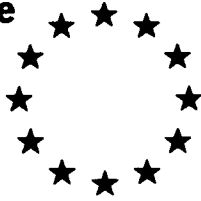


Council of Europe
Conseil de l'Europe



Strasbourg, 21 May 1996
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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

AGREEMENT

**ON THE CREATION OF A COMMUNITY
BETWEEN RUSSIA AND BELARUS**

The Treaty on creation of the Community between the Republic of Belarus and Russian Federation, hereinafter referred to as the Parties, was signed in Moscow on April 2, 1996. This Treaty reflects the results of the referendum held in May 1995 in the Republic of Belarus, the content of the decisions of the Federal Assembly chambers of Russian Federation, it develops the provisions of the Treaty on friendship, good-neighbourliness, and co-operation between the Parties of February 21, 1995. State-Parties of the Treaty confirmed in the Treaty their participation in the Commonwealth of Independent States, in the Treaty between the Republic of Belarus, Republic of Kazakhstan, Kirghiz Republic and Russian Federation of May 29, 1996 on intensification of integration in the economic and humanitarian spheres.

The Treaty on creation of the Community is directed to the development and strengthening of the relations between the Republic of Belarus and Russian Federation with a view to raise the economy of the Parties, to a large extent, by re-creation of the existed before economic relations. In the main, the Treaty has the character of intention of the Parties on development of the interaction in different spheres, presupposes further activity on implementation of the provisions of the Treaty.

Conclusion of the Treaty results in establishing of the three levels of integration among the members of the CIS:

- 1) for all members of the CIS;
- 2) for Belarus, Kazakhstan, Kirghiz Republic, Russia;
- 3) for Belarus and Russia.

All the three levels has, practically, similar general political character but with the different degree of integration relations between the sovereign states in economy, policy, economic ties.

The text of the Treaty on creation of the Community is attached.

AGREEMENT

on the creation of a community between Russia and Belarus

The Russian Federation and the Republic of Belarus hereinafter referred to as Parties, proceeding from the historically common fates of their peoples,

supported by the peoples' will to integrate expressed in the May (1995) Belarusian Referendum and in the October (1995) decisions by the chambers of the Russian Federation Federal Assembly,

proceeding from the provisions of the Treaty on Friendship, Good Neighborhood and Cooperation between the Russian Federation and the Republic of Belarus signed on 21 February 1995,

reaffirming their membership in the Commonwealth of Independent States and participation in the Agreement between the Republic of Belarus, the Republic of Kazakhstan, the Kirghiz Republic and the Russian Federation on deepening of integration in economic and humanitarian fields signed on 29 March 1996,

have agreed as follows:

Article I

The Parties voluntarily decide to create a deeply integrated political and economic Community between Russia and Belarus aimed at uniting the material and intellectual potential of the two States and at improving the economic situation and creating equal opportunities of raising the peoples' living standards and enhancing the spiritual development of individuals.

Article 2

The Community shall be based on principles of sovereignty and equality of the Parties, democracy and respect of human rights, universally accepted principles and standards of international law.

Article 3

The Parties shall take counsel of each other as to their foreign policy, basic international issues and shall coordinate their activities in ensuring security, frontier protection and crime fighting.

In order to enhance reliable security the Parties shall work out general principles of military construction and use of military infrastructure in accordance with the national legislation.

Article 4

In order to create a single economic zone and for effective functioning of a common market and free movement of goods, services, capital and work force, the Parties shall, until early 1997, draw up the schedule, specify the depth of economic reforms and shape a single legal framework for lifting any potential inter-state barriers and restrictions and creating equal opportunities for free economic activity.

Within this period the Parties shall form a unified system of anti-monopoly legislation, taxation, state subsidy of enterprises, investments scheme, standards and rules of labor protection, and complete the setting up of a single customs zone with a single administration.

Article 5

By the end of 1996 the Parties shall complete the implementation of measures to form a unified transport system with approved passenger and cargo transportation rates and shall set up a single energy supplies system as well as a single scientific and technological and information zone.

Article 6

Beginning from 1997 the Parties shall coordinate their policies of further economic development with regard to creating industrial and agrarian complexes based on the principle of mutual assistance, maximum use of rational division of labor advantages, specialization and cooperation of production.

