HDIM.DEL/52/06 3 October 2006

Article 171. Exploitation of prostitution or creating conditions for prostitution:

(as amended in Law of Belarus of 04.05.2005 N 15-3)

1. Exploitation of prostitution by another person or provision of premises (location) for monetary gain by a person, who knew beyond doubt that these premises (location) will be used for prostitution or establishment and/or upkeep of a brothel for the engagement in prostitution when signs of a graver offense are lacking -

are punishable by imprisonment for a term of three to five years.

2. Similar actions involving removal of a person outside of the country for the engagement in prostitution or committed by an officer of state with the abuse of power or by a person with prior convictions for offences under this article and articles 171-1 or 181 of this Code or with the use of persons known to be under age for prostitution or committed by an organized group, -

are punishable by imprisonment for a term of seven to ten years with the confiscation of property.

Article 171-1. Involving into prostitution or forcing into a continuation of prostitution:

(introduced by Law of Belarus of 04.05.2005 N 15-3)

- 1. Involving into prostitution or forcing into a continuation of prostitution are punishable by imprisonment for a term of one to three years.
- 2. Similar actions committed repetitively or with the use of force or the threat or by a person with prior convictions for offences under articles 171 or 181 of this Code or by a person who reached the age of 18 against a person known to be under age, -

are punishable by imprisonment for a term of three to five years.

3. Actions specified by parts one and two of this article committed by a parent, teacher or other person performing parenting functions with regard to a minor against a person known to be under age or by an organized group, -

are punishable by imprisonment for a term of seven to ten years.

Article 181. Human trafficking:

(as amended by Law of Belarus of 04.05.2005 N 15-3)

1. The buying/selling of a person or other transactions committed against a person as well as recruitment, transportation, transfer, harbouring or receipt of a person (human trafficking) committed for exploitation purposes -

are punishable by imprisonment for a term of five to seven years with the confiscation of property.

2 Similar actions committed:

- 1) against a person known to be under age;
- 2) against two or more persons;
- 3) for the purposes of sexual exploitation;
- 4) to remove organs or tissues of a victim for transplantation;
- 5) by a group of persons by previous concert;
- 6) by an officer of state through the abuse of power;
- 7) by a person who previously committed offences under this article, articles 171 or 171-1 of this Code;
 - 8) for the purpose of transporting a victim outside of the country;
- 9) taking advantage of a victim's vulnerability (concatenation of difficult personal, family or other circumstances);
- 10) by deception, abuse of confidence or combined with the use of force, the threat or other forms of coercion, -

are punishable by imprisonment for a term of ten to twelve years with the confiscation of property.

3. Actions stipulated by parts one or two of this article resulting in reckless death of a victim or infliction of grievous bodily injuries or other grave consequences or committed by an organized group, -

are punishable by imprisonment for a term of twelve to fifteen years with the confiscation of property.

Note:

- 1. For the purpose of this article, articles 182 and 187 of this Code exploitation of a person implies illegal forcing of a person into labour or provision of services in case he/she is unable to refuse this work (services) for reasons beyond their control, including slavery or slavery-like practices.
- 2. For the purpose of this article, articles 182 and 187 of this Code sexual exploitation is understood as gaining from acts of a sexual nature performed by another person, including exploitation of prostitution.

Article 182. Abduction:

1. Illegal capture of a person – secret, open, by deception or the abuse of confidence or combined with the use of force or the threat or other forms of coercion – in the absence of signs of an offence under article 291 of this Code (abduction), -

are punishable by imprisonment for a term of five to seven years with or without the confiscation of property.

(part 1, article 182 as amended by Law of Belarus of 04.05.2005 N 15-3)

- 2. Similar action committed:
- 1) against a person known to be under age;
- 2) against two or more persons;
- 3) for monetary gain;
- 4) for the purposes of sexual or other exploitation;
- 5) to remove organs or tissues of a victim for transplantation;
- 6) by a group of persons by previous concert;

(subparagraph 6, part 2, article 182 as amended by Law of Belarus of 04.05.2005 N 15-3)

7) with the use of force, dangerous for life or health, or accompanied by cruelty or torture, -

are punishable by imprisonment for a term of five to fifteen years with the confiscation of property.

(paragraph 2, part 2, article 182 as amended by Law of Belarus of 04.05.2005 N 15-3)

3. Actions stipulated by parts one or two of this article resulting in reckless death of a victim or infliction of grievous bodily injuries or other grave consequences or committed by an organized group, -

are punishable by imprisonment for a term of ten to fifteen years with the confiscation of property.

(part 3, article 182 as amended by Law of Belarus of 04.05.2005 N 15-3)

Article 187. Illegal acts directed towards foreign employment of Belarusian citizens:

(as amended by Law of Belarus of 04.05.2005 N 15-3)

1. Illegal acts directed towards foreign employment of citizens, if, as a result of such acts, persons who have been secured employment abroad were subjected to sexual or other exploitation against the will of a person in the absence of signs of the offence stipulated by article 181 of this Code (illegal acts directed towards foreign employment of citizens), -

are punishable by imprisonment for a term of three to five with the revocation of the right to hold certain offices or pursue certain activities.

2. Illegal acts directed towards foreign employment of citizens committed repetitively or by a person with prior convictions for offences provided by articles 171, 171-1 or 181 of this Code, -

are punishable by imprisonment for a term of four to six years with the revocation of the right to hold certain offices or pursue certain activities.

3. Illegal acts directed towards foreign employment of citizens of Belarus committed by an organized group, -

are punishable by imprisonment for a term of six to eight years with the confiscation of property and with the revocation of the right to hold certain offices or pursue certain activities.