

**THE CRIMINAL CODE  
OF THE RUSSIAN FEDERATION**

NO. 63-FZ OF JUNE 13, 1996

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**General Part**

**Section I. Criminal Law**

**Chapter 1. The Tasks and Principles of the Criminal Code of the Russian Federation**

**Article 1. The Criminal Law of the Russian Federation**

1. The criminal Law of the Russian Federation consists of the present Code. New laws providing for criminal responsibility are subject to inclusion in the present Code.
2. The present Code is based on the Constitution of the Russian Federation and the generally recognized principles and norms of international law.

**Article 2. The Tasks of the Criminal Code of the Russian Federation**

1. The tasks of the present Code are as follows: the protection of the rights and freedoms of man and citizen, property, public order and public security, the environment, and the constitutional system of the Russian Federation against criminal encroachment, the maintenance of peace and security of mankind, and also the prevention of crimes.
2. To accomplish these tasks, the present Code establishes the ground and principles of criminal responsibility, defines which deeds are recognized as offences dangerous to persons, society, or the State, and establishes the types of punishment and other penal measures for the commission of offences.

**Article 3. The Principle of Legality**

1. The criminality of a deed, and also its punishability and other legal consequences shall be determined by the present Code alone.

2. The application of a criminal law by analogy shall not be allowed.

#### **Article 4. The Principle of Equality of Individuals Before the Law**

Persons who have committed crimes shall be equal before the Law and shall be brought to criminal responsibility, regardless of their sex, race, nationality, language, origin, property and official status, place of residence, attitude to religion, convictions, belonging to public associations, or other circumstances.

#### **Article 5. The Principle of Guilt**

1. A person shall be brought to criminal responsibility only for those socially dangerous actions (inaction) and socially dangerous consequences in respect of which his guilt has been established.

2. Objective imputation, that is criminal responsibility for innocent injury, shall not be allowed.

#### **Article 6. The Principle of Justice**

1. Punishment and other legal measures applicable to a person who has committed an offence shall be just, that is, they shall correspond to the character and degree of the social danger of the offence, the circumstances of its commission, and the personality of the guilty party.

2. No one may bear double criminal jeopardy for one and the same crime.

#### **Article 7. The Principle of Humanism**

1. The criminal law of the Russian Federation shall ensure the safety of man.

2. Punishment and other legal measures applicable to a person who has committed a crime may not pursue the aim of causing physical suffering or debasement of human dignity.

#### **Article 8. Grounds for Criminal Responsibility**

The commission of a deed containing all the elements of a crime, provided for by this Code, shall be the grounds for criminal responsibility

### **Chapter 2. The Operation of Criminal Law in Time and Space**

#### **Article 9. The Operation of Criminal Law in Time**

1. The criminality and punishability of a deed shall be determined by the criminal law that was operative during the commission of this deed.

2. The time a socially dangerous action (inaction) is committed shall be deemed to be the time of committing a crime, regardless of the time of the onset of consequences.

#### **Article 10. The Retroactive Force of a Criminal Law**

1. A criminal law which removes the criminality of a deed, mitigates punishment, or in any other way improves the position of a person who has committed a crime shall have retroactive force, that is, extend to the persons who have committed the respective deeds before the entry of such law into force, including to persons who are serving or have served the sentence. A criminal law that establishes the criminality of a deed and increases punishment or in any other way worsens the position of a person shall have no retroactive force.

2. If a new criminal law mitigates the punishment for a deed, which punishment is being served by a person, their this punishment shall be subject to reduction within the limits provided for by the new criminal law.

#### **Article 11. The Operation of Criminal Law in Respect of Persons Who Have Committed Crimes in the Territory of the Russian Federation**

1. Any person who has committed a crime in the territory of the Russian Federation shall be brought to criminal responsibility under this Code.

2. Crimes committed within the limits of the territorial waters or the air space of the Russian Federation shall be deemed to have been performed in the territory of the Russian Federation. The validity of this Code shall also be extended to offences committed on the continental shelf and in the exclusive economic zone of the Russian Federation.

3. A person who has committed a crime on board a ship registered in a port of the Russian Federation and to or on one on the open sea or in the air space outside the confines of the Russian Federation shall be brought to criminal responsibility under this Code, unless otherwise stipulated by an international agreement of the Russian Federation. Under this Code, criminal responsibility shall also be borne by a person who has committed an offence on board a warship or in a military aircraft of the Russian Federation, regardless of the place of their location.

4. Question of the criminal responsibility of diplomatic representatives of foreign States and other individuals who enjoy immunity shall be settled in conformity with the standards of international law, if these persons have committed crimes in the territory of the Russian Federation.

#### **Article 12. The Operation of Criminal Law in Respect of Persons Who Have Committed Offences Outside the Boundaries of the Russian Federation**

1. Citizens of the Russian Federation and stateless persons who permanently reside in the Russian Federation and who have committed crimes outside the boundaries of the Russian Federation shall be brought to criminal responsibility under this Code, if their deeds have been recognized as crimes in the State on whose territory they were committed, and unless these persons have been convicted in the foreign State. In case of conviction of said persons, the punishments may not exceed the upper limit of the sanction provided for by the laws of the foreign State on whose territory the crimes have been committed.

2. Servicemen of the military units of the Russian Federation located beyond the confines of the Russian Federation shall bear criminal responsibility for their crimes committed in the territories of foreign states under this Code, unless otherwise stipulated by international agreements of the Russian Federation.

3. Foreign nationals and stateless persons who do not reside permanently in the Russian Federation and who have committed their crimes outside the boundaries of the Russian Federation shall be brought to criminal responsibility under this Code in cases, if the crimes run counter to the interests of the Russian Federation, and in cases provided for by international agreement of the Russian Federation, and unless they have been convicted in a foreign state and are brought to criminal responsibility in the territory of the Russian Federation.

### **Article 13. The Extradition of Persons Who Have Committed Crimes**

1. Citizens of the Russian Federation who have committed crimes in foreign states shall not be subject to extradition to these states.

2. Foreign nationals and stateless persons who have committed offences outside the boundaries of the Russian Federation and who are to be found in the territory of the Russian Federation may be extradited to a foreign state for bringing to be brought to criminal responsibility or to serve their sentences in conformity with international agreement of the Russian Federation.

## **Section II. Crime**

### **Chapter 3. The Concept of Crime and the Types of Crimes**

#### **Article 14. The Concept of Crime**

1. A socially dangerous act, committed with guilt and prohibited by this Code under threat of punishment, shall be deemed to be a crime.

2. The commission of an act, or an inaction, although formally containing the indicia of any act provided for by this Code, but which, by reason of its insignificance, does not represent a social danger that is, which caused no harm and has not created a treat of damage to a person, society, or the state, shall not be deemed a crime.

## **Article 15. Categories of Crimes**

1. Depending on the nature and degree of social danger, the deeds provided for by this Code shall be divided into crimes of little gravity, crimes of average gravity, grave crimes, and especially grave crimes.
2. Intentional and careless acts, for the commission of which the maximum penalty stipulated by this Code does not exceed two years deprivation of liberty, shall be recognized as crimes of little gravity.
3. Qualified as the medium-gravity crimes shall be deliberate offences for whose commitment the maximum punishment stipulated by the present Code does not exceed five years of the deprivation of freedom, and careless crimes for whose commitment the maximum punishment stipulated by the present Code exceeds two years of the deprivation of freedom.
4. Intentional acts, for the commission of which the maximum penalty stipulated by this Code does not exceed 10 years deprivation of liberty, shall be recognized as grave crimes.
5. Intentional acts, for the commission of which this Code provides a penalty in the form of deprivation of liberty for a term exceeding 10 years, or a more severe punishment, shall be recognized as especially grave crimes.

## **Article 16. Abolished**

## **Article 17. Cumulative Punishment**

Federal Law No. 73-FZ of July 21, 2004 amended the first part of Article 17 of the present Code

1. The commission of two or more crimes for both of which the person has been convicted, shall be deemed cumulative punishment, except for the instances when the commission of two and more crimes is provided for by Articles of the Special Part of this Code as a circumstance entailing stricter punishment. In case of the cumulation of crimes, the person shall bear criminal responsibility for each committed crime under the respective Article or part of Article of this Code.
2. One act (inaction), containing the elements of crimes envisaged by two or more Articles of this Code, shall also be deemed to be a cumulation of crimes.
3. If a crime is covered both generally and specifically, then the cumulation of both crimes shall not be imposed and criminal responsibility shall arise according to the special elements.

## **Article 18. Recidivism**

1. The committing of an intentional crime by a person who has a record of conviction for an intentional crime committed earlier shall be classified as the recidivism of crimes.

2. The recidivism of crimes shall be classified as a dangerous crime in the following cases:

a) when a person has committed a grave crime, for which he is sentenced to a real deprivation of liberty, if earlier this person has been sentenced twice or more times to deprivation of liberty for intentional medium gravity crimes;

b) when a person has committed an intentional grave crime, if he has been earlier convicted for a grave or especially grave crime to real deprivation of liberty.

3. Recidivism shall be deemed especially dangerous:

a) when a person has committed a grave crime, for which he is sentenced to a real deprivation of liberty, if earlier this person has been convicted twice and sentenced to real deprivation of liberty for a grave crime;

b) when a person has committed an especially grave crime, if earlier he has been convicted twice for grave crimes or has been convicted for an especially grave crime.

4. When recognizing the recidivism of crime, the following shall not be taken into account:

a) convictions for intentional crimes of little gravity;

b) convictions for crimes committed by a person of the age of less than 18 years;

c) convictions for crimes for which sentences have been recognized as suspended or for which a respite has been granted, if the suspended sentence or the respite have not been reversed and the person has not been sent for serving a sentence to institutions of confinement, as well as convictions quashed or struck from the criminal record in the procedure established by Article 86 of this Code.

5. Recidivism shall involve a stricter punishment on the basis of, and within the limits, envisaged by this Code.

## **Chapter 4. Persons Subject to Criminal Responsibility**

### **Article 19. General Conditions for Criminal Responsibility**

Only a sane natural person who has reached the statutory age envisaged by this Code shall be subject to criminal responsibility.

## **Article 20. The Age of Criminal Responsibility**

1. A person who, before the commission of a crime, has reached the age of 16 years shall be subject to criminal responsibility.

Federal Law No. 73-FZ of July 21, 2004 amended the second part of Article 20 of the present Code

2. Persons who, before the commission of a crime, have reached the age of 14 years shall be subject to criminal liability for homicide (Article 105), intentional infliction of grave bodily injury causing a impairment of health (Article 111), intentional infliction of bodily injury of average gravity (Article 112), kidnapping (Article 126), rape (Article 131), forcible sexual actions (Article 132), theft (Article 158), robbery (Article 161), brigandism (Article 162), racketeering (Article 163), unlawful occupancy of a car or any other transport vehicle without theft (Article 166), intentional destruction or damage of property under aggravating circumstances (the second part of Article 167), terrorism (Article 205), seizure of a hostage (Article 206), making deliberately false report about an act of terrorism (Article 207), hooliganism under aggravating circumstances (the second part of Article 213), vandalism (Article 214), theft or possession of firearms, ammunition, explosives, and explosion devices (Article 226), theft or possession of narcotics or psychotropic substances (Article 229), the destruction of transport vehicles or ways of communication (Article 267).

3. If a minor has reached the age envisaged by the first and second parts of this Article, but in consequence of mental retardation not associated with mental derangement could not fully realize the actual character or social danger of his actions (inaction) during the commission of a socially dangerous deed, or could not control these actions, then he shall not be subject to criminal responsibility.

## **Article 21. Insanity**

1. A person who, at the time of the commission of a socially dangerous act, was insane, that is, was unable to understand the actual character or social danger of his actions (inaction) or to govern them as a result consequence of a chronic or temporary mental derangement, mental deficiency or any other mental condition, shall not be subject to criminal responsibility.

2. Compulsory medical treatment, as envisaged in this Code, may be imposed by a court of law on a person who has committed a socially dangerous deed in a state of insanity.

## **Article 22. Criminal Responsibility of Persons with Mental Derangement that Does Not Equal Sanity**

1. A person of sound mind, who during the commission of a crime, by virtue of mental derangement could not in full measure comprehend the actual character and social danger of his actions (inaction), or control them, shall be subject to criminal responsibility.

2. Mental derangement that does not equal sanity shall be taken into consideration by a court of law when it imposes punishment, and may serve as grounds for the imposition of corrective medical treatment.

### **Article 23. The Criminal Responsibility of Persons Who Have Committed Crimes in a State of Intoxication**

A person who has committed a crime in a state of intoxication, caused by the use of alcoholic drinks, narcotics, or other stupefying substances, shall be subject to criminal responsibility.

## **Chapter 5. Guilt**

### **Article 24. Forms of Guilt**

1. A person who has committed an act deliberately or carelessly shall be deemed to be guilty of a crime.
2. An act committed negligently shall be recognized as a crime only in cases where this is specially provided for by the relevant Article of the Special Part of this code. Special Part of this Code.

### **Article 25. Crimes Committed Negligently**

1. An act committed with express intent or extreme recklessness shall be recognized as crime committed intentionally.
2. A crime shall be deemed to be committed with clear intent, if the person was conscious of the social danger of his actions (inaction), foresaw the possibility or the inevitability of the onset of socially dangerous consequences, and willed such consequences to ensue.
3. A crime shall be deemed to be committed with indirect intent, if the person realized the social danger of his actions (inaction), foresaw the possibility of the onset of socially dangerous consequences, did not wish, but consciously allowed these consequences or treated them with indifference.

### **Article 26. A Crime Committed by Negligence**

1. A criminal deed committed thoughtlessly or due to negligence shall be recognized as a crime committed by negligence.
2. A crime shall be deemed to be committed thoughtlessly, if the person has foreseen the possibility of the onset of socially dangerous consequences of his actions (inaction), but expected without valid reasons that these consequences would be prevented.



3. A crime shall be deemed to be committed due to negligence if the person has not foreseen the possibility of the onset of socially dangerous consequences of his actions (inaction), although he could and should have foreseen these consequences with reasonable.

#### **Article 27. Responsibility for a Crime Committed with Two Forms of Guilt**

If an intentional crime results in grave consequences, which under the law involve a stricter punishment but which were not included in the person's intent, then criminal responsibility for such consequences shall ensue only in cases where the person has foreseen the possibility of their onset, but expected without valid reasons that they would be prevented, or in cases where the person has not foreseen, but could and should have foreseen the possibility of the onset of these consequences. By and large, such crime shall be deemed to be committed willfully.

#### **Article 28. Innocent Infliction of Harm**

1. A deed shall be deemed to be committed innocently if the person who has performed it has not realized and could not realize due to the circumstances of the case the social danger of his actions (inaction), or has not foreseen the possibility of the onset of socially dangerous consequences and could not or should not foresee them due to the circumstances of the case.

2. A deed shall be deemed to be committed innocently if the person who has performed it, although has foreseen the possibility of the onset of the socially dangerous consequences of his actions (inaction), but could not prevent these consequences because of a failure of his psycho-physiological abilities to cope with the requirements of the extreme conditions or nervous and psychic stresses.

### **Chapter 6. Incomplete Offence**

#### **Article 29. Complete and Incomplete Offences**

1. An offence shall be deemed to be complete if the deed committed by the person concerned contains all the elements of the corpus delicti, envisaged by this Code.

2. Preparations for an offence and an attempt to commit it shall be deemed an incomplete offence.

3. Criminal responsibility for an incomplete offence shall ensue under the Article of this Code that stipulates responsibility for the complete offence, with reference to Article 30 of this Code.

#### **Article 30. Preparations for a Crime, and Attempted Crimes**

1. The looking for, manufacturing, or adapting by a person of means or instruments for committing a crime, the finding of accomplices for a crime, the conspiracy to commit a crime, or any other intentional creation of conditions to commit a crime shall be deemed preparations for a crime, unless the crime has been carried out owing to circumstances outside the control of this person.

2. Criminal responsibility shall ensue only for preparations to commit grave or especially grave crime.

3. Intentional actions (inaction) by the person concerned, directed expressly towards the commission of a crime, shall be deemed to be an attempted crime, unless the crime has been carried out owing to circumstances beyond the control of this person.

### **Article 31. Voluntary Refusal to Commit a Crime**

1. The termination by the person concerned of preparations for a crime or the termination of actions (inaction) directed expressly at the commission of the crime shall be deemed to be a voluntary refusal to commit a crime, if the person was aware of the possibility of carrying out the crime.

2. A person shall not be subject to criminal responsibility for a crime if he voluntarily and finally refused to carry out this crime.

3. A person who has voluntarily refused to carry out a crime shall be subject to criminal responsibility if the deed performed by him in actual fact contains a different corpus delicti.

4. An organizer of a crime or an abettor of a crime shall not be subject to criminal responsibility if these persons have prevented the crime to be carried out by the perpetrator by informing in time the authorities, or by applying other measures. An abettor of a crime shall also not be subject to criminal responsibility if he has taken all due measures in order to prevent the commission of the crime.

5. If the actions of the organizer or the abettor, envisaged by the fourth part of this Article, have not resulted in the prevention of the crime by the perpetrator, then the measures taken by them may be recognized by a court of law as mitigating circumstances when imposing punishment.

## **Chapter 7. Complicity in a Crime**

### **Article 32. The Concept of Complicity in a Crime**

The intentional joint participation of two or more persons in the commission of a deliberate crime shall be deemed to be complicity in a crime.

### **Article 33. Types of Accomplices of a Crime**

1. In addition to the perpetrator, organizers, instigators, and accessories shall be deemed accomplices.

2. A person who has actually committed a crime or who directly participated in its commission together with other persons (co-perpetrators), and also a person who has committed a crime by using other persons who are not subject to criminal responsibility by reason of age, insanity, or other circumstances provided for by this Code, shall be deemed to be a perpetrator.

3. A person who has organized the commission of a crime or has directed its commission, and also a person who has created an organized group or a criminal community (criminal organization) or has guided them, shall be deemed an organizer.

4. A person who has abetted another person in committing a crime by persuasion, bribery, threat, or by any other method shall be deemed an instigator.

5. A person who has assisted in the commission of a crime by advice, instructions on committing the crime, or removal obstacles to it, and also a person who has promised beforehand to conceal the criminal, means and instruments of commission of the crime, traces of the crime, or objects obtained criminally, and equally a person who has promised beforehand to acquire such objects, shall be deemed to be an accessory.

#### **Article 34. The Responsibility of Accomplices in a Crime**

1. The responsibility of accomplices in a crime shall be determined by the character and the degree of the actual participation of each of them in the commission of the crime.

2. Co-perpetrators shall be answerable under the Article of the Special Part of this Code for a crime committed by them jointly, without reference to Article 33 of this Code.

3. The criminal responsibility of an organizer, instigator, and accessory shall ensue under the Article that provides for punishment for the crime committed, with reference to Article 33 of this Code, except for in cases when they simultaneously were co-perpetrators of the crime.

4. A person who is not a participant in a crime specially indicated in the respective Article of the Special Part of this Code and who has taken part in the commission of the crime, stipulated by this Article, shall bear criminal responsibility for the given offence as its organizer, instigator, or accessory.

5. If the perpetrator of a crime fails to carry out this crime owing to circumstances beyond his control, then the rest of the co-perpetrators shall bear criminal responsibility for preparations for a crime or attempted crime. A person who has not managed to abet other persons in committing a crime owing to circumstances, beyond his control shall also bear criminal responsibility for preparations for the crime.

**Article 35. The Commission of a Crime by a Group of Persons, by a Group of Persons Under a Preliminary Conspiracy, and by an Organized Group of a Criminal Community (Criminal Organization)**

1. A crime shall be deemed to be committed by a group of persons if two or more perpetrators have jointly participated in its commission without a preliminary conspiracy.

2. A crime shall be deemed to be committed by a group of persons in a preliminary conspiracy, if the persons took part in it after they had reached an agreement on the joint commission of a crime.

3. A crime shall be deemed to be committed by an organized group, if it has been committed by a stable group of persons who in advance united for the commission of one or more offences.

4. A crime shall be deemed to be committed by a criminal community (criminal organization), if it has been perpetrated by a united organized group (organization), set up to commit grave and especially grave crimes, or by an association of organized groups set up for these purposes.

5. A person who has created an organized group or a criminal community (criminal organization), or has directed them, shall be subject to criminal responsibility for their organization in cases, provided for by the respective Articles of the Special Part of this Code, and also for all the offences committed by the organized group or the criminal community (criminal organization), if they have been embraced by his intent. Other participants in the organized group or criminal community (criminal organization) shall bear criminal responsibility for their participation in cases provided for by the relevant Articles of the Special Part of this Code, and also for the crimes, in the preparation and commission of which they have taken part.

6. The creation of an organized group in cases which are not envisaged by Articles of the Special Part of this Code shall involve criminal responsibility for preparations for those offences for which it was set up.

7. The commission of a crime by a group of persons, a group of persons in a preliminary conspiracy, by an organized group, or a criminal community (criminal organization) shall involve strict punishment on the ground and within the limits provided for by this Code.

**Article 36. Excess Perpetration of Crimes**

The commission of a crime that is not embraced by the intent of other accomplices shall be deemed to be an excess of the perpetrator. Other accomplices to the crime shall not be subject to criminal responsibility for the excess of the perpetrator.

**Chapter 8. Circumstances Excluding the Criminality of a Deed**

### **Article 37. Necessary Defence**

1. It shall not be deemed a crime when harm is inflicted in the state of necessary defence to an attacking person, i.e. in the case of protection of the personality and the rights of defendant or other persons, law-protected interests of the society or the state against a socially-dangerous attack if such an attack involved a violence threatening the life of the defendant or another person or an immediate threat of use of such a violence.

2. Defence against an attack not involving a violence threatening the life of the defendant or another person or an immediate threat of use of such a violence is legal if in this case the limits of necessary defence have not been surpassed, i.e. no deliberate actions have been committed which apparently did not match the character and danger of the attack.

2.1. Actions of a defendant shall not be deemed as surpassing the limits of necessary defence if the defendant could not fairly assess the degree and nature of the threat posed by the attack.

3. The right to necessary defence equally belongs to all persons, irrespective of their professional or other special training background and position. This right belongs to the person, irrespective of the possibility of evading a socially-dangerous attack or asking other persons or authorities for help.

### **Article 38. The Infliction of Harm on a Detained Person Who Has Committed a Crime**

1. The infliction of harm on a person who has committed a crime, during his detention, during his delivery to the authorities and in thwarting the possibility of the commission by him of further offences shall not be deemed a crime, unless it was possible to detain such person and there was an excess of the measures needed for this detention.

2. Clear disproportion between the measures needed for the detention of the person who has committed a crime and the character and the degree of the social danger of the offence perpetrated by the detained person and the circumstances of the detention, when the harm is caused to the infringer without valid reasons, shall be deemed to be excess of the necessary measures. Such excess shall involve criminal responsibility only in cases of the intentional infliction of harm.

### **Article 39. Extreme Necessity**

1. The harming of legally protected interests in a state of extreme necessity, that is, for the purpose of removing a direct danger to a person or his rights, or to the rights of other persons, to the legally-protected interests of the society or the State, shall not be deemed to be a crime if this danger could not be removed by other means and if there was no exceeding the limits of extreme necessity.

2. The infliction of a harm that obviously does not correspond to the nature and the degree of threatened danger, nor to the circumstances under which the danger was removed, when equal or more considerable harm was caused to said interests than the harm averted, shall be deemed to be excess of exceeding necessity.

Such excess shall involve criminal responsibility only in cases of the intended infliction of harm.

#### **Article 40. Physical or Psychic Coercion**

1. The infliction of harm on the criminal-law protected interests as a result of physical coercion shall not be a crime, if in consequence of such coercion the person concerned could not guide his actions (inaction).

2. The question of criminal responsibility for the infliction of harm on the criminal-law protected interests as a result of psychic coercion, and also as a result of physical coercion, in consequence of which the person concerned has retained the possibility of guiding his actions, shall be settled with due account of the provisions of Article 39 of this Code.

#### **Article 41. Justified Risk**

1. No criminal responsibility shall ensue for infliction of harm to legally protected interests provided the risk is justified by attaining socially useful goal.

2. Risk shall be regarded as justified unless the said purpose could have been attained through action (inaction) not associated with risk and provided a person that committed the risk has undertaken all measures sufficient to prevent harm to legally protected interests. 3. Risk shall not be regarded as justified if it was known to involve a threat to the life of many persons, a hazard of environmental or societal disaster.

#### **Article 42. Execution of Order or Instruction**

1. Infliction of harm to legally protected interests shall not be qualified as an act of crime provided it was caused by a person acting in execution of an order or instruction binding on him. Criminal responsibility for infliction of such harm shall be borne by a person who gave illegal order or instruction.

2. Person who committed intentional offence in execution of order or of instruction known to be illegal, shall be liable under usual terms. Failure to execute order or instruction known to be illegal shall preclude criminal liability.

### **Section III. Punishment**

#### **Chapter 9. The Concept and the Purposes of Punishment.**

## **Types of Punishment.**

### **Article 43. The Concept and the Purposes of Punishment**

1. Punishment is a measure of state compulsion assigned by a court's judgement. Punishment shall be applied to a person who has been found guilty of the commission of a crime. It consists of the depreciation or restriction of the rights and freedoms of this person, as provided for by this Code.

2. Punishment shall be applied for the purpose of restoring social justice, and also for the purpose of reforming a convicted person and of preventing the commission of further crimes.

### **Article 44. Penalties**

The following penalties may be applied:

- a) fines;
- b) deprivation of the right to hold specified offices or to engage in specified activities;
- c) deprivation of a special and military rank or honorary title, class rank and of government decorations;
- d) compulsory works;
- e) corrective labour;
- f) restriction in military service;
- g) abolished
- h) restricted liberty;
- i) arrest;
- j) service in a disciplinary military unit;
- k) deprivation of liberty for a definite period;
- l) deprivation of liberty for life;
- m) capital punishment.

### **Article 45. Basic and Additional Penalties**

1. Compulsory work, corrective labour, restriction in military service, restriction of liberty, arrest, service in a disciplinary military unit, deprivation of a liberty for a definite term, deprivation of liberty for life, and capital punishment shall be applicable as basic penalties alone.

2. Fines and deprivation of the right to hold specified offices or to engage in specified activity shall be applicable both as basic and additional penalties.

3. Deprivation of a special or military rank, or honorary title, class rank or government decorations shall be applicable as additional penalties alone.

#### **Article 46. Fines**

1. A fine is a monetary penalty imposed within the limits provided for by this Code.

2. A fine shall be established in the amount of from 2 500 roubles to 1 000 000 million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period from two weeks to five years. A fine in the amount of from 500 000 roubles or in the amount of the wage or salary or any other income of the convicted person may only be imposed for grave and especially grave crimes in the instances specified by the appropriate articles of the Special Part of this Code.

3. The amount of a fine shall be determined by a court of law subject to the gravity of the crime and the property status of the convicted person and his family, as well as the subject to the convicted person's ability to receive a wage or any other income. Subject to the same circumstances a court of law may impose a fine payable in installments for a term of up to three years.

4. As an additional penalty, a fine may be imposed only in cases, provided for by the relevant Articles of the Special Part of this Code.

5. In the event of the person maliciously evading payment of a fine inflicted as the principal punishment, it shall be replaced within the limits of the sanction provided for by the appropriate Article of the Special Part of this Code.

#### **Article 47. Deprivation of the Right to Hold Specified Offices or to Engage in Specified Activities.**

1. Deprivation of the right to hold specified offices or to engage in specified activities consists of the prohibition to hold offices in the civil service and local self-government bodies, or to engage in a professional or any other activity.

2. Deprivation of the right to hold specified offices or to engage in specified activities shall be established for a term of one year to five years as a basic penalty, or for a term of six months to three years as an additional penalty.



3. Deprivation of the right to hold specified offices or to engage in specified activities may be imposed as an additional penalty also in cases where it is not provided for by the relevant Article of the Special Part of this Code as punishment for the corresponding offence, if with due account of the nature and the degree of the social danger of the crime committed and the personality of the convict, the court deems it impossible to allow him to retain the right to hold specified offices or to engage in specified activities.

4. In the event that this type of penalty is imposed in addition to compulsory or corrective work, and also in the event of conditional conviction, its term shall be counted from the time of the enforcement of the court's judgement. In the event that deprivation of the right to hold specified offices or to engage in specified activities is an additional penalty to the restriction of liberty, arrest, service in a disciplinary military unit, or deprivation of liberty, this punishment shall extend to the entire time of serving said basic penalties, but its term shall be counted from the time they have been served.

#### **Article 48. Deprivation of Special or Military Rank or Honorary Title, Class Rank, or Government Decoration**

Upon conviction for a grave or especially grave crime, a court of law may deprive the guilty person of his special or military rank, or of his honorary title, class rank, or government decoration, with due account for his personality.

#### **Article 49. Compulsory Works**

According to the Federal Law No. 64-FZ of June 13, 1996 (in the wording of January 10, 2002), the provisions of the present Code on the punishment in the form of obligatory labour shall be put into effect by a Federal Law after the entry into force of the Criminal Execution Code of the Russian Federation as there are created the necessary conditions for the execution of this type of punishment but no later than the year 2004

1. Compulsory work consists in the performance of free socially useful works by the convicted person during his spare time. The type of compulsory works and the objects where they are to be served shall be determinable by local self-government bodies by approbation of criminal execution inspectorates.

2. Compulsory works shall be fixed for a period of 60 to 240 hours, and shall be served during not more than four hours a day.

3. In the event the convicted person maliciously evades performing of his compulsory works, the latter shall be replaced with the restriction of liberty, arrest or deprivation of liberty. The time during which the convicted person has served the compulsory works shall be counted in case of the determination of the term of restricting liberty, arrest or deprivation of liberty at the rate of one day of restricted liberty or arrest per eight hours of compulsory works.

4. Compulsory works shall not be imposed upon persons who are deemed to be invalids of the first group, pregnant women, women with children of less than eight years of age, upon military servicemen undergoing military service after call-up, or upon military servicemen undergoing military service on a contractual basis in the capacity of soldiers and sergeants, if they at the time of sentencing by a court of law have not served the term of military service after call-up established by laws.

#### **Article 50. Corrective Labour**

1. Corrective labour shall be imposed upon a convicted person who does not have a principal place of business and shall be served at places, determinable by a local self-government body by approbation of the body executing punishment in the form of corrective labour, but in the area of a convicted person's permanent residence.

2. Corrective labour shall be imposed for a term of from two months to two years.

3. Deductions for the benefit of the State shall be made from the earnings of the person sentenced to corrective labour, in the amount fixed by the court's judgement, within the limits from five to 20 percent.

4. Where a person who is sentenced to corrective labour maliciously evades serving his punishment, a court of law may replace the remaining part of the term of corrective labour by the restriction of liberty, arrest or deprivation of liberty at the rate of one day of restricted liberty per one day of corrective labour, one day of arrest per two days of corrective labour, or one day of deprivation of liberty per three days of corrective labour.

5. Corrective labour shall not be imposed upon persons who are deemed to be invalids of the first group, pregnant women, women with children of less than eight years of age, upon military servicemen undergoing military service after call-up, or upon military servicemen undergoing military service on a contractual basis in the capacity of soldiers and sergeants, if they at the time of sentencing by a court of law have not served the term of military service after call-up established by laws.

#### **Article 51. Restriction in Military Service**

1. Restriction in military service shall be imposed upon convicted servicemen undergoing military service under a contract for a term of three months to two years, in cases envisaged by the corresponding Articles of the Special Part of this Code for the commission of offences against military service, and shall also be imposed upon servicemen undergo military service under a contract in a place of corrective labour, as stipulated by the relevant Articles of the Special Part of this Code.

2. Deductions for the benefit of the State shall be made from the allowance of a person convicted to restriction in military service in the amount, fixed by the court's judgement, of not more than 20 percent. During the serving of this punishment the convicted person

may not be promoted in his post or in military rank, and the period of punishment shall not be counted in the period of seniority for purposes of promotion in rank.

#### **Article 52. abolished**

#### **Article 53. Restricted Liberty**

1. Restricted liberty consists of the maintenance of a convicted person, who has reached 18 years of age by the time of adjudication, in a special institution without isolation from the society during the supervision over him.

2. Restricted liberty shall be imposed on:

a) persons who are convicted for the commission of willful crimes but who have no record of conviction - for a term of one to three years;

b) persons who are convicted for crimes committed by negligence - for a term of one to five years.

3. In the event that compulsory works or corrective labour have been replaced with restricted liberty, the latter penalty may be imposed for a term of less than one year.

4. In the event that a person convicted to restricted liberty maliciously evades the serving of the penalty, this punishment shall be replaced with deprivation of liberty for the term of restricted liberty imposed by the court's judgement. The time of serving restricted liberty shall be counted in the period of deprivation of liberty at the rate of one day of deprivation of liberty per one day of restricted liberty.

