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**THE ACTIVITY of THE INTERNAL AFFAIRS BODIES FOR ENSURING THE ADMINISTRATIVE AND LEGAL PROCEDURES
of FOREIGNERS' MIGRATION**

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The article is devoted to the study of the activities that are carried out by the Internal Affairs bodies in order to ensure the compliance with the Belarusian legislation concerning foreigners who are staying on the territory of the Republic of Belarus.

The activities of the Internal Affairs bodies are aimed at ensuring the appliance of the constitutional system and the security within the country which entails a stable level of economy, progressive development in the social and moral spheres of life, as well as political stability.

The Republic of Belarus, being a country which is involved into migration processes, carefully monitors the flow of foreigners across the State borders. It also controls the ways of foreigners' stay or residence so that they comply with the country's law. One of the vital functions of the authorities is to ensure the compliance with the Belarusian legislation on the administrative and legal procedures of foreigners' migration, which primarily concerns the constant conduct of check-ups, both foreigners and their places of stay (or residence), and their possible locations.

It should be noted that "entry into" and "exit from" the Republic of Belarus is carried out through checkpoints of the State Borders. They are opened for international traffic with passports (that are issued by the competent authorities of the country of citizenship or permanent residence), as well as with the presence of visas of the Republic of Belarus (to whom it is not determined visa-free entry procedure is applied) and medical insurance (received in accordance with the established procedure), as well as the availability of funds which will be enough to pay the costs of the stay [3].

A real success in the search for foreigners who are staying on the territory of the Republic with the violation of migration legislation is the conduct of raids aimed to check the places where foreigners may be. These are hotels, apartments for rent, hostels, as well as other places of residence. As practice shows, quite often immigrants live illegally with other foreigners who stay legally in the Republic of Belarus.

Inspections of the places to stay and of the residence of foreigners are carried out before the expiration of the visa or valid date of the temporary stay by employees of Citizenship and Migration Departments, and if necessary, with the involvement of other offices of Internal Affairs Bodies (further - IAB) on the basis of the legal documents prepared by the Citizenship and Migration Department. These legal documents are subsequently sent to the Head (or Deputy) of the Internal Affairs Directorate for approval of its execution by another offices of the Internal Affairs Directorate. The offices are obliged to conduct an appropriate checking within 30 days, and must compile a report of the results of the work done. The report then is forwarded by the Chief of the Internal Affairs Department to Offices for Citizenship and Migration for the case-file attachment (parts 1 and 2 of the point 7 and parts 2-5 of the point 8 of the Instruction "On the Procedure for the Cooperation between Departments of Internal Affairs Bodies for the Implementation of Migration Control", approved by the Order of the Ministry of Internal Affairs of the Republic of Belarus, dated on February 26th, 2021, No. 61 [1].

The parts 2-5 of the Art. 9 of the "Instruction on the Procedure of Cooperation" establish the frequency of checking foreigners.

1. Thus, foreigners who have applied for a temporary or permanent residence are subjects to the verification process at least once before a decision is made regarding their stay.

2. Temporarily residing foreigners are monitored at least once every three years after the residence permit is ensured.

3. Employees of Offices for Citizenship and Migration can conduct an inspection frequently or depending on the situation if determined by the Head (or Deputy) of the Internal Affairs Department.

In accordance with the legislation of the Republic of Belarus, foreigners who have committed offenses or crimes are registered in the databank of Unified State Databank on Offenses (further - USDBO).

The officers for Citizenship and Migration check the records of the USDBO of temporarily and permanently residing foreigners who have reached the age of fourteen at least once a calendar year [1]. Permanently residing foreigners are checked at least once during the validity period of the relevant permit. In addition to monitoring

the apartments, rooms, or houses, it is necessary to pay great attention to interviewing neighbors, since there is always a high probability that a foreigner will not be present at the address of the check. Places of large crowds are also checked: train stations, markets, shops, and so on.

Based on the results of the implementation of the plan, the employees of the services draw up a report which in the future will be reported to the Citizenship and Migration Unit.

In our opinion, the media has a great influence on the prevention of offenses in general, and on migration problem-solving, in particular. With the help of the media it is possible to cover a large number of people and as quickly as possible to give them information regarding migration legislation; clarification of its specific provisions and methods of prevention; and explanation of the consequences of violations of regulatory legal acts in the sphere of migration.

The legislation of the Republic of Belarus applies unfavorable sanctions for committing administrative offenses in the state of alcoholic intoxication or in the state caused by the consumption of drugs and other similar substances.

