

THE PRINCIPLES OF THE CIVIL PROCEDURE LAW OF THE REPUBLIC OF BELARUS: CONCEPTS

Song Siwen,

Mogilev State A. Kuleshov University
(Mogilev, Belarus)

The article mainly studies the concept, core content and practical significance of the principles of the civil procedure law of the Republic of Belarus, aiming to clarify the basic norms guiding Belarus' civil litigation activities.

The civil procedure law of the Republic of Belarus is a key legal document regulating civil dispute resolution, and its principles are the core norms that run through the entire civil litigation process. These principles not only determine the operation mode of the civil procedure

system but also guarantee the fairness and efficiency of dispute settlement. To understand Belarus' civil justice system, it is necessary to first grasp the connotation and function of these principles.

The principles of the civil procedure law of the Republic of Belarus refer to the fundamental, universal and binding legal norms that guide all civil litigation participants (courts, parties, witnesses, etc.) in their activities. Unlike specific procedural rules (such as evidence submission deadlines), these principles have three core characteristics:

-generality; they apply to all types of civil cases (e.g., contract disputes, family law cases) and all levels of courts (district courts, regional courts), ensuring consistent application of the law,

-stability; they reflect the core values of Belarus' civil justice system (fairness, legality) and are not easily revised; changes are only made in response to major legal or social changes,

-mandatory enforceability; non-compliance leads to legal consequences - for example, a court violating the principles may have its judgment annulled by a higher court.

The civil procedure law of the Republic of Belarus clearly stipulates several key principles, each addressing a critical aspect of civil litigation:

principle of legality; all litigation activities must comply with the civil procedure law and the constitution. Courts must exercise jurisdiction within legal limits, and parties must exercise rights (e.g., filing lawsuits) and perform obligations (e.g., submitting evidence) in accordance with procedures;

2) principle of equality of parties; regardless of status, economic strength or identity, all parties enjoy equal litigation rights and bear equal obligations. Courts must ensure parties have equal opportunities to present claims, cross-examine witnesses and submit evidence - for example, providing free legal aid to indigent parties;

3) principle of voluntariness; parties have the right to voluntarily initiate or withdraw lawsuits, settle disputes out of court, or choose litigation representatives. The court respects such voluntary choices as long as they do not violate the Law or harm third-party rights;

4) principle of open trial; civil proceedings are open to the public and media, and judgments are pronounced publicly. Exceptions apply only to cases involving state secrets, trade secrets, personal privacy or minors - with the court required to issue a written explanation for closed trials;

5) principle of procedural economy; courts and parties must conduct litigation efficiently to save judicial resources and reduce costs. Courts assign simple cases to single judges and promote mediation; parties must avoid delay tactics (e.g., frivolous motions) and comply with deadlines.

The principles of the civil procedure law of the Republic of Belarus are of great importance to both the domestic legal system and social order. Principles such as equality of parties and open trial prevent arbitrary judicial decisions and ensure cases are resolved based on facts and law. Procedural economy shortens case handling cycles, reduces backlogs and ensures parties receive timely remedies - critical for protecting the rights of individuals and businesses. By standardizing litigation order and protecting legitimate rights, the principles enhance public trust in the judiciary, laying a foundation for social harmony. Principles like legality and equality are consistent with international civil justice standards (e.g., unbasic principles on the independence of the judiciary), supporting Belarus' international legal cooperation.

The principles of the civil procedure law of the Republic of Belarus are the cornerstone of the country's civil justice system. They not only guide daily litigation practice but also reflect Belarus' pursuit of fair and efficient dispute resolution, playing an irreplaceable role in promoting the rule of law and social development.

List of sources used

1. Code of Civil Procedure of the Republic of Belarus: Code of the Republic of Belarus, March 17, 2024, No. 359-3 // STANDARD. Legislation of the Republic of Belarus / National Center for Legal Information. Republic of Belarus. – Minsk, 2025
2. Magomedov, G. I. Public beginnings of civil proceedings. *Criminological Journal* / G. I. Magomedov. 2022;(4):118–120. (In Russ.). –URL: <https://doi.org/10.24412/2687-0185-2022-4-118-120> (data of access: 28.10.2025).