5. Restricted liberty shall not be imposed on persons deemed to be invalids of the first and second groups, pregnant women, women with children of less than fourteen years of age, women who have reached 55 years of age, or men who have reached 60 years of age, nor upon servicemen undergoing military service after call-up.

#### **Article 54. Arrest**

According to the Federal Law No. 64-FZ of June 13, 1996, the provisions of the present Code on the punishment in the form of arrest shall be put into effect by a federal law after the entry into force of the Criminal Execution Code of the Russian Federation as there are created the necessary conditions for the execution of this type of punishment but no later than the year 2001

1. Arrest consists in the maintenance of a convicted person in conditions of strict isolation from society, and shall be imposed for a term of one to six months. In the event that compulsory works or corrective labour is replaced by arrest, the latter may be imposed for a term of not less than one month.

2. Arrest shall not be imposed on persons who have not reached 16 years of age by the time of adjudication, nor upon pregnant women or women who have children of less than fourteen years of age.

3. Servicemen shall be taken into custody in the stockage.

#### **Article 55. Service in a Disciplinary Military Unit**

1. Service in a disciplinary military unit shall be imposed upon servicemen undergoing military service after call-up, and also upon servicemen undergoing military service under contract as enlisted men, if at the time of adjudication they have not served their statutory terms under call up. This punishment shall be imposed for a term of three months to two years in cases provided for by the corresponding Articles of the Special Part of this Code for the commission of crimes against military service, and also in cases when the nature of the crime and the personality of the guilty person testify to the possibility of replacing deprivation of liberty with a term of less than two years, with service by the convicted person in a disciplinary military unit for the same term.

2. When a convicted person serves in a disciplinary military unit instead of deprivation of liberty, the term of service in the disciplinary military unit shall be determined at the rate of one day of deprivation of liberty per one day of service in the disciplinary military unit.

#### **Article 56. Deprivation of Liberty for a Definite Term**

1. Deprivation of freedom shall amount to the isolation of the convict from society by sending him to a settlement colony, placing him into an educational colony, into a medical treatment and reformatory institution or into a reformatory colony of general, strict or special regime, or into prison.

2. Deprivation of liberty shall be established for a term of two months to 20 years.

3. abolished.

4. In case of a partial or full merger of the terms of deprivation of liberty into the assignment of punishment by the cumulation of penalties, the maximum total term of deprivation of liberty may not exceed 25 years, and the cumulative sentences - 30 years.

#### **Article 57. Deprivation of Liberty for Life**

Federal Law No. 74-FZ of July 21, 2004 amended the first part of Article 57 of the present Code

1. Deprivation of liberty for life is established for the commission of especially grave crimes of attack on human life, as well as for committing especially grave crimes against public safety.

2. Deprivation of liberty for life shall not be imposed upon women, nor upon persons who have committed crimes at ages below 18 years, nor upon men who have reached 65 years of age by the time of adjudication.

**Article 58. Assignment of the Kind of Reformatory Institution for Those Sentenced to the Deprivation of Freedom**

1. The sentence of the deprivation of freedom shall be served:

a) by the persons convicted for crimes committed because of carelessness, as well as by the persons sentenced to the deprivation of freedom for committing deliberate petty and medium gravity offences, who have not been formerly sentenced to the deprivation of freedom - in the settlement colonies. Taking into account the circumstances of committing the crime and the convict's personality, the court may rule it that the said persons may serve the punishment in reformatory colonies of general regime, while supplying the motives for the adopted decision;

b) by the men sentenced to the deprivation of liberty for committing grave crimes, who have not previously served a sentence of deprivation of liberty, as well as by women sentenced to deprivation of liberty for committing grave and especially grave crimes, as well as in the event of recidivism of any type in the reformatory colonies of general regime;

c) the men sentenced to the deprivation of freedom for committing especially grave crimes, who have not earlier served the sentence of the deprivation of freedom, or in the event of recidivism or dangerous recidivism - in the reformatory colonies of strict regime;

d) the men sentenced to the deprivation of freedom for life, and in case of committing especially dangerous repeated crimes - in the reformatory colonies of special regime.

2. The men sentenced to the deprivation of freedom for committing particularly grave crimes for a term of over five years, and also in case of especially dangerous repeated crimes may be made to serve a part of the term of punishment in prison, with this, a court of law shall include the term of holding the convicted person in custody, pending the entry of the conviction into legal force, into the time period of serving the sentence in prison.

3. The persons sentenced to the deprivation of freedom, who have not reached eighteen years of age at the moment of the court passing the sentence, shall be sent for serving the punishment to educational colonies.

4. The kind of the assigned reformatory institution may be changed by the court in accordance with the criminal-executive legislation of the Russian Federation.

## **Article 59. Capital Punishment**

1. Capital punishment, as an exclusive penalty, may be imposed only for especially grave crimes encroaching on human life.
2. Capital punishment shall not be applied to women, nor to persons who have committed offences at below 18 years of age, nor and to men who have reached 65 years of age by the time of adjudication.
3. Capital punishment by way of pardon may be replaced with deprivation of liberty for life or by deprivation of liberty for a term of 25 years.

## **Chapter 10. Imposition of Punishment**

### **Article 60. General Principles for Imposing Punishment**

1. The court shall impose just punishment on a person who has been found guilty of the commission of a crime, within the limits stipulated by the relevant Article of the Special Part of this Code, and with due account for the provisions of the General Part of this Code. A stricter penalty from among several provided for one crime shall be imposed only if a milder penalty cannot ensure the achievement of the purposes of punishment.
2. Stricter punishment than that envisaged by the relevant Articles of the Special Part of this Code for the committed crime may be imposed for the cumulation of offences and for the cumulation of sentences in keeping with Article 69 and 70 of this Code. Grounds for the imposition of a lighter punishment than that stipulated by the relevant Article of the Special Part of this Code for the perpetrated crime shall be determined by Article 64 of this Code.
3. In imposing punishment, the court shall take into consideration the nature and the degree of the social danger of the crime and the personality of the convict, including any mitigating or aggravating circumstances, and also the influence of the imposed penalty on the rehabilitation of the convicted person and on the conditions of life of his family.

### **Article 61. Circumstances Mitigating Punishment**

1. The following circumstances shall be deemed to be mitigating circumstances:
  - a) commission of a crime of small gravity in consequence of a coincidence of circumstances;
  - b) age of minority of a guilty person;
  - c) pregnancy;
  - d) a guilty persons, responsibility for his infant children;

- e) commission of crime in consequence of a coincidence of personal circumstance, or out of compassion;
- f) commission of a crime as a result of physical or mental coercion, or by reason of material, official, or any other dependence;
- g) commission of crime through a breach of the lawful conditions for necessary defence, the detention of a person who has perpetrated the crime, extreme necessity, justified risk, or the execution of orders or instructions;
- h) the illegality or amorality of the victim's behavior, which served as a pretext for the crime;
- i) the criminal's giving himself up, or actively assisting in the exposure of a crime, catching other accomplices in a lie, or searching for property stolen as a result of a crime;
- j) rendering of medical or other aid to the victim after the commission of the crime, voluntary compensation for material loss and mental injury caused as a result of the crime, and other actions of effecting restitution of damage caused to the victim.

2. In imposing punishment, the court of law may take into consideration other mitigating circumstances not provided for by the first part of this Article.

3. If a mitigating circumstance is provided for by the corresponding Article of the Special Part of this Code as an element of another crime, then it in itself may not be considered for that second crime.

#### **Article 62. Imposition of Punishment in the Presence of Mitigating Circumstances**

In the presence of mitigating circumstances provided for by Items (i) or (j) of the first part of Article 61 of this Code, and in the absence of aggravating circumstances, the term and scope of punishment may not exceed three-fourths of the maximum term or scope of the strictest penalty envisaged by the relevant Article of the Special Part of this Code.

#### **Article 63. Circumstances Aggravating Punishment**

1. The following circumstances shall be deemed to be aggravating circumstances:

- a) recidivism of offences;
- b) grave consequences of the commission of a crime;

- c) commission of a crime by a group of persons or a group of persons as a result of a preliminary conspiracy, by an organized group, or by a criminal community (criminal organization);
- d) especially active role played in the commission of a crime;
- e) involvement in the commission of the crime of the persons who suffer from heavy mental derangement or who are in a state of intoxication, or of persons who have not reached the age of criminal responsibility;
- f) commission of a crime by reason of national, racial, or religious hatred or enmity, out of revenge for the lawful actions of other persons, or with the purpose of concealing or facilitating another crime;
- g) commission of a crime against a person or his relatives in connection with his official activity or the discharge of his public duty;
- h) commission of a crime against a woman who is obviously in a state of pregnancy, or against a minor, another defenseless or helpless person, or a person who is dependent on the guilty person;
- i) commission of a crime with especial brutality, sadism, or mockery, or involving torments for the victim;
- j) commission of a crime with the use of weapons, ammunition, explosives, fake explosives, specially manufactured technical means, poisonous or radioactive substances, medicinal or other chemical and pharmacological preparations, or with the use of physical or mental compulsion;
- k) commission of a crime during a state of emergency, natural or social disaster, or during mass disturbances;
- l) commission of a crime, abusing confidence placed in the guilty person through his official position, or through a contract;
- m) commission of a crime with the use of uniforms or documents of representatives of the authorities.

2. If the aggravating circumstance are provided for by the corresponding Article of the Special Part of this Code as elements of another crime, then they in and of themselves may not be repeatedly considered in case of imposing punishment.

#### **Article 64. Imposition of a More Lenient Punishment Than That Provided for the Given Crime**



1. In the presence of exceptional circumstances related to the purposes and motives of the crime, the role played by the guilty person, his behavior during or after the commission of the crime, or other circumstances essentially reducing the degree of the social danger of the crime, and also with the active assistance of an accomplice in a group crime in the disclosure of this crime, the most lenient punishment stipulated by the corresponding Article of the Special Part of this Code may be imposed, or the court of law may even impose a more lenient penalty than that provided for by this Article, or may not apply an additional penalty envisaged as obligatory.

2. Both particular mitigating circumstances and the totality of such circumstances may be recognized as exceptional.

### **Article 65. Imposition of Punishment in Case of a Verdict of Leniency Passed by the Jury**

1. The term or the scope of punishment for a person who is found guilty by a jury of the commission of a crime, and who deserves leniency, may not exceed two-thirds of the maximum term or scope of the strictest punishment provided for the crime perpetrated. If the corresponding Article of the Special Part of this Code provides for capital punishment or deprivation of liberty for life, then these penalties shall not be applied, while the punishment shall be imposed within the limits of the sanction provided for by the appropriate article of the Special Part of this Code.

2. abolished.

3. When imposing punishment for cumulative crimes or under cumulative sentences, the penalty, its term and scope shall be determinable according to the rules provided for by Article 69 and 70 of this Code.

4. When imposing punishment on a person who is found guilty by a verdict of a jury of the commission of a crime, but who deserves leniency, any aggravating circumstances shall not be taken into account.

### **Article 66. Imposition of Punishment for an Unfinished Crime**

1. In imposing punishment for an unfinished crime, the court of law shall take into account the circumstances, by virtue of which the crime was not brought to completion.

2. The term or the scope of punishment for preparations for a crime may not exceed half the maximum term or scope of the most severe penalty prescribed by the relevant Articles of the Special Part of this Code for the finished crime.

3. The term or extent of punishment for an attempted crime may not exceed three-fourths of the maximum term or scope of the most severe penalty prescribed by the relevant Article of the Special Part of this Code for the finished crime.

4. Neither capital punishment nor deprivation of liberty for life shall be imposed for the preparations for a crime or for an attempted crime.

#### **Article 67. Imposition of Punishment for a Criminal Conspiracy.**

1. In imposing punishment for a criminal conspiracy, the court of law shall take into consideration the nature and the degree of the actual participation of the person in its perpetration, and also the importance of this participation for the achievement of the purpose of the crime, and its influence on the nature and on the amount of inflicted or possible damage.

2. Mitigating or aggravating circumstances relating to the personality of one of the accomplices shall be taken by the court into account when it imposes its penalty for this individual accomplice.

#### **Article 68. Imposition of Punishment in Case of Recidivism of Crimes**

1. When imposing punishment in a case of recidivism, dangerous recidivism or especially dangerous recidivism, account shall be taken of the nature and degree of the social danger of the crimes committed earlier, the circumstances by virtue of which corrective influence of the previous punishment has proved to be insufficient, and also the nature and degree of the social danger of the newly committed crimes.

2. The term of punishment in a case of any recidivism may not be less than one third of the maximum term of the most severe penalty prescribed for the crime committed, but within the limits of the sanction of the appropriate article of the Special Part of this Code.

3. In the event of any recidivism of crimes where a court of law establishes the mitigating circumstances provided for by Article 61 of this Code, the term of imposed punishment may be less than one third of the maximum term of the most severe penalty provided for committing the crime but within the sanction of the appropriate article of the Special Part of this Code, while in the presence of exceptional circumstances, provided for by Article 64 of this Code, a more lenient punishment than the one stipulated for a given crime may be imposed.

#### **Article 69. Imposition of Punishment for Cumulative Crimes**

1. In case of cumulative of crimes, punishment shall be imposed separately for each crime committed.

2. If crimes committed cumulatively only represent offences of little or medium gravity, then final punishment shall be imposed by the incorporation of the less severe penalty with a more severe one, or by partial or full adding-up of imposed penalties. In this case, the final punishment may not exceed by more than half the maximum term or scope of punishment prescribed for the gravest of the crimes committed.

3. Where at least one of the crimes committed cumulatively is a grave or especially grave crime, then the final penalty shall be imposed by the partial or full adding-up of penalties. In this case, the final punishment in the form of deprivation of liberty may not exceed by more than half the maximum term of punishment in the form of deprivation of liberty provided for the gravest of the committed crimes.

4. Additional penalties may be joined to the basic penalties in case of cumulative crimes. In case of partial or full addition of penalties, final additional punishment may not exceed the maximum term or scope prescribed for this type of punishment by the General Part of this Code.

5. Punishment shall be imposed under the same rules, if after the court delivers its judgement in the case it is established that the convicted person is guilty of still another crime committed by him before adjudication in the first case. In this instance, the punishment served under the first judgement of the court shall be included in the final punishment.

#### **Article 70. Imposition of Punishment by Cumulative Sentences**

1. In imposing punishment by cumulative of sentences, the court of law shall add, in part or in full, the unserved part of the penalty under the court's previous sentence to the penalty imposed by the court's latest judgement.

2. The final punishment by cumulative sentences, if it is still less than deprivation of liberty, may not exceed the maximum term or scope stipulated by the General Part of this Code for the given penalty.

3. The final punishment by cumulative sentences in the form of deprivation of liberty may not exceed 30 years.

4. The final punishment by cumulative sentences must be greater than either the punishment imposed for the new crime, or the unserved part of the punishment under the previous court's judgement, alone.

5. In case of the imposition of punishment by cumulative sentences, additional penalties may be added under the rules envisaged by the fourth part of Article 69 of this Code.

#### **Article 71. Procedure for the Determination of Terms of Punishment in Case of the Addition of Penalties**

1. In case of partial or full addition of penalties for cumulative crimes and sentences, the following measures shall correspond to one day of deprivation of liberty:

- a) one day of arrest or of service in a disciplinary military unit;
- b) two days of restraint of liberty;

c) three days of corrective labour or restriction in military service;

d) eight hours of compulsory works.

2. A fine or deprivation of the right to hold specified offices or to engage in specified activities, deprivation of a special or military rank, or of an honorary title, class rank, or government decoration, when they are added to restraint of liberty, arrest, service in a disciplinary military unit, or deprivation of liberty shall be executed independently.

#### **Article 72. Calculation of the Terms of Punishment and Set-off of Punishment**

1. Terms of the deprivation of the right to hold specified offices or to engage in specified activities, of corrective labour, restriction in military service, restraint of liberty, arrest, service in a disciplinary military unit, and deprivation of liberty shall be counted in months and years, while compulsory works - in hours.

2. Terms of punishment may be counted in days in case of replacement of a penalty or the addition of penalties envisaged by the first part of this Article, and also in case of the set-off of punishment.

3. The time of custody pending the trial shall be counted in terms of deprivation of liberty, service in a disciplinary military unit, or arrest at the rate of one day for one day, of restraint of liberty at the rate of one day for two days, of corrective labour and restriction in military service at the rate of one day for three days, and the time of compulsory works at the rate of one day of custody for eight hours of compulsory works.

4. The time of custody pending the entry of the court's judgement into force, and the time of serving deprivation of liberty, imposed by the court for crime committed outside the confines of the Russian Federation, shall be counted at the rate of one day per one day in case of the surrender of the person under Article 13 of this Code.

5. In imposing a fine or deprivation of the right to hold specified offices or engage in specified activities on a convicted person, kept in custody pending trial, as a basic penalty the court of law shall mitigate punishment or fully set him free from serving this punishment.

#### **Article 73. Conditional Sentence**

1. If by imposing corrective labour, restriction in military service, restraint of liberty, service in a disciplinary military unit, or deprivation of liberty for a term of up to eight years the court of law arrives at the conclusion that it is possible to rehabilitate the convicted person without his real serving punishment, then the court shall decree that the imposed penalty is suspended.

2. In imposing a conditional sentence the court of law shall take account of the nature and the degree of the social danger of the crime committed, of the personality of the guilty person, and of mitigating and aggravating circumstances.

3. In imposing a conditional sentence, the court shall fix a probationary period, during which the person convicted conditionally should prove his rehabilitation by his behavior. If deprivation of liberty is imposed for a term of up to one year, or if a more lenient penalty is imposed, then the probationary period shall be not less than six months and not more than three years. If deprivation of liberty is imposed for a term of over one year, then the probationary period shall be not less than six months and not more than five years.

4. In conditional sentencing, additional penalties may be inflicted.

5. In imposing a suspended sentence, the court of law may place definite duties on the conditionally convicted person: not to change his permanent place of residence, work, or study without notifying a specialized state body engaged in the correction of the convict, not to attend certain places, to undergo a course of treatment for alcoholism, drug addiction, toxicology, or venereal disease, and to render material support to his family. The court of law may place other duties on the conditionally convicted person, which are conducive to his reformation.

6. Control over the behaviour of a conditionally convicted person shall be exercised by the specialized state body authorized therefor, and control over the behaviour of servicemen shall be exercised by the commanders of military units and establishments.

7. During the probationary period, the court may revoke in full or in part the duties established for the conditionally convicted person, and supplement the duties fixed earlier, on the proposal of the body exercising control over the behaviour of the conditionally convicted person.

#### **Article 74. Reversal of a Conditional Sentence or Prolongation of the Probationary Period**

1. If before the expiry of the probationary period the conditionally convicted person proves his reformation, then the court may decree the reversal of the conditional sentence and strike the conviction off the convict's criminal record upon the proposal of the body exercising control over the behaviour of the conditionally convicted person. In this case, the conditional sentence may be reversed upon the expiry of not less than half of the fixed probationary period.

2. If the conditionally convicted person has evaded the duties placed on him by the court, or has breached the public order, for which an administrative penalty has been imposed on him, then the court of law may extend the probationary period - but for not more than one year - upon the proposal of the body referred to in the first part of this Article.

Federal Law No. 78-FZ of July 26, 2004 amended the third part of Article 74 of the present Code

3. If during the probationary period the conditionally convicted person systematically or maliciously fails to execute the duties placed on him by the court or if the conditionally convicted person has hidden himself from control, then the court of law may, upon the proposal of the body referred to in the first part of this Article, decree the reversal of the conditional sentence and the imposition of the suspended punishment.

4. If the conditionally convicted person commits a crime by negligence or a willful crime of small gravity during the probationary period, then the question of reversal or the preservation of the conditional sentence shall be decided by a court of law.

5. If the conditionally convicted person commits a willful crime of average gravity, an intended grave, or an especially grave crime during the probationary period, then the court shall reverse the conditional sentence and impose punishment on him under the rules provided for by Article 70 of this Code. In cases stipulated by the fourth part of this Article, punishment shall be imposed under the same rules.

#### **Section IV. Release from Criminal Responsibility and Punishment**

##### **Chapter 11. Release from Criminal Responsibility**

###### **Article 75. Release from Criminal Responsibility in Connection with Active Repentance**

1. A person who has committed a crime of small or medium gravity for the first time may be released from criminal responsibility, if after the perpetration of the offence he has given himself up, assisted in the exposure of a crime, made compensation for the damage he inflicted, or in any other way effected restitution for the damage caused as a result of the crime, which has ceased to be socially dangerous as a result of active repentance.

2. In the presence of the conditions stipulated by the first part of this Article, a person who has committed a crime of another category may be released from criminal responsibility only in cases specially provided for by the corresponding Articles of the Special Part of this Code.

###### **Article 76. Release from Criminal Responsibility in Connection with Reconciliation with the Victim**

A person who has committed a crime of small or medium gravity for the first time may be released from criminal responsibility if he has reconciled with the victim and has made restitution for any damage inflicted on the victim.

###### **Article 77. Abolished**

## **Article 78. Release from Criminal Responsibility in Connection with the Expiration of Statutes Limitation on Actions**

1. A person shall be released from criminal responsibility if the following time-limits have expired since the day of commission of a crime:
  - a) two years after the commission of a crime of small gravity;
  - b) six years after the commission of a crime of average gravity
  - c) ten years after the commission of a grave crime;
  - d) fifteen years after the commission of an especially grave crime.
2. The limitation period shall be counted from the day of committing a crime to the time of the entry of a court's judgement into legal force. If a person commits a new crime, then the limitation period for each crime shall be counted independently.
3. The running of a limitation period shall be stopped if the person who has committed the crime evades the investigation or court trial. In this case, the running of the limitation period shall be resumed upon the time of detaining said person or his acknowledgement of guilt.
4. The question of the application of the limitation period to a person who has committed a crime punishable with the death penalty or deprivation of liberty for life shall be settled by a court of law. If the court does not deem it possible to release said person from criminal responsibility in connection with the expiry of the limitation period, then the death penalty or deprivation of liberty for life shall not be applied.
5. The periods of limitation shall not be applied to persons who have committed crimes against the peace and security of humankind, as provided for by Articles 353, 356, 10000357, and 358 of this Code.

## **Chapter 12. Release from Punishment**

### **Article 79. Conditional Early Release from Punishment**

1. A person who has served in a disciplinary military unit, or deprivation of liberty shall be subject to conditional release ahead of time if the court finds out that for his rehabilitation he does not need to serve the full punishment imposed by the court. In this case the person may be fully or partially released from the remaining term of punishment.
2. In granting conditional early release, the court may place on the convicted person the duties provided for by the fifth part of Article 73 of this Code, which duties shall be executed by him during the remaining term of punishment.

3. Conditional early release may be applied only after the actual serving by the convicted person:

- a) of not less than one third of the term of punishment imposed, for a crime of small or average gravity;
- b) of not less than a half of the term of punishment imposed, for grave crime;
- c) of not less than two thirds of the term of punishment imposed, for an especially grave crime, and also of three-fourths of the term of punishment imposed on a person who was released conditionally and short of term, if the conditional early release was reversed on the grounds, provided for by the seventh part of this Article.

4. The term of deprivation of liberty actually served by the convicted person may not be less than six months.

5. A person who serves deprivation of liberty for life may be released conditionally and short of the term, if the court finds that he does not need to serve this punishment subsequently and if he has actually served not less than 25 years of his sentence. The conditional release ahead of time from further serving deprivation of liberty for life shall only apply where there are no malicious breaches of the established procedure for serving the punishment within the previous three years. The conditional release ahead of time shall not apply to a person who has committed, while serving deprivation of liberty for life, a new grave or especially grave crime.

6. Control over the behaviour of the person released conditionally and short of term shall be exercised by the specialized state body authorized therefor, while control over the behaviour of servicemen shall be exercised by the commanders of military units and establishments.

7. If during the remaining term of punishment:

- a) the convicted person has made a breach of public order, for which an administrative penalty was imposed on him, or has maliciously evaded the execution of the duties placed on him by a court of law in granting the conditional early release, then the court, on the proposal of the bodies referred to in the sixth part of this Article, may decree the reversal of the conditional early release and the reimposition of the remaining term of punishment;
- b) the convicted person has committed a crime by negligence, then the question of reversal or the preservation of the conditional early release shall be resolved by a court of law;
- c) the convicted person has committed a willful crime, then the court shall impose punishment on him under the rules stipulated by Article 70 of this Code. In case



of the commission of a crime by carelessness, the court of law imposes punishment under the same rules if the conditional early release is reversed.

### **Article 80. The Replacement of the Unserved Term of Punishment with a Milder Penalty**

1. With due account for the behaviour of a person who serves restriction of liberty, custody in a disciplinary military unit or deprivation of liberty, the court of law may replace the remaining term of punishment with a milder penalty. In this case, the person may be fully or partially released from serving the additional penalty.

2. The non-served part of the punishment may be replaced with a milder kind of punishment after the person sentenced to the deprivation of freedom has served for committing:

- a crime of minor or medium gravity - no less than one third of the term of punishment;
- a grave crime - no less than a half of the term of punishment;
- an especially grave crime - no less than two thirds of the term of punishment.

3. In case of the replacement of the remaining term of punishment, the court may choose any milder penalty in keeping with the penalties referred to in Article 44 of this Code, within the limits prescribed by this Code for each penalty.

### **Article 80.1. Release from Punishment Due to Change of Situation**

A person who has committed a crime of little or medium gravity shall be released by a court of law from serving punishment if it is established that this person or the crime committed by him has ceased to be socially dangerous due to the change of the situation.

### **Article 81. Release from Punishment Due to Illness**

1. A person with mental derangement, after the commission of a crime, which derangement deprives him of the possibility of realizing the actual nature and social danger of his actions (inaction), or of controlling them, shall be released from punishment; while a person who is serving punishment in such a state shall be released from the further serving of his sentence.

3. Servicemen who are under arrest or who are serving in a disciplinary military unit shall be released from the further serving of punishment due to illness that renders them unfit for military service. The remaining term of punishment may be replaced with a milder penalty.

4. Persons referred to in the first and second parts of this Article may be brought to criminal responsibility and punishment in case of their recovery, unless the periods of limitation have expired, as provided for by Article 78 and 83 of this Code.

#### **Article 82. Suspended Sentence for Pregnant Women and Women with Infants**

1. A court of law may defer the real serving of punishment by convicted pregnant women and women with children of up to fourteen years of age, except for those sentenced to deprivation of liberty for a period of over five years for grave and especially grave crimes against the person, until the child attains fourteen years of age.

2. If a convicted woman, referred to in the first part of this Article, has abandoned her child or continues to evade its upbringing after a warning made by the body exercising control over the convicted woman, in respect of whom the serving of punishment has been suspended, then the court of law may, upon the proposal of this body, set aside the suspended serving of punishment and send the convicted woman to serve the sentence in the place assigned by the court's judgement.

3. After the child reaches fourteen years of age, the court shall relieve the convict of serving the punishment or of the remaining part of the punishment, or shall replace the remaining part of the punishment with a milder kind of punishment.

4. If the convicted woman commits a new crime during the period of suspension of punishment, then the court of law shall impose punishment on her according to the rules prescribed by Article 70 of this Code.

#### **Article 83. Release from Punishment in Connection with the Expiry of the Limitation Period of the Court's Sentence**

1. A person convicted for the commission of a crime shall be released from punishment, unless the court's sentence has been enforced within the following periods since the time of its entry into legal force:

- a) two years, in case of conviction for a crime of little gravity;
- b) six years, in case of conviction for a crime of average gravity;
- c) 10 years, in case of conviction for a grave crime;
- d) 15 years, in case of conviction for an especially grave crime.

2. The running of the limitation period shall be suspended if the convicted person evades serving punishment. In this case, the running of the limitation period shall be resumed since the time of detention of the convicted person or the acknowledgement of his guilt. The periods of limitation that have expired by the time of evasion by the convicted persons of the serving of their punishment shall be subject to set-off.

3. The question of the application of the limitation periods to a person sentenced to capital punishment or deprivation of liberty for life shall be settled by a court of law. If the court fails to deem it possible to apply the limitation periods, then these penalties shall be replaced with deprivation of liberty for a definite term.

4. Limitation periods shall not be applicable to persons convicted for the commission of crimes against the peace and the security of mankind, as provided for by Articles 353, 256, 10000357, and 358 of this Code.

### **Chapter 13. Amnesty. Pardon. Criminal Record**

#### **Article 84. Amnesty**

1. Amnesty may be declared by the State Duma of the Federal Assembly of the Russian Federation with regard to a broad class of persons.

2. Persons who have committed crimes may be relieved from criminal responsibility by an act of amnesty. Persons convicted for the commission of crimes may be released from punishment, or the punishment imposed on them may be reduced or replaced with a milder penalty, or such persons may be released from the additional penalties. The criminal records may be struck from persons who have served punishment, through an act of amnesty.

#### **Article 85. Pardon**

1. Pardon may be granted by the President of the Russian Federation in respect of a specific person.

2. A person who has been convicted for a crime may be released from the further serving of his sentence, or the inflicted punishment may be reduced or replaced with a milder penalty by an act of pardon. The criminal record may be struck from a person who has served punishment, through an act of pardon.

#### **Article 86. Criminal Record**

1. A person sentenced for a committed crime shall be deemed to be convicted from the day of the entry of the court's sentence into legal force, until such time as the conviction is quashed or struck from his criminal record. In keeping with this Code, criminal record shall be considered in cases of recidivism of crimes and during the imposition of punishment.

2. A person released from punishment shall be deemed to be non-convicted.

3. Criminal records shall be expunged in respect of the following persons:

a) persons convicted conditionally - upon the expiry of the period of probation;

- b) persons sentenced to penalties milder than deprivation of liberty - upon the expiry of one year after punishment was completed or executed;
  - c) persons sentenced to deprivation of liberty for crimes of small or average gravity - upon the expiry of three years after punishment was completed;
  - d) persons sentenced to deprivation of liberty for grave crimes - upon the expiry of six years after punishment was completed;
  - e) persons sentenced for especially grave crimes - upon the expiry of eight years after punishment was completed.
4. If a convicted person has been released from punishment short of term, in the statutory order, or if the remaining part of punishment has been replaced with a milder penalty, then the period for expunging the criminal record shall be counted on the basis of the actually served period of punishment since the time of release from serving the basic and additional penalties.
5. If after the punishment has been completed the convicted person behaved faultlessly, the court of law may, on his motion, strike his criminal record before the expiry of the normal term for expunging the record of conviction.
6. The expunging or striking of a criminal record shall annul all the legal consequences related to the record of conviction.

## **Section V. The Criminal Responsibility of Juveniles**

### **Chapter 14. Specifics of the Criminal Responsibility and Punishment of Juveniles**

#### **Article 87. The Criminal Responsibility of Juveniles**

1. Juveniles shall be recognized to mean persons who have reached the age between 14 and 18 years by the time of the commission of a crime.
2. Either punishment or coercive measures of educational influence may be applied to juveniles who have committed crimes, and after their release from punishment by a court of law, they may be likewise placed into a special closed-type educational institution of the body in charge of education.

#### **Article 88. Penalties Inflicted on Juveniles**

1. The penalties inflicted on juveniles are as follows:
  - a) fines;
  - b) deprivation of the right to engage in specified activities;

- c) compulsory works;
- d) corrective labour;
- e) arrest;
- f) deprivation of liberty for a definite term.

2. A fine shall be imposed if the convicted juvenile has his own earnings or property on which recovery may be levied, as well as in the absence of such. A fine imposed upon a convicted juvenile may be recovered by decision of a court of law from his parents or other legal representatives thereof with their consent. A fine shall be imposed in the amount from 1 thousand to 50 thousand roubles or in the amount of the wage or salary, or any other income of the convicted minor, for a period from two weeks to six months.

3. Compulsory works shall be inflicted for a term of from 40 to 160 hours, and shall consist in the performance of works within the powers of the minor, and shall be executed by him during the time free from his studies or job. The length of the execution of this penalty for persons aged below 15 years may not exceed two hours a day, and for persons aged between 15 and 16 years may not exceed three hours a day.

4. Corrective labour shall be inflicted on a minor sentenced for a term of up to one year.

5. Arrest shall be imposed on convicted juveniles who have reached 16 years of age by the time of adjudication, for a term of up to four months.

6. Deprivation of liberty shall be ruled to minor convicts who have committed crimes at the age of less than sixteen years old for a term of no longer than six years. Minors of the same category who have committed especially grave crimes, as well as other minor convicts, shall be punishable by deprivation of liberty for a term of ten years at the most and shall serve the term in educational colonies. Punishment in the form of deprivation of liberty may not be inflicted upon a minor convict who has committed at the age of less than sixteen years old a crime of little or medium gravity for the first time, as well as upon other minor convicts who have committed crimes of little gravity for the first time.

6.1. When inflicting upon a minor convict a punishment in the form of deprivation of liberty for committing a grave or especially grave crime, the lowest limit of punishment provided for by the appropriate article of the Special Part of this Code, shall be reduced by half.

