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**FORMS OF FORCED LABOR: LEGAL CONFIRMATION IN THE LEGISLATION OF THE REPUBLIC OF BELARUS
AND INTERNATIONAL DOCUMENTS**

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Today, forced labor is a global problem throughout the world community. The article considers forms of forced labor, as well as the definition of work that does not apply to labor exploitation. The legislation of the Republic of Belarus and international documents that enshrine and identify forms of forced labor have been studied.

INTRODUCTORY PART. One of the main objectives of human rights protection is the elimination of forced labor. People are exploited by private agents, many people are engaged in forced labor as a result of human trafficking practices. Some people are forced to work by the state.

A long time ago the world established a ban on forced labor, as one of the principles of labor law, a large number of important international documents were adopted, the member states of which undertook to eliminate this problem, and they should not resort to the use of forced labor. Despite all this, today, the problem of forced labor is global.

MAIN PART. The establishment of forms of forced labor is necessary to further combat this problem. The main problem in identifying and fixing forms of forced labor is their constant change, deformation, adaptation to the created methods of counteracting this problem, as well as the fact that many forms of forced labor are extremely difficult to identify.

Novikova O.I. in her work notes that the activity to identify forms of forced labor quite obviously runs into difficulties in collecting information and statistics, because forced labor is mainly used in the shadow economy [1].

The Labor Code of the Republic of Belarus contains a list of works that the legislator attributed to forced labor. This article also sets out a direct ban on forced labor.

“Forced labor is the work required of an employee under the threat of any violent influence, including:

- 1) as a means of political influence or education, or as a punishment for the presence or expression of political views or ideological beliefs that are contrary to the established political, social or economic system;
- 2) the method of mobilization and use of labor for the needs of economic development;
- 3) as a means of maintaining labor discipline;
- 4) as a means of punishment for participating in strikes” [2].

The whole world community has been engaged in identifying and fixing forms of forced labor for many years. For a more detailed study and consideration of forms of forced labor, it is worth paying attention to the forms of forced labor that have been identified by international organizations, especially the International Labor Organization.

ILO Forced Labour Convention, 1930 (No. 29) does not reflect forms of forced labor, however, on the basis of the concept of “forced or compulsory labor”, it can be concluded that this is any work or service that a person performs not voluntarily, but under threat of punishment. It is worth noting that this Convention contains a list of those works that are not forced labor:

- any work or service exacted in virtue of compulsory military service laws for work of a purely military character;
- any work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country;
- any work or service exacted from any person as a consequence of a conviction in a court of law, so as this work or service is carried out under the supervision and control of a public authority and a person is not hired to or placed at the disposal of private individuals, companies or associations;
- any work or service exacted in cases of emergency;
- minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives shall have the right to be consulted in regard to the need for such services [3].

In 1930, the International Labor Organization adopted Convention No. 105, where in Art. 1 forms of forced labor are fixed, which are also reflected in the Labor Code of the Republic of Belarus. Forced labor in accordance with this Convention are the work of:

- as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system;
- as a method of mobilising and using labour for purposes of economic development;
- as a means of labour discipline;
- as a punishment for having participated in strikes;
- as a means of racial, social, national or religious discrimination [4].

It is worth noting the importance of the statements and the Convention itself in the fight against forced labor, since the countries that have ratified it, including the Republic of Belarus, are obligated to abolish all forms of forced and compulsory labor, and also guarantee not to use any of the forms.

The International Labor Organization has also developed a number of standards that are aimed at protecting certain groups of workers and prohibit the use of forced labor against them:

1) Worst Forms of Child Labor Convention, 1999 (No. 182) adopted by the International Labor Organization, which reflects forms of forced child labor, and measures that can be aimed at combating this problem [5];

2) Domestic Workers Convention, 2011 (No. 189), which states the need to respect and protect the rights of domestic workers, as well as the prohibition of all forms of forced labor. In this Convention, domestic workers are understood as people who perform work in the household or for the household in the framework of labor relations [6];

3) Indigenous and Tribal Peoples Convention, 1989 (No. 169) which also states the prohibition of the enforcement of any personal service in any form [7].

In 1930, the International Labor Organization developed Forced Labor (Indirect Compulsion) Recommendation, (No. 35), which mentioned the category of forced labor in the form of indirect coercion. It is expressed in the hidden coercion of the employee to perform any labor function with the appearance of voluntariness and consent of the parties [8].

Article 2 of these Recommendations expressly states that it is advisable not to resort to the use of indirect methods of coercion and to artificially increase pressure on the population in order to force the latter to seek employment, and in particular such means as:

- imposing such taxation upon populations as would have the effect of compelling them to seek wage-earning employment with private undertakings;
- imposing such restrictions on the possession, occupation, or use of land as would have the effect of rendering difficult the gaining of a living by independent cultivation;
- extending abusively the generally accepted meaning of vagrancy;
- adopting such pass laws which would have the effect of placing workers in the service of others in a position of advantage as compared with that of other workers.

The 2005 Global Report, presented in accordance with the implementation mechanism of the ILO Declaration on Fundamental Principles and Rights at Work, refers to "traditional and new" forms of forced labor [9]. The forms of forced labor themselves, the so-called traditional ones, which are formulated in ILO documents, change little, but simply transform into new ones. The "traditional" forms of forced labor are characterized by the fact that they are built on prevailing beliefs, they can act as a result of long-established types of discrimination against individuals, as well as vulnerable categories of citizens, both indigenous peoples and others minorities.

But the "new" modern forms are associated with the process of globalization and fairly large-scale movements of migrants. Forcing children and also overtime workers under threat of dismissal seems to be an extremely big problem.

This Report also presents the serious problem of domestic servants. Migrants from rather poor, developing countries or people living in rural areas and moving to large cities most often become domestic workers. They are subsequently subjected to prolonged labor exploitation in violation of their rights by the employer.

CONCLUSION. After studying the legislation of the Republic of Belarus, as well as international documents, we can conclude that all modern forms of forced labor are extremely diverse and despite the fact that we can no longer observe some forms of forced labor in practice, new ones also appear.

It is extremely difficult to identify and consolidate all forms of forced labor, since theory is always slightly behind practice. Therefore, the issues of identifying, consolidating, and further eradicating all forms of forced labor are extremely relevant for the entire world community.

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