

# Ability to follow Constitution

Major law of sovereign Republic of Belarus adopted on March 15th, 1994

The date upon which a state gains independence is rather like a birthday; meanwhile, Constitution Day is like coming of age. A country receives its major document on this day, like a person receiving a passport. From this moment, the country matures, developing as a fully-fledged state. Its citizens gain clear understanding of their rights, freedoms, obligations and common values. The Chairman of the Constitutional Court, Piotr Miklavshovich, shares his views.

**How do you feel about March 15th?**

Without doubt, March 15th, 1994, is an historic date, being the day on which the Republic of Belarus adopted its sovereign state Constitution. It defined the fate of our country, setting out the principles of how the state and society would be run, in addition to the rights, freedoms and obligations of citizens. Additionally, our basic points of development were outlined.

Of course, this date is symbolic; it is a holiday on which I enjoy sincerely congratulating all our citizens. I hope that they will preserve unity and responsibility in continuing to build our democratic, law-based, social state, which has such solid founda-

tions in the Constitution. It's vital that every one of us follow it, since law is the basis for all society.

**The Constitutional Court's address to the President and Parliament indicates that last year boasted various significant public-political events. From the perspective of your own position, how do you view them?**

The Constitution defines how our country is run, outlining how authorities are divided into legislative, executive and judicial bodies. It also defines the role of the President of the Republic of Belarus. Last year, our presidential elections followed the principles and norms of our Constitution and our elective right; they were open and democratic. Each citizen of our country was able to freely express their will, visiting the polling station to vote for the candidate they thought most worthy. Democratic society relies on this guarantee.

The elections confirmed once more that the Constitution is active. However, I'd like to bring a serious point to your attention. On the one hand, citizens are granted a range of generally recognised freedoms; on the other, we should not forget the repercussions of failing to observe constitutional norms. This was ob-



Belarus' citizens have clear understanding of their rights, freedoms and obligations

served on the evening of December 19th and must be assessed accordingly. Article 35 of the Constitution guarantees the right to meet freely but simultaneously states that such meetings must comply with the law. If someone infringes the constitutional demands of the law, they must take legal responsibility for their actions.

We must take care to protect our Constitution, not only recalling its rights and freedoms but fulfilling its obligations, to support constitutional order. With this in mind, the Constitutional Court's address to the President and Parliament stresses the need for society to form a constitutional culture, with each citizen respecting the laws of the country, its norms and principles. People should follow these laws in their daily activ-

ity, strictly and obediently.

**The major function of the Constitutional Court is to check whether our laws follow the Constitution. I'm sure you have enough material to assess the quality of the law-making process...**

Since 2008, the Constitutional Court has had the power to control all laws adopted by the House of Representatives and approved by the Council of the Republic, before sending them for signing by the President. Last year, 129 laws were debated to ensure they followed the Constitution, showing that Parliament and other state bodies involved in law-making are guided by the principles of the Constitution.

In its 17 years of operation, the Constitutional Court has detected

about 50 legislative acts which have failed to comply with the Constitution: most before 2000, when our state legislation was still being formed. Development continues, being ever perfected, with participants' qualifications rising. Importantly, political stability, concordance and effective interaction between branches of authority have been achieved.

One of today's major tasks is to focus on executing our adopted laws. Last year, the Constitutional Court formulated over 50 legal positions, drawing the attention of law-makers and law-executors to their obligation to ensure that legislation follows the Constitution. Under debate is a new mechanism for this purpose, to ensure the stable and harmonious development of our state and society.

## Chernobyl lessons to be remembered

European Bank for Reconstruction and Development launches special Chernobyl-25 website

The new portal contains information on the international effort to transform the Chernobyl nuclear power plant into an ecologically friendly site. It also publishes news and previews of events related to work at the plant, in addition to topical interviews, press releases and information dedicated to the 25th anniversary of the Chernobyl disaster. Some pages are devoted to the history of Chernobyl, which was first mentioned in 1193. Its photo gallery features those taken in 1986, after the collapse, and chronicles events from the date on which the plant stopped operations, until the present time. Models of the new 'confinement shell' being built over the existing 'shelter' are available for 3D viewing.

In April 2011, Kiev will host an international scientific-practical conference entitled *25 Years of Chernobyl Disaster: Safety for the Future*. It aims to show how we can learn from Chernobyl, ensuring the security of nuclear energy and other hazardous technologies, while protecting people and the environment from emergencies.

## Wide access available

Within five years, Belarus could join world's information and communication elite

According to Belarus' Communications and Informatisation Minister, Nikolai Pantelei, prices for services need to be kept moderate and services must be widely available. Slow Internet connections are a thing of the past, with the number of subscribers enjoying broadband (high-speed) access rising dozens of times over the past five years, now reaching 1.8m. If each computer is used by a family, we can see that two or three times this number have access to fast speeds.

"The more subscribers we have, the cheaper it becomes for each user," explains Mr. Pantelei. The Communications and Informatisation Ministry plans to continue the demonopolisation



Public gaining wider access to Internet services

of the market, while restricting Beltelecom's dominance, to promote further reduction of tariffs. However, privately owned providers should also prove their mettle. "Those operators who work in parallel with Beltelecom, as yet, invest very little in development," the Minister notes.

The Ministry aims to study how best to reduce tariffs for international roaming. Moreover, from next February, mobile number portability is to be launched, enabling subscribers to move to another operator while keeping their number. This may

escalate competition between operators while inspiring them to reduce prices for mobile services.

The expansion of manufacture of the necessary equipment in the country should also enhance the availability of communication services. For example, the Communications and Informatisation Ministry is seeking major investors for Promsvyaz enterprise, boasting experience in assembling hybrid 'mobile-home' telephones. It is hoped that the company will produce devices of famous foreign trademarks.

## Various criteria taken into consideration

By Oksana Bogomazova

Belarus boasts best ecological index in CIS, according to 2010 figures

The Environmental Performance Index — compiled by scientists from the universities of Yale and Columbia — embraces 163 countries. It uses 25 criteria to assess people's health, related to the state of the environment and ecosystems. The purity of water and air, as well as state policy to preserve biodiversity, is taken into account, alongside farming practices.

Belarus occupies 53rd position, followed by Russia (69), Armenia (76), Azerbaijan (84), Moldova (86), Ukraine (87), Kazakhstan (92), Tajikistan (111), Uzbekistan (144) and Turkmenistan (157). Among our neighbours, Latvia is placed highest (21st position) while Lithuania is ranked 37th. Poland is in 63rd place and Estonia is 57th.

The Belarusian Natural Resources and Environmental Protection Ministry notes that Belarus is ahead of the USA (61st place). Iceland, Switzerland, Costa Rica and Sweden top the rating.