No. 1629-XII of April 24, 1992*

*[Amended as of 14 June, 2007]*

The present Law establishes basic principles of the state youth policy, determines relations between the state and the youth, guarantees free development of young people's associations, and is a legal basis for the development of other legislative acts governing the mechanism of youth policy implementation.

## **Section 1. General Provisions**

### **Article 1. Concept of the State Youth Policy**

The State youth policy is a system of social, economic, political, organizational and legal measures to support young people of the Republic of Belarus up to the age of 31, carried out by the State for social formation, development of the youth and the fullest realization of their potential in the interest of the whole society.

### **Article 2. Legislation of the Republic of Belarus on State Youth Policy**

Constitution of the Republic of Belarus, the present Law and other legislation of the Republic of Belarus shall govern implementation of the state youth policy in the Republic of Belarus.

### **Article 3. Subjects of the State Youth Policy**

Subjects of the State Youth Policy are:

1. young people under 31 years of age;
2. young families wherein one of spouses is under 31;
3. young public associations.

### **Article 4. Competence of Supreme State Bodies of the Republic of Belarus in the Field of State Youth Policy**

Republic of Belarus, in the person of its supreme state bodies managing the youth policy, shall:

1. establish general organizational, social, economic, political and legal principles of the state youth policy in the whole territory of the Republic of Belarus;

2. determine principles and the basis of legal status of young citizens, as well as legal status of young men social associations in the Republic of Belarus;
3. legislatively regulate organisation and activity of the State Body of the Republic of Belarus on the Youth Affairs;
4. approve and implement republican plans, as well as complex and other purpose-oriented programs in the field of state youth policy;
5. establish international and interstate contacts on youth policy on behalf of the Republic of Belarus;
6. exercise control over observance of the legislation on the youth.

**Article 5. Principles of the State Youth Policy in the Republic of Belarus**

The State youth policy of the Republic of Belarus is based on the following principles:

1. combination of public and social interests and rights of individual in the development and implementation of the state youth policy;
2. consistency of the state youth policy;
3. scientific validity and complex development of the state youth policy;
4. considering interests and demands of the youth;
5. protection of rights and legal interests of young citizens;
6. openness of the state youth policy;
7. attraction of the youth to direct participation in the formation and realization of the policy and programs related to the youth and the whole society.

**Article 6. State Bodies and Officials Authorized to Implement the Youth Policy in the Republic of Belarus.**

The State Youth Policy shall be established and effected by:

1. the President of the Republic of Belarus, Parliament of the Republic of Belarus, Council of Ministers of the Republic of Belarus, local councils of deputies, local executive and administrative bodies;
2. state body of the Republic of Belarus on youth affairs.

**Section 2. State Assurances of Implementation the Youth Policy**

**Article 7. Legal Status of the Youth in the Republic of Belarus**

The State shall provide for young people special legal and socioeconomic guarantees compensating the lack of social status due to their age.

Unless otherwise stipulated by the legislation of the Republic of Belarus, it is not allowed to impose any additional obligations on young citizens, compared to obligations set up for other citizens.

Minors enjoy special protection of the State.

Incomplete amount of capability of minors, as well as special procedure of executing their rights, may be set up only by the law and exclusively in the interests of these citizens.

Educational measures of compulsion stipulated by the law shall be applied to minors only by decision of the court.

State authorities and officials, educational specialists and officers of social service may not use with respect to minors any influence measures based on public distribution of information about act performed by minors, except such cases when the above measures are a kind of criminal or administrative punishment, or are related to educational measures of compulsion applied by decision of the court.

#### **Article 8. Obligations of Supreme State Bodies of the Republic of Belarus in Implementation of the Youth Policy**

Republic of Belarus, in the person of the respective state bodies, shall provide for the youth execution of the right to professional training and work, education, medical care, purchase of dwelling, as well as right to rest, use of achievements of culture, physical training and sport, participation in state management, and provides support for young families.

#### **Article 9. Implementation of the Right of Youth to Work**

The state shall stimulate individual apprenticeship, other production training of the youth, raising the level of their skill in enterprises, using methods of economic regulation and privileged taxation.

Temporarily unemployed young citizens graduated from secondary schools, transferred to the reserve after active service, as well as other temporarily unemployed young citizens who were not employed before, have a right to get employed through employment service in accordance with legislation of the Republic of Belarus. By decision of local Council of deputies, state-owned enterprises and organisations receive a quote for hiring and production training of this category of the youth, as well as other persons under 18.