If the wrong-doing is repeated (five or more times) within one calendar year and it leads to administrative responsibility, a foreigner may be denied of registration, of extension of the stay allowance, or can lead to the reduction of the period of the temporary stay. Furthermore, the permit (or cancellation) of a temporary (or permanent) residence may be refused. This may entail the prevention of the possibility of committing administrative offenses by foreigners in the future.

Employees of offices for Citizenship and Migration receive information about the administrative offenses committed by foreigners from the local bodies of Internal Affairs Departments.

If a foreigner (who has been warned about the consequences of the wrong-doing, who is self-sufficient, and is permanently residing in the Republic of Belarus) conducts a civil wrong for the fourth time during a year while intoxicated (and the offense is similar to the previous ones), by a court decision such a foreigner may be placed in a medical and/or labor dispensary with the compulsory exercise of the right to work (paragraph 2 of the part 1 of the Article 4 and the Article 47 of the Law of the Republic of Belarus "On the Procedure and Conditions for Sending Citizens to Medical and Labor Dispensaries and the Conditions of Staying there" dated on January 4th, 2010 No. 104-3, as the amendment of the Law of the Republic of Belarus, dated 10.12.2020) [2]. It can be considered as an effective measure to prevent such offenses committed by a foreigner, as well as to reduce the possibility of committing crimes while intoxicated.

The procedure called "Illegal immigrant" is a large-scale event held once a year, it allows to keep migration processes under control, thereby ensuring the legality of immigrants stay. The results of this procedure are covered in mass media at local and republican levels. Therefore, temporary joint mobile groups (further TJMG) are organized by citizens and migration units, as well as by other offices and units of the Internal Affairs Department (for example, with the help of patrol and police services).

The activities of the TJMG are carried out with the help of the plan that is created by the Head of the Department, offices for Citizenship and Migration, and that is approved by the Head (or his/her Deputy) of the Territorial Police Department. The plan contains the specific information regarding the temporary and territorial reference points for the inspection process; the estimated number of the forces and means which will be involved in the inspection process; the information about reasons for and contacts with the senior employee of the TJMG (the paragraph 2 of the point 13 of the "Instructions on the Procedure of Cooperation") [1].

The work of the TJMG is diverse, for example, checking the grounds for including a foreigner in a risk group; checking the places of stay or residence places; checking information regarding the person's previous deport from the Republic of Belarus in order to monitor the compliance with the ban on entering the country; checking the addresses of foreigners in order to establish the fact of real residence of a foreigner; and much more.

The results of the work done by the TJMG are written down in a report within three working days, and are reported by the senior TJMG to the person who has approved the plan (paragraph 14 of the "Instructions on the Procedure of Cooperation") [1].

The foreigners who require additional control in order to prevent administrative offenses and criminal crimes committed on the territory of the Republic of Belarus are included in the risk group.

Paragraph 28 of the "Instruction on the Procedure of Cooperation" establishes the following grounds for including foreigners in the risk group:

- 1) using the legal basis of the decision made by the local IAB about the possibility of a foreigner's stay in the Republic in certain cases of violation of administrative legislation;
- 2) using certain circumstances when a foreigner complies to be monitored by and to be under control of the Criminal Executive Inspectorate, in specific cases – having an individual preventive conversation with minors;

3) in case of the permit cancellation for the temporary (or permanent) residence of a foreigner;

4) in other cases established by the local IAB [1].

If one of the grounds for including a foreigner in the risk group is established, the Head (senior group member) of the Citizenship and Migration Unit (or his/her Deputy) reports to the Head (or Deputy) of the Local Police Department to include the relevant foreigner in the risk group (paragraph 30 of the "Instruction on the Procedure of Cooperation) [1].

When a foreigner is included in the risk group, the Citizenship and Migration Divisions undertake the commitment to carry out inspections of the foreigner's place of residence at least once every three months; to conduct preventive conversations in cases stipulated by law; to organize, if necessary, meetings with Councils of Public Units of Law Enforcement; as well as to check every three months the database of the USDBO (paragraph 31 of the "Instructions on the Procedure of Cooperation) [1].

Foreigners included in the risk group and the activities carried out in relation to them are recorded by offices for Citizenship and Migration and are registered in the electronic form "Risk Group" of the AIS "Citizenship and Migration" (paragraph 32 of the "Instructions on the Procedure of Cooperation) [1].

Summing up, it should be noted that the activities of Internal Affairs bodies to combat the violation of the order of stay (temporary or permanently) is ensured by a constant monitoring of foreigners using a set of measures to identify foreigners who are or live in the country with the violation of the law.

Only thanks to the well-coordinated work of Internal Affairs bodies, is it possible to ensure a stable migration policy in the Republic of Belarus, and thereby to protect the national security.

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