6.2. Where a minor convict who has been conditionally convicted commits within a probation period a new crime which is not an especially grave one, a court of law, subject to the facts of the case and the convict's personality, may repeatedly pass a decision on the conditional conviction thereof establishing a new probation period for him and placing on the conditionally convicted person the discharge of certain duties provided for by Part Five of Article 73 of this Code.

7. The court may issue an instruction to the body executing punishment concerning certain distinctive features of the convicted juvenile.

### **Article 89. Imposition of Punishment on a Juvenile**

1. In imposing punishment on a juvenile, the court of law shall take into consideration, apart from the circumstances stipulated by Article 60 of this Code, the conditions of his life and education, the level of his mental development, and other distinctive features of the person, and also the influence of older people on him.

2. As a mitigating circumstance, the juvenile's age shall be taken account of in totality with other mitigating or aggravating circumstances.

### **Article 90. The Application of Compulsory Measures of Educational Influence**

1. A juvenile who has committed a crime of small or average gravity may be relieved from criminal responsibility if it is found that his reformation can be achieved by applying compulsory measures of educational influence.

2. The following compulsory measures of educational influence may be imposed on a juvenile:

- a) warning;
- b) transfer to the surveillance of parents or persons acting in loco parentis, or any specialized state agency;
- c) the duty of redressing the damage caused;
- d) restriction of leisure and establishment of special requirements for the behaviour of the minor.

3. Several compulsory measures of educational influence may be imposed on a juvenile simultaneously. The length of the period for applying the compulsory measures of educational influence provided for by Items "b" and "d" of Part Two of this Article shall be established within the limits of from one month to two years for a committed crime of little gravity and from six months to three years for a committed crime of medium gravity.

4. In case of the systematic non-execution by a juvenile of a compulsory measure of educational influence, this measure shall be revoked on the proposal of a specialized state body, the and requisite materials shall be sent for bringing the juvenile to criminal responsibility.

### **Article 91. The Content of Compulsory Measures of Educational Influence**

1. A warning consists of the explanation to a juvenile of the harm inflicted by his action, and of the consequences of the repeated commission of offences, as provided for by this Code.
2. The transfer to surveillance consists of the placement of the duty of educating a minor and of control over his behaviour on the parents or persons acting in loco parentis, or on a specialized state body;
3. The duty of redressing the damage caused shall be imposed with account for the minor's property status and appropriate labour skills.
4. The restriction of leisure and the establishment of special requirements for the minor's behaviour may provide for a ban on visits to certain places, on the use of some forms of leisure, including those relating to the driving of an automobile, on the limitation of stay outside his home after a fixed hour of the day, or the departure for other localities without the permission of a specialized state body. A minor may be required to return to his educational establishment or to find employment with the aid of a specialized state body. This list of measures is not exhaustive.

#### **Article 92. Release of a Minor from Punishment**

1. A minor convicted for the commission of a crime of small or average gravity may be released by a court of law from punishment or the use compulsory measures of educational influence, as stipulated by the second part of Article 90 of this Code.
2. A minor sentenced to confinement for the commission of a crime of average gravity, as well as a grave crime, may be released by a court of law from punishment and placed to a special closed-type teaching and educational institution of the education governing body. Placing a minor to a special closed-type teaching and educational institution shall be applicable as a compulsory pedagogical measure for the purpose of correcting minors in need of special conditions of upbringing and training and of a special pedagogical approach. A minor may be placed to said institution before his attaining eighteen years old but for three years at most.
3. A minor's stay in a special closed-type teaching and educational institution shall be terminated on the expiry on the judicially established term, where it is recognized by court that there is no need to use this measure in respect of the minor any longer.
4. There shall be only allowed to extend the term of a minor's stay at a special closed-type teaching and educational institution on the basis of the minor's application, where it is necessary for him to complete his general education or vocational training.
5. Minors who have committed the crimes provided for by Parts One and Two of Article 111, Part Two of Article 117, Part Three of Article 122, Article 126, Part Three of Article 127, Part Two of Article 131, Part Two of Article 132, Part Four of Article 158, Part Two of Article 161, Parts One and Two of Article 162, Part Two of Article 163, Part One of

Article 205, Part One of Article 205.1, Part One of Article 206, Article 208, Part Two of Article 210, Part One of Article 211, Parts Two and Three of Article 223, Parts One and Two of Article 226, Part One of Article 228.1, Parts One and Two of Article 229 of this Code, shall not be releasable from punishment in the procedure provided for by Part Two of this Article.

### **Article 93. Conventional Pre-Schedule Relief from Serving the Punishment**

Conventional pre-schedule relief from serving the punishment may be applied to the persons who committed a crime when underaged and who were sentenced to the deprivation of freedom, after they have actually served the term:

- a) not less than one third of the term of punishment imposed by the court of law for a crime of small or average gravity, or for a grave crime;
- b) abolished
- c) not less than two-thirds of the term of punishment imposed for an especially grave crime.

### **Article 94. Limitation Periods**

The limitation periods stipulated by Article 78 and 83 of this Code shall be reduced by half in case of release of minors from criminal responsibility or punishment.

### **Article 95. Terms of Expunging Criminal Records**

For persons who committed crimes before the attainment of 18 years of age, the terms of expunging criminal records, stipulated by the third part of the Article 86 of this Code, shall be reduced and be equal accordingly to:

- a) one year after the completion of deprivation of liberty, for a crime of small or average gravity;
- b) three years after the completion of deprivation of liberty, for a grave or especially grave crime.

### **Article 96. The Application of the Provisions of This Chapter to Persons from 18 to 20 Years of Age**

In exceptional cases, with account of the nature of the committed deed and the person, the court of law may apply the provisions of this Chapter to persons who have committed crimes at the age of 18 to 20 years, except for their placement in a closed-type teaching and educational institution of the education governing body, or an educational colony.

## **Section VI. Compulsory Measures of a Medical Nature**



## **Chapter 15. Compulsory Measures of a Medical Nature**

### **Article 97. Grounds for the Application of Compulsory Measures of a Medical Nature**

1. Compulsory measures of a medical nature may be inflicted by a court of law on the following persons:

- a) those who have committed deeds stipulated by the Articles of the Special Part of this Code, while in a state of insanity;
- b) those who, after the commission of a crime have caught mental derangement, which makes it impossible to impose or execute punishment;
- c) those who have committed a crime and who suffer from mental derangement that does not incapacitate them mentally, -
- d) abolished

2. Compulsory measures of a medical nature shall be imposed on the persons referred to in the first part of this Article, only in cases where their mental derangement threatens the possible infliction on these persons of further damage, or danger to themselves or other persons.

3. Procedures for the implementation of compulsory measures of a medical nature shall be determined by the criminal and executive laws of the Russian Federation, and by other federal laws.

4. In respect of the persons referred to in the first part of this Article, who do not present danger due to their mental state, the court may transfer the requisite materials to the public health bodies for the settlement of the question of medical treatment of these persons, or of sending them to mental and neurological institutions of social security in the order prescribed by the laws of the Russian Federation on public health.

### **Article 98. The Purposes of the Application of Compulsory Measures of a Medical Nature**

The purposes of the application of compulsory measures of a medical nature include the medical treatment of the persons referred to in the first part of Article 97 of this Code, or the improvement of their mental state, and also the prevention of the commission by them of new crimes, as stipulated by the Articles of the Special Part of this Code.

### **Article 99. Compulsory Medical Measures**

1. A court of law may impose the following compulsory medical measures:

- a) compulsory out-patient observation and treatment by a psychiatrist;
- b) compulsory treatment in a specialized mental hospital;
- c) compulsory treatment in a specialized mental hospital with intensive observation.
- d) compulsory treatment in a psychiatric hospital of specialized type with intensive observation.

2. Persons who are convicted for crimes committed in a state of sanity but who are in need of medical treatment for mental disorders, which do not reach in sanity may be imposed by a court of law, in addition to punishment, with compulsory medical measures in the form of compulsory out-patient observation and treatment by a psychiatrist.

#### **Article 100. Compulsory Out-patient Observance and Treatment on the by a Psychiatrist**

Compulsory out-patient observation and treatment by a psychiatrist may be imposed in the presence of the grounds envisaged by Article 97 of this Code, if the person, due to his mental state, is not in need of treatment in a mental hospital.

#### **Article 101. Compulsory Treatment in a Mental Hospital**

1. Compulsory treatment in a mental hospital may be imposed in the presence of the grounds envisaged by Article 97 of this Code, if the nature of mental derangement of a person calls for such conditions of treatment, care, custody, and observation which can be realized in a mental hospital.

2. Compulsory treatment in a mental hospital of a general type may be imposed on a person who, due to his mental state, is in need of treatment and observation in a hospital but who is not in need of intensive observation.

3. Compulsory treatment in a specialized mental hospital may be imposed on a person who due, to his mental state, requires permanent observation.

4. Compulsory treatment in a specialized mental hospital with intensive observation may be imposed on a person who, due to his mental state, represents a special danger to himself or to other persons, and who requires permanent and intensive observation.

#### **Article 102. The Prolongation, Change, or Termination of the Use of Compulsory Medical Measures**

1. The use of compulsory medical measures may be prolonged, changed, or terminated by a court of law upon the proposal of the management of the institution which carries out obligatory treatment, on the basis of the opinion of a committee of psychiatrists.

2. A person who undergoes compulsory medical measure shall be subject to examination by a commission of psychiatrists at least once every six months, to resolve the question of whether there are grounds for the submission of a proposal to the court concerning the termination of the use or the change of such measures. In the absence of grounds for the termination of the use or the change of compulsory medical measures, the management of the institution which carries out the compulsory treatment shall submit to the court its opinion on the extension of compulsory medical treatment. The first extension of compulsory medical treatment may be made upon the expiry of six months after the beginning of treatment; subsequently, compulsory treatment shall be extended every year. A medical examination of such a person shall be performed on the initiative of the medical doctor responsible for treatment if he/she has come to a conclusion that the enforced medical treatment is to be altered or terminated and also on the initiative of the person himself/herself, his/her representative under law and/or a close relative. The petition shall be filed through the management of the institution performing the enforced treatment, irrespective of the time of the last examination.

3. A change or termination of the use of compulsory medical measures shall be effected by the court in case of such alteration of the mental state of the person as eliminates the need for the application of the measures imposed earlier, or as necessitates the imposition of when there is a need to a different compulsory medical measure.

4. In case of the termination of the use of compulsory treatment in a mental hospital, the court of law may transfer the necessary materials about the person who was treated to the bodies of public health for the settlement of the question of his medical treatment or of sending him to a mental or neurological establishment of social security in the order prescribed by the laws of the Russian Federation on public health.

#### **Article 103. Set-off of the Time of Application of Compulsory Medical Measures**

In case of curing a person whose mental derangement commenced after the commission of a crime, and when punishment is imposed or its execution is resumed, the time during which compulsory treatment was performed in a mental hospital shall be incorporated into the term of punishment at the rate of one day of stay in the mental hospital per one day of deprivation of liberty.

#### **Article 104. Compulsory Medical Measures Joined with the Execution of Punishment**

1. In cases provided for by the second part of Article 99 of this Code, compulsory medical measures shall be implemented in the place of serving deprivation of liberty, and in respect to persons sentenced to other penalties, these measures shall be implemented in the institutions of public health bodies which render out-patient psychiatric aid.

2. In case of a change in the mental state of a convicted person who requires in-patient treatment, this person shall be placed in a mental hospital or any other medical

establishment in the order and on the grounds prescribed by the laws of the Russian Federation.

3. The time of stay in said establishments shall be incorporated into the term of serving the sentence. If there is no longer a need to treat the convicted person in said establishments, then he shall be discharged from the hospital in the procedure provided for by the laws of the Russian Federation.

4. The use of compulsory medical measures, joined with the execution of punishment, shall be stopped by a court of law upon the proposal of the body that executes the punishment or on the basis of the opinion of the committee of psychiatrists.

## **Special Part**

### **Section VII. Crimes Against the Person**

#### **Chapter 16. Crimes Against Human Life and Health**

##### **Article 105. Murder**

1. Murder is the intentional causing of death to another person.

It shall be punishable with deprivation of liberty for a term of six to 15 years.

Federal Law No. 73-FZ of July 21, 2004 amended the second part of Article 105 of the present Code

2. The murder:

- a) of two or more persons;
- b) of a person or his relatives in connection with the official activity by this person or the discharge of his public duty;
- c) of a person who is known by the killer to be helpless state, and also murder attended by the kidnapping of a person or the seizure of a hostage;
- d) of a woman who is known by the killer to be in a state of pregnancy;
- e) committed with especial cruelty;
- f) committed by a generally dangerous method;
- g) committed by a group of persons, a group of persons under a preliminary conspiracy, or an organized group;

- h) committed out of mercenary motives by hire, or attended by robbery with violence, racketeering, or banditry;
- i) committed maliciously;
- j) committed with the purpose of concealing another crime or facilitating its commission, and also murder attended by rape or violent sexual actions;
- k) committed by reason of national, racial, or religious hatred, or enmity or blood feud;
- l) committed for the purpose of obtaining the organs or tissues of the victim, -
- m) abolished

shall be punishable with deprivation of liberty for a term of eight to 20 years, or by deprivation of liberty for life, or by death penalty.

#### **Article 106. The Killing by a Mother of Her Newborn Child**

The killing by a mother of her newborn child during or immediately after childbirth, or the killing by a mother of her newborn child in a mentally traumatizing situation or in a state of mental disorder that does not reach in sanity,

shall be punishable by deprivation of liberty for a term of up to five years.

#### **Article 107. Homicide Committed in a State of Temporary Insanity**

1. Homicide committed in a state of sudden strong mental agitation (temporary insanity), caused by violence, mockery, or gross insult on the part of the victim, or by other unlawful or amoral actions (inaction) of the victim, or by a protracted mentally traumatizing situation caused in connection with the systematic unlawful or amoral behavior of the victim

shall be punishable by deprivation of liberty for a term of up to three years or by restraint of liberty for the same term.

2. Homicide against two or more persons committed in a state of temporary insanity

shall be punishable by deprivation of liberty for a term of up to five years.

#### **Article 108. Homicide Committed in Excess of the Requirements of Justifiable Defence or in Excess of the Measures Needed for the Detention of a Person Who Has Committed a Crime**

1. Homicide committed in excess of the requirements of justifiable defence

shall be punishable by deprivation of liberty for a term of up to two years or by restraint of liberty for the same term.

2. Homicide committed in excess of the measures needed for the detention of a person who has committed a crime

shall be punishable by restraint of liberty for a term of up to three years or by restraint of liberty for the same term.

### **Article 109. Infliction of Death by Negligence**

1. Negligent homicide -

Shall be punishable by restraint of liberty for a term of up to two years or by deprivation of liberty for the same term.

2. Negligent homicide owing to the improper discharge by a person of his professional duties -

shall be punishable by restraint of liberty for a term of up to three years or by deprivation of liberty for the same term with or without deprivation of the right to have specified duties or to engage in specified activity for a term of up to three years.

3. The infliction of death by negligence on two or more persons -

shall be punishable by restraint of liberty for a term of up to five years or by deprivation of liberty for the same term with or without deprivation of the right to hold specified duties or to engage in specified activity for a term of up to three years.

### **Article 110. Incitement to Suicide**

Incitement of a person to commit or attempt to commit suicide by means of threats, cruel treatment of a person, or systematic denigration of the human dignity of the victim

shall be punishable by restraint of liberty for a term of up to three years or by deprivation of liberty for a term, of up to five years.

### **Article 111. Intentional Infliction of a Grave Injury**

1. Intentional infliction of a grave injury, which is hazardous for human life or which has involved the loss of sight, speech, hearing, or any organ or the loss of the organ's functions, or which has expressed itself in the indelible disfiguring of a human face, and also infliction of other harm which is dangerous to human life or which has involved an injury to a person's health, joined with considerable permanent loss of general ability to work by not less than one third or by the full loss of an occupational capacity for work, which capacity was evident to the guilty person, or which has involved the interruption

of pregnancy, mental derangement, or the victim's falling ill to drug addiction or toxicosis,

shall be punishable by deprivation of liberty for a term of two to eight years.

2. The same acts committed:

a) in respect of a person or his relatives in connection with his official activity or the discharge of his public duty;

b) with especial cruelty, mockery, or torture for the victim, and also in respect of a person who is known to the offender to be helpless;

c) by a generally hazardous method;

d) by hire;

e) out of malicious motives;

f) by reason of national, racial, or religious hatred or enmity;

g) for the purpose of using the organs or tissues of the victim,

shall be punishable by deprivation of liberty for a term of three to 10 years.

3. Acts provided for by the first or second parts of this Article, if they are committed:

a) by a group of persons, a group of persons under a preliminary conspiracy, or an organized group;

b) against two or more persons, -

c) abolished

shall be punishable by deprivation of liberty for a term of five to 12 years.

4. Acts stipulated in the first, second, or third part of this Article, which have involved the death of the victim by negligence,

shall be punishable by deprivation of liberty for a term of five to 15 years.

#### **Article 112. Intentional Infliction of Injury of Average Gravity Health**

1. Intentional infliction of injury of average gravity, which is not hazardous to human life and which has not involved consequences referred to in Article 111 of this Code, but

which has caused protracted injury to health or considerable stable loss of general capacity for work by not less than one-third,

shall be punishable by arrest for a term of three to six months or by deprivation of liberty for a term of up to three years.

2. The same act committed:

- a) against two or more persons;
- b) against a person or his relatives in connection with his official activity or the discharge of his public duty;
- c) with especial cruelty, mockery or torture for the victim, or against a person who is in known by the offender to be helpless;
- d) by a group of persons, a group of persons under a preliminary conspiracy, or an organized group;
- e) out of malicious motives;
- f) by reason of national, racial, or religious hatred or enmity, -
- g) abolished

shall be punishable by deprivation of liberty for a term of five years.

### **Article 113. Infliction of Grave Injury or Injury of Average Gravity While in a State of Temporary Insanity**

Intentional infliction of grave injury or injury of average gravity injury to health in a state of sudden strong mental agitation (temporary insanity), caused by violence, mockery, or grave insult on the part of the victim or by other unlawful or amoral actions (inaction) of the victim, or by a mentally traumatizing situation that arose in connection with the systematic unlawful or immoral behavior of the victim,

shall be punishable by restraint of liberty for a term of up to two years or deprivation of liberty for the same term.

### **Article 114. Infliction of Grave Injury or Injury of Average Gravity in Excess of the Requirements of Justifiable Defence or in Excess of the Measures Needed for the Detention of a Person Who Has Committed a Crime**

1. Intentional infliction of grave injury, committed in excess of the requirements of justifiable defence,



shall be punishable by restraint of liberty for a term of up to two years or deprivation of liberty for a term of up to one year.

2. Intentional infliction of grave injury or injury of average gravity, committed in excess of the measures needed for the detention of a person who has committed a crime,

shall be punishable by restraint of liberty for a term of up to two years or deprivation of liberty for the same term.

#### **Article 115. Intentional Infliction of Light Injury**

1. Intentional infliction of light injury which has caused temporary damage of health or an insignificant stable loss of general capacity for work,

shall be punishable by a fine up to 40 thousand roubles, or in the amount of the wages or salaries or any other income of the convicted person for a period of up to three months, or punishable by compulsory works for a term of from 180 to 240 hours, or corrective labour for a term of up to one year, or by arrest for a term of from two to four months.

2. The same deed committed through ruffian-like motives, -

shall be punishable by compulsory works for a term from 120 hours to 180 hours, or by corrective labour for a term from six months to one year, or by arrest for a term from four to six months, or by deprivation of liberty for a term of up to two years.

#### **Article 116. Battery**

1. Battery or the commission of similar violent actions, which have caused physical pain but not involved the consequences referred to in Article 115 of this Code,

shall be punishable by a fine up to 40 thousand roubles, or in the amount of the wages or salary or any other income of the convicted person for a period of three months, or by compulsory works for a period of time from 120 to 180 hours, or by corrective labour for a term of up to six months, or by arrest for a term of up to three months.

2. The same deeds committed through ruffian-like motives -

shall be punishable by compulsory works for a term from 120 to 180 hours, or by corrective works for a term from six months to one year, or by arrest for a term from four to six months, or by deprivation of liberty for a term of up to two years.

#### **Article 117. Torture**

1. The infliction of physical or mental suffering by means of systematic beating or by any other violent actions, unless this has involved the consequences referred to in Article 111 or 112 of this Code,

shall be punishable by deprivation of liberty for a term of up to three years.

2. The same act committed:

- a) against two or more persons;
- b) against a person or his relatives in connection with the official activity of this person or the discharge of his public duty;
- c) against an woman who is in a state of pregnancy, which is evident to the convicted person;
- d) against obvious juvenile or a person who is in a helpless state, as known by the convicted person, or in material or any other dependence on the convicted person, and also in respect of a person, kidnapped or seized as a hostage;
- e) with the use of torment;
- f) by a group of persons, a group of persons under a preliminary conspiracy, or an organized group;
- g) by hire;
- h) by reason of national, racial, or religious hatred or enmity,

shall be punishable by deprivation of liberty for a term of three to seven years.

Note. Torture in this Article and in other Articles of this Code shall mean the infliction of physical or mental suffering for the purpose of compelling to give evidence or to commit other actions against a person's will, as well as for the purpose of punishing, or for other purposes.

### **Article 118. Infliction of Grave Injury by Negligence**

1. The infliction of grave injury to health by negligence -

Shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary of any other income of the convicted person for a period up to six months, or by compulsory works for a term of up to 2 years, or by restraint of liberty for a term of up to 3 years, or by arrest for a term of 3 to 6 months.

2. The same deed committed in consequence of the improper discharge by a person of his professional duties,

shall be punishable by restraint of liberty for a term of 4 years or deprivation of liberty for a term of up to one year, with the deprivation of the right to hold specified offices or

engage in specified activities for a term of up to 3 years, or by the permanent deprivation of such right.

3. abolished

4. abolished

### **Article 119. Threat of Murder or Infliction of Grave Injury Health**

Threat of murder or infliction of grave injury to health, if there were grounds to fear the realization of this threat,

Shall be punishable by restraint of liberty for a term of up to two years, or by arrest for a term of 4 to 6 months, or by deprivation of liberty for a term of up to two years.

### **Article 120. Compulsion to Remove Human Organs or Tissues for Transplantation**

1. Compulsion to remove human organs or tissues for transplantation, committed with the use of violence or with the threat of its use,

shall be punishable by deprivation of liberty for a term of up to four years, with the deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years, or by the permanent deprivation of such right.

2. The same deed committed against a person who is in a state of helplessness, which is well known to the guilty person, or in material or any other dependence on this guilty person,

shall be punishable by deprivation of liberty for a term of 2 to 5 years, with the deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years, or with the permanent deprivation of such right.

### **Article 121. Infection with a Venereal Disease**

1. Infection of another person with a venereal disease by a person who knew that he had such a disease,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by corrective labour for a term of one to two years, or by arrest for a term of three to six months.

2. The same act committed against two or more persons, or against an obvious juvenile,

shall be punishable by a fine in the amount up to 300 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period up to two years months, or by deprivation of liberty for a term of up to two years.

### **Article 122. Infection with Human Immuno-deficiency Virus (HIV)**

1. An obvious threat to infect a person with HIV

shall be punishable by a restraint of liberty for a term of up to three years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to one year.

2. Infection of another person with HIV by a person who knew that he had such disease,

shall be punishable by deprivation of liberty for a term of up to five years.

3. The act envisaged by the second part of this Article, committed against two or more persons, or against an obvious juvenile,

shall be punishable by deprivation of liberty for a term of up to eight years.

4. Infection of another person with HIV through of the improper discharge by a person of his professional duties,

shall be punishable by a deprivation of liberty for a term of up to five years, with the deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

Note. A person who has committed the deeds provided for by Parts One and Two of this Article shall be released from criminal liability, if the other person subjected to the risk of being infected, or infected, with HIV was warned in due time that the former had such disease and agreed of his own free will to commit the actions posing the risk of infection.

### **Article 123. Illegal Performance of Abortions**

1. Performance of abortions by a person who lacks higher medical education of an appropriate specialization

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by compulsory works for a term of 100 to 240 hours, or by corrective labour for a term of one to two years.

2. Abolished

3. The same deed, if it has entailed - by negligence - the death of the victim or the infliction of grave injury to her health,

shall be punishable by deprivation of liberty for a term of up to five years, with the deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years, or with the permanent deprivation of such right.

#### **Article 124. Failure to Render Aid to a Sick Person**

1. Failure to render aid to a sick person without valid reasons, by a person who is duty-bound to render it in keeping with the law or with special rules, if this has entailed by negligence the infliction of injury of average gravity to the health of the sick person,

shall be punishable by a fine in the amount up to 40 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of three months, or by corrective labour for a term of up to one year, or by arrest for a term of two to four months.

2. The same act, if it has involved, through negligence, the death of the sick person or the infliction of grave injury to his health,

shall be punishable by deprivation of liberty for a term of up to three years, with the deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years, or with the permanent deprivation of such right.

#### **Article 125. Abandoning to Danger**

Deliberate abandoning without aid of person who is in a state of danger to human life or health, and who is deprived of the possibility of taking measures towards self-preservation because of his young age, old age, sickness, or in consequence of his helplessness, in cases where the convicted person had the possibility of rendering aid to this person and was obliged to take care of him, or who has put him in the state of danger to life and health,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or by compulsory works for a term of 120 to 180 hours, or by corrective labour for a term of up to one year, or by arrest for a term up to three months.

### **Chapter 17. Crimes Against the Freedom, Honour, and Dignity of the Person**

#### **Article 126. Abduction**

1. Abduction -

shall be punishable by deprivation of liberty for a term of four to eight years.

2. The same act committed:

- a) by a group of persons under a preliminary conspiracy;
- b) abolished
- c) with the use of violence with danger for human life and health, or a threat to apply such violence;
- d) with the use of weapons or objects used as weapons;
- e) against an obvious juvenile;
- f) against a woman who is in a state of pregnancy, which is evident to the convicted person;
- g) against two or more persons;
- h) out of mercenary motives,

shall be punishable by deprivation of liberty for a term of five to ten years.

3. Deeds stipulated by the first and second parts of this Article, if they:

- a) have been committed by an organized group;
- b) abolished
- c) have entailed by negligence the death of the victim or any other grave consequences, -

shall be punishable by deprivation of liberty for a term of eight to twenty years.

Note: A person who has set free the abducted person voluntarily shall be released from criminal responsibility, unless his actions contain a different corpus delicti.

### **Article 127. Illegal Deprivation of Liberty**

1. Illegal deprivation of a person's liberty, which is not related to his abduction,

shall be punishable by restraint of liberty for a term of up to three years, or by arrest for a term of three to six months, or deprivation of liberty for a term of up to two years.

2. The same deed committed:

- a) by a group of persons under a preliminary conspiracy;
- b) abolished

- c) with the use of violence with danger for human life and health;
- d) with the use of weapons or objects used as weapons;
- e) against an obvious juvenile;
- f) against a woman who is in a state of pregnancy, which is evident to the convicted person;
- g) against two or more persons,

shall be punishable by deprivation of liberty for a term of three to five years.

3. Deeds provided for by the first or second parts of this Article, if they have been committed by an organized group or have entailed by negligence the death of the victim, or any other grave consequences,

shall be punishable by deprivation of liberty for a term of four to eight years.

Federal Law No. 73-FZ of July 21, 2004 amended Article 127.1 of the present Code

#### **Article 127.1. Human Beings' Trafficking**

1. Human beings' trafficking, that is, a human being's purchase and sale or his recruiting, transportation, transfer, harbouring or receiving for the purpose of his exploitation -

shall be punishable by deprivation liberty for a term of up to five years.

2. The same deed committed:

- a) in respect of two or more persons;
- b) in respect of a known minor;
- c) by a person through his official position;
- d) moving the victim across the State Border of the Russian Federation or illegally keeping him abroad;
- e) using forged documents, as well as seizing, concealing or destroying the documents certifying the identity of the victim;
- f) with application of force or with the threat of applying it;
- g) for the purpose of cutting out the victim's organs and tissues -

shall be punishable by deprivation of liberty for a term from three to 10 years.

3. The deeds provided for by Parts One and Two of this Article:

- a) which have entailed the victim's death by negligence, the infliction of major damage to the victim's health or other grave consequences;
- b) committed in a way posing danger to the life or health of many people;
- c) committed by an organized group -

shall be punishable by deprivation of liberty for a term from eight to 15 years.

Note. 1. The person who has committed for the first time the deed provided for by Part One or Item "a" of Part Two of this Article, has voluntarily released the victim and has contributed to solving the crime shall be released from criminal liability, if there are no other formal components of a crime in his acts.

2. The exploitation of a person shall mean in this Article the use of the engagement in prostitution by other persons and other forms of sexual exploitation, slave labour (services), subjection.

### **Article 127.2 Use of Slave Labour**

1. Using the labour of a person in respect of which authority is exercised which is akin to ownership, where the person cannot refuse to carry out works (services) for reasons independent of him -

shall be punishable by deprivation of liberty for a term of up to five years.

2. The same deed committed:

- a) in respect of two or more persons;
- b) in respect of a known minor;
- c) by a person through his official position;
- d) with the use of blackmail, violence or with the threat of using it;
- e) with the seizure, concealment or destruction of the documents certifying the identity of the victim -

shall be punishable by deprivation of liberty for a term from three to 10 years.



3. The deeds provided for by Parts One and Two of this Article which have entailed the victim's death by negligence, infliction of major damage to the victim's health or other grave consequences, or which have been committed by an organized group -

shall be punishable by deprivation of liberty for a term of from eight to 15 years.

### **Article 128. Illegal Placement in a Mental Hospital**

1. Illegal placement of a person in a mental hospital -

shall be punishable by deprivation of liberty for a term of up to three years.

2. The same act, if it has been committed by a person through his official position, or has entailed by negligence the death of the victim, or any other serious,

shall be punishable by deprivation of liberty for a term of three to seven years, with the deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years, or with the permanent deprivation of such right.

### **Article 129. Slander**

1. Slander, that is the spreading of deliberately falsified information that denigrates the honour and dignity of another person or undermines his reputation,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six month, or by compulsory works for a term of 120 to 180 hours, or by corrective labour for a term of up to one year, or by corrective labour for a term of up to one year.

2. Slander contained in a public speech or in a publicly performed work, and mass-media libel,

shall be punishable by a fine in the amount up to 120 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to one years, or by compulsory works for a term of 120 to 180 hours, or by corrective labour for a term of one year to two years, or by arrest for a term of three to six months.

3. Slander accusing a person of committing a grave or especially grave crime,

shall be punishable by a fine in the amount from 100 thousand roubles to 300 thousand roubles or in the amount of a wage or salary or other income of the convicted person for a period from one year to two years or, by restraint of liberty for a term of up to three years, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to three years.

### **Article 130. Insult**

1. Insult, that is the denigration of the honour and dignity of another person, expressed in indecent form,

shall be punishable by a fine in the amount up to 40 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months, or by compulsory works for a term of up to 120 hours, or by corrective labour for a term of up to six months.

2. Insult contained in a public speech, in a publicly performed work, or in mass media,

shall be punishable by a fine in the amount of up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or by compulsory works for a term of up to 180 hours, or by corrective labour for a term of up to one year.

## **Chapter 18. Crimes Against the Sexual Inviolability and Sexual Freedom of the Person**

### **Article 131. Rape**

1. Rape, that is sexual relations with the use of violence or with the threat of its use against a victim or other persons, or in taking advantage of the victim's helpless condition,

shall be punishable by deprivation of liberty for a term of three to six years.

2. Rape:

a) abolished

b) committed by a group of persons, a group of persons under a preliminary conspiracy, or an organized group;

c) connected with the threat of murder or the infliction of grave injury, or committed with especial cruelty towards the victim or to other persons;

d) entailing the infection of the victim with a venereal disease;

e) of an obvious juvenile,

shall be punishable by deprivation of liberty for a term of four to ten years.

3. Rape:

a) entailing, by negligence, the death of the victim;

b) entailing, by negligence, the infliction of grave injury to the victim, the infection of the victim with HIV, or other grave consequences;

c) of a victim who obviously has not reached 14 years of age,

shall be punishable by deprivation of liberty for a term of eight to 15 years.

### **Article 132. Violent Sexual Actions**

1. Pederasty, lesbianism, or any other sexual actions with the use of violence or with the threat of its use against the victim or against other persons, or with the taking advantage of the helpless condition of the victim,

shall be punishable by deprivation of liberty for a term of three to six years.

2. The same deeds:

a) abolished

b) committed by a group of persons, a group of persons under a preliminary conspiracy, or an organized group;

c) connected with the threat of murder or the infliction of grave injury, or committed with especial cruelty against the victim party or other persons;

d) entailing the infection of the victim with a venereal disease;

e) committed against an obvious juvenile,

shall be punishable by deprivation of liberty for a term of four to ten years.