Starting from 1997 the transition to joint production balances and the use of production facilities to the benefit of the Parties shall be effectuated.

Article 7

By the end of 1997 the unification analysis of monetary and budget systems of the Parties shall have been completed and conditions for introducing common currency shall have been set.

Article 8

The Parties shall:

ensure equal rights of their citizens to education, employment, remuneration of labor, granting of social benefits,

introduce common guarantees of social safety,

provide for equal opportunities for natural persons to acquire property, to own it, use it and dispose of it on the respective territories,

balance the size of retirement pensions and payments and privileges to war and labor veterans, disabled persons and poor families,

equalize norms of labor protection, social safety, production and social hygiene,

create a common database concerning the issues of employment and job vacancies.

Article 9

A Supreme Council shall be the Community's highest body and shall comprise heads of the States and Governments, Speakers of Parliaments and the Chairman of the Executive Committee.

The Supreme Council, within the Community jurisdiction, shall consider and decide on the issues of top priority for the Community development, exercise control over the activities of its organs and follow-up of the decisions.

The Supreme Council shall define the location of the Community organs.

The Supreme Council shall elect its Chairman for a term of two years on the rotation basis.

The Supreme Council's decisions shall be adopted on the principle of unanimity, with each Party having only one vote. The Chairman of the Executive Committee shall have a consultative vote.

The Supreme Council shall endorse its Rules.

Article 10

The Parties shall set a Parliamentary Assembly composed of an equal number of parliamentarians from each Party.

The Parliamentary Assembly shall adopt model legislation and submit respective proposals to agencies having the right to legislative initiative, to the Parliaments of the Parties and the Supreme Council with a view to improving the legal framework of the Community.

The decisions of the Parliamentary Assembly shall be passed by a qualified majority vote.

The meetings of the Parliamentary Assembly shall be considered valid if at least two-thirds of deputies representing each side are present.

The Parliamentary Assembly shall adopt its Rules of Procedure.

Article 11

In order to organize practical work aimed at implementing the Agreement, the Supreme Council shall set up an Executive Committee which shall function as a permanent executive body, as well as branch administrative bodies.

The Chairman of the Executive Committee shall be appointed by the Supreme Council.

The Executive Committee shall include an equal number of representatives from each Party. Each nominee of a Party to the Executive Council shall be approved by the Head of the respective State.

The Executive Committee shall:

work out projects and programs aimed at achieving the goals and fulfilling the tasks of the Community; proposals on financing the various activities carried out by the Community; proposals on setting up agencies and organizations providing for the fulfillment of the Community tasks - and submits them for the approval by the Supreme Council;

work out and endorse activities to implement the Supreme Council's decisions, the approved projects and programs of the Community, organize a follow-up;

coordinate the activities of other bodies and organizations brought in by either Party to implement the Community projects and programs;

conclude on its own behalf the relevant civil-legal agreements;

out of the Community funds execute financial and other support of the implemented projects, programs and separate activities;

annually submit to the Supreme Council the Community project and program fulfilment report.

The functions of the Executive Committee and the relevant procedures shall be determined by the Statute of the Committee which is approved by the Supreme Council.

The Executive Committee has its own staff whose number shall be determined by the Supreme Council.

Article 12

The Community organs shall have functions as follows:

carrying out general economic and social policy, working out and implementation of joint programs;

shaping of a single regulatory and legal framework;

implementation of activities aimed at unification of monetary, credit, tax and budgetary systems;

elaboration and implementation of measures aimed at introducing unified currency;

formation of a single energy, transport and communication system;

rational location of new and updating of old production facilities;

joint implementation of foreign economic policy;

setting up of a joint customs system;

setting up of unified standards, samples, metrologic systems, statistics;

overall encouragement of sustainable development of a common scientific, educational and cultural zone;

joint action in the environment protection and elimination of accident and disaster consequences;

setting up of a joint weather forecast service;

joint action in providing security and protection of frontiers.

Article 13

The Supreme Council and the Executive Committee may, within their jurisdiction, adopt resolutions requiring their own immediate action without inflicting damage to Constitutions of either Party, or they may adopt resolutions which will ultimately turn into national legislation.

