

breeding, cultivation and preparation guard dogs;
special training of canine officials.

Today the canine service of the Republic of Belarus uses service dogs of the following breeds: German shepherd, Staffordshire terrier, Spaniel, Labrador.

Service dog breeding is a necessary and indispensable means of preventing and solving crimes, ensuring the safety of citizens and their property. Currently, more than 1,500 service dogs are used in the Republic of Belarus for the benefit of State bodies. The Belarusian customs cynology service appeared in 2000, and on modern stage it is one of the youngest services among the CIS countries. Its main tasks are the use of service dogs to prevent illegal movement of narcotic, psychotropic, alcoholic and explosive substances, as well as weapons and tobacco products across the customs border of the Republic of Belarus; breeding, cultivation and training of service dogs. Today, the creation of its own canine service is a very important and serious project for customs officers.

Annually law enforcement agencies of the Republic of Belarus reveals more than one crime related to transportation or distribution of drugs. The problem of combating drugs is complex and requires the joint efforts of many ministries and agencies. The health and safety of citizens depend to some extent on the effectiveness of work of the dogs at the border.

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THE JOHANNESBURG CONVENTION ON MUTUAL ADMINISTRATIVE ASSISTANCE IN CUSTOMS MATTERS

Йоханнесбургская конвенция о взаимной административной помощи в таможенных делах

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The International Convention on Mutual Administrative Assistance in Customs Matters, or the Johannesburg Convention, was concluded on June 27, 2003. The Republic of Belarus signed this Convention on June 26, 2004, but did not ratify it.

There is a requirement for ratification of this convention by five member states. However, the Johannesburg Convention was signed by only ten countries, of which seven haven't ratified it: the Republic of Belarus, Burkina Faso, Cambodia, the Republic of Ghana, Jordan, Lebanon, Madagascar. At the moment, it has been ratified only by three countries: Albania, India and South Africa.

The Johannesburg Convention is a legal instrument agreed upon by members of the World Customs Organization (WCO). Its predecessor, the International Convention on Mutual Administrative Assistance for the Prevention, Investigation and Suppression of Customs Offenses (the "Nairobi Convention") of June 9, 1977, which entered into force on May 21, 1980, has a much smaller scope of application, as it focuses exclusively on cooperation in combating smuggling in general and drug smuggling in particular.

The Johannesburg Convention consists of a preamble, 54 articles and 13 chapters, which are numbered in Roman numerals. Many of them are mandatory and represent the main provisions of the legal framework for the mutual administrative assistance. These provisions are contained in articles 1 to 8, 11, 13, 18, 24 to 28 and 31 to 54.

The Johannesburg Convention emphasizes the importance of security issues and simplification of procedures for the international supply chain of goods, and also defines violations of customs legislation as those that threaten the security of the parties to the agreement and their economic, commercial, financial, social interests, as well as health and cultural issues. Like the 1977 Nairobi Convention on Mutual Administrative Assistance, the Johannesburg Convention also recognizes that international exchange of information is an important component of effective risk management, and that such exchange should be based on clear legal provisions.

In order to facilitate security and facilitate trade in goods transported through international supply chains, the WCO Council has developed international standards that aim to guarantee unimpeded cross-border movement of goods. One of the key provisions of these standards is cooperation between customs services using modern electronic means of transferring customs data, which allows identification of consignments of high-risk goods prior to their arrival. In addition, the aim of the Johannesburg Convention is also to provide a legal framework for cooperation between customs administrations, to help them obtain information inaccessible on their territory for the correct application of customs legislation.

The contracting parties make a commitment to provide each other with administrative assistance in accordance with the provisions of the Johannesburg Convention. Such assistance relates to the following areas: proper application of customs legislation; prevention, investigation and suppression of customs offenses; security of the international supply chain of goods.

According to some experts and scientists, the lack of coordination between customs services and between customs services and business has become even more important issue in recent years as a consequence of the urgent need for faster delivery of information before the arrival of cargo, increased security measures, as well as more serious requirements to standardize data in international supply chains. The ability to process data efficiently and quickly has become one of the key elements of international competitiveness.

Mutual administrative assistance in customs matters is possible on the basis of the Nairobi Convention or on the basis of bilateral agreements and other mandatory or optional legal instruments of the WCO and / or the UN. However, the Johannesburg Convention includes improved, clear and modern provisions.

The adoption of the Johannesburg Convention will allow customs services:

- legally exchange information, including personal data, as well as provide assistance directly to an elective partner, which is impossible within the framework of the current Nairobi Convention;

- exchange information about goods before its arrival at destination in order to ensure the security of the international supply chain of goods;

- have at their disposal such a WCO tool on mutual administrative assistance in customs matters, under which reservations can be made regarding all provisions that are not the basic principles of the Convention, which is impossible within the framework of the Nairobi Convention;

- expand the range of mutual administrative assistance in many aspects of customs activity in addition to the principles of mutual legal assistance adopted by most member countries under the UN Convention signed in Palermo;

- provide legal status to the database of law enforcement actions of customs administrations, which is the central database of the WCO on customs violations;

- have a tool that would complement bilateral agreements relating to live issues of public protection and tax collection.

The Johannesburg Convention provides for the exchange of data regarding risk analysis between customs authorities in order to combat terrorism, fraud and organized crime. If the Johannesburg Convention is not ratified by most of the countries, the overall goal of a safer supply chain will not be achieved.

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LEGAL BASIS OF ADMINISTRATIVE RESPONSIBILITY FOR VIOLATION OF CUSTOMS REGULATIONS

Правовые основы административной ответственности за нарушение норм в области таможенного дела

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Customs authorities are part of the system of law enforcement agencies of the Republic of Belarus, which, on the basis of the law and in accordance with the appropriate forms on democratic principles, are designed to ensure law and order, to protect the rights and interests of citizens, labor collectives, society and the state, to prevent violations and apply state coercion or influence to persons who violate the law and order.

Customs crime is a socially dangerous criminal act, which encroaches on the established procedure of movement across the customs border of the Republic of Belarus, the procedure of customs control, collection and payment of customs duties.

There are different types of customs offences such as contraband; Illegal export of objects of export control; failure to return historical and cultural property