

## SMUGGLING AS A MAIN OFFENCE

### КОНТРАБАНДА КАК ОСНОВНОЕ ПРАВОНАРУШЕНИЕ

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Smuggling is the illegal transportation of objects, substances, information or people in violation of laws or other regulations. Smuggling is probably as old as the first tax or regulation on trade. As for the etymology of the word, the verb 'smuggle' came from Low German 'smuggeln' or Dutch 'smokkelen' which means to transport illegally.

People have different reasons to smuggle. For example, the drug trade, illegal weapons trade, exotic wildlife trade, illegal migration. Non-financial motivations are bringing banned items past a security checkpoint, for example airline security.

Smuggling has a long and controversial history, and probably dates back to the first time at which obligations were imposed in any form, or any attempt was made to prohibit a form of traffic.

In England smuggling first became a serious problem in the 13th century, then Edward I created a national customs system in 1275. Medieval smuggling was focused on the export of goods that were taxed highly, for example, wool and hides.

Nowadays, as many 'first-world countries' have struggled to contain a rising influx of immigrants, the smuggling of people across national borders has become a profitable illegal activity, as well as the extremely dark side, human-trafficking, especially of women, as they may be enslaved.

There are different types of smuggling, such as smuggling of goods, people, human and child trafficking, migration, and wildlife.

1. Goods. Such type of smuggling occurs when enterprising traders attempt to supply demand for a good or service that is illegal or has high taxes. That is why, illegal drug trafficking, and the smuggling of weapons and guns, as well alcohol and tobacco are widespread.

As the smuggler faces huge risks if caught with contraband, smugglers are able to require a significant price on smuggled goods. The profits involved in smuggling goods appear to be really high. The Iron Law of prohibition dictates that greater enforcement results in more potent alcohol and drugs being smuggled.

Smugglers also get profits from avoiding taxes on imported goods. For example, a smuggler might buy a large amount of cigarettes in a place with low taxes and smuggle them into a place with high taxes, where they can be sold at a

far higher price possible. It was reported that smuggling one truckload of cigarettes within the USA can lead to a profit of US\$2 min.

2. People smuggling. As for people smuggling, a distinction can be made between people smuggling as a service to those who want to illegally migrate and the involuntary human trafficking. It is estimated 90% of people who illegally crossed the border between Mexico and the USA. These migrants are believed to have paid a smuggler to transport them.

People smuggling can be used to save a person from oppressive circumstances. For example, when the Southern United States allowed slavery, many slaves moved north through the Underground Railroad. Similarly, during the Holocaust, Jewish people were smuggled out of Germany by people such as Algotz Niska.

3. Human trafficking. Trafficking of human beings in the much referred to case of sexual services is not the same as people smuggling. A smuggler himself wants illegal entry into a country for a fee, and on arrival the smuggled person is free; the human trafficking victim is forced in some way. Victims do not agree to be trafficked: they are tricked, deceived by false promises. Human traffickers use such tactics as deception, fraud, intimidation, isolation, physical threats, debt bondage or even force-feeding drugs to control their victims.

The majority of victims are women and sometimes children. As human trafficking is illegal, the real data is unknown. In the report of A U.S. government published in 2003 it is said that 800,000-900,000 people worldwide are trafficked across borders each year. And this figure does not even include those who are trafficked internally. The trafficker has control over the migrant. Trafficking violates the idea of basic human rights.

4. Child trafficking. Child trafficking is commonly referenced as "transporting". Smuggled children are in danger of being sexually abused or even killed. Poverty is one of the reasons for child trafficking and some children are smuggled with their parents' consent via a transporter.

5. Migration. Each year, many migrants are moved illegally by highly organized international smuggling and trafficking groups. As people of low income countries are desperately wanting to enter developed countries in search of well-paid jobs, this phenomenon has been growing fast in recent years. Migrant smuggling and human trafficking are two different concepts. While "smuggling" refers to supporting the illegal entry of people into a country, "trafficking" has an element of exploitation.

The smuggling of people has become a growing global phenomenon. It is believed that economic instability is the main reason for illegal migration.

6. Wildlife. Wildlife smuggling is a result of the demand for exotic species and the profitable nature of the trade.

In smuggling hiding can involve hiding the smuggled goods in a person's clothing, baggage or inside a body cavity. Most smugglers fly on regularly scheduled airlines. A huge number of suspected smugglers are caught each year by customs throughout the world. Goods and people are also smuggled across seas hidden in containers, and overland hidden in cars, trucks, and trains.

To illegally pass a border oneself, there is a method with a false passport (absolutely fake, or illegally changed, or the passport of a person who looks like you).

Smuggling in Belarus is also a main offence. It is Belarusian's destiny to be situated between two big economic blocs - Russia and the EU. But the country's eastern border is mostly symbolic -since the Eurasian Economic Union (EEU) treaty came into force on 1 January, 2018 - the absence of any integration projects, and the failure of Minsk to build strong relations with the European Union has ensured that its border to the west remains very much untouched.

Smuggling in Belarus is flourishing: both on the border with European Union countries such as Latvia, Poland, and Lithuania, and its southern border with Ukraine. Belarusian mass media tells us stories about the seizure of contraband goods almost every week, but the reports cover only a small part of these seizures, and an even tinier number of successful anti smuggling operations receive coverage.

The reason for the rise of smuggling is that Belarusian law categorizes smuggling most categories of goods as only a minor violation. Smuggling on the Belarus border takes place in various forms and numbers. Usually the contraband goods either are taken through border checkpoints without being declared, or cross illegally through woods and rivers.

According to the customs authorities, the goods which are smuggled most of all from Belarus into the European Union are cigarettes, whereas from Russia to the European Union through Belarus, cigarettes and alcohol keep the leading position. In contrast, goods, which are smuggled from Ukraine, are meat, alcohol, and food. Small items can be hidden in personal baggage or clothing, or carried in cars, buses, and trains.

Smugglers can be absolutely different; 'babushki' (grandmas) cross the border with a few packs of cigarettes, and international gangs with the resources necessary for organizing large amounts of contraband. Smugglers who are caught by customs produce all kinds of unbelievable stories.

Despite the enormous amounts of cigarette smuggling in Belarus, the government doesn't show any sign of increasing penalties for this crime.

In conclusion, I would like to say that methods of smuggling change only a little; all of them are varieties of two main techniques: the undetected running of loads across borders and the hiding of goods in unexpected places on ships or cars, in baggage or cargo, or on the person.

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