#### **Article 10. Economic Independence and Support of Young Citizens**

Republic of Belarus shall establish a system of measures for providing economic, organizational and legal support of entrepreneurship of young people, including privileges in taxation and lending.

Young citizens and young families shall be allowed long-term loans for purchase and construction of houses and flats, acquisition of household effects and purchase of household utensils for long-term use.

Republic of Belarus shall establish a system of allowances promoting creation of a family, prestige of full family, its stability, birth and education of children.

In the Republic of Belarus for learners and students of educational institutions, servicemen of active military service there is established preferential order of using cultural-enlightenment and sport-fitness institutions, there are granted fare privileges for railway, air, water, automobile and urban public transport.

*[Part four of the article 10 (in the part of fare privileges) has lost force by the Law of the Republic of Belarus of June 14, 2007 No. 239-Z]*

Council of Ministers shall set up a procedure of awarding privileges stipulated by clauses 2 and 4 of the present Article, as well as a procedure of compensating expenses.

#### **Article 11. Rights of Young Citizens in their Relations with Educational Institutions**

Legal relations between young citizens and educational institutions are based on a parity of participants.

Rights and liabilities of students in their relations with administrations of educational institutions shall be established by legislative acts of the Republic of Belarus, acts of self-management bodies of these institutions, agreements between students, their collectives and administrations of educational institutions.

Administration and officers of educational institutions shall have no right to neither force students to fulfill obligations not related to educational process, to waive their rights, or hurt students' pride. In case of commitment of such illegal actions by administration or officers of educational institutions, thus violating rights of students, the latter, or their legal representatives, shall have a right to require damages through a court.

### **Section 3. Financial Principles and Mechanism of Implementation of Youth Policy in the Republic of Belarus**

#### **Article 12. State Management in the Field of Youth Policy**

According to the Constitution of the Republic of Belarus, State management in the field of youth policy shall be carried out by supreme bodies of state administration and management, local Councils of deputies, executive and management bodies.

To prepare and discuss issues in the field of state youth policy related to the authority of the respective Council, to ensure execution of its decisions and control over implementation of these issues, the Parliament of the Republic of Belarus and local Councils of deputies may form *ad hoc* committees or other deputy bodies dealing with youth problems.

Legislation of the Republic of Belarus determines the legal status of *ad hoc* committees on youth problems.

State body of the Republic of Belarus on youth affairs shall be formed to ensure complex management of the youth policy and coordination of Ministries and other republican bodies of the Republic of Belarus engaged in the field of youth policy.

According to the legislation in force, local executive and administrative bodies may form divisions (departments, committees) on youth affairs (on work with the youth).

Legal status of the state body on the youth affairs shall be determined by the regulation approved by the Council of Ministers of the Republic of Belarus.

### **Article 13. Social Services for the Youth**

To implement state youth policy and provide guarantees to young people as stipulated by the law, social services for the youth may be established. The activities of the latter shall be supervised by the state body on the youth affairs and executive committees of local Councils of deputies.

Social service for the youth shall perform the following functions:

advising young citizens about their rights and opportunities in all spheres of life;

consulting minors, other young citizens and their parents; psychological, educational, narcological and juridical aid and support;

social support of young families;

support of young citizens found themselves under extremely unfavorable conditions due to bad health, disabled persons, as well as persons who are at, or left, the state children's institutions, and neglected minors;

social work in special teaching and educational institutions for juvenile delinquents;

assistance in adaptation of young citizens discharged from imprisonment or returned from special teaching and educational institutions;

other functions of support and creation of conditions for the development of the youth, as stipulated by legislation of the Republic of Belarus.

Persons with appropriate education and professional skills, or who passed attestation according to the fixed order, shall be allowed engagement in the system of social service for the youth.

### **Article 14. State Financing of the Youth Policy**

The republican and local budgets provide for facilities to finance arrangements in the field of the youth policy.

The republican and local budgets shall finance the following:

1. republican and local complex and purpose-oriented programs in the field of the state youth policy;
2. expenses on implementation of international youth contracts in compliance with the international agreements concluded by the Republic of Belarus;
3. expenses on construction and maintenance of departmental objects belonging to the state body.