3. Deeds specified in the first and second parts of this Article, if they:

a) have entailed, by negligence, the death of the victim;

b) have entailed, by negligence, the infliction of grave injury to the victim, the infection of the victim with HIV, or other grave consequences;

c) have been committed against a person who obviously has not reached 14 years of age,

shall be punishable by deprivation of liberty for a term of eight to 15 years.

### **Article 133. Compulsion to Perform Sexual Actions**

Compulsion of a person to enter into illicit relations, pederasty, lesbianism, or the commission of other sexual actions by means of blackmail, threat of destruction, damage, or taking of property, or with the advantage of material or any other dependence of the victim,

shall be punishable by a fine in the amount up to 120 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to one year, or by corrective labour for a term of up to two years, or by deprivation of liberty for a term of up to one year.

#### **Article 134. Illicit Sexual Relations or Other Sexual Actions with a Person Who Has Not Reached 16 Years of Age**

Illicit sexual relations, pederasty, or lesbianism, committed by a person who has reached 18 years of age with a person who obviously has not reached 16 years of age,

shall be punishable by restraint of liberty for a term of up to three years or by deprivation of liberty for a term of up to four years.

Federal Law No. 73-FZ of July 21, 2004 amended Article 135 of the present Code

#### **Article 135. Depraved Actions**

Commission of depraved actions without the use of violence by the person who has reached the age of 18 years in relations to a person who obviously has not reached 16 years of age,

shall be punishable by a fine in the amount up to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to two years, or by restraint of liberty for a term of up to two years, or by deprivation of liberty for a term of up to three years.

### **Chapter 19. Crimes Against the Constitutional Rights and Freedoms of Man and Citizen**

#### **Article 136. Violation of the Equality of Human and Civil Rights and Freedoms**

1. Discrimination, that is, violation of the rights, freedoms and legal interests of man and citizen based on sex, race, nationality, language, origin, property or official status, place or residence, attitude to religion, convictions, or affiliation with public associations or any social groups,

shall be punishable by a fine in the amount of up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to 18 months, or by corrective labour for a term of up to one year, or by deprivation of liberty for a term of up to two years.

2. The same deed committed by a person through his official position shall be punishable by a fine in the amount of from 100 thousand to 300 thousand roubles, or in the amount of the wage or salary or any other income of the convicted person for a period of one to two years, or by deprivation of the right to hold specified offices or to engage in specified activities for a term up to five years, or by compulsory words for a term of 120 to 240 hours, or by corrective labour of one to two years, or by deprivation of liberty for a term of up to five years.

### **Article 137. Invasion of Personal Privacy**

1. Illegal collection or spreading of information about the private life of a person which constitutes his personal or family secrets, without his consent, or the distribution of this information in a public speech, in a publicly performed work, or in the mass media,

shall be punishable by a fine in the amount up to 200 thousand roubles, or salaries or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by compulsory works for a term of 120 to 180 hours, or by corrective labour for a term of up to one year, or by arrest for a term of up to four months.

2. The same deeds committed by a person through his official position,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or salaries or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by deprivation of the right to hold specified offices or to engage in specified activities for a term of two to five years, or by arrest for a term of four to six months.

### **Article 138. Violation of the Secrecy of Correspondence, Telephone Conversations, Postal, Telegraphic and Other Messages**

1. Violation of the secrecy of correspondence, telephone conversations, or postal, telegraphic, or other messages of individuals,

shall be punishable by a fine in the amount up to 80 thousand roubles, or salaries or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or by obligatory works for a period of 120 to 180 hours, or by corrective labour for a term of up to one year.

2. The same deeds committed by a person through his official position or by way of special technical equipment intended for the private receipt of information,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by deprivation of the right to hold specified offices or to engage in specified activities for a term of two to five years, or by compulsory works for a term of 180 to 240 hours, or by arrest for a term of two to four months.

3. Illegal production, sale, or acquisition for the purpose of sale of special technical equipment intended for the private receipt of information,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18, or by restraint of liberty for a term of up to three years, or by deprivation of liberty for a term of up to three years, with the deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

### **Article 139. Violation of the Inviolability of the Home**

1. Illegal intrusion in to a home, committed against the will of the person residing in it,

shall be punishable by a fine in the amount up to 40 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three month, or by compulsory works for a term of 120 to 180 hours, or by corrective labour for a term of up to one year, or by arrest for a term of up to three months.

2. The same deed committed with the use of violence or the threat of its use

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for the period up to 18 months, or by deprivation of liberty for a term of up to two years.

3. Deeds specified in the first or second parts of this Article, and committed by a person through his official position, -

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by deprivation of the right to hold specified offices or to engage in specified activities for a term of two to five years, or by arrest for a term of two to four months, or by deprivation of liberty for a term of up to three years.

Note. For the purposes of the present article and other articles of the present Code, the term "dwelling" means an individual residential house complete with residential and non-residential premises attached thereto, residential premises, irrespective of the form of ownership included in residential facilities fit for permanent or temporary living quarters and equally other premises or a structure not included in residential facilities stock but intended as temporary living quarters.

### **Article 140. Refusal of Submit Information to an Individual**

Illegal refusal by an official to submit documents and materials, collected in the statutory order and directly affecting the rights and freedoms of an individual, or the submission of incomplete or deliberately falsified information to an individual, if these deeds have caused harm to the rights and legally-protected interests of individuals,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by deprivation of the right to hold specified offices or to engage in specified activities for a term of two to five years.

#### **Article 141. Obstruction of the Exercise of Electoral Rights or of the Work of Electoral Commissions**

1. Obstructing the free exercise by a citizen of his election rights or the right to participate in a referendum, breaking the secrecy of the ballot, as well as obstructing the work of election committees, referendum committees or the activities of a member of an election committee or a referendum committee connected with discharge of their duties -

shall be punishable by a fine in the amount up to 40 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three month, or by compulsory work for a term of from 120 to 180 hours, or by corrective labour for a term of up to one year.

2. The same acts:

- a) connected with bribery, deceit, coercion, use of violence or with the threat of its use;
- b) committed by a person through his official position;
- c) committed by a group of persons under a preliminary conspiracy or by an organized group,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by corrective works for a term of one to two years, or by arrest for a term of up to six months, or by deprivation of liberty for a term of up to five years.

3. Interference, using one's official capacity or office, in the exercise by an election committee or a referendum committee of their powers, established by the laws on elections and referenda, for the purpose of affecting decisions thereof, that is, a demand or a direction of an official concerning registration of candidates, lists of candidates, election blocks, counting votes of electors or of a referendum participants, as well as other matters pertaining to the exclusive authority of the election committee or referendum committee, as well as the unlawful interference in the functioning of the State Automated System of the Russian Federation "Elections" -

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles or in the amount of the wage or salary, or other income of the convicted person for the period from of one to two years, or by deprivation of freedom for a term of up to four years accompanied by a fine in the amount of up to 80 thousand roubles or in the amount of the

wage or salary, or other income of the convicted person for a period of up to six months or without such.

**Article 141.1. Breaking the Procedure for Financing the Election Campaign of a Candidate, of an Election Association or Election Block, for the Activities of a Referendum Initiative Group, of Other Group of Referendum Participants**

1. Rendering large-scale financial (material) support to the election campaign of a candidate, an election association or an election block, in addition to election fund assets allocated to it, by way of producing and (or) disseminating propaganda materials, which are not paid at the expense of the election fund assets or paid at the expense of the election fund assets at unreasonably reduced rates, by way of paying for the production and (or) dissemination of such propaganda materials, transfer of monetary funds and material values on a free-of-charge basis or at unreasonably reduced rates to a candidate, election association or an election block for waging their election campaigns, as well as rendering large scale financial (material) support to the activities of a referendum initiative group, to another group of a referendum participants, in addition to the referendum fund assets, by way of producing and (or) disseminating propaganda materials, which are not paid at the expense of the referendum fund assets or paid at the expense of the referendum fund assets at unreasonably reduced rates, by way of paying for the production and (or) dissemination of such propaganda materials, transfer of monetary funds and materials values on a free-of-charge basis or at unreasonably reduced rates to a member or an authorized representative of a referendum initiative group, of other group of referendum participants for exercising their activities aimed at initiating the conduct of the referendum, the obtainment of certain results, while holding the referendum, as well as making large-scale donations to an election fund or a referendum fund through fictitious persons -

shall be punishable by a fine in the amount of of 100 thousand to 300 thousand roubles or in the amount of the wage or salary, or other income of the convicted person for the period of one year to two months, or by compulsory work for a term of up to 180 hours, or by corrective work for a term of up to one year, or by deprivation of freedom for a term of up to one year.

2. Large-scale use, in addition to the assets of an appropriate election fund, of the financial (material) support for waging the election campaign of a candidate, election association or election block by the candidate, his authorized representative in charge of financial matters, by an authorized representative in charge of financial matters of the election association or the election block, the large-scale use, in addition to the assets of an appropriate referendum fund, of the financial (material) support for initiating the conduct of the referendum or for obtaining certain results of the referendum by an authorized representative in charge of financial matters of the referendum initiative group, of another group of referendum participants, as well as large-scale spending of donations prohibited by the laws on elections and referendums and remitted to a special election account or a special referendum account -



shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles or in the amount of the wage or salary, or other income of the convicted person for the period of one year to three years, or by deprivation of the right to occupy certain posts or to exercise certain activities for a term of from one to five years, or by compulsory work for a term of from 180 to 240 hours, or by corrective work for a term of from one year to two years, or by deprivation of freedom for a term of up to two years.

Note. As large-scale, there shall be deemed in this article the amount of money, the value of property or of property benefits which exceed one tenth of the maximum amount of expenditure of the election fund of a candidate, election association, election block or of a referendum fund established by the laws on elections and referendums, as at the time of committing the deed provided for by this Article, but which is equal to at least one million roubles.

### **Article 142. Falsification of Election Documents and Referendum Documents**

1. Falsification of election documents and referendum documents, where this deed is committed by a member of an election committee, a referendum committee, an authorized representative of an election association, election block, referendum initiative group, or other group of a referendum participants, or by a candidate or an authorized representative thereof -

shall be punishable by a fine in the amount up to 300 thousand roubles or in the amount of the labour wage or other income of the convicted person for the period up to two years or by deprivation of freedom for a term of up to four years.

2. Falsification of the signatures of electors or referendum participants in support of nominating a candidate, election association, election block or the initiative of holding a referendum, or attestation of wittingly falsified signatures (voter's lists) carried out by a group of persons by a previous concert, or by an organized group, or accompanied by bribery, coercion, application of force or the threat of applying it, as well as by elimination of property or the threat of eliminating it, or entailing an essential violation of rights and legitimate interests of citizens or organizations or of interests of the society or the State protected by laws

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles, or in the amount of the wage, salary or other income of the convicted person for the period of one year to three years, or by deprivation of the rights to occupy certain posts or to exercise certain activities for a term from two to five years, or by deprivation of freedom for a term of up to three years.

3. The illegal production, as well as storage or transportation of illegally produced voting papers or referendum voting papers -

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles or in the amount of the labour wage, salary or other income of the convicted person for a

period of one year to three years, or by deprivation of freedom for a term of up to three years.

#### **Article 142.1. Falsification of Voting Results**

Including unregistered voting papers in the number of voting papers used in voting, or submitting wittingly false data on electors, referendum participants, or the wittingly incorrect drawing up of voter's lists, of referendum participants manifesting in the inclusion thereto of the persons who do not enjoy an active electoral right, the right to participation in a referendum, or of fictitious persons, or falsification of the signatures of voters or referendum participants in the lists of voters and referendum participants, or replacement of valid voting papers with notes of voters or referendum participants, or the unlawful spoilage of voting papers, or the wittingly incorrect counting of votes cast by voters or referendum participants, or signing by members of an election committee or a referendum committee of record of voting results prior to counting votes or determining the voting results, or a wittingly incorrect (not complying with real voting results) drawing up of a record of voting results, or the unlawful entry of amendments into the record of voting results after filling it in, or the wittingly incorrect determination of voting results or determination of the results of elections or a referendum -

shall be punishable by a fine in the amount of 100 thousand roubles to 300 thousand roubles or in the amount of the wage, salary or other income of the convicted person for a term of one year to two years or by deprivation of freedom for a term of up to four years.

#### **Article 143. Violation of Labour Protection Rules**

1. Violation of safety rules or any other labour protection rules, committed by a person who has the duty of observing these rules, if this entailed by negligence the infliction of grave injury to a victim,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to eighteen months, or by corrective labour for a term of up to two years, or by deprivation of liberty for a term of up to one year.

2. The same act entailing, by negligence, the death of a person,

shall be punishable by deprivation of liberty for a term of up to three years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or permanent disqualification.

#### **Article 144. Obstruction of the Lawful Professional Activity of Journalists**

1. Obstruction of the lawful professional activity of journalists by compelling them to give out information or to refuse to give out it -

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or by compulsory works for a term of up to 180 hours, or by corrective labour for a term of up to one year.

2. The same act committed by a person through his official position,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period from one year to two years, or by corrective labour for a term of up to two years, or by deprivation of liberty for a term of up to two years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or permanent disqualification.

#### **Article 145. Unfounded Refusal to Employ, or Unfounded Dismissal of a Pregnant Woman or the Woman with Children Below Three Years of Age**

The unfounded refusal to employ a woman or the unfounded dismissal of a woman because of her pregnancy, and also the unfounded refusal to employ or unfounded dismissal of a woman with children below three years of age,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person a the period up to 18 months, or by compulsory works for a term of 120 to 180 hours.

#### **Article 145.1. Non-payment of wages, pensions, stipends, allowances and other payments**

1. The non-payment for over two months of wages, pensions, stipends, allowances and other payments established by the law, committed by heads of enterprises, agencies or organizations regardless of their form of ownership out of mercenary or other personal interest -

shall be punishable with a fine in the amount up to 80 thousand roubles or in the amount of the wage or other income of a convict for a period up to six months or with deprivation of right to occupy certain posts or to engage in certain activities for a period of up to five years or with imprisonment for a maximum term of two years.

2. The same deed that has entailed grave consequences -

shall be punishable with a fine in the amount of 100 thousand to 300 thousand roubles or in the amount of the wage or other income of a convict for a period of one year to two years or with imprisonment for a term of three to seven years with deprivation of right to occupy certain posts or engage in certain activities for a maximum period of three years or without such deprivation.

### **Article 146. Violation of Copyright and Neighbouring Rights.**

1. Appropriation of authorship (plagiarism), if this act has caused significant damage to the author or another possessor of right,-

shall be punishable with a fine in an amount up to 200 thousand roubles or in an amount of the wages or another income of the convicted person for a period up to 18 months, or with obligatory work for a period of one hundred and eighty to two hundred and forty hours, or with an arrest for a period of three to six months.

2. Illegal use of objects of copyright or neighbouring rights, as well as the acquisition, storage or carriage of counterfeited copies of works or phonograms for the purpose of sale carried out on a large scale-

shall be punishable with a fine in an amount up to 200 thousand roubles or in an amount of the wages or another income of the convicted person for a period up to 18 months, or with obligatory work for a period of one hundred and eighty to two hundred and forty hours, or with deprivation of freedom for a period of up to two years.

3. Acts stipulated by Item two of this Article, if they have been committed:

- a) abolished
- b) by a group of persons in preliminary collusion or by an organised group;
- c) on an especially large scale;
- d) by a person with the use of his official position,-

shall be punishable with deprivation of freedom for a period up to five years with or without a fine in the amount up to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

Note. Acts stipulated by this Article shall be deemed to have been committed on a large scale if the value of the copies of the works or phonograms or the value of the rights for the use of the objects of copyright or neighbouring rights exceed 50 thousand roubles, and on an especially large scale - 250 thousand roubles.

### **Article 147. Violation of Inventor's Rights and Patent Rights**

1. Illegal use of an invention, useful model, or industrial design, disclosure of the essence of an invention, useful model, or industrial design, without the consent of its author or applicant and before the official publication of information about them, the illegal acquisition of authorship, or the compelling of co-authorship, if these acts have inflicted damage to a person,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by compulsory works for a term of 180 to 240 hours, or by deprivation of liberty for a term of up to two years.

2. The same deeds committed by a group of persons under a preliminary conspiracy or by an organized group,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of four to eight months, or by arrest for a term of one to two years, or by deprivation of liberty for a term of up to five years.

#### **Article 148. Obstruction of the Exercise of the Right of Liberty of Conscience and Religious Liberty**

Illegal obstruction of the activity of religious organizations or of the performance of religious rites -

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for the period of up to six months, compulsory works for a term of up to one year, or arrest for a term of up to three months.

#### **Article 149. Obstruction of the Holding of a Meeting, Assembly, Demonstration, Procession, or Picketing, or of Participation in the Aforesaid**

Illegal obstruction of the holding of a meeting, assembly, demonstration, procession, or picketing, or of participation in them, or compulsion to take part in them, if these acts have been committed by an official through his official position, or through the use of violence, or through the threat of its use,

shall be punishable by a fine in the amount up to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to two years, or by deprivation of liberty for a term of up to three years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or permanent disqualification.

### **Chapter 20. Crimes Against Minors**

#### **Article 150. Involvement of a Minor in the Commission of a Crime**

1. Involvement of a minor in the commission of a crime by means of promises, deceit, threats, or in any other way, by a person who has reached 18 years of age,

shall be punishable by deprivation of liberty for a term of up to five years.

2. The same deed committed by a parent, teacher, or any other person charged by law with bringing up a minor,

shall be punishable by deprivation of liberty for a term of up to six years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or permanent disqualification.

3. Deeds provided for by the first or second part of this Article, and committed with the use of violence or with the threat of its use,

shall be punishable by deprivation of liberty for a term of two to seven years.

4. Deeds stipulated by the first, second, or third parts of this Article, and connected with the involvement of a minor in a criminal group or in the commission of grave or especially grave crimes,

shall be punishable by deprivation of liberty for a term of five to eight years.

#### **Article 151. Involvement of a Minor in the Commission of Antisocial Actions**

1. Involvement of a minor in the systematic use of alcoholic drinks or stupefying substances, in vagrancy, or soliciting, committed by a person who has reached the age of eighteen years old -

shall be punishable by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of one year to two years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to four years.

2. The same deed committed by a parent, teacher, or any other person who is charged by law with the duty of bringing up a minor,

shall be punishable by restraint of liberty for a term of up to three years, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to five years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or permanent disqualification.

3. Deeds provided for by the first or second part of this Article with the use of violence or with the threat of its use,

shall be punishable by deprivation of liberty for a term of up to six years.

Note. The operation of this Article shall not extend to the instances of drawing a minor in vagrancy, where this deed has been committed by a parent as a result of the coincidence of grave living circumstances caused by the loss of means of subsistence or the absence of the place of residence.

### **Article 152. Abolished**

### **Article 153. Switching a Child**

Switching a child out of mercenary or other base motives

shall be punishable by deprivation of liberty for a term of up to five years, with a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months.

### **Article 154. Illegal Adoption**

Illegal adoption of children, placement of them under guardianship, transfer of them for upbringing to foster families, committed repeatedly or out of mercenary motives,

shall be punishable by a fine in the amount up to 40 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months, or by corrective labour for a term of up to one year, or by arrest for a term of up to six months.

### **Article 155. Disclosure of the Secret of an Adoption**

Disclosure of the secret of adoption contrary to the will of the adopter, committed by a person who is dutybound to preserve the fact of adoption as an official or professional secret, or by any other person out of mercenary or other base motives,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by corrective labour for a term of up to one year, or by arrest for a term of four months, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or permanent disqualification.

### **Article 156. Failure to Discharge the Duties of Bringing up a Minor**

Failure to discharge or to improper discharging of the duties of bringing up a minor by a parent or by any other person charged with these duties, or by a teacher or other worker of an educational, medical, or other establishment which is duty-bound to exercise surveillance over a minor if this deed is associated with the cruel treatment of the minor,

shall be punishable by a fine in the amount up to 40 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period up to three months, or by deprivation of the right to hold specified offices or engage in specified activities for a term up to three years, or by compulsory works for a term up to 180 hours, or corrective labour for a term up to one year, or by restriction of liberty for a term up to three years.

### **Article 157. Malicious Evasion of the Payment of Money for the Maintenance of Children or Physically Disabled Parents**

1. Malicious evasion by a parent of court-ordered child support for minors, or for disabled children who have reached 18 years of age,

shall be punishable by compulsory works for a term of 120 to 180 hours, or by corrective labour for a term of up to one year, or by arrest for a term of up to three months.

2. Malicious evasion by able-bodied children of age of the payment of money, pursuant to a court decision for the maintenance of physically disabled parents,

shall be punishable by compulsory works for a term of 120 to 180 hours, or by corrective labour for a term of up to one year, or by arrest for a term of up to three months.

## **Section VIII. Crimes in the Sphere of Economics**

### **Chapter 21. Crimes Against Property**

#### **Article 158. Theft**

1. Theft, that is, the secret larceny of other people's property, -

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by compulsory works for a term up to 180 hours, or by corrective labour for a term of six months to one year, or by arrest for a term of two to four months, or by deprivation of liberty for a term of up to two years.

2. Theft committed:

- a) by a group of persons in a preliminary conspiracy;
- b) with an illegal entry into premises or any other storehouse;
- c) with the infliction of considerable damage to a person,
- d) from clothes, bag or any other hand luggage the victim has -

shall be punishable by a fine in an amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by compulsory labour for a term from 180 to 240 hours, or by corrective labour for a term of one year to two years, or by deprivation of liberty for a term up to five years.

3. Theft committed with an illegal entry into living quarters or on a large scale -



shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one year to three years or by deprivation of liberty for a term of two to six years with or without a fine in an amount up to 80 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months.

4. Theft committed:

a) by an organized group;

b) on an especially large scale -

shall be punishable by deprivation of liberty for a term from five to ten years with or without a fine in the amount up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period up to five years.

Note. 1. In Articles of this Code, larceny means the unlawful, uncompensated seizure and/or the appropriation of other people's property, committed with a mercenary purpose by a guilty person or by other persons, which has caused damage to the owner or any other proprietor of this property;

2. Considerable damage caused to a citizen in the Articles of this Code shall be determinable subject to the property status thereof but it may not constitute less than 2 500 roubles.

3. Premises in Articles of this Chapter shall mean buildings and constructions, regardless of property forms, intended for temporary visits of people or placement of material values for industrial or other official purposes.

A storehouse in the Articles of this Chapter shall mean utility premises separated from living quarters, areas of a territory, trunk pipelines and other constructions, regardless of the property forms, which are fenced or equipped with technical facilities, or guarded in any other way and intended for permanent or temporary storage of material values.

4. As a gross amount in the Articles of this Chapter there shall be recognized the cost of property exceeding 250 thousand roubles, while as an especially gross amount there shall be recognized the cost of property exceeding one million roubles.

### **Article 159. Swindling**

1. Swindling, that is, the stealing of other people's property or the acquisition of the right to other people's property by fraud or breach of trust, -

shall be punishable by a fine in the amount up to 120 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to

one year, or by compulsory works for a term of up to 180 hours, or by corrective labour for a term of six months to one year, or by arrest for a term of two to four months, or by deprivation of liberty for a term of up to two years.

2. Swindling committed by a group of persons in a preliminary conspiracy, as well as with the infliction of considerable damage on an individual -

shall be punishable by a fine in the amount up to 300 thousand roubles, or in an amount of the wage or salary, or any other income of the convicted person for a period up to two years, or by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of one year to two years, or by deprivation of liberty for a term up to five years.

3. Swindling committed by a person through his official position, as well as on a large scale -

shall be punishable by a fine in an amount of 100 thousand to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one year to three years or by deprivation of liberty for a term of two to six years, with or without a fine in an amount of up to 10 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person, for a period up to one month.

4. Swindling committed by an organized group or on an especially large scale -

shall be punishable by deprivation of liberty for a term of five to ten years with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

### **Article 160. Misappropriation or Embezzlement**

1. Misappropriation or embezzlement, that is, the stealing of other people's property entrusted to the convicted person,

shall be punishable by a fine in the amount of up to 120 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to one year, or by compulsory works for a term of up to 120 hours, or by corrective labour for a term of up to six months, or by deprivation of liberty for a term of up to two years.

2. The same deeds committed by a group of persons in a preliminary conspiracy, as well as with the infliction of considerable damage to an individual, -

shall be punishable by a fine in the amount of up to 300 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person, for a period of up to two years, or by compulsory works for a term of up to 180 hours, or by

corrective labour for a term of up to one year, or by deprivation of liberty for a term of up to five years.

3. The same deeds committed by a person through his official position, as well as on a large scale:

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one year to three years, or by deprivation of the right to hold specified offices or to engage in specified activities for a term of up to five years, or by deprivation of liberty for a term of two to six years, with or without a fine in the amount of up to 10 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to one month.

4. The deeds provided for by Parts One, Two or Three of this Article, which are committed by an organized group or on an especially large scale -

shall be punishable by deprivation of liberty for a term of five to 10 years with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

### **Article 161. Robbery**

1. Robbery, that is, the open stealing of other people's property,

shall be punishable by corrective labour for a term of one year to two years, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to four years.

2. Robbery committed:

a) by a group of persons in a preliminary conspiracy;

b) abolished

c) with an illegal entry into a home, premises, or any other storehouse;

d) with the use of coercion that is not dangerous to human life or health, or with the threat of use of such coercion;

e) on an especially large scale, -

shall be punishable by deprivation of liberty for a term of two to seven years, with a fine in the amount of up to 10 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to one month, or without any fine.

3. Robbery committed:

- a) by an organized group;
- b) on an especially large scale, -
- c) abolished

shall be punishable by deprivation of liberty for a term of six to twelve years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

**Article 162. Robbery**

1. Robbery, that is, assault with the purpose of stealing other people's property, committed with violence which threatens human life and health or with the threat of using such violence, -

shall be punishable by deprivation of liberty for a term of three to eight years, with or without a fine in the amount of up to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

Federal Law No. 73-FZ of July 21, 2004 amended the second part of Article 162 of the present Code

2. Robbery committed by a group of persons in a preliminary conspiracy, as well as with the use of weapons or objects used as weapons, -

shall be punishable by deprivation of liberty for a term of five to ten years, with a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years or without such.

3. Robbery committed with an illegal entry into a home, premises or other storehouse or on a large scale -

shall be punishable by deprivation of liberty for a term of seven to 12 years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

4. Robbery committed:

- a) by an organized group;
- b) for the purpose of obtaining property on an especially large scale;
- c) with the infliction of major damage to the victim's health -

shall be punishable by deprivation of liberty for a term of eight to 15 years with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

### **Article 163. Extortion**

1. Extortion, that is, the demand that other people's property or their right to property should be transferred, or that other acts of a property nature should be performed under threat of violence or of destruction or damage of other people's property, and also under the threat of dissemination of information that defames the victim or his relatives or of any other information which may cause substantial harm to the rights or legitimate interests of the victim or his relatives,

shall be punishable by restraint of liberty for a term of up to three years or by arrest for a term of up to six months, or by deprivation of liberty for a term of up to four years, with a fine in the amount of up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or without any fine.

2. Extortion committed:

- a) by a group of persons in a preliminary conspiracy;
- b) abolished
- c) with violence;
- d) on a large scale, -

shall be punishable by deprivation of liberty for a term of three to seven years, with or without a fine in the amount of up to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

3. Extortion committed:

- a) by an organized group;
- b) for the purpose of obtaining property on an especially large scale;
- c) with the infliction of grave injury to the victim's health, -
- d) abolished

shall be punishable by deprivation of liberty for a term of seven to fifteen years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

## **Article 164. Stealing of Objects of Exceptional Value**

1. Stealing of objects or documents of exceptional historical, scientific, artistic, or cultural value, regardless of the method of misappropriation,

shall be punishable by deprivation of liberty for a term of six to ten years, with a fine in the amount of up to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

2. The same deed:

a) committed by a group of persons in a preliminary conspiracy, or by an organized group;

b) abolished

c) entailing the destruction, spoilage, or ruin of the objects or documents, referred to in the first part of this Article,

shall be punishable by deprivation of liberty for a term of eight to fifteen years, with or without a fine in the amount of up to 50 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

## **Article 165. Infliction of Damage on Property By Deceit or Breach of Trust**

Federal Law No. 73-FZ of July 21, 2004 amended the first part of Article 165 of the present Code

1. Infliction of property damage on its owner or on any other property holder by deceit or breach of trust, in the absence of the elements of stealing,

shall be punishable by a fine in the amount of up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to two months, or by compulsory works for a term of 120 to 180 hours, or by corrective labour for a term of up to four months, or by deprivation of liberty for a term of up to two years.

2. The same deed committed by a group of persons in a preliminary conspiracy or on a large scale, -

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one year to two years, or by deprivation of liberty for a term of up to three years, with a fine in the amount of up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or without any fine.

3. Deeds provided for in the first or second part of this Article:

- a) committed by an organized group;
- b) inflicting damage on an especially large scale, -
- c) abolished

shall be punishable by deprivation of liberty for a term up to five years, with a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or without any fine.

**Article 166. Unlawful Occupancy of a Car or Any Other Transport Vehicle Without the Purpose of Stealing**

1. Unlawful occupancy of a car or of any other transport vehicle, without the purpose of stealing (hijacking),

shall be punishable by a fine in the amount of up to 120 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to one year, or by restraint of liberty for a term of up to three years, or by arrest for a term of three to six months, or deprivation of liberty for a term of up to five years.

2. The same deed committed:

- a) by a group of persons in a preliminary conspiracy;
- b) abolished
- c) with the use of violence without danger to human life or health or with the threat of using such violence,

shall be punishable by a fine in the amount of up to 200 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to 18 months or by deprivation of liberty for a term up to seven years.

3. Deeds provided for the first of second part of this Article, and committed by an organized group or causing an especially large-scale damage, -

shall be punishable by deprivation of liberty for a term of five to ten years.

4. Deeds provided for by the first, second, or third parts of this Article, and committed with the use of violence with danger to human life and health, or with the threat of using such violence, -

shall be punishable by deprivation of liberty for a term of six to twelve years.

### **Article 167. Wilful Destruction or Damage of Property**

1. Wilful destruction or damage of other people's property, if these acts involved the infliction of considerable damage,

shall be punishable by a fine in the amount of up to 40 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months, or by compulsory works for a term of 100 to 120 hours, or by corrective labour for a term of up to one year, or by arrest for a term up to three months, or by deprivation of liberty for a term of up to two years.

2. The same acts committed through ruffian-like motives by means of fire, explosion, or by any other generally dangerous method, and entailing by negligence the death of a man or any other grave consequences,

shall be punishable by deprivation of liberty for a term of up to five years.

### **Article 168. Destruction or Damage of Property by Negligence**

Destruction or damage of other people's property on a large scale, committed by the careless treatment of fire or of other sources of increased danger -

shall be punishable by a fine in the amount of up to 120 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to one year, or by corrective labour for a term of from one to two years, or by restraint of liberty for a term of up to three years, or by deprivation of liberty for a term of up to one year.

## **Chapter 22. Crimes in the Sphere of Economic Activity**

### **Article 169. Obstruction of Legal Business or Other Activity**

1. Unlawful refusal of the state registration of an individual businessman or of a juridical person or evasion of their registration, unlawful refusal of the issuance of a special permit (licence) for the conduct of a certain activity or evasion of its issuance, limitation of rights and legal interests of an individual businessman or of a juridical person depending on the organisational-legal form, and also illegal limitation of independence or other illegal interference in the activity of an individual businessman or of a juridical person if these acts are committed by an official with the use of his official position, -

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by disqualification to hold specified offices or to engage in specified activities for a term of up to three years, with a fine in the amount of 80 thousand roubles or salaries or in the amount of the wage or salary, or any other income of the convicted



person for a period of up to six months, or by compulsory works for a term of 120 to 180 hours.

2. The same acts, committed in contravention of a judicial decision that has come into legal force, and also causing large-scale damage,

shall be punishable by disqualification to hold specified offices or to engage in specified activities for a term of up to five years, with a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or by compulsory works for a term of 180 to 240 hours, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to two years.

Note. In the Articles of this Chapter, save for Articles 174, 174.1, 178, 185, 185.1, 193, 194, 198, 199 and 199.1 large scale, major damage, income or debt shall mean the cost, damage, income or debt in the amount exceeding 250 thousand roubles, and an especially large scale shall mean that exceeding one million roubles.

#### **Article 170. Registration of Illegal Land Deals**

Knowing registration of unlawful land deals, distortion of record data in the State Land Cadastre, and also the wilful understatement of land payments, if these acts have been committed out of mercenary or any other personal interest by an office-bearer through his official position,

shall be punishable by fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or by compulsory works for a term of 120 to 180 hours.

Federal Law No. 73-FZ of July 21, 2004 amended Article 171 of the present Code

#### **Article 171. Illegal Enterprise**

1. Operating an illegal enterprise without registration or with violation of the rules for registration, and also submission to the body carrying out the state registration of juridical persons and individual businessmen of documents containing information known to be false, or the conduct of business activity without a special permit (license), in cases where such permit (license) is obligatory, or with the breach of the licensing requirements and conditions, if this deed has caused large damage to individuals, organizations, or the State, or is attended by profit-making on a large scale,

shall be punishable by a fine in the amount up to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to two years, or by compulsory works for a term of 180 to 240 hours, or by arrest for a term of four to six months.