Article 14

The Community budget shall be formed through annual allocations from the state budgets of the Parties and shall be used to finance joint programs and for staff remuneration.

In accordance with supplementary agreements the Parties shall supply the Community organs with property required for carrying out the functions they are charged with. The property shall be considered as belonging to both Parties and shall be used exclusively in the interests of the two sides.

Article 15

While being a member of the Community, each Party retains its state sovereignty, independence and territorial integrity, its Constitution, State Flag, Emblem, Anthem and other attributes of state authority.

Article 16

The states forming the Community shall be the subjects of the international law and may establish their own diplomatic, consular, trade and other relations with foreign countries as well as sign international treaties.

The Parties remain members of the United Nations Organization and other international bodies.

Article 17

Future development of the Community and its status shall be defined by referenda held in the Parties' territories in conformity with respective national laws.

Article 18

The present Agreement is open for accession by other states, provided they share its objectives and principles and can fully enter into the commitments following therefrom.

Article 19

The present Agreement shall be enacted temporarily as of the date when it was signed, it shall have to be ratified and shall take effect after the exchange of ratification instruments.

Made in Moscow on 2 April 1996 in two copies, each in the Russian and Belarusian languages and each having the same force.

For the Russian Federation

For the Republic of Belarus

signature

signature

Resolution of the
Supreme Council of the Community
of April 2, 1996
No 1

On the Top Priority Measures for
Implementation of the Treaty on Creation
of the Community

1. Approve Alexander G. Lukashenko as the Chairman of the Supreme Council of the Community of Belarus and Russia.

2. Approve Victor S. Chernomyrdin as the Chairman of the Executive Committee of the Community, and Mikhail V. Myasnikovich and Alexei A. Bolshakov as his substitutes.

Approve Vladimir A. Pokrovsky as the Administrator of Affairs of the Executive Committee of the Community.

3. The Executive Committee shall:

in a month's period, submit for the adoption of the Supreme Council the Draft of the Regulations on the Executive Committee and Proposals on the estimate of expenditures for its maintenance in 1996;

till 25 May 1996, approve the Programme of the top priority measures for implementation of the Treaty rated for 1996.

4. Approve the staff of the Executive Committee of 100 persons.

5. Dispose the staff of the Executive Committee in the building of Administration of the President of Russian Federation (Moscow, Staraya Sq., 8/5, porch 3).

To the Administration of Affairs of the President of Russian Federation within a week's period:

provide the Executive Committee with the necessary equipment and means of communication.

allot to the Executive Committee an out-of-town residence.

6. The Executive Committee (V.S.Chernomyrdin), within a month's period, shall submit to the Supreme Council the proposals on the structure of the Executive Committee and its staff, taking into account that:

the workers of the Executive Committee and its staff are international officers;

the heads of the staff subdivisions and their assistants are appointed on the quota basis with equal representation of the member-states and other members of the staff are employed among of Russian and Belarussian citizens;

payment, social security, technical assistance, medical service of the workers of the Executive Committee and its staff are carried out on the terms applied to

the heads and collaborators of the Administration of the President of Russian Federation.

Establish to the Administrator of Affairs of the Executive Committee the payment, social security, technical assistance, medical service on the terms applied to the Head of Administration of the President of Russian Federation.

With regard to the work in the international body, the increasing coefficient to the salary of the heads and collaborators of the staff of the Executive Committee shall be set up in amount of 1.8.

7. The Government of Russian Federation (V.S.Chernomyrdin), jointly with the Government of Moscow (Y.M.Luzhkov), within a month's period, shall solve the matter on allotting the accommodation to the Executive Committee by a special purpose fixing.

8. The national bodies of the executive power of the Republic of Belarus and Russian Federation shall take immediate measures for implementation of the resolutions of the Higher Council, render utmost assistance in the work of the Executive Committee and its staff.

9. Jointly with the Government of Russian Federation and Government of the Republic of Belarus, for the period of forming the staff of the Executive Committee of the Community, the Interstate Economic Committee shall secure the realisation of the purports, resulting from the Treaty on creation the Community and the present Protocol.

President
of Russian Federation

B.N.Yeltsin

President
of the Republic of Belarus

A.G.Lukashenko