## **Article 15. Funds for Promotion of the State Youth Policy**

To finance programs in the field of the youth policy, the following funds may be established:

1. republican young peoples' fund;
2. regional (Minsk City) young peoples' fund;
3. district, city (district in cities) young peoples' funds.

By decision of working collectives, young peoples' fund of enterprises, institutions and organisations may be set up. The decision shall be reflected in the collective agreement.

Sources for the formation of young peoples' funds shall be:

1. budget subsidies, charitable allocations from legal persons and individuals;
2. income from activity of the funds;
3. deductions from profit (income) of enterprises of the youth associations;
4. other sources stipulated by the law of the Republic of Belarus.

Allocation of budget grants to the youth fund for the financing of state programs shall be carried out by the respective Council of deputies during approval of budgets.

Council of Ministers of the Republic of Belarus shall approve the Regulation about the republican fund for promoting state youth policy. Executive committees of local Councils shall approve regulations on the local fund for promotion of the state youth policy.

## **Article 16. Support of Public Activity on Social Development of the Youth**

Profit (income) allocated by enterprises and organisations to the youth funds, for the construction and maintenance of social and cultural objects for children and the youth, shall enjoy tax relieves within the limits set up by the legislation of the Republic of Belarus.

## **Section 4. Legal Status of Young Men Public Associations in the Republic of Belarus**

### **Article 17. Young Men Associations**

Young men association in the Republic of Belarus is a voluntary public association of predominantly young citizens of the republic (not less than 2/3 of the total members), expressing their specific interests, whose statutory activity is directed to ensure social formation and development of the youth.

Young men associations may establish unions and associations.

Direct or indirect enforcement of young men to enter youth associations, as well as restriction to participate in their activity based on the use of their dependable status shall be prohibited. Persons violating these principles shall be responsible in accordance with the law.

No youth association shall have a right to pretend to monopolistic expression of interests and demands of all the youth of the republic.

#### **Article 18. Law on the Youth Associations; Rights and Guarantees**

The legal status of the youth associations of the Republic of Belarus shall be determined by the republican legislation on public associations, by the present Law and other normative documents of the Republic of Belarus issued in this regard.

#### **Article 19. The State and Youth Associations**

The State shall form a system of legal and economic guarantees that ensure to all registered youth associations equal opportunities to participate in public life of the republic.

To create necessary conditions for functioning of the registered youth associations and influence the nature and orientation of their activities, the State may provide material, financial and organizational support for these associations. This support shall be offered for the youth associations that do not pursue political objects and provide assistance to young citizens in their execution of constitutional obligations.

The State shall reserve the right of a coordinating and supervisory center in matters supported by allocated funds.

The state bodies and organisations shall have a right to transfer to the youth associations, according to the law, any buildings, communications and transport facilities and other property and equipment required for execution of their statutory purposes.

### **Section 5. Guarantees for Execution of the Present Law**

#### **Article 20. Guarantees for the Execution of Rights of Young Citizens and Youth Associations**

The rights of young citizens and youth associations stipulated herein should be exercised by them directly and fully, except when restrictions of their activity are stipulated by legislation of the Republic of Belarus.

State bodies, enterprises, institutions, organisations and their officials, within the limits of their power and obligations shall ensure implementation of the state youth policy in the Republic of Belarus. Officials guilty of nonfulfilment or improper fulfilment of their obligations to implement rights and lawful interests of the youth shall be liable according to the legislation of the Republic of Belarus.

#### **Article 21. Co-ordination of the Present Law with Other Acts Issued for its Development**

State bodies shall be liable for observance of the present Law in adopting any other normative documents related to implementation of the Law and development of complex youth programs.

Acts limiting the rights of young citizens and youth associations or hindering their activity shall be cancelled fully or in a certain part.

In case of illegality and cancellation of acts issued by state bodies, young citizens have a right to damages according to the legislation of the Republic of Belarus.

**Article 22.** Control Over Execution of the Present Law

Councils of deputies and the respective state bodies shall carry out control over execution of the present Law.

**Article 23.** The Law on State Youth Policy and International Treaties

If any international treaty of the Republic of Belarus sets up procedures contradicting those stipulated by legislation of the Republic of Belarus on state youth policy, regulations of the international treaty shall prevail.

\* unofficial translation \*

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<http://www.law.by/work/EnglPortal.nsf/6e1a652fbefce34ac2256d910056d559/e1195cc248e7ed14c2256df0002d04e8?OpenDocument>