2. The same deed:

- a) committed by an organized group;
- b) attended by profit-making on a especially large scale, -
- c) abolished

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by deprivation of liberty for a term of five years, with a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of six months, or without any fine.

**Article 171.1. Production, purchase, storage, transportation or sale of unmarked goods and products**

1. Large scale production, purchase, storage, transportation with the aim of sale of unmarked goods and product subject to mandatory marking by excise tax marks, by special marks, or marks of conformance, forgery-proof, if perpetrated on a large scale, -

shall be punishable by fine in the amount up to 200 thousand roubles, or in the amount of salary or any other income of the convicted person earned over the period up to 18 months or by the deprivation of liberty for a term of up to three years with a fine in the amount of up to 80 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months.

2. The same deeds, if committed

- a) by an organized group;
- b) abolished
- c) on a specially large scale, -

shall be punishable by a fine in the amount of from 100 thousand to 300 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years or by the deprivation of liberty from two up to six years with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

Note. Abolished

**Article 172. Illegal Banking Activity**

1. Engaging in banking activity (banking operations) without registration or without a special permit (license), in cases where such permit (license) is obligatory, or with the breach of the licensing requirements and conditions, if this deed has caused large-scale damage to individuals, organizations, or the State, or is attended by profit-making on a large scale,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by deprivation of liberty for a term of up to four years, with a fine in the amount of up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or without any fine.

2. The same deed:

- a) committed by an organized group;
- b) attended by profit-making in an especially large amount, -
- c) abolished

shall be punishable by deprivation of liberty for a term of three to seven years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

### **Article 173. False Enterprise**

False enterprise, that is, the creation of a profit-making organization without the intent to carry out its entrepreneurial or banking activity, with the purpose of obtaining credits, tax exemption, getting financial advantage, or covering up prohibited activities, which has caused large-scale damage to individuals, organizations, or the State,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by deprivation of liberty for a term of up to four years, with a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or without any fine.

### **Article 174. The Legalisation (Laundering) of Funds and Other Property Acquired by Other Persons Illegally**

1. The accomplishment of financial transactions and other deals in monetary funds or other property knowingly acquired by other persons illegally (except for the offences stipulated by Articles 193, 194, 198, 199, 199.1 and 199.2 of this Code), for the purpose of bringing the appearance of legality to the possession, use and disposal of said monetary funds or other property -

shall be punishable by a fine in the amount of up to 120 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to one year.

2. The same deed committed on a large scale -

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years or by deprivation of liberty for a term of up to four years with or without a fine in the amount of up to 100 thousand roubles or in the amount of the wage or salary or other income of the convicted person for a period of up to six months.

3. The deed provided for by Part Two of this Article committed:

a) by a group of persons in a preliminary conspiracy;

b) by a person through his official position -

shall be punishable by imprisonment for a term of four to eight years with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

Federal Law No. 73-FZ of July 21, 2004 amended the fourth part of Article 174 of the present Code

4. The deeds stipulated by Parts 2 or 3 of this Article committed by an organised group -

shall be punishable by deprivation of liberty for a term of seven to ten years with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

Note. Large-scale financial transactions and other deals in monetary funds or other property in this Article, as well as in Article 174.1 of this Code, shall mean financial transactions and other deals in monetary or other property made in an amount exceeding one million roubles.

#### **Article 174.1. The Legalisation (Laundering) of Monetary Funds or Other Property Acquired by a Person as a Result of an Offence Committed by Him**

1. Making large-scale financial transactions and other deals in monetary funds or other property acquired by a person as a result of his having committed an offence (except for the offences stipulated by Articles 193, 194, 198, 199, 191.1 and 199.2 of this Code) or using these monetary funds or other property for the pursuance of business or other economic activity -

shall be punishable by a fine in the amount of up to 120 thousand roubles or in the amount of the wage or salary, or other income of the convicted person for a period of up to one year.

2. The same actions committed on a large scale -

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a term of one to three years or by deprivation of liberty for a term of up to five years with or without a fine in the amount of up to 100 thousand roubles or in the amount of the wage or salary, or other income of the convicted person for a term of up to six months.

3. The deeds provided for by Part Two of this Article which have been committed:

a) by a group of persons in a preliminary conspiracy;

b) by a person through his official position -

shall be punishable by deprivation of liberty for a term of four to eight years with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a term of up to five years.

Federal Law No. 73-FZ of July 21, 2004 amended the fourth part of Article 174.1 of the present Code

4. The deeds stipulated by Part 2 or Part 3 of this Article committed by an organised group -

shall be punishable by imprisonment for a term of 10 to 15 years with or without a fine in the amount of up to one million roubles or in the amount of the wage and salary, or any other income of the convicted person, for a period of up to five years.

### **Article 175. Acquisition or Sale of Property, Knowingly Obtained in a Criminal Manner**

1. Acquisition or sale of property, knowingly obtained in a criminal manner,

shall be punishable by a fine in the amount up to 40 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months, or by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of one year to two years, or by deprivation of liberty for a term of up to two years.

2. The same acts committed:

a) by a group of persons in a preliminary conspiracy;

b) in relation to a car or any other property of large value, -

c) abolished

shall be punishable by restraint of liberty for a term of up to three years, or by arrest for a term of four to six years, or by deprivation of liberty for a term of up to five years, with a fine in the amount of 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months.

3. The acts stipulated by the first or second part of this Article, and committed by an organized group or a person using his official position,

shall be punishable by deprivation of liberty for a term of three to seven years, with a fine in the amount of 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months.

#### **Article 176. Illegal Receipt of Credits**

1. The receipt by an individual businessman or an organization manager of a credit or of favorable credit terms by means of knowingly submitting to a bank or any other creditor false information about the economic position or the financial condition of the individual businessman or organization, if this act has caused large-scale damage,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or arrest for a term of four to six months, or by deprivation of liberty for a term up to five years.

2. Illegal receipt of a state special-purpose credits, and also its use not for its direct designation, if these deeds have caused large-scale damage to individuals, organizations, or the State,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one year to two years, or by deprivation of liberty for a term of two to five years.

#### **Article 177. Deliberate Evasion of the Repayment of Debts**

Deliberate evasion by an organization's manager or an individual of the repayment of debts of a large size, or from the payment for securities, after the entry into legal force of an appropriate court judgement,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18,

or by compulsory works for a term of 180 to 240 hours, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to two years.

Note: Abolished

### **Article 178. Banning, Restricting or Eliminating Competition**

1. Banning, restricting or eliminating competition by way of setting up or sustaining high or low monopoly prices, by market sharing, limiting access to a market, excluding from it other subjects of economic activity, or setting or maintaining fixed prices where these deeds have entailed the infliction of major damage -

shall be punishable by a fine in the amount of up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to 18 months, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to two years.

2. The same acts committed through the use of a person's official position or by a group of persons in a preliminary conspiracy -

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by deprivation of liberty for a term of up to five years.

3. The deeds provided for by the first or second parts of this Article and committed with the use of violence or the threat of violence, and also with the destruction or damage of other people's property, or with the threat of its destruction or damage, in the absence of any elements of extortion, or by an organized group -

shall be punishable by deprivation of liberty for a term of three to seven years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

Note. Major damage in this Article shall mean damage in an amount exceeding one million roubles.

### **Article 179. Compulsion to Complete a Deal or to Refuse to Complete It**

1. Compulsion to complete a deal or to refuse to complete it under the threat of violence, destruction, or damage of other people's property, and also under the threat of spreading information that could cause substantial harm to the rights and legally-protected interests of the victim or his relatives, in the absence of elements of extortion,

shall be punishable by restraint of liberty for a term of up to three years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years, with a fine in the amount up to 80 thousand roubles, or in the amount of the wage or

salary, or any other income of the convicted person for a period of up to six months, or without any fine.

2. The same act committed

- a) abolished
- b) with the use of violence;
- c) by an organized group,

shall be punishable by deprivation of liberty for a term of five to ten years.

### **Article 180. Illegal Use of a Trademark**

1. Illegal use of a trademark or service mark, name of the place of origin of goods, or similar designations for homogeneous goods, if this deed has been committed repeatedly or has caused substantial damage,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18, or by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of up to two years.

2. Illegal use of special marking in respect to a trademark which is not registered in the Russian Federation, or the name of the place of origin of goods, if this deed has been committed repeatedly or has inflicted sizable damage,

shall be punishable by a fine in the amount up to 120 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to one year, or by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of up to one year.

3. The actions specified in Parts 1 or 2 of the present article committed by a group of persons by a preliminary collusion or by an organised group, -

shall be punishable by a fine at a rate of 100 thousand to 300 thousand roubles or at the rate of the wage or other earnings of the convict for a period of one year to two years or arrest for a term of four to six months or imprisonment for a term of up to five years.

### **Article 181. Violation of the Rules for the Manufacture and Use of State Assay Marks**

1. The non-sanctioned manufacture, sale or use, or forgery of a state assay mark, prompted by mercenary or any other personal interests,



shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by deprivation of liberty for a term of up to three years.

2. The same acts committed by an organized group,

shall be punishable by deprivation of liberty for a term of up to five years.

#### **Article 182. Abolished**

#### **Article 183. The Illegal Receipt and Disclosure of Information Classified as a Commercial, Tax or Banking Secret**

1. The gathering of information classified as a commercial, tax or banking secret, by means of stealing documents, bribery and threats as well as in other illegal ways -

shall be punishable by a fine at a rate up to 80 thousand roubles or in the amount of the convicted's wage or other income for a period of one six months or by imprisonment for a term of up to two years.

2. The illegal disclosure or use of information classified as a commercial, tax or banking secret, without the consent of the owner thereof by a person to whom it is entrusted or became known in the line of service or work -

shall be punishable by a fine at a rate up to 120 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to one year with a deprivation of the person of his/her right to occupy certain offices or engage in certain activities for a term of up to three years or imprisonment for a term of up to three years.

3. The same actions which have inflicted large-scale harm or which have been committed with a mercenary interest -

shall be punishable by fine at a rate up to 200 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to 18 months with a deprivation of the person's right to occupy certain offices or engage in certain activities for a term of up to three years or imprisonment for a term of up to five years.

4. The actions specified in Parts 2 or 3 of the present article which have caused grave consequences -

shall be punishable by imprisonment for a term of up to ten years.

#### **Article 184. Bribery of Participants and Organizers of Professional Sports and Entertainment Profit-making Competitions**

1. Bribery of athletes, referees, coaches, team leaders, and other participants or organizers of professional sport competitions, and also organizers or jurymen of profit-making entertainment competitions, with the purpose of exerting influence on the results of these competitions or contests,

shall be punishable by a fine in the amount of up to 200 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to 18 months, or by compulsory works for a term of 120 to 180 hours, or by corrective labour for a term of six to twelve months, or by arrest for a term of up to three months.

2. The same deed committed by an organized group,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by deprivation of liberty for a term of up to five years.

3. Illegal receipt by athletes of money, securities, or any other property transferred to them for the purpose of exerting influence on the results of said competitions, and also the illegal use by athletes of property-related services granted to them for the same purposes,

shall be punishable by a fine in the amount up to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to two years, or by disqualification to hold specified offices or to engage in specified activities for a term up to three years, or by arrest for a term of four to six months.

4. Illegal receipt of money, securities, or any other property, illegal use of property-related services by referees, coaches, team leaders, and other participants or organizers of professional sports competitions, and also by organizers or jurymen of profit-making entertainment competitions for the purposes referred to in the third part of this Article,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles or in the amount of the wage or salary or other income of the convicted person for a period of one year to two years, or by deprivation of liberty for a term of up to two years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years.

#### **Article 185. Abuse in the Case of Issuance of Securities**

1. The entry of deliberately unreliable information in a prospectus of securities issue, the approval of a prospectus of issue or a report on the results of a securities issue containing deliberately unreliable information, and equally, the floatation of issue securities the issue of which has not undergone state registration, if such actions have inflicted a large-scale damage to citizens, organisations or the state -

is punishable by a fine at a rate of 100 thousand to 300 thousand roubles or at the rate of the convict's wages/salary or other income for a period of one year to two years or compulsory work for 180 to 240 hours or correctional work from one year to two years.

2. The same actions committed by a group of persons by preliminary collusion or by an organised group -

are punishable by a fine in the amount of 100 thousand to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by imprisonment for a term of up to three years.

Note. The "large-scale damage" in Articles 185 and 185.1 of the present Code is deemed to be a damage exceeding one million roubles.

#### **Article 185.1. Persistent Refusal to Provide Information Required under Russian Law on Securities to an Investor or a Controlling Body**

A persistent refusal to provide information containing details of an issuer, the issuer's financial and economic activities and securities, deals and other transactions in securities on part of the person having the duty to provide this information to an investor or a controlling body or the provision of deliberately incomplete or false information, if these actions have inflicted large-scale damage to citizens, organisations or the state -

is punishable by a fine at a rate up to 300 thousand roubles or at the rate of the convict's wages/salary or other income for a term up to two years or compulsory work for a term from 180 to 240 hours or correctional work from one to two years.

#### **Article 186. The Making or Uttering of Counterfeit Banknotes or Securities**

1. The making of counterfeit banknotes for the purpose of their utterance, or the uttering, of counterfeit banknotes of the Central Bank of the Russian Federation, metallic coins, government securities, or other securities in the currency of the Russian Federation or in foreign currency, or securities in foreign exchange,

shall be punishable by deprivation of liberty for a term of five to eight years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or other income of the convicted person for a period of up to five years.

2. The same acts committed on a large scale, -

shall be punishable by deprivation of liberty for a term of seven to twelve years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary or other income of the convicted person for a period of up to five years.

3. Acts provided for by the first or second part of this Article and committed by an organized group,

shall be punishable by deprivation of liberty for a term of eight to fifteen years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

### **Article 187. The Making or Uttering of Counterfeit Credit or Debit Cards, and Other Payment Documents**

1. The making of counterfeit credit or debit cards, and also of other payment documents, which are not securities, with the purpose of their utterance or their uttering,

shall be punishable by deprivation of liberty for a term of two to six years, with a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or any other income of the convicted person for a period of one year to two years.

2. The same acts committed by an organized group,

shall be punishable by deprivation of liberty for a term of five to eight years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or other income of the convicted person for a period of up to five years.

### **Article 188. Smuggling**

1. Smuggling, that is, the movement of goods or any other objects across the customs border of the Russian Federation on a large scale, with the exception of these referred to in the second part of this Article, committed without the knowledge of customs control officers or with the concealment of these objects or with the deceptive use of documents or means of customs identification, or attended by non-declaration or misleading declaration,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles or in the amount of the wage or salary, or other income of the convicted person for a period of one to two years or by deprivation of liberty for a term of up five years.

2. The movement across the customs border of the Russian Federation of narcotics, psychotropic substances, potent, poisonous and radioactive substances, toxic agents, explosives, sources of radiation, nuclear materials, firearms, explosive devices, ammunition, weapons of mass destruction, means of delivery thereof, other armaments and other military hardware, as well as of materials and equipment, which can be used in the development of weapons of mass destruction and means of delivery thereof, of other armaments and other military hardware, in respect of which special rules for the movement across the customs border of the Russian Federation have been introduced, or strategic raw materials, or items of cultural value, in respect of which special rules for the movement across the customs border of the Russian Federation have been established, if this deed has been committed without the knowledge of customs control officers or with the concealment of these objects, or with deceptive use of documents or means of customs identification, or attended by non-declaration or misleading declaration,

shall be punishable by deprivation of liberty for a term of three to seven years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

3. Deeds stipulated by the first or second part of the present Article, and committed:

- a) abolished
- b) by an office-bearer through his official position;
- c) with the use of violence against a person exercising customs control,

shall be punishable by deprivation of liberty for a term of five to ten years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

4. Deeds envisaged by the first, second, or third parts of this Article, and committed by an organized group,

shall be punishable by deprivation of liberty for a term of seven to twelve years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

Note: Abolished

**Article 189. Illegal Export or Transfer of Raw Stuff, Materials, Equipment, Technology, or of Scientific and Technical Information, or Illegal Carrying Out Works (Rendering Services) Which May Be Used in the Development of Weapons of Mass Destruction, Armaments, and Military Hardware**

1. Illegal export or transfer by a person, empowered to exercise foreign economic activity, to a foreign organization or to its representative raw stuff, materials, equipment, technology, scientific and technical information, or illegal carrying out works (rendering services) by this person for a foreign organization or for its representative, or illegal rendering to a foreign organization or its representative services, which are known to said person as those that can be used in the development of armaments and military hardware and in respect of which export control has been established (in the absence of indicia of the crimes provided for by Articles 188 and 275 of the Code), -

shall be punishable by a fine in the amount of of 100 thousand to 500 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one year to three years, or by revocation of the right to hold certain posts, or by deprivation of liberty for a term of up to three years.

2. The same deeds committed by a group of persons according a prearranged plan, -

shall be punishable by deprivation of liberty for a term up to five years accompanied by revocation of the right to hold certain posts or to exercise certain types of activity for a term of up to three years.

3. The deeds provided for by Part One of this Article, which have been committed by an organized group of persons in respect of raw stuff, materials, equipment, technology, scientific and technical information, and works (services) which are known to the person, empowered to exercise foreign economic activity, as those that can be used in the development of weapons of mass destruction or means of delivery thereof and in respect of which export control has been established, -

shall be punishable by deprivation of liberty for a term of from three to seven years with a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years or without such.

Note. A person, empowered to exercise foreign economic activity, shall mean in this Article the head of a legal entity established in compliance with the laws of the Russian Federation and having the permanent location on the territory of the Russian Federation, as well as a natural person having the permanent residence on the territory of the Russian Federation and registered on the territory of the Russian Federation as an individual businessman.

#### **Article 190. Non-Return to the Territory of the Russian Federation of Items of the Artistic, Historical, and Archaeological Heritage of the Peoples of the Russian Federation or of Foreign Countries**

Non-return to the territory of the Russian Federation within the fixed time of items of the artistic, historical, or archaeological heritage of the Peoples of the Russian Federation and foreign countries, brought out beyond its confines, if such return is mandatory in keeping with the laws of the Russian Federation,

shall be punishable by deprivation of liberty for a term of up to eight years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

#### **Article 191. Illegal Sale of Precious Metals, Natural Precious Stones, or Pearls**

1. The dealing in precious metals, natural precious stones, or pearls in contravention of the rules established by the laws of the Russian Federation, and also the illegal storage, conveyance, or transport of precious metals, natural precious stones, or pearls in any state, with the exception of jewelry or domestic goods and scrap articles,

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one year to three years, or by corrective labour for term of up to two years, or

by restraint of liberty for a term of up to three years, or by arrest for a term of up to six months.

2. The same acts committed:

a) abolished

b) on a large scale;

c) by an organized group, by a group of persons in a preliminary conspiracy, -

shall be punishable by deprivation of liberty for a term up to seven years with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years

Note: Abolished

#### **Article 192. Violation of the Rules for Handing over Precious Metals and Precious Stones to the State**

Evasion of the obligatory delivery of precious metals and precious stones for assesment or compulsory sale to the State after they have been extracted from the earth or from recycled resources, or picked up or found, if this act has been committed on a large scale,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to three years.

Note: Abolished

#### **Article 193. Non-return of Funds in Foreign Currency from Abroad**

Non-return from abroad of funds in foreign currency by the manager of an organization, required to be transferred without fail to accounts in the authorized banks of the Russian Federation in accordance with its laws,

shall be punishable by deprivation of liberty for a term of up to three years.

Note: The act envisaged by this Article shall be deemed to be committed on a large scale if the sum of the non-returned funds in foreign currency exceeds five million roubles.

#### **Article 194. Evasion of Customs Payments Collected from Organizations or Natural Person**

1. The evasion of customs payments collected from organizations or natural person committed on a large scale

shall be punishable with a fine ranging of 100 thousand to 300 thousand roubles or totalling a wage or any other income of a convict over a period of one year to two years or with compulsory labour for a period from one hundred eighty up to two hundred forty hours or up to two years of imprisonment.

2. The same deed committed:

a) by a group of persons by prior conspiracy;

b) abolished

c) abolished

d) on especially large scale -

shall be punishable with a fine ranging of 100 thousand to 500 thousand roubles or totalling a wage or any other income of a convict over a period of one year to three years or up to five years of imprisonment with the deprivation of right to hold certain posts or engage in certain activities for a term up to three years or without such deprivation.

Note: The evasion of customs payments shall be regarded as committed on a large scale if the amount of non-paid customs payments exceeds 500 thousand roubles and on especially large scale - one million 500 thousand roubles.

### **Article 195. Lawless Actions in Case of Bankruptcy**

1. Concealment of property or of property liabilities, of information about property, its size, and place of location, or of other information about property, transfer of property into another's possession, alienation or destruction of property, and also concealment, destruction, or falsification of accounting and other records reflecting economic activity, if these actions have been committed by the manager or the owner of a debtor organization or by an individual businessman in case of bankruptcy or in expectation of bankruptcy, and have caused sizable damage,

shall be punishable by restraint of liberty for a term of up to three years, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to two years, with a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months.

2. Unlawful satisfaction of the property claims of particular creditors by the manager of a debtor organization or by an individual businessman who knows about his actual insolvency (bankruptcy), knowingly done to the detriment of other creditors, and also the acceptance of such satisfaction by a creditor who knows about the preference given to



him in the insolvency to the detriment of other creditors, if these actions have caused large-scale damage,

shall be punishable by restraint of liberty for a term of up to two years, or by arrest for a term of two to four months, or by deprivation of liberty for a term of up to one year, with a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or without any fine.

Federal Law No. 73-FZ of July 21, 2004 amended Article 196 of the present Code

#### **Article 196. Deliberate Bankruptcy**

Deliberate bankruptcy, that is, the intentional creation or increase of insolvency, committed by the manager or the owner of a profit-making organization, or by an individual businessman, for the doer's benefit or for the benefit of other persons, which has caused large-scale damage, -

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one year to two years, with a fine in the amount of up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six month, or without any fine.

#### **Article 197. Fictitious Bankruptcy**

Fictitious bankruptcy, that is the knowingly false declaration by the manager or owner of a profit-making organization, or by an individual businessman, about the doer's, insolvency with the aim of deluding creditors and receiving delays or time to make pay payments due to creditors, or a debt allowance, and likewise for defaults on debts, if this deed has caused large-scale damage,

shall be punishable by a fine in the amount of of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one year to two years, or by deprivation of liberty for a term of up to six years, with a fine in the amount of up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or without any fine.

#### **Article 198. Evasion by a Natural Person of Paying a Tax and (or) a Fee**

1. The evasion by a natural person of paying taxes and (or) fees by way of his failure to submit a tax declaration or other documents whose submission is obligatory under the laws of the Russian Federation on taxes and fees or by showing in the tax declaration or such documents data known to be false made on a large scale -

shall be punishable by a fine ranging from 100 thousand up to 300 thousand roubles or in the amount of the wage or salary, or other income of the convicted person for a period from one to two years, or by an arrest for a period from four up to six months, or by deprivation of liberty for a term of up to one year.

2. The same deed committed on an especially large scale -

shall be punishable by a fine ranging from 200 thousand up to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period from one to three years or by deprivation of liberty for a term of up to three years.

Note. A large-scale amount in this Article shall mean the amount of taxes and (or) fees totalling within the period of three financial years running over 100 thousand roubles, provided that the share of unpaid taxes and (or) fees exceeds 10 per cent of the payable amount of taxes and (or) fees, or exceeding 300 thousand roubles, while an especially large-scale amount shall mean the amount totaling within a period of three financial years running over 500 thousand roubles, provided that the share of unpaid taxes and (or) fees exceeds 20 per cent of the payable amount of taxes and (or) fees, or exceeding one million 500 thousand roubles.

#### **Article 199. Evading Payment of Taxes and (or) Fees Collectible from Organizations**

1. Evasion of paying taxes and fees, collectible from organizations, by way of failing to submit the tax declaration or other documents whose submission is obligatory under the laws of the Russian Federation on taxes and fees, or by way of including into the tax declaration or such documents wittingly false data, committed on a large scale -

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by an arrest for a term of four to six months, or by deprivation of liberty for a term of up to two years, with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

2. The same deed committed:

a) by a group of persons in a preliminary conspiracy;

b) on an especially large scale -

shall be punishable by a fine in the amount of 200 thousand to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by deprivation of liberty for a term of up to six years, with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

Note. A large-scale amount in this Article, as well as in Article 199.1 of this Code, shall mean the amount of taxes and (or) fees totalling within the period of three financial years running over 500 thousand roubles provided that the share of unpaid taxes and (or) fees exceeds 10 per cent of the payable amount of taxes and (or) fees, or exceeding one million 500 thousand roubles, while an especially large scale amount shall mean the amount totaling within a period of three financial years running over two million 500 thousand roubles provided that the share of unpaid taxes and (or) fees exceeds 20 per cent of payable amount of taxes and (or) fees, or exceeding seven million 500 thousand roubles.

#### **Article 199.1. Failure to Discharge Tax Agent's Duties**

1. Failure to discharge, in personal interests, the duties of a tax agent, as regards the calculation, deduction or remittance of taxes and (or) fees subject under the laws of the Russian Federation on taxes and fees to calculation, deduction from taxpayers and remittance to an appropriate budget (off-budget fund) committed on a large scale -

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by an arrest for a term of four to six months, or by deprivation of liberty for a term of up to two years with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

2. The same deed committed on an especially large scale -

shall be punishable by a fine in the amount of 200 thousand to 500 thousand roubles or in the amount of the wage or salary, or other income of the convicted person for a period of two to five years or by deprivation of liberty for a term of up to six years with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

#### **Article 199.2. Concealment of Monetary Funds or Property of an Organization or Individual Businessman against Which the Recovery of Taxes and (or) Fees Is Levied**

Concealment of monetary funds or property of an organization or individual businessman from which in the procedure provided for by the laws of the Russian Federation on taxes and fees arrears of taxes and (or) fees have to be deducted, made by the proprietor or the head of the organization, or any other person exercising managerial functions in this organization, or by an individual businessman on a large scale -

shall be punishable by a fine in the amount of 200 thousand to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of 18 months to three years or by deprivation of liberty for a term of up to five

years with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.";

## **Article 200. Abolished**

### **Chapter 23. Crimes Against the Interests of Service in Profit-making and Other Organizations**

#### **Article 201. Abuse of Authority**

1. The use of authority by a person discharging managerial functions in a profit-making or any other organization in defiance of the lawful interests of this organization and for the purpose of deriving benefits and advantages for himself or for other persons or for the purpose of inflicting harm on other persons, if this deed has involved the infliction of substantial damage on the rights and lawful interests of individuals or organizations or on the legally-protected interests of the society or the State,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of one to two years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to three years.

2. The same deed, which has involved grave consequences,

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to five years.

Note.

1. A person who discharges on a permanent or temporary basis or on the basis of a special power the organizational and regulatory or administrative and economic duties in a profit-making organization, regardless of its form of property, or in a non-profit-making organization that is not a state agency, or a local self-government body, a governmental municipal institution, is regarded by the Articles of this Chapter, as well as in Article 196 of this Code, as a person discharging managerial functions in a profit-making or any other organization.

2. If a deed stipulated by this Article or by other Articles of this Chapter has caused harm to the interests of an exclusively profit-making organization that is not a governmental or municipal enterprise, then prosecution shall be instituted upon the application of this organization, or with its consent.

3. If a deed envisaged by this Article or by other Articles of this Chapter has caused harm to the interests of other organizations, or to the interests of individuals, society, or the State, then prosecution shall be instituted on general grounds.

#### **Article 202. Abuse of Authority by Private Notaries and Auditors**

1. The use by a private notary or a private auditor of his authority, contrary to his duty and for the purpose of deriving benefits and advantages for himself or for other persons, or of inflicting harm on other persons, if this deed has caused substantial damage to the rights and lawful interests of individuals or organizations or to the legally-protected interests of society and the State,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one year to two years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to three years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years.

2. The same act, committed in respect of an obvious minor or a legally incapable person,  
-

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by arrest for a four to six months, or by deprivation of liberty for a term of up to five years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years.

#### **Article 203. Exceeding of Authority by Staff Members of Security of Detective Services**

1. The exceeding of his licensed authority by a manager or an officer of a security or detective service, in defiance of his duty, if this deed has been committed with the use of violence or with the threat of its application,

shall be punishable by restraint of liberty for a term of up to three years, or by arrest for a term of six months, or by deprivation of liberty for a term of up to five years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

2. The same act, which has involved grave consequences,

shall be punishable by deprivation of liberty for a term up to seven years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years.

#### **Article 204. Bribery in a Profit-making Organization**

1. The illegal transfer of money, securities, or any other assets to a person who discharges the managerial functions in a profit-making or any other organization, and likewise the unlawful rendering of property-related services to him for the commission of actions (inaction) in the interests of the giver, in connection with the official position held by this person,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by disqualification to hold specified offices or to engage in specified

activities for a term of up to two years, or by restraint of liberty for a term of up to two years, or by deprivation of liberty for a term of up to two years.

2. The same acts, committed by a group of persons in a preliminary conspiracy, or by an organized group,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one year to two years, or by restraint of liberty for a term of up to three years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to four years.

3. The illegal receipt of money, securities, or any other assets by a person who discharges the managerial functions in a profit-making or any other organization, and likewise the illegal use of property-related services for the commission of actions (inaction) in the interests of the giver, in connection with the official position held by this person,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by disqualification to hold specified offices or to engage in specified activities for a term of up to two years, or by restraint of liberty for a term of up to three years, or by deprivation of liberty for a term of up to three years.

4. Acts provided for by the third part of this Article, if they are:

a) committed by a group of persons in a preliminary conspiracy, or by an organized group;

b) abolished

c) attended by extortion

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by disqualification to hold specified offices or to engage

in specified activities for a term of up to five years, or by deprivation of liberty for a term of up to five years.

Note: A person who has committed acts stipulated in the first or second part of this Article, shall be relieved from criminal responsibility, if he has been subject to extortion or if this person has voluntarily informed the body that has the right to institute proceedings in a criminal case about bribery.

## **Section IX. Crimes Against Public Security and Public Order**

### **Chapter 24. Crimes Against Public Security**

Federal Law No. 74-FZ of July 21, 2004 amended Article 205 of the present Code

#### **Article 205. Terrorism**

1. Terrorism, that is, the perpetration of an explosion, arson, or any other action endangering the lives of people, causing sizable property damage, or entailing other socially dangerous consequences, if these actions have been committed for the purpose of violating public security, frightening the population, or exerting influence on decision-making by governmental bodies, and also the threat of committing said actions for the same ends,

shall be punishable by deprivation of liberty for a term of eight to twelve years.

2. The same deeds committed:

- a) by a group of persons in a preliminary conspiracy;
- b) abolished
- c) with the use of firearms

shall be punishable by deprivation of liberty for a term of ten to twenty years.

3. Deeds stipulated in the first or second part of this Article, if they have been committed by an organized group or have involved by negligence the death of a person, or any other grave consequences, and also are associated with infringement on objects of the use of atomic energy or with the use of nuclear materials, radioactive substances or sources of radioactive radiation,

shall be punishable by deprivation of liberty for a term of fifteen to twenty years or by deprivation of liberty for life.

Note: A person who has taken part in the preparation of an act of terrorism shall be released from criminal responsibility if he facilitated the prevention of the act of

terrorism by timely warning governmental bodies, or by any other method, unless the actions of this person contain a different corpus delicti.

#### **Article 205.1. Involvement of a Person in the Commission of Crimes of Terrorist Nature or Otherwise Assisting in Their Commission**

1. Involvement of a person in the commission of the crime stipulated by Articles 205, 206, 208, 211, 277 and 360 of this Code or persuading a person to participate in a terrorist organization, the arming or training of a person with the aim of perpetrating the said crimes as well as the financing of an act of terrorism or an terrorist organization shall be punishable by deprivation of freedom for a term of four to eight years.

2. The same deeds perpetrated by the person through the use of his official position shall be punishable by deprivation of freedom for a term of seven to fifteen years with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income on the convicted person for a period of up to five years.

Note. A person who has committed the crime specified in this Article shall be released from criminal responsibility if through his voluntary and timely warning of the authorities or otherwise he assisted to prevent the act of terrorism or suppress the crime of terrorist nature named in this article, unless the actions of this person contain a different corpus delicti.

#### **Article 206. Hostage-Taking**

1. The capture or detention of a hostage, committed to compel the State, an organization, or an individual to perform or to abstain from taking any action as a condition for the release of the hostage,

shall be punishable by deprivation of liberty for a term of five to ten years.

