

Summary of Legislation Related to the Rights of LGBT, other MSM, and PLWH

Belarus



Legislative Aspect	Law	Practice
Travel and Immigration Bans on People Living with HIV (PLWH)	There are no legal obstacles for PLWH to travel or immigrate to Belarus.	
Criminalization of HIV Transmission	Transmission of HIV is criminalized.	Knowingly subjecting another person to the danger of HIV infection is punishable by imprisonment of up to 3 years; infection of another person with HIV by someone who knows they are infected is punishable by imprisonment of up to 7 years; HIV transmission resulting from professional negligence of medical professionals is punishable by imprisonment of up to 5 years.
Ban on Blood Donation by MSM	MSM are not prohibited from donating blood.	
Criminalization of Same-Sex Sexual Activity	Same-sex sexual activity is legal.	Same-sex sexual activity was decriminalized in 1994. Age of consent is 16 for both men and women.
Ban on "Homosexual Propaganda"	There is no ban on "homosexual propaganda".	A draft bill "On the Protection of Children from Information Harmful to their Health and Development" was submitted to Parliament in 2014. The bill included language that would prohibit the dissemination of information "discrediting the institution of the family" to children. It passed its first reading in October 2015.
Laws on Gender Identity and Expression (changing one's legal gender and related procedures)	A person may change their legal gender according to existing legislation.	Trans* people wishing to change their legal gender must undergo a number of physical and psychiatric evaluations and receive a certificate from a special medical commission granting permission to change their legal gender before they can have their identity documents amended. Surgical interventions are not required.

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SOGI Antidiscrimination Laws	There are no specific antidiscrimination protections for sexual minorities.	The Constitution of Belarus prohibits discrimination. In practice, this provision has never been applied to protect LGBT people. Discrimination on the basis of sexual orientation and gender identity is not expressly prohibited by any law.
Hate Crimes Legislation	There is no comprehensive hate crimes legislation.	Aggravating criminal circumstances arise when a crime is committed on the basis of political, ideological, racial, ethnic, or religious hatred or hatred toward another social group. However, LGBT people have not been recognized as a "social group" under this provision. Thus, no hate crimes committed on the basis of sexual orientation or gender identity have been prosecuted.
Recognition of Same-Sex Partnerships	There is no recognition of any kind of same-sex partnership or union.	Marriage is the only form of legal partnership and is only available to opposite-sex couples.
Adoption	There is no legal act allowing LGBT people to jointly adopt children.	Single parents are eligible to adopt children. Thus, it is still possible for LGBT people to adopt.



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