

## Overview of Belarusian CT legislation

The issue of Counter Trafficking (CT) in Belarus is becoming more and more acute for a number of socio-economic reasons not to mention its unique geographical position in the center of Europe that is bordering on the new European Union member states – Poland, Lithuania and Latvia in the West, as well as Russia and Ukraine in the East. The International Organization for Migration (IOM) statistics reflects the scale of this phenomenon in Belarus. For example, 56 victims of trafficking (VoTs) were registered in Belarus in 2003 compared to 251 in 2004. 404 VoTs have been identified over the first 10 months of 2005.

It has to be admitted that the government of Belarus does not condone the problem and, having acknowledged its negative effects on the society at large, have undertaken certain measures to counteract this phenomenon including the development and adoption of legislation aimed at combating THB. Such legislative acts include:

**“The State Programme of Comprehensive Measures to Counteract Trafficking in Human Beings and Spread of Prostitution for the Period of 2002 – 2007”** that was adopted by the Resolution No. 1636 on November 8, 2001 by the Council of Ministers of the Republic of Belarus. The Programme’s main objective is to counteract the growth of THB and prostitution and to develop a sound system designed to prevent and, subsequently, reduce these phenomena. The implementation of this Programme is based on the combined efforts of relevant Ministries and Departments, as well as public associations.

**The Decree of the President of the Republic of Belarus No. 3 of March 9, 2005 “On Certain Measures Aimed to Combat Trafficking in Persons”**. The purpose of the Decree is to practically address the issue and take effective measures to prevent THB, especially in women and children, to protect the lives, health and other constitutional rights of the citizens of the Republic of Belarus. The Decree sets tougher administrative and criminal responsibility for both private individuals and legal entities violating anti-trafficking laws. It also requires various government structures to introduce additional legal requirements for marriage agencies, educational, tourist and other institutions participating in travel abroad programs.

**The Law of the Republic of Belarus No. 15–3 “On Introduction of Amendments to Some Codes of the Republic of Belarus on Increasing the Level of Responsibility for Trafficking in Human Being and Other Related Criminal Offences” of May 4, 2005** was passed by the National Assembly (Parliament) of the Republic of Belarus as a follow up to the President's Decree No. 3 and introduces major amendments to Penal, Criminal Procedure and Administrative Codes. It offers revised versions of key CT legal provisions such as the definition of THB, sentencing guidelines, and administrative offences relevant to THB.

**The Decree No. 352 of August 8, 2005 “On Prevention of the Consequences of Trafficking in Human Beings”** is another very important example of the legislation addressing this acute issue, that establishes a legal and institutional framework for providing adequate protection for the persons who have suffered from criminal activities related to THB including sexual exploitation. The Decree introduced a number of measures to protect the VoTs from sexual exploitation.

Being committed to its genuine desire to combat THB, the Belarusian authorities fully appreciate the importance of international cooperation in this area. For instance, both the President of the Republic of Belarus and the minister for foreign affair addressed the phenomenon of THB at the General Debate Session of the 60th UN General Assembly on September 21, 2005 in New York.