2. The same deeds committed:

- a) by a group of persons in a preliminary conspiracy;
- b) abolished
- c) with the use of violence posing a danger to human life and health;
- d) with the use of arms or objects used as arms;
- e) against an obvious minor;
- f) against a woman in a state of pregnancy obvious to the convicted person;
- g) against two or more persons;



h) out of mercenary motives or by hire,

shall be punishable by deprivation of liberty for a term of six to fifteen years.

3. Deeds provided for by the first or second part of this Article, if they have been committed by an organized group or have involved by negligence the death of a person, or any other grave consequences,

shall be punishable by deprivation of liberty for a term of eight to twenty years.

Note: A person who released a hostage voluntarily or on the demand of the authorities shall be relieved from criminal responsibility, unless his actions contain a different corpus delicti.

### **Article 207. Knowingly Making a False Communication About an Act of Terrorism**

A knowingly false communication about an impending explosion, act of arson, or any other action creating a danger of killing people, inflicting sizable damage to property, or entailing other socially hazardous consequences,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by corrective works for a term of one year to two years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to three years.

### **Article 208. Organization of an Illegal Armed Formation, or Participation in It**

1. Creation of an armed formation (unit, squad, or any other group) that is not envisaged by a federal law, and likewise operating of such a formation,

shall be punishable by deprivation of liberty for a term of two to seven years.

2. Participation in an armed formation that is not provided for by a federal law

shall be punishable by restraint of liberty for a term of up to three years, or by arrest for a term of up to six months, or by deprivation of liberty for a term of up to five years.

Note: A person who has ceased to take part in an illegal armed formation of his own free will, and has handed in his weapons, shall be released from criminal responsibility unless his actions contain a different corpus delicti.

### **Article 209. Banditry**

1. Creation of a stable armed group (band) with the aim of assaulting individuals or organizations, and also operation of such a group (band),

shall be punishable by deprivation of liberty for a term of up to 15 years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

2. Participation in a stable armed group (band), or in its assaults,

shall be punishable by deprivation of liberty for a term of eight to 15 years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

3. Acts provided for by the first or second part of this Article and committed by a person through his official position,

shall be punishable by deprivation of liberty for a term of 12 to 20 years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

#### **Article 210. Organization of a Criminal Community (Criminal Organization)**

1. Creation of a criminal community (criminal organization) for committing grave or especially grave crimes, and likewise operation of such a community (organization) or its structural subdivisions, and also creation of an association of organizers, leaders, or other representatives of organized groups for formulating plans and conditions for the commission of grave or especially grave crimes,

shall be punishable by deprivation of liberty for a term of seven to fifteen years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years

2. Participation in a criminal community (criminal organization) or in an association of organizers, leaders or other representatives of organized groups,

shall be punishable by deprivation of liberty for a term of three to ten years with or without a fine in the amount of up to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

3. Acts provided for by the first or second part of this Article, and committed by a person through his official position,

shall be punishable by deprivation of liberty for a term of 10 to 20 years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

Note. A person who has voluntarily ceased to participate in a criminal association (criminal organization) or a structural subdivision thereof, or in an association of organizers, heads or other representatives of organized groups and who has actively

contributed to the solution or suppression of this crime, shall be released from criminal liability, if his actions do not contain formal elements of other crime.

### **Article 211. Hijacking of an Aircraft, a Sea-going Ship, or a Railway Train**

1. Hijacking of an aircraft, a sea-going ship, a railway train, and likewise seizure of such a ship or train in order to hijack it,

shall be punishable by deprivation of liberty for a term of four to eight years.

2. The same acts committed:

a) by a group of persons in a preliminary conspiracy;

b) abolished

c) with the use of violence threatening human life and health or with the threat of such violence;

d) with the use of arms or objects to be used as arms,

shall be punishable by deprivation of liberty for a term of seven to twelve years.

3. Deeds stipulated in the first or second part of this Article, if they have been committed by an organized group or have involved by negligence the death of a person, or any other grave consequences,

shall be punishable by deprivation of liberty for a term of eight to fifteen years.

### **Article 212. Mass Riots**

1. Organization of mass riots attended by violence, pogroms, arson, the destruction of property, the use of firearms, explosives, or explosive devices, and also armed resistance to government representatives,

shall be punishable by deprivation of liberty for a term of four to ten years.

2. Participation in mass riots, as provided for by the first part of this Article,

shall be punishable by deprivation of liberty for a term of three to eight years.

3. Calls to active insubordination of the lawful requirements of the representatives of the authorities, and to mass riots, and likewise calls for violence against persons,

shall be punishable by restraint of liberty for a term of up to two years, or by arrest for a term of two to four months, or by deprivation of liberty for a term of up to three years.

### **Article 213. Hooliganism**

1. Hooliganism, that is, a gross violation of the public order manifested in patent contempt of society and attended by the use of weapons or articles used as weapons -

shall be punishable by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of one to two years, or by deprivation of liberty for a term of up to five years.

2. The same deed committed by a group of persons in a preliminary conspiracy, or by an organized group, or connected with resistance to a representative of authority or to any other person who fulfills the duty of protecting the public order or who suppresses violation of the public order -

shall be punishable by deprivation of liberty for a term of up to seven years.

### **Article 214. Vandalism**

Vandalism, that is, the defacement of buildings and other structures, the infliction of damage to property in public transport or in other public places,

shall be punishable by a fine in the amount up to 40 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months, or by compulsory works for a term of 120 to 180 hours, or by corrective labour for a term of six to twelve months, or by arrest for a term of up to three months.

### **Article 215. Violation of Safety Rules in Facilities of Atomic Power Engineering**

1. Violation of safety rules during the siting, designing, building, or operating of facilities of atomic power engineering, if this could involve the death of a person or radioactive contamination of the environment,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by restraint of liberty for a term of up to three years, or by deprivation of liberty for a term of up to two years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

2. The same deed, which has entailed by negligence the infliction of major damage on a person's health or the death thereof, or radioactive contamination of the environment -

shall be punishable by deprivation of liberty for a term of up to five years, with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

3. The deed provided for by Part One of this Article which has entailed through negligence the death of two or more persons -

shall be punishable by deprivation of liberty for a term of up to seven years with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

#### **Article 215.1. Termination or Limitation of Electrical Energy Supply or Disconnection from Other Life Support Sources**

1. Unlawful termination or limitation of electrical energy supply to consumers or disconnection of consumers from other life support sources committed by an official or equally by a persons performing managerial functions in a commercial or another organization, if that has entailed through negligence the infliction of major damage or grievous injury on human health or other grave consequences, shall be subject to be punished with the imposition of a fine at a rate ranging up to 200 thousand roubles or in the amount of the wage or other earnings of the convicted for a period up to 18 months or by limitation of freedom for a term of up to three years or deprivation of freedom for a term of up to two years.

2. The same wrongdoings having caused manslaughter shall be punishable with the deprivation of freedom for a term of up to five years either accompanied by deprivation of the right to occupy specific positions or engage in specific activities for a term of up to three years or not.

#### **Article 215.2. Making Life Support Facilities Inoperable**

1. Demolishing, damaging power supply, telecommunication, housing and utility facilities or other life support facilities or making them otherwise inoperable, if such offences are committed for mercenary or barbarian reasons,

shall be punishable by a fine at a rate of 100 thousand to 500 thousand roubles or in the amount of the convict's wage, or sometimes income, for a period from one to three years, or correctional work for a term from one year to two years, or imprisonment for a term from one year to three years.

Federal Law No. 73-FZ of July 21, 2004 amended the second part of Article 215.2 of the present Code

2. The same offences committed:

- a) by a group of persons by preliminary agreement;
- b) abolished
- c) by a person through an abuse of his/her position/office;

shall be punishable by imprisonment for a term from three to five years complete with a fine at a rate of up to 80 thousand roubles or in the amount of the convict's wage or another income for a term of up to six month or without the fine.

3. The offences specified in Parts 1 and 2 of the present article, as having lead to a reckless death of a man, -

shall be punishable by imprisonment for a term up to seven years complete with a fine at a rate up to 80 thousand roubles or in the amount of the convict's wage or other income for a term up to six months or without the fine.

### **Article 216. Violation of Safety Rules During Mining, Building, and Other Activities**

1. Violation of safety rules during mining, building or any other activities, if this has involved by negligence the infliction of grave injury to someone's health or major damage, -

shall be punishable by a fine in the amount up to 80 thousand income of the convicted person for a period up to six years, or by restraint of liberty for a term of up to three years, or by deprivation of liberty for a term of up to three years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

2. The same act, that has entailed by negligence the death of a person, -

shall be punishable by restraint of liberty for a term of up to five years, or by deprivation of liberty for a term of up to 5 years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

3. The deed provided for by Part One of this Article which has entailed through negligence the death of two or more persons -

shall be punishable by deprivation of liberty for a term of up to seven years with or without deprivation of the right to hold specified offices or engage in specified activities for a term of up to three years.

Note. Major damage shall mean in the Articles of this Chapter the damage in the amount exceeding 500 thousand roubles.

### **Article 217. Violation of Safety Rules in Explosive Facilities**

1. Violation of safety rules in explosive facilities or in explosives shops, if this could cause the death of a person, or has inflicted major damage, -

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by restraint of liberty for a term of up to three years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

2. The same deed, which has involved by negligence the death of a person, -

shall be punishable by restraint of liberty for a term of up to five years, or by deprivation of liberty for a term of up to five years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

3. The deed provided for by Part One of this Article, which has entailed through negligence the death of two or more persons -

shall be punishable by deprivation of liberty for a term of up to seven years with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

#### **Article 218. Violation of the Rules for Record-keeping, Storage, Carriage, and Use of Explosive Materials, Highly Inflammable Substances, and Pyrotechnical Articles**

Violation of the rules for record-keeping, storage, carriage and use of explosive materials, highly inflammable substances, and pyrotechnical articles, and also illegal transportation of these substances and materials by post or as luggage, if these deeds have involved, by negligence, infliction of on the health of a person or the death thereof,

shall be punishable by restriction of liberty for a term of up to five years with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

#### **Article 219. Violation of Fire Safety Rules**

1. Violation of fire safety rules, committed by a person charged with their observance, if this has involved by negligence the infliction of grave injury to human health,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or by restraint of liberty for a term of up to three years, or by deprivation of liberty for a term of up to three years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

2. The same deed, which has entailed by negligence the death of a person, -

shall be punishable by restraint of liberty for a term of up to five years or by deprivation of liberty for a term of up to five years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

3. The deed provided for by Part One of this Article which has entailed through negligence the death of two or more persons -

shall be punishable by deprivation of liberty for a term of up to seven years with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

### **Article 220. Illegal Treatment of Nuclear Materials or Radioactive Substances**

1. Illegal acquisition, storage, use, transfer, or destruction of nuclear materials or radioactive substances

shall be punishable by restraint of liberty for a term of up to two years, or by arrest for a term of up to four months, or by deprivation of liberty for a term of up to two years.

2. The same acts, which have involved by negligence the death of a person or any other grave consequences,

shall be punishable by restraint of liberty for a term of up to five years, or by deprivation of liberty for a term of up to five years.

3. The deeds provided for by Part One of this Article which have entailed through negligence the death of two or more persons -

shall be punishable by deprivation of liberty for a term of up to seven years.

### **Article 221. Stealing or Possession of Nuclear Materials or Radioactive Substances**

1. Stealing or possession of nuclear materials or radioactive substances

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by deprivation of liberty for a term of up to five years.

2. The same acts committed:

- a) by a group of persons a preliminary conspiracy;
- b) abolished
- c) by a person through his official position;



d) with the use of violence with endangering human life or health, or with the threat of applying such violence,

shall be punishable by deprivation of liberty for a term of four to seven years.

3. Acts envisaged by the first or second part of this Article, if they have been committed:

a) by an organized group;

b) with the use of violence which is dangerous to human life or health or with the threat of using such violence, -

c) abolished

shall be punishable by deprivation of liberty for a term of five to ten years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

Note: Abolished

**Article 222. Illegal Acquisition, Transfer, Sale, Storage, Transportation, or Bearing of Firearms, Its Basic Parts, Ammunition, Explosives, and Explosive Devices**

Federal Law No. 73-FZ of July 21, 2004 amended the first part of Article 222 of the present Code

1. Illegal acquisition, transfer, sale, storage, transportation, or bearing of firearms, its basic parts, ammunition, (except for civil smooth-bore ones, their basic parts and ammunition for them), explosives, or explosive devices -

shall be punishable by restraint of liberty for a term of up to three years, or by an arrest for a term of up to six months, or by deprivation of liberty for a term of up to four years, with or without a fine in the amount of up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months.

2. The same acts committed by a group of persons in a preliminary conspiracy,

shall be punishable by deprivation of liberty for a term of two to six years.

3. Acts stipulated by the first or second part of this Article, and committed by an organized group,

shall be punishable by deprivation of liberty for a term of five to eight years.

4. Illegal sale of gas weapons and cold weapons, including missile weapons, -

shall be punishable by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of one year to two years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years, with a fine in the amount of up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or without any fine.

Note: A person who has at his own desire will handed in the objects referred to in this Article shall be relieved from criminal responsibility, unless his actions contain another corpus delicti.

There may not be deemed as voluntary handing in of the objects indicated in this Article, as well as in Article 223 of this Code, seizure thereof, when detaining a person, as well as when committing investigative actions aimed at their detection and seizure.

### **Article 223. Illegal Manufacture of Weapons**

1. Illegal manufacture or repair of firearms, the components, and likewise illegal manufacture of ammunition, explosives, or explosive devices

shall be punishable by deprivation of liberty for a term of from two up to four years.

2. The same acts committed by a group of persons in a preliminary conspiracy, -

shall be punishable by deprivation of liberty for a term of two to six years.

3. Deeds provided for by the first or second part of this Article and committed by an organized group

shall be punishable by deprivation of liberty for a term of five to eight years.

4. Illegal manufacture of gas arms, knives and like weapons, including missile weapons,

shall be punishable by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of one to two years, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to two years.

Note: A person who has of his own free will handed in the objects referred to in this Article shall be released from criminal responsibility, unless his actions contain a different corpus delicti.

### **Article 224. Careless Keeping of Arms**

Careless keeping of firearms, creating the possibility of their use by another person, if this entails grave consequences,

shall be punishable by a fine in the amount of up to 40 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months, or by compulsory works for a term of up to 180 hours, or by corrective labour for a term of up to one year, or by restraint of liberty for a term of up to two years, or by arrest for a term of up to six months.

**Article 225. Improper Discharge of the Duties of Protecting Arms, Ammunition, Explosives, and Explosive Devices**

1. Improper discharge of his duties by a person entrusted with the protection of firearms, ammunition, explosives, or explosive devices, if this has entailed their stealing or destruction or the onset of other grave consequences,

shall be punishable by a fine in the amount of up to 40 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months, or by restraint of liberty for a term of up to three years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

2. Improper discharge of the duties related to protecting nuclear, chemical or any other weapons of mass destruction, or materials and equipment which can be used in the development of weapons of mass destruction, if this has involved grave consequences or has created the threat of their onset,

shall be punishable by a fine in the amount of up to 120 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to one year, or by deprivation of liberty for a term up to seven years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years.

**Article 226. Stealing or Possession of Arms, Ammunition, Explosives, and Explosive Devices**

1. Stealing or possession of firearms, their components, ammunition, explosives, or explosive devices

shall be punishable by deprivation of liberty for a term of three to seven years.

2. Stealing or possession of nuclear, chemical or any other weapons of mass destruction, and likewise of materials or equipment which can be used in the development of weapons of mass destruction,-

shall be punishable by deprivation of liberty for a term of from five to ten years.

3. Act provided for in the first or second part of this Article, if they have been committed:

- a) by a group of persons in a preliminary conspiracy;
- b) abolished
- c) by a person through his official position;
- d) with the use of violence posing danger to human life or health, or with the threat of using such violence,

shall be punishable by deprivation of liberty for a term of five to twelve years, with or without a fine in the amount of up to 500 thousand roubles or in the amount of the wage or salary, or other income of the convicted person for a period of up to three years.

4. Acts specified in the first, second, or third parts of this Article, if they have been committed:

- a) by an organized group;
- b) with the use of violence endangering human life and health, or with the threat of using such violence, -
- c) abolished

shall be punishable by deprivation of liberty for a term of eight to fifteen years, with or without a fine in the amount of up to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

#### **Article 227. Piracy**

1. Assault on a sea-going ship or a river boat with the aim of capturing other people's property, committed with the use of violence or with the threat of its use,

shall be punishable by deprivation of liberty for a term of five to ten years.

2. The same act committed with the use of arms or objects used as arms,

shall be punishable by deprivation of liberty for a term of eight to twelve years, with or without a fine in the amount of up to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

3. Acts provided for in the first or second part of this Article, if they have been committed by an organized group or have entailed, by negligence, the death of a person, or any other grave consequences,

shall be punishable by deprivation of liberty for a term of ten to fifteen years, with or without a fine in the amount of up to 500 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

## **Chapter 25. Crimes Against Human Health and Public Morality**

### **Article 228. Illegal Acquisition, Storage, Transportation, Making or Processing of Narcotic Drugs, Psychotropic Substances or Analogues Thereof**

1. Illegal acquisition, storage, transportation, making or processing of narcotic drugs, psychotropic substances or analogues thereof on a large scale without the purpose of sale

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shall be punishable by a fine in the amount of up to 40 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months, or by corrective labour for a term of up to two years, or by deprivation of liberty for a term of up to three years.

2. The same deeds committed on an especially large scale -

shall be punishable by deprivation of liberty for a term of three to 10 years with or without a fine in the amount of up to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

Note 1. A person guilty of the crime provided for by this Article who has handed in narcotic drugs, psychotropic substances or their analogues of his own free will, and who has actively contributed to the uncovering and suppression of crimes connected with the illegal traffic in narcotic drugs, psychotropic substances or their analogues, to the exposure of persons who have committed the crimes, or the discovery of property obtained in a criminal way, shall be released from criminal responsibility for the given crime. There may not be deemed as voluntary giving in narcotic drugs, psychotropic substances or their analogues the seizure of said drugs, substances or their analogues, when detaining a person, as well as when committing investigative actions aimed at their detection and seizure.

2. "Large scale" in this Article, as well as in Article 228.1 and 229 of this Code, shall mean a quantity of a narcotic drug, psychotropic substance or their analogue exceeding the average one-time consumption dose by 10 or more times, and an especially large scale - by 50 and more times. The quantity of average one-time doses of narcotic drugs and psychotropic substances for the purposes of this Article, as well as of Articles 228.1 and 229 of this Code, shall be endorsed by the Government of the Russian Federation.

### **Article 228.1. Illegal Making, Sale or Sending of Narcotic Drugs, Psychotropic Substances or Analogues Thereof**

1. Illegal making, sale or sending of narcotic drugs, psychotropic substances or analogues thereof - shall be punishable by deprivation of liberty for a term of four to eight years.

2. The same deeds committed:

a) by a group of persons in a preliminary conspiracy;

b) on a large scale;

c) in respect of a known minor by a person who has reached the age of 18 years -

shall be punishable by deprivation of liberty for a term of five to 12 years with or without a fine in the amount of up to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

3. The deeds provided for by Parts One and Two of this Article which are committed:

a) by an organized group;

b) by a person through his official position;

c) in respect of a person known to be under 14 years old;

d) on an especially large scale -

shall be punishable by deprivation of liberty for a term of eight to 20 years with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

### **Article 228.2. Violating the Rules of Traffic of Narcotic Drugs and Psychotropic Substances**

1. Violating the rules of production, making, processing, storage, registration, serving, sale, distribution, transportation, sending, acquisition, use, importation, exportation or elimination of narcotic drugs and psychotropic substances or the substances, tools or equipment used for making narcotic drugs or psychotropic substances which are under special control, as well as of cultivating plants usable in the production of narcotic drugs or psychotropic substances, which has entailed their loss, if this deed has been committed by a person in charge of observing said rules -

shall be punishable by a fine in the amount of up to 120 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to one year, with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up three years.

2. The same deed committed for mercenary motives or entailing the infliction through negligence of injury on human health or other grave consequences -

shall be punishable by a fine in the amount of 100 to 300 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by deprivation of liberty for a term of up to three years with deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

### **Article 229. Stealing or Exportation of Narcotic Drugs or Psychotropic Substances**

1. Stealing or exportation of narcotic drugs or psychotropic substances

shall be punishable by deprivation of liberty for a term of three to seven years.

2. The same deeds committed:

- a) by a group of persons in a preliminary conspiracy;
- b) abolished
- c) by a person through his official position;
- d) with the use of violence, but without danger to human life or health, or with the threat of using such violence,

shall be punishable by deprivation of liberty for a term of six to ten years, with or without a fine in the amount of up to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

3. Deeds stipulated in the first or second part of this Article, if they are committed:

- a) by an organized group;
- b) in respect of large amounts of narcotic drugs or psychotropic substances;
- c) with the use of violence endangering human life or health, or with the threat of using such violence, -
- d) abolished

shall be punishable by deprivation of liberty for a term of six of eight to fifteen years, with or without a fine in the amount of up to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

## **Article 230. Inducement to Use Narcotic Drugs or Psychotropic Substances**

1. Inducement to use narcotic drugs or psychotropic substances

shall be punishable by restraint of liberty for a term of up to three years, or by arrest for a term of up to six months, or by deprivation of liberty for a term of up to five years.

2. The same deed committed:

- a) by a group of persons in a preliminary conspiracy or by an organized group;
- b) abolished
- c) in relation to an obvious minor, or in respect of two or more persons;
- d) with the use of violence, or with the threat of its use -

Shall be punishable by deprivation of liberty for a term of tree to eight years.

3. Deeds stipulated in the first or second part of this Article, if they have involved by negligence the death of the victim, or any other grave consequences,

shall be punishable by deprivation of liberty for a term of six to twelve years.

Note. The operation of this Article shall not extend to instances of popularization, for the purpose of preventing HIV infection and other dangerous infectious diseases, of appropriate tools and equipment usable for consumption of narcotic drugs and psychotropic substances, where these deeds have been committed by approbation of the executive bodies in charge of health care and of the bodies for control over the traffic of drugs and psychotropic substances.

## **Article 231. Illegal Cultivation of Illicit Plants Containing Narcotic Substances**

1. Sowing or cultivation of illicit plants, and also cultivation of hemp, poppy, or other plants containing narcotic substances, shall be punishable by a fine in the amount up to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to two years, or deprivation of liberty for a term of up to two years.

2. The same deeds committed:

- a) by a group of persons in a preliminary conspiracy or by an organized group;
- b) abolished
- c) on a large scale,



shall be punishable by deprivation of liberty for a term of three to eight years.

Note. The scale of plants containing narcotic drugs, whose cultivation is prohibited, for the purposes of this Article shall be endorsed by the Government of the Russian Federation.

**Article 232. Organization or Maintenance of Dens for Consuming Narcotic or Psychotropic Substances**

1. Organization or maintenance of dens for consuming narcotic or psychotropic substances

shall be punishable by deprivation of liberty for a term of up to four years.

2. The same acts, committed by an organized group,

shall be punishable by deprivation of liberty for a term of three to seven years.

**Article 233. Illegal Issue or Forgery of Prescriptions or Other Documents Entitling Persons to Obtain Narcotic or Psychotropic Substances**

Illegal issue or forgery of prescriptions or any other documents that entitle a person to obtain narcotic or psychotropic substances

shall be punishable by a fine in the amount of up to 80 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or by compulsory works for a term of up to 180 hours, or by corrective works for a term of up to one year, or by deprivation of liberty for a term of up to two years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

**Article 234. Illegal Traffic in Potent and Toxic Substances for the Purpose of Sale**

1. Illegal making, processing, acquisition, storage, transportation, or sending for the purpose of sale, and likewise illegal marketing of potent or toxic substances, which are not narcotic drugs or psychotropic substances, or illegal manufacture of equipment for making or processing such substances,

shall be punishable by a fine in the amount of up to 40 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months, or by compulsory works for a term of up to 180 hours, or by corrective works for a term of up to one year, or by deprivation of liberty for a term of up to three years.

2. The same acts, committed by a group of persons in a preliminary conspiracy, -

shall be punishable by a fine in the amount of up to 80 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or by compulsory works for a term of 120 to 240 hours, or by corrective works for a term of one to two years, or by deprivation of liberty for a term up to five years.

3. Acts provided for by the first or second part of this Article, and committed by an organized group or dealing with potent substances on a large scale,

shall be punishable by a fine in the amount of up to 120 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to one year, or by deprivation of liberty for a term of four to eight years.

4. Contravention of the rules for the production, acquisition, storage, record-keeping, issue, transportation, or sending of potent or toxic substances, if this has entailed through negligence their theft or the infliction of any substantial harm,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage, salary, or any other income of the convicted person for a period of up to 18 months, or by corrective works for a term of up to two years, or by restraint of liberty for a term of up to three years, or by deprivation of liberty for a term of up to two years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

#### **Article 235. Engaging in Illegal Private Medical Practice or Private Pharmaceutical Activity**

1. Engaging in private medical practice or in private pharmaceutical activity without having a license for the respective type of activity, if this has entailed by negligence the infliction of harm on human health,

shall be punishable by a fine in the amount of up to 120 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to one year, or by restraint of liberty for a term of up to three years, or by deprivation of liberty for a term of up to three years.

2. The same act, that has entailed by negligence the death of a person,

shall be punishable by restraint of liberty for a term of up to five years, or by deprivation of liberty for the same period.

#### **Article 236. Violation of Sanitary and Epidemiological Rules**

1. Violation of sanitary and epidemiological rules which has resulted in, by negligence, mass diseases or poisoning of people,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or by disqualification to hold specified offices or to engage in specific activities for a term of up to three years, or by compulsory works for a term of up to 180 hours, or by corrective works for a term of up to one year, or by restraint of liberty for a term of up to three years.

2. The same act, which has involved by negligence the death of a person,

shall be punishable by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of six months to two years, or by deprivation of liberty for a term of up to five years, or by restraint of liberty for the same period.

### **Article 237. Concealment of Information About Circumstances Endangering Human Life or Health**

1. Concealment or distortion of information about developments, facts, or phenomena endangering human life or health, or the environment, committed by a person who is duty-bound to supply the population and the bodies authorized to take measures of removing such danger, by said information,

shall be punishable by a fine in the amount up to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to two years, or by deprivation of liberty for a term of up to two years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

2. The same acts, if they are committed by a person holding a post in the government of the Russian Federation or a post in the government of a subject of the Russian Federation, and likewise by the head of a local self-government body, or if such acts have inflicted harm to man's health or have resulted other grave consequences,

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by deprivation of liberty for a term of up to five years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

### **Article 238. Production, Storage, Carriage or Sale of Goods and Products, Fulfillment of Works or Rendering of Services Which Do Not Meet Safety Standards**

1. Production, storage or carriage for the purpose of sale or the sale of goods and products, fulfillment of works or rendering of services which do not meet standards of safety to lives or health of consumers as well as wrongful issue or use of an official

document which certifies compliance of the said goods, works or services to safety standards, -

shall be punishable by a fine in the amount up to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to two years, or by restraint of liberty for a term of up to two years, or by deprivation of liberty for a term of up to two years.

2. The same acts, if they:

- a) perpetrated by a group of individuals under a preliminary conspiracy or by an organized group;
- b) abolished
- c) have been committed in respect of goods, works, or services intended for children under six years of age;
- d) have entailed by negligence serious damage to health or the death of a man;

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by restraint of liberty for a term of up to three years, or by deprivation of liberty for a term of up to six years with or without a fine in the amount of up to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

3. Deeds provided for in the first or second part of the present Article, which have entailed by negligence the death of two or more persons,

shall be punishable by the deprivation of liberty for a term of four to ten years.

### **Article 239. Organization of an Association Infringing upon the Liberties and Rights of Individuals**

1. Creation of a religious or public association whose activity is fraught with violence against individuals or with the infliction of injury to their health, or with inducement of individuals to refuse to discharge their civil duties or to commit other unlawful deeds, and likewise operation of such an association,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18, or by deprivation of liberty for a term of up to three years.

2. Participation in the activity of said association, and also promotion of deeds provided for by the first part of this Article,

shall be punishable by a fine in the amount up to 120 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to one year, or by deprivation of liberty for a term of up to two years.

#### **Article 240. Attraction to Prostitution**

1. Attraction to prostitution or forcing to continue prostitution -

shall be punishable by a fine in the amount of up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to 18 months, or by restriction of liberty for a term of up to three years, or by deprivation of liberty for the same term.

2. The same deed committed:

- a) with application of violence or with the threat of its application;
- b) with a victim's movement across the State Border of the Russian Federation or with the illegal detention thereof abroad;
- c) by a group of persons in a preliminary conspiracy -

shall be punishable by deprivation of liberty for a term of up to six years.

3. The deeds provided by Parts One and Two of this Article which are committed by an organized group or in respect of a known minor -

shall be punishable by deprivation of liberty for a term of three to eight years.

#### **Article 241. Organization of Prostitution**

Federal Law No. 73-FZ of July 21, 2004 amended the first part of Article 241 of the present Code

1. The deeds aimed at organization of prostitution, as well as at the maintenance of hangouts for prostitution or the systematic provision of premises for prostitution -

shall be punishable by a fine in the amount of 100 to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by restriction of liberty for a term of up to three years, or by deprivation of liberty for a term of up to five years.

2. The same deeds committed:

- a) by a person through his official position;

b) with an application of violence or with the threat of applying it;

c) with involvement of known minors in prostitution -

shall be punishable by deprivation of liberty for a term of up to six years.

3. The deeds provided for by Parts One and Two of this Article which are committed with the involvement in prostitution of persons which are known to be under 14 years old

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shall be punishable by deprivation of liberty for a term of three to 10 years.

### **Article 242. Illegal Distribution of Pornographic Materials or Objects**

Illegal making for the purpose of distribution or advertising, dissemination, or advertising of pornographic materials or objects, and likewise illegal trade in printed publications, cine-and-video-materials, pictures, or any other pornographic objects,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by deprivation of liberty for a period of up to two years.

#### **Article 242.1. Making and Circulating Materials or Articles with Pornographic Images of Minors**

1. Making, keeping or moving across the State Border of the Russian Federation for the purpose of dissemination, public showing or advertising, or dissemination, public showing or advertising, of materials or articles with pornographic images of known minors, as well as drawing known minors as performers to entertainment events of pornographic nature by a person who has reached the age of 18 years -

shall be punishable by deprivation of liberty for a term of up to six years.

2. The same deeds committed:

a) by a parent or other person which is obliged under laws to bring up a minor, as well as by a pedagogue or other employee working for an educational, pedagogical, medical or other institution who is obliged to exercise supervision over a minor;

b) in respect of a person which is known to be under 14 years old;

c) by a group of persons in a preliminary conspiracy or by an organized group -

shall be punishable by deprivation of liberty for a term of three to eight years.

### **Article 243. Destruction or Damage of Monuments of History and Culture**

1. Destruction or damage of monuments of history, culture, natural monuments, or facilities protected by the State, and also of objects or documents of historical or cultural value,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by deprivation of liberty for a term of up to two years.

2. The same deeds, committed in respect of especially valuable facilities or monuments of all-Russian significance,

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by deprivation of liberty for a term of up to five years.

### **Article 244. Outrages upon Bodies of the Deceased and Their Burial Places**

1. Outrages upon the bodies of the deceased, or destruction, damage to, or desecration of burial places, gravestones, or graveyard buildings intended for burial ceremonies or for commemorative feasts,

shall be punishable by a fine in the amount up to 40 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months, or by compulsory works for a term of 120 to 180 hours, or by corrective labour for a term of up to one year, or by arrest for a term of up to three months.

2. The same acts committed:

a) by a group of persons, a group of persons in a preliminary conspiracy, or by an organized group;

b) by reason of national, racial, or religious hatred or enmity, and likewise in respect of a sculpture or architectural structure devoted to the struggle against fascism or victims of nazism, or burial-places of participants in the struggle against nazism;

c) with the use of violence or with the threat of its use,

shall be punishable by restraint of liberty for a term of up to three years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to three years.

### **Article 245. Cruelty to Animals**

1. Cruelty to animals that has involved their death or injury, if this deed has been conducted with malicious or mercenary motives, or the use of sadistic methods, or in the presence of minors,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by corrective labour for a term of up to one year, or by arrest for a term of up to six months.

2. The same act committed by a group of persons, a group of persons in a preliminary conspiracy, or an organized group,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by deprivation of liberty for a term of up to two years.

## **Chapter 26. Environmental Crimes**

(On the practice of the application by the courts of legislation on responsibility for ecological offences see Decision of the Plenum of the Supreme Court of the Russian Federation No. 14 of November 5, 1998)

### **Article 246. Violation of the Rules for Environmental Protection During the Performance of Works**

Violation of the rules for environmental protection during the designing, placement, building, commissioning, or operation of industrial, agricultural, scientific, or other facilities by persons responsible for the observance of these rules, if this has involved a substantial change in the radioactive background, the infliction of injury to human health, mass-scale injury to animals, or any other grave consequences,

shall be punishable by a fine in the amount of up to 120 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to one year, or by compulsory works for a term of 120 to 240 hours, or by corrective works for term of one to two years, or by deprivation of liberty for a term of up to five years, with disqualification to hold specified offices or engage in specified activities for a term of up to three years, or without such disqualification.

### **Article 247. Violation of the Rules for Dealing with Environmentally Hazardous Substances and Waste**

1. Production of illicit dangerous waste, transportation, storage, dumping, use, or any other circulation of radioactive, bacteriological, or chemical substances or waste, with the violation of fixed rules, if these acts have created a threat of infliction of substantial harm on human health or the environment,



shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by restraint of liberty for a term of up to three years, or by deprivation of liberty for a term of up to two years.

2. The same acts, which have involved the pollution, poisoning, or contamination of the environment, the infliction of harm on human health or mass-scale injury to of animals, and likewise acts committed in a zone of ecological distress or in a zone of ecological emergency,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years or by deprivation of liberty for a term of up to five years.

3. Acts provided for by the first or second part of this Article, and entailing by negligence the death of a man or mass disease inflection of people,

shall be punishable by deprivation of liberty for a term of three to eight years.

#### **Article 248. Violation of Safety Rules in Dealing with Microbiological or Other Biological Agents or Toxins**

1. Violation of safety rules in dealing with microbiological or any other biological or agents or toxins, if this has involved the infliction of injury to human health, the spread of epidemics, or any other grave consequences,

shall be punishable by compulsory works for a term of up to 180 hours, or by corrective labour for a term of up to one year, or by deprivation of liberty for a term of up to two years, with disqualification to hold specified offices or engage in specified activities for a term of up to three years, or without such disqualification.

2. The same act, that has entailed by negligence the death of a person,

shall be punishable by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of six months to two years, or by deprivation of liberty for a term of up to five years, with disqualification to hold specified offices or engage in specified activities for a term of up to three years.

#### **Article 249. Violation of Veterinary Rules and Rules for Control of Epidemics and Plant Pests**

1. Violation of veterinary rules which has involved through negligence the spread of epidemics or any other grave consequences

shall be punishable by a fine in the amount of up to 120 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of

up to one year, or by corrective labour for a term of up to two years, or by restraint of liberty for a term of up to three years, or by deprivation of liberty for a term of up to two years.

2. Violation of the rules for control of epidemics and plant pests, which has involved through negligence grave consequences,

shall be punishable by a fine in the amount of up to 120 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to one year, or by corrective labour for a term of up to one year, or by restraint of liberty for a term of up to two years.

### **Article 250. Pollution of Waters**

1. Pollution, clogging, and exhaustion of surface and subterranean waters or sources of drinking water supply, or any other change of their natural properties, if these acts have involved the infliction of substantial harm on the animal or vegetable kingdom, fish reserves, forestry, or agriculture,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or by disqualification to hold specified offices or engage in specified activities for a term of up to five years, or by corrective labour for a term of up to one year, or by arrest for a term of up to three months.

2. The same acts, which have involved the infliction of injury on human health or mass-scale injury to animals, and likewise acts committed on the territory of a preserve or game reserve, or in a zone of ecological distress, or in a zone of ecological emergency,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of two to five months, or by corrective labour for a term of one to two years, or by deprivation of liberty for a period of up to two years.

3. Acts provided for by the first or second part of this Article, and entailing by negligence the death of a person,

shall be punishable by deprivation of liberty for a term of up to five years.

### **Article 251. Pollution of the Atmosphere**

1. Violation of the rules for release of pollutants into the atmosphere, or violation of the operations of installations, structures, and other facilities, if these acts have resulted in pollution or any other change of the natural properties of the air,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or by disqualification to hold specified offices or to engage in specified activities for a term of up to five years, or by corrective labour for a term of up to one year, or by arrest for a term of up to three months.

2. The same acts, which have involved the infliction through negligence of injury to human life or health,

shall be punishable by a fine in the amount of up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to 18 months, or by corrective labour for a term of one to two years, or by deprivation of liberty for a term of up to two years.

3. Acts provided for in the first or second part of this Article, and entailing by negligence the death of a person,

shall be punishable by deprivation of liberty for a term up to five years.

#### **Article 252. Pollution of the Marine Environment**

1. Marine pollution from land-based sources or because of an infraction of the rules for dumping from ships or artificial structures built in the sea of substances and materials which are hazardous to human health and marine life resources, and which prevent the legitimate use of the marine environment

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to 18 months, or by disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or by corrective labour for a term of up to two years, or by arrest for a term of up to four months.

2. The same acts, which have caused substantial harm to human health, flora, legally fauna, fish reserves, the environment, zones of recreation or to other law-protected interests,

shall be punishable by deprivation of liberty for a term of up to two years, with a fine in the amount up to 40 thousand roubles, in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months.

3. Acts provided for by the first or second part of this Article, and entailing by negligence the death of a person,

shall be punishable by deprivation of liberty for a term up to five years.

Federal Law No. 175-FZ of December 28, 2004 amended Article 253 of this Code

### **Article 253. Contravention of the Laws of the Russian Federation on the Continental Shelf and on the Exclusive Economic Zone of the Russian Federation**

1. Illegal erection of structures on the continental shelf of the Russian Federation, illegal creation of security zones around them or in the exclusive economic zone of the Russian Federation, and likewise contravention of the rules for building, operating, protecting, and dismantling erected structures and safety facilities of marine navigation,

shall be punishable by a fine from one hundred thousand to three hundred thousand roubles or in the amount of the wages or other income of the convicted for a period from one year to two years or by disqualification to hold specified offices to engage in specified activities for a term of up to three years, or by corrective labour for a term of up to two years.

2. Investigation, exploration, and development of the natural resources of the continental shelf of the Russian Federation or of the exclusive economic zone of the Russian Federation, without relevant permits,

shall be punishable by a fine from one hundred thousand to five hundred thousand roubles or in the amount of the wages or other income of the convicted for a period from one year to three years or by corrective labour for a term of up to two years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

### **Article 254. Deterioration of Land**

1. Poisoning, polluting, or causing any other deterioration of land through harmful products of economic and any other activity, due to the violation of the rules for dealing with fertilizers, plant growth stimulators, chemical weed-killers, any other dangerous chemical or biological substances during their storage, use, or transportation, which has entailed the infliction of harm to human health or the environment,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or by corrective labour for a term of up to two years.

2. The same deeds, committed in a zone of ecological distress or in a zone of ecological emergency,

shall be punishable by restraint of liberty for a term of up to two years, or by deprivation of liberty for the same term.

3. Deeds stipulated in the first or second parts of this Article, and entailing by negligence the death of a person,

shall be punishable by deprivation of liberty for a term up to five years.

#### **Article 255. Violation of the Rules for the Protection and Use of Subsoil**

Violation of the rules for the protection and use of subsoil during the designing, siting, building, commissioning, and operating of mining enterprises or underground structures not related to the extraction of minerals, and likewise unauthorized building on areas of mineral deposits, if these acts have involved the infliction of considerable damage,

Shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or by corrective labour for a term of up to two years.

Federal Law No. 175-FZ of December 28, 2004 amended Article 256 of this Code

#### **Article 256. Illegal Hunting of Aquatic Animals and Harvesting Aquatic Plants**

1. Illegal catching of fish, illegal hunting of sea beasts and other aquatic animals, or harvesting of sea plants, if these acts have been committed:

- a) with the infliction of large damage;
- b) with the use of a self-propelled transport craft, explosives, chemicals, electric current, or any other methods of mass extermination of said aquatic animals or plants;
- c) in their spawning places or migration routes;
- d) in the territory of a preserve, game reserve, or in a zone of ecological distress or ecological emergency,

shall be punishable by a fine from one hundred thousand to three hundred thousand roubles or in the amount of the wages or other income of the convicted for a period from one year to two years or by corrective labour for a term of up to two years, or by arrest for a term of four to six months.

2. Illegal hunting of fur-seals, sea beavers, or any other sea mammals on the high seas or in restricted areas,

shall be punishable by a fine from one hundred thousand to three hundred thousand roubles or in the amount of the wages or other income of the convicted for a period from one year to two years or by corrective labour for a term of up to two years, or by arrest for a term of four to six months.

3. Acts stipulated in the first or second parts of this Article, and committed by a person through his official position, or by a group of persons in a preliminary conspiracy, or by an organized group,

shall be punishable by a fine in the amount of 100 thousand to five hundred thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years or by deprivation of liberty for a term of up to two years with disqualification from occupying specified offices or engaging in specified activities for a term of up to three years, or without such disqualification.

#### **Article 257. Violation of the Rules for Protecting Fish Reserves**

Rafting operations, bridge and dam building, transportation of timber and other forest products from felling areas, blasting, other works, and likewise operation of water intake structures and pumping mechanisms in violation of the rules for protecting fish reserves, if these acts have involved mass destruction of fish or any other aquatic animals, the destruction of feed reserves, or any other grave consequences,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or by corrective labour for a term of up to two years.

#### **Article 258. Illegal Hunting**

1. Illegal hunting, if this deed has been committed:

- a) with infliction of large-scale damage;
- b) with the use of a mechanical transport vehicle or an aircraft, explosives, gases, or any other methods of mass-scale extermination of birds and beasts;
- c) in respect of birds and beasts, the shooting of which is fully prohibited;
- d) in the territory of a preserve, game reserve, or in a zone of ecological distress or ecological emergency,

shall be punishable by fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by corrective labour for a term of up to two years, or by arrest for a term of four to six months.

2. The same deed, committed by a person through his official position or by a group of persons in a preliminary conspiracy, or by an organized group,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by deprivation of liberty for a term of up to two years, with disqualification to occupy specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

### **Article 259. Destruction of Critical Habitats for the Organisms Entered in the Red Book of the Russian Federation**

Destruction of critical habitats for the organisms entered in the Red Book of the Russian Federation, which has involved the ruin of the populations of these organisms,

shall be punishable by restraint of liberty for a term of up to three years, or by deprivation of liberty for the same term.

### **Article 260. Illegal Felling of Trees and Shrubs**

1. Illegal felling of, and also damage to, trees, shrubs, and lianas to the point of the cessation of their growth in forests of the first group or in specially protected areas of forests of all groups, and also illegal felling of trees, shrubs, and lianas located outside forests or banned for felling, if these acts have been committed on a large scale,

shall be punishable by a fine in the amount up to 40 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months, or by disqualification to hold specified offices or the engage in specified activities for a term of up to three years, or by corrective labour for a term of up to three months.

2. Illegal felling of, and also damage to, trees, shrubs, and lianas to the point of the cessation of their growth in forests of all groups, and also of and to plantations not forming part of the forest stock, if these deeds have been committed:

- a) by a group of persons;
- b) abolished
- c) by a person with the use of this official position;
- d) on a large scale, -

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of one to two years, or by deprivation of liberty for a term of up to two years, with disqualification to hold specified offices or to engage in specified activities for a term of three years, or without such disqualification.

3. Deeds stipulated by parts one and two of this Article committed on an especially large scale, by a group of persons in preliminary agreement or by an organised group, -

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by deprivation of liberty for a term of up to three years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

Note. In this Article damage inflicted to the forest stock and to forests not forming part of the forest stock and calculated by the rates approved by the Government of the Russian Federation shall be deemed to be one of a sizable scale if it exceeds ten thousand roubles, while damage of a large scale - 100 thousand roubles and damage of an especially large scale - 250 thousand roubles.

### **Article 261. Extermination or Damage of Forests**

1. Extermination or damage of forests, and also of plantations located outside forests, as a result of careless handling of fire or any other sources of increased danger,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by corrective labour for a term of up to two years, or by deprivation of liberty for a term of up to two years.

2. Extermination or damage of forests, and also of plantations located outside forests, by means of arson or any other dangerous method, or as a result of pollution with harmful substances, waste, releases, or garbage,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years or by deprivation of liberty for a term of up to seven years with or without a fine in the amount of 10 thousand to 100 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one month to one year.

### **Article 262. Violation of the Regime Regarding Specially Protected Natural Territories and Natural Facilities**

Violation of the regime for preserves, game reserves, national parks, natural monuments, and other natural territories specially protected by the State, which has involved the infliction of considerable damage,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18



months, or by disqualification to hold specified offices to engage in specified activities for a term of up to three years, or by corrective labour for a term of up to two years.

## **Chapter 27. Crimes Against Traffic Safety and the Operation of Transport Vehicles**

### **Article 263. Violation of the Rules for Traffic Safety and Operation of the Railway, Air, or Water Transportation Systems**

1. Violation of the rules for traffic safety and operation of railway, air, sea, or river transport by a person, who by virtue of the work he performs or the post he holds is duty-bound to observe these rules, if this deed has involved, by negligence, the infliction of grave injury to human health,

shall be punishable by restraint of liberty for a term of up to five years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years or without such disqualification.

2. The same deed, which has involved by negligence the death of a person

shall be punishable by deprivation of liberty for a term of up to five years.

3. A deed, provided for in the first part of this Article and entailing by negligence the death of two or more persons,

shall be punishable by deprivation of liberty for a term up to seven years.

### **Article 264. Violation of the Rules for Traffic Safety and Operation of Transport Vehicles**

1. Violation of the rules for traffic safety and operation of transport vehicles by a person driving a car or a train, or any other mechanical transport vehicle, which has involved by negligence the infliction of grave injury to human health,

shall be punishable by restraint of liberty for a term of up to five years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years, with disqualification to operate a transport vehicle for a term of up to three years, or without such disqualification.

2. The same act, which has involved by negligence the death of a person,

shall be punishable by deprivation of liberty for a term of up to five years, with disqualification to operate a transport vehicle for a term of up to three years.

3. The act provided for in the first part of this Article, and entailing by negligence the death of two or more persons,

shall be punishable by deprivation of liberty for a term up to seven years, with disqualification to operate a transport vehicle for a term of up to three years.

Note: In this Article, trolley-buses, tractors, and other self-propelled vehicles, motorcycles, and other mechanical transportation vehicles mean other mechanical transport vehicles.

#### **Article 265. Abolished**

#### **Article 266. Incompetent Repair of Transport Vehicles, and Putting Them into Service with Technical Defects**

1. Competent repair of transport vehicles, communications, warning devices, or communication facilities, or any other transport equipment, and likewise the commissioning of technically defective transport vehicles by a person responsible for the technical condition of transport vehicles, if these acts have entailed, by negligence, the infliction of grave injury to human health,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years months, or by restraint of liberty for a term of up to three years, or by arrest for a term of up to six months, or by deprivation of liberty for a term of up to two years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

2. The same acts, which have involved by negligence the death of a person,

shall be punishable by deprivation of liberty for a term of up to five years.

3. Acts provided for in the first part of this Article, and entailing by negligence the death of two or more persons,

shall be punishable by deprivation of liberty for a term of four to ten years.

#### **Article 267. Putting out of Commission Transport Vehicles or Communications**

1. Destruction, damage, or putting out of commission transport vehicles, warning devices, communications or communications facilities, or any other transport equipment, and likewise blocking transport communications, if these acts have involved, by negligence, the infliction of grave injury to human health, or the infliction of large-scale damage,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by deprivation of liberty for a term of up to four years.

2. The same acts, which have caused by negligence the death of a person,

shall be punishable by deprivation of liberty for a term of three to eight years.

3. The acts provided for in the first part of this Article, and entailing by negligence the death of two or more persons,

shall be punishable by deprivation of liberty for a term of six to ten years.

#### **Article 268. Violation of the Rules for the Safe Work of Transport**

1. Violation by a passenger, pedestrian, or any other traffic participant (except for a person referred to in Articles 263 and 264 of this Code) of the rules for traffic safety and operation of transport vehicles, if this deed has involved by negligence the infliction of grave injury to human health,

shall be punishable by restraint of liberty for a term of up to three years, or by arrest for a term of two or four months, or by deprivation of liberty for a term of up to two years.

2. The same deed, which has involved by negligence the death of a person,

shall be punishable by restraint of liberty for a term of up to five years, or by deprivation of liberty for the same term.

3. The deed provided for in the first part of this Article, and entailing by negligence the death of two or more persons,

shall be punishable by deprivation of liberty for a term up to seven years.

#### **Article 269. Violation of Safety Rules During the Construction, Operation, or Repair of Trunk Pipelines**

1. Violation of safety rules during the construction, operation, or repair of trunk pipelines, if this act has involved by negligence the infliction of grave injury to human health,

shall be punishable by restraint of liberty for a term of up to four years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

2. The same act, which has entailed by negligence the death of a person,

shall be punishable by deprivation of liberty for a term of up to five years.

3. The act provided for in the first part of this Article, and entailing by negligence the death of two or more persons,

shall be punishable by deprivation of liberty for a term up to seven years.

### **Article 270. Failure of a Ship Master to Render Assistance to People in Distress**

Failure of a ship master to render assistance to people in distress at sea or in any other water route, if this assistance could be rendered without a serious threat to his ship, its crew, and passengers,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by restraint of liberty for a term of up to three years, or by deprivation of liberty for a term of up to two years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

### **Article 271. Violation of the Rules for International Flights**

Non-observance of routes, landing places, air gate-ways, flight altitudes, or any other violation of the rules of international flights,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by restraint of liberty for a term of up to two years, or by arrest for a term of up to six months, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

## **Chapter 28. Crimes in the Sphere of Computer Information**

### **Article 272. Illegal Accessing of Computer Information**

1. Illegal accessing of legally-protected computer information, that is, information on machine-readable media, in computers, computer systems, and their networks, if this deed has involved the destruction, blocking, modification, or copying of information, or the disruption of the work of the computers, computer systems, or their networks,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by corrective labour for a term of six to twelve months, or by deprivation of liberty for a term of up to two years.

2. The same deed, committed by a group of persons in a preliminary conspiracy or by an organized group, or by a person through his official position, and likewise by a person who has access to computers, computer systems, or their networks,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by corrective labour for a term of one to two years, or by deprivation of liberty for a term of up to five years.

### **Article 273. Creation, Use, and Dissemination of Harmful Computer Viruses**

1. Creation of computer viruses for the introduction of changes to existing programmes, which knowingly leads to the unsanctioned destruction, blocking, modification, or copying of information, the disruption of the work of computers, computer systems, or their networks, and also the use or dissemination of such viruses or machine-readable media with such viruses,

shall be punishable by deprivation of liberty for a term of up to three years, with a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months.

2. The same acts, which have involved by negligence grave consequences,

shall be punishable by deprivation of liberty for a term of three to seven years.

### **Article 274. Violation of Rules for the Operation of Computers, Computer Systems, or Their Networks**

1. Violation of rules for the operation of computers, computer systems, or their networks by a person who has access to computers, computer systems, or their networks, which has involved the destruction, blocking, or modification of legally-protected computer information, if this act has inflicted substantial damage,

shall be punishable by disqualification to hold specified offices or to engage in specified activities for a term of up to five years, or by compulsory works for a term of 180 to 240 hours, or by restraint of liberty for a term of up to two years.

2. The same act, which has involved by negligence grave consequences,

shall be punishable by deprivation of liberty for a term of up to four years.

## **Section X. Crimes Against State Power**

### **Chapter 29. Crimes Against the Fundamentals of the Constitutional System and State Security**

#### **Article 275. High Treason**

High treason, that is espionage, disclosure of state secrets, or any other assistance rendered to a foreign State, a foreign organization, or their representatives in hostile activities to the detriment of the external security of the Russian Federation, committed by a citizen of the Russian Federation,

shall be punishable by deprivation of liberty for a term of 12 to 20 years with or without a fine in the amount of up to 500 thousand roubles or in the amount of the age or salary, or other income of the convicted person for a period of up to three years.

Note: A person who has committed crimes stipulated in this Article, or by Articles 276 and 278 of this Code, shall be relieved from criminal responsibility if he has facilitated the prevention of further damage to the interests of the Russian Federation by informing the governmental authorities of his own free will and in due time, or in any other way, if his actions contain no other *corpus delicti*.

#### **Article 276. Espionage**

Transfer, and also collection, theft, or keeping for the purpose of transfer to a foreign state, a foreign organization, or their representatives of information constituting a state secret, and also transfer or collection of other information under the order of a foreign intelligence service, to the detriment of the external security of the Russian Federation, if these deeds have been committed by a foreign national or a stateless person,

shall be punishable by deprivation of liberty for a term of 10 to 20 years.

Federal Law No. 73-FZ of July 21, 2004 amended Article 277 of the present Code

#### **Article 277. Encroachment on the Life of a Statesman or a Public Figure**

Encroachment on the life of a statesman or a public figure, committed for the purpose of terminating his government or any other political activity, or out of revenge for such activity (a terrorist act),

shall be punishable by deprivation of liberty for a term of 12 to 20 years, or by imprisonment for life, or by capital punishment.

#### **Article 278. Forcible Seizure of Power or Forcible Retention of Power**

Actions aimed at the forcible seizure of power or forcible retention of power in contravention of the Constitution of the Russian Federation, or aimed at the forcible change of the constitutional system of the Russian Federation,

shall be punishable by deprivation of liberty for a term of 12 to 20 years.

#### **Article 279. Armed Rebellion**

Organization of an armed rebellion or active participation in it for the purpose of overthrowing or forcibly changing the constitutional system of the Russian Federation, or of breaching the territorial integrity of the Russian Federation,

shall be punishable by deprivation of liberty for a term of 12 to 20 years.

## **Article 280. Public Appeals to the Performance of an Extremist Activity**

1. Public appeals to the performance of extremist activity -

shall be punishable by a fine in the amount up to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to two years, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to three years.

2. The same acts, committed with the use of the mass media,

shall be punishable by deprivation of liberty for a term up to five years entailing the deprivation of the right to hold certain jobs or engage in certain occupations for a term up to three years.

## **Article 281. Sabotage**

1. Perpetration of an explosion, arson, or of any other action aimed at the destruction or damage of enterprises, structures, communications and communication facilities, or vital supply facilities for the population, with the aim of subverting the economic security or the defence capacity of the Russian Federation,

shall be punishable by deprivation of liberty for a term of ten to 15 years.

2. The same deeds, committed by an organized group,

shall be punishable by deprivation of liberty for a term of 12 to 20 years.

## **Article 282. Incitement of Hatred or Enmity, as Well as Abasement of Human Dignity**

1. Actions aimed at the incitement of hatred or enmity, as well as abasement of dignity of a person or a group of persons on the basis of sex, race, nationality, language, origin, attitude to religion, as well as affiliation to any social group, if these acts have been committed in public or with the use of mass media,

shall be punishable by a fine in the amount of 100 to 300 minimum wages, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years, or by compulsory works for a term of up to 180 hours, or by corrective works for a term of up to one year, or by deprivation of liberty for a term of up to two years.

2. The same deeds committed:

a) with the use of violence or with the threat of its use;

b) by a person through his official position;

c) by an organized group, -

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by deprivation of the right to hold specified offices or to engage in specified activities for a term of up to five years, or by compulsory works for a term of 120 to 240 hours, or by corrective works for a term of one to two years, or by deprivation of liberty for a term of up to five years.

### **Article 282.1. Organizing an Extremist Community**

1. Creation of an extremist community, that is, of an organized group of persons for the preparation or for the performance, with the motives of the ideological, political, racial, national or religious hatred or enmity, as well as on the motives of hatred or enmity towards any one social group, of the crimes mentioned in Articles 148, 149, in the first and in the second parts of Article 213, in Articles 214, 243, 244, 280 and 282 of this Code (crimes with an extremist thrust), as well as the leadership of such an extremist community, of a part of it or of the structural subdivisions included into such community, and also setting up an association of the organizers, leaders or other representatives of the parts or of the structural subdivisions of such community for the purposes of elaboration of the plans and or the conditions for committing crimes with an extremist thrust -

- shall be punished with a fine in the amount of up to 200 thousand roubles, or in the amount of the wages or of other income of the convicted person for a period up to 18 months, or by the deprivation of the right to occupy definite posts or to engage in a definite activity for a term of up to five years, or by imprisonment for a term up to four years.

2. Participation in an extremist community -

- shall be punished with a fine in the amount up to 40 thousand roubles, or in the amount of the wages or of the other income of the convicted person for a period up to three months, or by imprisonment for a term of up to two years with the deprivation of the right to occupy specific posts or to engage in a specific kind of activity for a term of up to three years, or without any term.

Federal Law No. 73-FZ of July 21, 2004 amended the third part of Article 282.1 of the present Code

3. The actions envisaged in the first and second parts of the present Article committed by the person with the use of his official status, -

- shall be punished with a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wages or of other income of the convicted person for a period of one



to two years, or by imprisonment for a term of up to six years with the deprivation of the right to occupy specific posts or to engage in a specific kind of activity for a term of up to three years.

Note. A person who voluntarily stops his participation in an extremist community shall be relieved of criminal liability unless a different corpus delicti is contained in his actions.

### **Article 282.2. Organizing the Activity of an Extremist Community**

1. Organizing the activity of a public or religious association or of another organization, with respect to which the court has adopted an already enforced decision on the liquidation the prohibition of the activity in connection with the performance of an extremist activity -

- shall be punished with a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wages or of other income of the convicted person for a period of one to two years, or by the arrest for a term from four to six months, or by imprisonment for a term of up to three years.

2. Participation in the activity of a public or religious association or of another organization, towards which the court has adopted the already enforced decision on the liquidation or on prohibition of the activity in connection with the performance of an extremist activity, -

- shall be punished with a fine in the amount up to 200 thousand roubles, or in the amount of the wages or other income of the convicted person for a period up to 18 months, or by the arrest for a term of up to four months, or by the deprivation of freedom for a term of up to two years.

Note. A person who has voluntarily ceased participation in the activity of a public or religious association or of another organization, towards which the court has passed an already enforced decision on the liquidation or prohibition of the activity in connection with the performance of an extremist activity, shall be relieved of criminal liability, unless a different corpus delicti is contained in his activity.

### **Article 283. Disclosure of a State Secret**

1. Disclosure of information comprising a state secret, by a person to whom it has been entrusted or to whom it has become known through his office or work, if this information has become the property of other persons, in the absence of the characteristic features of high treason,

shall be punishable by arrest for a term of four to six months, or by deprivation of liberty for up to four years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

2. The same deed, which involved through negligence grave consequences,

shall be punishable by deprivation of liberty for a term of three to seven years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years.

#### **Article 284. Loss of Documents Containing State Secrets**

Violation by a person who has access to state secrets of the rules for dealing with documents containing state secrets, and with objects, information about which comprises a state secret, if this has involved by negligence their loss and the onset of grave consequences,

shall be punishable by restraint of liberty for a term of up to three years, or by arrest for a term of up to three years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

### **Chapter 30. Crimes Against State Power and the Interests of the Civil Service and the Service in Local Self-government Bodies**

#### **Article 285. Abuse of Official Powers**

1. Use by an official of his powers, contrary to the interests of the civil service, if this deed has been committed out of mercenary or any other personal interests and has involved a substantial violation of the rights and lawful interests of individuals or organizations, or the legally-protected interests of the society or the State,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by disqualification to hold specified offices or to engage in specified activities for a term of up to five years, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to four years.

2. The same deed, committed by a person who holds a public office of the Russian Federation or a public office of a subject of the Russian Federation, or by the head of a local self-government body,

shall be punishable by fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by deprivation of liberty for a term of up to seven years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

3. Deeds provided for in the first or second part of this Article, and entailing grave consequences,

shall be punishable by deprivation of liberty for a term of up to 10 years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years.

Notes:

1. Persons who discharge the functions of a representative of government on a permanent or temporary basis, or by special authority, or who perform organizing and regulative, administrative, and economic functions in state bodies, local self-government bodies, governmental and municipal institutions, and also in the Armed Forces of the Russian Federation, in other troops, and military formations of the Russian Federation are deemed to be officials in the Articles of this Chapter.

2. Persons holding offices established by the Constitution of the Russian Federation, by federal constitutional laws, and federal laws for the direct exercise of the powers of state agencies are understood in the Articles of this Chapter and in other Articles of this Code as being persons holding government posts of the Russian Federation.

3. Persons who hold offices established by the constitutions or charters of subjects of the Russian Federation, for the direct exercise of the powers of state agencies, are understood in the Articles of this Code as being persons holding posts of subjects of the Russian Federation.

4. Civil servants and local self-government employees who are not included into the category of officials shall bear criminal responsibility under the Articles of the Chapter in cases, specially provided for by the corresponding Articles.

#### **Article 285.1. Spending Budgetary Funds for the Wrong Purposes**

1. Spending on a large scale budgetary funds by an official of the beneficiary for purposes not complying with the terms of their receipt, which are determined by an approved budget, budget list, a notice on budget allocations, an estimate of receipts and expenditures or by any other document serving as a basis for receiving budgetary funds, -

shall be punishable by a fine in the amount of 100 to 300 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to two years with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

2. The same deed committed:

a) by a group of persons in a preliminary conspiracy;

b) on an especially large scale -

shall be punishable by a fine in the amount of 200 thousand to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by deprivation of liberty for a term of up to five years with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

Note. A large scale amount shall mean in this Article, as well as in Article 285.2 of this Code, the amount of budgetary funds exceeding one million 500 thousand roubles, while an especially large amount - seven million 500 thousand roubles.

### **Article 285.2. Spending Assets of State Non-Budgetary Funds for the Wrong Purposes**

1. Spending on a large scale assets of state non-budgetary funds by an official for the purposes not complying with the terms determined by the laws of the Russian Federation regulating their activities and with budgets of said funds -

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by an arrest for a term of four to six months, or by deprivation of liberty for a term of up to two years with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

2. The same deed committed:

a) by a group of persons in a preliminary conspiracy;

b) on an especially large scale -

shall be punishable by a fine in the amount of 200 thousand to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by deprivation of liberty for a term of up to five years with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

### **Article 286. Exceeding Official Powers**

1. Commission by an official of actions which transcend the limits of his powers and which involve a substantial violation of the rights and lawful interests of individuals or organizations, or the legally-protected interests of society and the State,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by disqualification to hold specified offices or to engage in specified activities

for a term of up to five years, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to four years.

2. The same deed, committed by a person holding a government post of the Russian Federation or a government post of a subject of the Russian Federation, or by the head of a local self-government body,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years months, or by deprivation of liberty for a term of up to seven years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

3. Deeds stipulated by the first or second part of this Article, if they have been committed:

- a) with the use of violence or with the threat of its use;
- b) with the use of arms or special means;
- c) with the infliction of grave consequences,

shall be punishable by deprivation of liberty for three to ten years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years.

### **Article 287. Refusal to Submit Information to the Federal Assembly of the Russian Federation or to the Audit Office of the Russian Federation**

1. Illegitimate refusal to submit information (documents, materials), or evasion of this duty, and also submission of obviously incomplete or false information to the Federation Council of the Federal Assembly of the Russian Federation, the State Duma of the Federal Assembly of the Russian Federation, or the Audit Office of the Russian Federation, if these acts have been committed by an official who is duty-bound to submit such information,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by disqualification to hold specified offices or to engage in specified activities for a term of two to five years, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to three years.

2. The same acts, committed by a person who holds a government post of the Russian Federation or a government post of a subject of the Russian Federation,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a

period of one to two years, or by deprivation of liberty for a term of up to five years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

3. Acts stipulated in the first or second part of this Article, if they:

- a) are attended by the concealment of transgressions committed by officials of organs of state power;
- b) have been committed by a group of persons in a preliminary conspiracy, or by an organized group;
- c) have involved grave consequences,

shall be punishable by deprivation of liberty for a term of four to eight years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years.

#### **Article 288. Acquisition of an Office-bearer's Powers**

Acquisition by a civil servant or a local self-government employee, who is not an office-bearer, of the powers of the office-bearer, and subsequent performance by him of related actions which have involved the substantial breach of the rights and lawful interests of individuals and organizations,

shall be punishable by a fine in the amount up to 40 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to three months, or by compulsory works for a term of 120 to 180 hours, or by corrective labour for a term of up to two years, or by arrest or a term of up to three months.

#### **Article 289. Illegal Participation in Business Activity**

The establishment of an organization carrying out business activity, by a functionary, or participation in the management of such an organization in person or through a confident contrary to the ban established by the law, if these deeds are connected with the granting to such an organization of benefits and advantages, or with patronage in a different form,

shall be punishable by disqualification to hold specified offices or to engage in specified activities for a term of up to five years, with a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by compulsory works for a term of 180 to 240 hours, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years.

#### **Article 290. Bribe-taking**

1. Bribe-taking by a functionary, in person or through an intermediary, in the form of money, securities, or other assets or property benefits, for actions (inaction) in favour of a bribe-giver or the persons he represents, if the functionary then takes actions (inaction) which are part and parcel of the functionary's official powers, or if the latter, by virtue of his official position may further such actions (inaction), and also for overall patronage or connivance in the civil service,

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by deprivation of liberty for a term of up to five years, with deprivation to hold specified offices or to engage in specified activities for a term of up to three years.

2. Bribe-taking by a functionary for illegal actions (inaction)

shall be punishable by deprivation of liberty for a term of three to seven years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years.

3. Deeds provided for in the first or second part of this Article, and committed by a person who holds a government post of the Russian Federation or a government post of a subject of the Russian Federation, or by the head of a local self-government body,

shall be punishable by deprivation of liberty for a term of five to ten years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years.

4. Deeds stipulated in the first, second, or third parts of this Article, if they have been committed:

- a) by a group of persons in a preliminary conspiracy, or by an organized group;
- b) abolished
- c) with extortion of a bribe;
- d) on a large scale,

shall be punishable by deprivation of liberty for a term of seven to twelve years, with or without a fine in the amount of up to one million roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to five years.

Note: a sum of money, the value of securities, other assets, or property benefits exceeding 150 thousand roubles shall be deemed by a bribe on a large scale.

## **Article 291. Bribe-giving**

1. Bribe-giving to a functionary, in person or through a mediator,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by corrective labour for a term of one to six months, or by arrest for a term of three up to six months, or by deprivation of liberty for a term of up to three years.

2. Bribe-giving to a functionary for the commission of known illegal actions (inactions),

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by deprivation of liberty for a term of up to eight years.

Note: A person who has given a bribe shall be released from criminal responsibility if the bribe has been extorted by a functionary or if the person has informed of his own free will the body possessing the right to institute criminal proceedings about the fact of the bribe-giving.

#### **Article 292. Official Forgery**

Official forgery, that is, the introduction of known false information into official documents by a functionary, and also by a civil servant or a local self-government employee, who is not a functionary, and likewise the introduction of corrections into said documents distorting their actual content, if these acts have been committed due to mercenary or any other personal interests,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of one to two years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years.

#### **Article 293. Neglect of Duty**

1. Neglect of duty, that is, the non-discharge by a functionary of his duties due to a dishonest and careless attitude to civil service, if this has involved the infliction of major damage,

shall be punishable by a fine in the amount up to 120 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to one year, or by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of six to twelve months, or by arrest for a term of up to six months.

2. The same act, which has involved by negligence the infliction of major damage to human health or the death of a person,



shall be punishable by deprivation of liberty for a term of up to five years with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

3. The deed provided for by Part One of this Article which has entailed by negligence the death of two or more persons -

shall be punishable by deprivation of liberty for a term of up to seven years with or without deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years.

Note. "Major damage" shall mean in this Article damage in an amount exceeding 100 thousand roubles.

### **Chapter 31. Crimes Against the Administration of Justice**

#### **Article 294. Obstruction of the Administration of Justice and of Preliminary Investigations**

1. Interference in any form in the functioning of the Court, for the purpose of obstructing the administration of justice,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years.

2. Interference in any form in the activity of a procurator, investigator, or a person conducting inquests for the purpose of obstructing the all-round, full, and objective investigation of a case,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by compulsory works for a term of 180 to 240 hours, or by arrest for a term of three to six months.

3. Deeds stipulated in the first or second part of this Article, and committed by a person using his official position,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years months, or by deprivation of liberty for a term of up to four years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

Federal Law No. 73-FZ of July 21, 2004 amended Article 295 of the present Code

**Article 295. Encroachment on the Life of a Person Administering Justice or Engaged in a Preliminary Investigation**

Encroachment on the life of a judge, juror, or any other person participating in the administration of justice, of a procurator, investigator, a person conducting an inquest, a defence lawyer, a forensic expert, a specialist, a bailiff, or officer of justice, and also of their relatives, in connection with the examination of cases or materials in court, with the preliminary investigation or the execution of a court's judgement or decision, or any other judicial act, accomplished for the purpose of obstructing the lawful activity of said persons or out of revenge for such activity,

shall be punishable by deprivation of liberty for a term of 12 to 20 years, or by deprivation of liberty for life, or by capital punishment.

**Article 296. Threats or Forcible Actions in Connection with the Administration of Justice or Preliminary Investigation**

1. Threats of murder, infliction of injury to human health, or destruction or damage of property against a judge, juror, or any other person participating in the administration of justice, and also against their relatives, in connection with the examination of cases or materials in court,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by deprivation of liberty for a term of up to three years.

2. The same deed, committed against a procurator, investigator, a person conducting inquests, defence lawyer, forensic expert, a specialist, bailiff, or officer of justice, and also against their relatives, in connection with the preliminary investigation, the examination of cases or materials in court, or in connection with the execution of a court's judgement or decision, or any other judicial act,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years.

3. Deeds stipulated in the first or second part of this Article, and committed with the use of violence that provides no danger to human life or health,

shall be punishable by deprivation of liberty for a term of up to five years.

4. Deeds provided for in the first or second part of this Article, and committed with the use of violence endangering human life or health,

shall be punishable by deprivation of liberty for a term of five to ten years.

### **Article 297. Contempt of Court**

1. Contempt of court, which finds expression in the insult of the trial participants,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by compulsory works for a term of 180 to 240 hours, or by arrest for a term of two to four months.

2. The same deed, that has found its expression in the insult of a judge, juror, or any other person participating in the dispensation of justice,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by corrective labour for a term of one to two years, or by arrest for a term of four to six months.

### **Article 298. Slander Against a Judge, Juror, Procurator, Investigator, a Person Conducting Inquests, Bailiff, or Officer of the Court**

1. Slander against a judge, juror, or any other person taking part in the dispensation of justice, in connection with the examination of cases or materials in court,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by corrective labour for a term of one to two years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years.

2. The same deed, committed against a procurator, investigator, a person conducting inquests, bailiff, or officer of justice, in connection with a preliminary investigation or with the execution of a court's sentence or decision, or any other judicial act,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by corrective labour for a term of up to two years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years.

3. Deeds stipulated in the first or second part of this Article, and joined with the accusation of a person of committing a grave or especially grave crime,

shall be punishable by deprivation of liberty for a term of up to four years.

### **Article 299. Knowingly Bringing an Innocent Person to Criminal Responsibility**

1. Knowingly bringing an innocent person to criminal responsibility

shall be punishable by deprivation of liberty for a term of up to five years.

2. The same deed, joined with the accusation of a person of committing a grave or especially grave crime,

shall be punishable by deprivation of liberty for a term of three to five years.

### **Article 300. Illegal Release from Criminal Responsibility**

Illegal release from criminal responsibility of a person suspected or accused of committing a crime, by a procurator, investigator, or a person conducting inquests,

shall be punishable by deprivation of liberty for a term of two to seven years.

### **Article 301. Illegal Detention, Taking into Custody, or Keeping in Custody**

1. Knowingly illegal detention

shall be punishable by restraint of liberty for a term of up to three years, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to two years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

2. Knowingly illegal taking into custody or keeping in custody

shall be punishable by deprivation of liberty for a term of up to four years.

3. Deeds stipulated in the first or second part of this Article, and entailing grave consequences,

shall be punishable by deprivation of liberty for a term of three to eight years.

### **Article 302. Compulsion to Give Evidence**

1. Compulsion to give evidence used with regard to a subject, defendant, victim, or witness, or coercion of an expert, a specialist to make a report or to give evidence through the application of threats, blackmail, or other illegal actions, by an investigator or a person conducting inquests, as well as by other person with the knowledge or a tacit consent of the investigator or the person conducting inquests,

shall be punishable by deprivation of liberty for a term of up to three years.

2. The same act, joined with the use of violence, mockery, or torture, shall be punishable by deprivation of liberty for term of two to eight years.

### **Article 303. Falsification of Evidence**

1. Falsification of evidence in a civil case, by a person who takes part in this case or by his representative,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years, or by corrective labour for a term of one to two years, or by arrest for a term of two to four months.

2. Falsification of evidence in a criminal case, by a person who conducts inquests, an investigator, procurator, or defence lawyer,

shall be punishable by deprivation of liberty for a term of up to three years, with disqualification to hold specified offices to engage in specified activities for term of up to three years.

3. Falsification of evidence in a criminal case about a grave or especially grave crime, and also falsification of evidence which has involved serious consequences,

shall be punishable by deprivation of liberty for a term of three to seven years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years.

#### **Article 304. Provocation of a Bribe, or Commercial Graft**

Provocation of a bribe or commercial graft, that is, attempts to transfer money, securities, or other assets, or to render property-related services to a functionary or a person fulfilling managerial functions in profit-making and other organizations, for the purpose of artificially manufacturing evidence of a crime of blackmail,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by deprivation of liberty for a term of up to five years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

#### **Article 305. Knowingly Giving an Unjust Judgement, Decision, or any Other Juridical Act**

1. Delivery by a judge (judges) of a knowingly unjust judgement, decision, or any other juridical act,

shall be punishable by a fine in the amount up to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to two years, or by deprivation of liberty for a term of up to four years.

2. The same deed, related to the delivery by a court of law of an unjust sentence of deprivation of liberty, or entailing other serious consequences,

shall be punishable by deprivation of liberty for a term of three to ten years.

### **Article 306. Knowingly False Denunciation**

1. Knowingly false denunciation about a crime

shall be punishable by a fine in the amount up to 120 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to one year, or by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of one to two years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years.

2. The same deed, joined with the accusation of a person of committing a grave or especially grave crime,

shall be punishable by a fine in the amount of 100 thousand to 300 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of one to two years or by deprivation of liberty for a term of up to three years.

3. The deeds provided for by Parts One and Two of this Article linked with artificial creation of the prosecution evidence -

shall be punishable by deprivation of liberty for a term of up to six years.

### **Article 307. Knowingly False Testimony, Opinion of an Expert or Specialist, or Mistranslation**

1. Knowingly false testimony of a witness, a victim or an expert's opinion or testimony, evidence of a specialist and also knowing mistranslation in court, or in a preliminary investigation,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of up to two years, or by arrest for a term of up to three months.

2. The same acts, joined with the accusation of a person of the commission of a grave or especially grave crime,

shall be punishable by deprivation of liberty for a term of up to five years.

Note: A witness, victim, expert, specialist, or interpreter shall be relieved from criminal responsibility if they of their own free will have stated that their testimony or opinion was

false, or that interpretation was knowingly given wrongly in the course of an inquest, preliminary investigation, or court hearing.

### **Article 308. Refusal of a Witness or a Victim to Give Testimony**

Refusal of a witness or a victim to give testimony

shall be punishable by a fine in the amount up to 40 thousand roubles, or in the amount of the wage or salary, or any other income of convicted person for a period up to three months, or by compulsory works for a term of 120 to 180 hours, or by corrective labour for a term of up to one year, or by arrest for a term of up to three months.

Note: A person shall not be liable to criminal responsibility for the refusal to give testimony against himself, his spouse, or his close relatives.

### **Article 309. Bribery or Compulsion for Giving Testimony or for Evading Giving Testimony, or for Mistranslating**

1. Bribery of a witness or victim to give false testimony, or of an expert or specialist to give a false opinion or false testimony, or of an interpreter to make a mistranslation,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of up to two years, or by arrest for a term of up to three months.

2. Compulsion of a witness or victim to give false testimony, or of an expert or specialist to give a false opinions, or of an interpreter to make a mistranslation, and also compulsion of said persons to evade giving testimony, joined with blackmail or threat of murder, infliction of injury to human health, or destruction or damage of the property of these persons or of their relatives,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to three years.

3. Acts provided for in the second part of this Article, and committed by an organized group, with the use of violence that does not endanger the lives or health of said persons,

shall be punishable by deprivation of liberty for a term of up to five years.

4. Acts stipulated in the first or second part of this Article, and committed by an organized group, or with the use of violence that endangers the lives and health of said persons,

shall be punishable by deprivation of liberty for a term of three to seven years.

#### **Article 310. Disclosure of the Data of a Preliminary Investigation**

Disclosure of the data of a preliminary investigation, by a person who is warned in the statutory manner that it is impermissible to disclose this information, if this act has been committed without the consent of a procurator, investigator, or a person conducting inquests,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the account of the wage or salary, or any other income of the convicted person for a period up to six months, or by corrective labour for a term of up to two years, or by arrest for a term of up to three months.

#### **Article 311. Disclosure of Information About Security Measures Applicable to the Judge and Other Participants in a Criminal Trial**

1. Disclosure of information about security measures applicable to a judge, juror, or any other person who takes part in the administration of justice, a bailiff, officer of the court, victim, witness, or other participants in a criminal trial, or applicable to their relatives, if this act has been committed by a person to whom this information has been entrusted or to whom this information has become known in connection with his official activity,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by restraint of liberty for a term of up to two years, or by arrest for a term of up to four months.

2. The same act, that has involved serious consequences,

shall be punishable by deprivation of liberty for a term of up to five years.

#### **Article 312. Illegal Actions Against Property Subjected to Inventory or Attachment, or Confiscation**

1. Embezzlement, alienation, concealment, or illegal transfer of assets subjected to inventory or attachment, which has been committed by a person to whom these assets were entrusted, and also the use by an employee of a credit organization of banking operations with frozen funds (deposits),

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by compulsory works for a term of 180 to 240 hours, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years.



2. Concealment or misappropriation of property subject to confiscation under a court's judgement, and also any other evasion of the execution of the court's sentence that has come into legal force about the confiscation's purpose,

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles, or any other income of the convicted person for a period of one to three years, or by deprivation of liberty for a term of up to three years, with a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to six month.

### **Article 313. Escape from a Place of Confinement, Arrest, or Custody**

1. Escape from a place of confinement, arrest, or custody, committed by a person who is serving a sentence or is imprisoned before trial,

shall be punishable by deprivation of liberty for a term of up to three years.

2. The same deed committed by a group of persons in a preliminary conspiracy or by an organized group -

shall be punishable by deprivation of liberty for a term of up to five years.

3. The deeds provided for by Parts One or Two of this Article which are committed with the application of violence posing danger to human life or health, or with the threat of applying such violence, as well as with the use of weapons or articles used as weapons -

shall be punishable by deprivation of liberty for a term of up to eight years.

### **Article 314. Evasion of a Serving of Deprivation of Liberty**

Failure to return, by a person convicted to deprivation of liberty, who is permitted to leave his place of confinement for a time, or who is given respite or deferral of punishment, upon the expiry of the term of departure or respite,

shall be punishable by deprivation of liberty for a term of up to two years.

### **Article 315. Non-execution of a Court's Judgement, Decision, or any Other Juridical Act**

Wilful non-execution of the court's judgement, decision, or any other juridical act, and also obstruction of their execution by a representative of the authority, a civil servant, local self-government employee, or employee of a state municipal body or profit-making or any other organization,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18

months, or by disqualification to hold specified offices or to engage in specific activities for a term of up to five years, or by compulsory works for a term of 180 to 240 hours, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years.

### **Article 316. Concealment of Crimes**

Concealment of especially grave crimes, which was not promised in advance,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years.

Note: A person shall not be liable to criminal responsibility for the concealment of a crime committed by his spouse or close relative, under this concealment was promised in advance.

## **Chapter 32. Crimes Against Administration Procedure**

Federal Law No. 73-FZ of July 21, 2004 amended Article 317 of the present Code

### **Article 317. Encroachment on the Life of an Officer of a Law-enforcement Agency**

Encroachment on the life of an officer of a law-enforcement body, or of a serviceman, and also of their relatives, for the purpose of obstructing the lawful activity of said persons to protect the public order and security, or out of vengeance for such activity,

shall be punishable by deprivation of liberty for a term of twelve to twenty years, or by life imprisonment, or by capital punishment.

### **Article 318. Use of Violence Against a Representative of the Authority**

1. Use of violence that does not endanger human life or health, or threats to use violence against a representative of the authority, or his relatives, in connection with the discharge by his official duties,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to five years.

2. The use of violence endangering the lives or health of the persons referred to in the first part of this Article

shall be punishable by deprivation of liberty for a term of five to ten years.

Note: A public officer of a law-enforcement or controlling body, and also other public officials vested in the statutory order with regulatory powers in respect of persons who are not dependent on them by virtue of employment, shall be deemed to be a representative of the authority in this and other Articles of the present code.

### **Article 319. Insult of a Representative of the Authority**

Public insult of a representative of the authority during the discharge by him of his official duties, or in connection with their discharge,

shall be punishable by a fine in the amount up to 40 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months, or by compulsory works for a term of 120 to 180 hours, or by corrective labour for a term of six to twelve months.

### **Article 320. Disclosure of Information About Security measures Protecting a Public Officer of a Law-enforcement or Controlling Agency**

1. Disclosure of information about security measures protecting a public officer of a law-enforcement or controlling body, and also protecting his relatives, if this deed has been committed to obstruct his official activity,

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by arrest for a term of up to four months.

2. The same deed, which has involved serious consequences,

shall be punishable by deprivation of liberty for a term up to five years.

### **Article 321. Desorganization of the Activity of Institutions Providing the Isolation from Society**

1. The application of violence, not dangerous for the convict's life and health, or the threat of the application of violence with respect to him in order to prevent the convict's reformation or by way of revenge for his rendering assistance to the administration of the institution or of the body of the criminal-executive system -

- shall be punished by the deprivation of freedom for a term of up to five years.

2. The actions mentioned in the first part of this Article, committed with respect to a worker of the place of the deprivation of freedom or of the place of keeping under arrest in connection with the performance of his official activity, or with respect to his close relatives - shall be punished by the deprivation of freedom for a term of up to five years.

3. The actions mentioned in the first and the second parts of this Article, committed by an organized group or with the use of violence dangerous for the life or health - shall be punished by the deprivation of freedom for a term of from five to twelve years.

### **Article 322. Illegal Crossing of the State Border of the Russian Federation**

1. The crossing of the State Border of the Russian Federation without valid documents for the right of entry into and exit from the Russian Federation or without a permit obtained in the procedure established by the legislation of the Russian Federation -

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by deprivation of liberty for a term of up to two years.

2. Illegal crossing of the State Border of the Russian Federation, committed by a group of persons in a preliminary conspiracy, or by an organized group, or with the use of violence or threats of its use,

shall be punishable by deprivation of liberty for a term of up to five years.

Note: The present Article shall not extend to cases of arrival in the Russian Federation in breach of the rules for crossing the State Border of the Russian Federation by foreign national or stateless persons, for the use of the right of political asylum, in according with the Constitution of Russian Federation, unless the actions of these persons contain a different corpus delicti.

Federal Law No. 187-FZ of December 28, 2004 supplemented this Code with Article 322.1. The amendments shall enter into force 30 days following its official publication date

### **Article 322.1. Organization of Illegal Migration**

1. Organization of illegal entry into the Russian Federation of foreign citizens or stateless persons, their illegal stay in the Russian Federation or illegal transit travel through the Russian Federation territory,

shall be punishable by a fine in the amount of up to two hundred thousand roubles or in the amount of a wage or salary or other income of the convicted person for a period of eighteen months, or obligatory labor for up to hundred eighty hours, or by corrective labor for a period from six months to one year, or by deprivation of liberty for the term up to two years.

2. The same actions committed:

a) by an organized group;

b) with the view of committing a crime on the Russian Federation territory,

shall be punishable by deprivation of liberty for the term of from two to five years with or without the fine in the amount of five hundred thousand roubles or in the amount of a wage or salary or other income of the convicted person for a period of three years.

### **Article 323. Illicit Alteration of the State Border of the Russian Federation**

1. Withdrawal, shifting, or destruction of boundaries, for the purpose of illicitly changing the State Border of the Russian Federation,

shall be punishable by restraint of liberty for a term of up to three years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years.

2. The same acts, entailing serious consequences,

shall be punishable by deprivation of liberty for a term of up to four years.

### **Article 324. Acquisition or Sale of Official Documents and Government Awards**

Illegal acquisition or sale of official documents which grant rights or release from duties, and also of government awards of the Russian Federation, the RSFSR, and the USSR,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by corrective labour for a term of up to one year, or by arrest for a term of up to three months.

### **Article 325. Theft or Damage of Documents, Stamps, and Seals or the Stealing of Excise Tax Marks, Special Marks or Marks of Conformance**

1. Theft, destruction, damage, or concealment of documents, stamps or seals, committed out of mercenary or any other personal interest,

shall be punishable by a fine the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by corrective labour for a term of up to two years, or by arrest for a term of up to four months, or by deprivation of liberty for a term of up to one year.

2. Theft of a passport or any other important personal document from an individual

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by corrective labour for a term of up to one year, or by arrest for a term of up to three months.

3. The stealing of excise tax marks, special marks or marks of conformance, -

shall be punishable by fine in the amount up to 200 thousand roubles, or in the amount of salary or any other income of the convicted person earned over the period up to 18 months or by the deprivation of liberty for a term of up to two years.

**Article 326. Forgery or Destruction of the Identification Number-plate of a Motor Vehicle**

1. Forgery or destruction of the identification number-plate, the number of the chassis, undercarriage, or engine, and also forgery of the state registration plate of a transport vehicle for the purpose of operating or selling a car, and likewise sale of a transport vehicle with a known forged identification number-plates, the numbers on the chassis, undercarriage, engine, or with knowingly forged state registration plates, or a sale of a hull, chassis, engine with an obviously counterfeit number -

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by corrective labour for a term of up to two years, or by restraint of liberty for a term of up to two years.

2. The same acts, committed by a group of persons in a preliminary conspiracy, or by an organized group,

shall be punishable by corrective labour for a term of up to two years, or by deprivation of liberty for a term of up to four years.

**Article 327. Forgery, Manufacture, or Sale of Falsified Documents, Government Awards, Stamps, Seals, and Forms**

1. Forgery of an identification card or any other official document which gives the rights and releases from duties, for the purpose of the use or sale of said document, and likewise manufacture for the same purposes or sale of falsified government awards of the Russian Federation, the RSFSR, and the USSR, or of stamps, seals, and forms,

shall be punishable by restraint of liberty for a term of up to two years.

2. The same deeds, committed for the purpose of concealing another crime or facilitating its commitment,

shall be punishable by deprivation of liberty for a term of up to four years.

3. Use of a knowingly forged document

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six

months, or by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of up to two years, or by arrest for a term of three to six months.

#### **Article 327.1. Production, Realization of Forged Marks of Excise Tax, Special Marks or Marks of Conformance or the Use Thereof**

1. Production with the purpose to realize or the realization of forged marks of excise tax, special marks or marks of conformance, all above forgery-proof,

shall be punishable by fine in the amount of 100 thousand to 300 thousand roubles, or in the amount of salary or any other income of the convicted person earned over the period of one to two years or by the deprivation of liberty for a term of up to three years.

2. Knowing utilization of forged marks of excise tax, special marks or marks of conformance, all above forgery-proof,

shall be punishable by fine in the amount of 100 thousand to 500 thousand roubles, or in the amount of salary or any other income of the convicted person earned over the period of one to three years or by the deprivation of liberty for a term of up to five years.

#### **Article 328. Evasion of Military or Alternative Civil Service**

1. Evasion of conscription in the absence of lawful grounds for release from the military service

shall be punishable by a fine in the amount up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to 18 months, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to two years.

2. Evasion of performing alternative civil service, by persons released from military service, shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by compulsory works for a term of 180 to 240 hours, or by arrest for a term of three to six months.

#### **Article 329. Outrages upon the National Emblem of the Russian Federation, or the State Flag of the Russian Federation**

Outrages upon the National Emblem of the Russian Federation, or State Flag of the Russian Federation,

shall be punishable by restraint of liberty for a term of up to two years, or by arrest for a term of three to six months, or by deprivation of liberty for a term of up to one year.

#### **Article 330. Arbitrariness**

1. Arbitrariness, that is the unauthorized commission of actions contrary to the order presented by a law or any other normative legal act, actions whose lawfulness is contested by an organization or individual, if such actions have inflicted substantial harm,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by compulsory works for a term of 180 to 240 hours, or by corrective labour for a term of one to two years, or by arrest for a term of three to six months.

2. The same deed, committed with the use of violence or with the threat if its use,

shall be punishable by restraint of liberty for a term of up to three years, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to five years.

## **Section XI. Crimes Against Military Service**

### **Chapter 33. Crimes Against Military Service**

#### **Article 331. Concept of Crimes Against Military Service**

1. Crimes against the established order of military service, covered by the present chapter and committed by servicemen who have been drafted or enlisted under a contract in the Armed Forces of the Russian Federation in troops and military formations of the Russian Federation, and also by reservists during training assemblies, shall be deemed to be crimes against military service.

2. In keeping with the Articles of this Chapter, criminal responsibility shall be borne by military engineers who have been enrolled in military-construction squads (units) of the Ministry of Defence of the Russian Federation, other ministries, and government departments of the Russian Federation.

3. Criminal responsibility for crimes against military service, committed in wartime or in a military situation, shall be determined by the wartime laws of the Russian Federation.

#### **Article 332. Failure to Execute an Order**

1. Failure to execute a superior's lawful order by a subordinate, if it has caused substantial harm to the interests of military service,

shall be punishable by restriction in military service for a term of up to two years or by arrest, for a term of six months, or by custody in a disciplinary military unit for a term of up to two years.

2. The same deed, committed by a group of persons, a group of persons in a preliminary conspiracy, or by an organized group, and also entailing severe consequences,



shall be punishable by deprivation of liberty for a term of up to five years.

3. Failure to execute an order, due to a careless or dishonest attitude to military service, if it has involved serious consequences,

shall be punishable by restriction in military service for a term of up to one year, or by arrest for a term of three to six months, or by custody in a disciplinary military unit for a term of up to two years.

### **Article 333. Resistance to a Superior or Compulsion of Another to Violate His Duties of Military Service**

1. Resistance to a superior, and also to another person who discharges the duties of military service, or compulsion of him to violate these duties, attended by violence or by threats to use it,

shall be punishable by restraint in military service for a term of up to two years, or by custody in a disciplinary military unit for a term of up to two years, or by deprivation of liberty for a term of up to five years.

2. The same deeds committed:

a) by a group of persons, a group in a preliminary conspiracy, or by an organized group;

b) with the use of arms;

c) with the infliction of grave injury or injury of average gravity to human health, or of other serious consequences,

shall be punishable by deprivation of liberty for a term of three to eight years.

### **Article 334. Violent Actions Against a Superior**

1. Beating of, or any other violence against a superior, committed during the discharge of the superior's duties of military service, or in connection with the execution of these duties,

shall be punishable by restriction in military service for a term of up to two years, or by custody in a disciplinary military unit for a term of up to two years, or by deprivation of liberty for a term of up to five years.

2. The same deeds committed:

a) by a group of persons, a group of persons in a preliminary conspiracy, or by an organized group;

b) with the use of weapons;

c) with the infliction of grave injury or injury of average gravity, or other serious consequences

shall be punishable by deprivation of liberty for a term of three to eight years.

**Article 335. Violation of Regulations for Mutual Relations Between Servicemen, in the Absence of Subordinating Relations Among Them**

1. Violation of regulations for mutual relations between servicemen, in the absence of subordinating relations among them, which is associated with debasement of human honour and dignity, or with mockery over the victim, or which is attended by violence,

shall be punishable by custody in a disciplinary military unit for a term of up to two years, or by deprivation of liberty for a term of up to three years.

2. The same deeds committed:

a) abolished

b) in respect of two or more persons;

c) by a group of persons, a group of persons in a preliminary conspiracy, or by an organized group;

d) with the use of weapons;

e) with the infliction of an injury of average gravity to human health,

shall be punishable by deprivation of liberty for a term of up to five years.

3. Deeds provided for in the first or second parts of this Article, and entailing serious consequences,

shall be punishable by deprivation of liberty for a term of up to ten years.

**Article 336. Insult of a Serviceman**

1. Insult by one serviceman of another serviceman during the discharge of their duties of military service, or in connection with the discharge of these duties,

shall be punishable by restriction in military service for a term of up to six months, or by custody in a disciplinary military unit for the same term.

2. Insult by a subordinate of his superior, and also insult by a superior of his subordinate during the discharge of their duties of military service, and in connection with the discharge of these duties,

shall be punishable by restriction in military service for a term of up to one year, or by custody in a disciplinary military unit for the same term.

### **Article 337. Unauthorized Abandonment of a Military Unit or a Place of Military Service**

1. Unauthorized abandonment of a military unit or a place of military service, and likewise failure to appear for service without valid reasons in case of discharge from a unit, appointment, or transfer, and also in case of absence for a business trip, annual leave, or from a medical establishment for a term of more than two days, and not more than ten days, if this deed has been committed by a serviceman undergoing military service after being drafted,

shall be punishable by arrest for a term of up to six months, or by custody in a disciplinary military unit for a term of up to one year.

2. The same deeds committed by a serviceman who is serving punishment in a disciplinary military unit,

shall be punishable by deprivation of liberty for a term of up to two years.

3. Unauthorized abandonment of a military unit or a place of military service, and likewise failure to appear for service on the due date without valid reasons for more than ten days, but not for more than one month, if this deed has been committed by a serviceman undergoing military service after being drafted, or under contract,

shall be punishable by restriction in military service for a term of up to two years, or by custody in a disciplinary military unit for a term of up to two years, or by deprivation of liberty for a term of up to three years.

4. Deeds stipulated in the third part of this Article, and having a duration of over one month,

shall be punishable by deprivation of liberty for a term of up to five years.

Note: A servicemen who has committed deeds stipulated in this Article may relieved from criminal responsibility, if unauthorized abandonment of his military unit has been necessitated by exceptional circumstances.

### **Article 338. Desertion**

1. Desertion, that is, the unauthorized abandonment of a military unit or a place of military service for the purpose of evading military service, and likewise failure to appear for service for the same purposes,

shall be punishable by deprivation of liberty for a term of up to seven years.

2. Desertion with arms entrusted in the military service, and likewise desertion committed by a group of persons in a preliminary conspiracy, or by an organized group,

shall be punishable by deprivation of liberty for a term of three to ten years.

Note: A serviceman who has for the first time committed desertion, as stipulated by the first part of this Article, may be released from criminal responsibility, if desertion has been necessitated by exceptional circumstances.

### **Article 339. Evasion of Military Service Duties by Pretending to Be Ill, or by Any Other Method**

1. Evasion by a serviceman of his military service duties, by pretending to be ill or by inflicting injury on himself (maiming himself), or by forging documents, or by some other fraud,

shall be punishable by restriction in military service for a term of up to one year, or by arrest for a term of up to six months, or by custody in a disciplinary military unit for a term of up to one year.

2. The same act, committed for the purpose of obtaining a full release from the discharge of military service duties,

shall be punishable by deprivation of liberty for a term of up to seven years.

### **Article 340. Violation of the Rules for Conducting Oneself on Combat Duty in Military Service**

1. Violation of the rules for conducting oneself on combat duty in military service, for revealing in time and repelling a surprise attack against the Russian Federation, or for safeguarding its security, if this deed has involved or might have involved the infliction of harm to the interests of state security,

shall be punishable by restriction in military service for a term of up to two years, or by custody in a disciplinary military unit for a term of up to two years, or by deprivation of liberty for a term of up to five years.

2. The same deed, which has involved serious consequences,

shall be punishable by deprivation of liberty for a term of up to ten years.

3. Violation of the rules for conducting oneself on combat duty in military service due to a careless or dishonest attitude to these rules, if this has involved serious consequences,

shall be punishable by restriction in military service for a term of up to two years, or by custody in a disciplinary military unit for a term of up to two years, or by deprivation of liberty for a term of up to three years.

#### **Article 341. Violation of the Rules for Bearing Frontier Service**

1. Violation of the rules for bearing frontier service, by a person who is a member a frontier detail or who discharges other duties of frontier service, if this deed has involved or might have involved the infliction of harm to the interest of state security,

shall be punishable by restriction in military service for a term of up to two years, or by custody in a disciplinary military unit for a term of up to two years, or by deprivation of liberty for a term of up to three years.

2. The same act, which has involved serious consequences,

shall be punishable by deprivation of liberty for a term of up to five years.

3. Violation of the rules for bearing frontier service, due to a careless or dishonest attitude to these rules, which has involved serious consequences,

shall be punishable by restriction in military service for a term of up to two years, or by custody in a disciplinary military unit for a term of up to two years, or by deprivation of liberty for a term of up to two years.

#### **Article 342. Violation of Regulations for Guard Duty**

1. Violation of regulations for guard duty, by a person who is a member of a guard (watch), if this deed has involved the infliction of harm to the facilities protected by the guard,

shall be punishable by restriction in military service for a term of up to two years, or by arrest for a term of up to six months, or by custody in a disciplinary military unit for a term of up to two years, or by deprivation of liberty for a term of up to two years.

2. The same deed, which has involved serious consequences,

shall be punishable by deprivation of liberty for a term of up to three years.

3. Violation of regulations for guard duty, due to a careless or dishonest attitude to these rules, if this has involved serious consequences,

shall be punishable by deprivation of liberty for a term of up to one year.

### **Article 343. Violation of the Rules for the Service of Protecting Public Order and Safeguarding Public Security**

1. Violation of the rules of service by a person who is a member of a military detail protecting public order and safeguarding public security, if this deed has inflicted harm to the rights and lawful interests of individuals,

shall be punishable by restriction in military service for a term of up to two years, or by arrest for a term of up to six months, or by custody in a disciplinary military unit for a term of up to two years, or by deprivation of liberty for a term of up to two years.

2. The same deed, which has involved serious consequences,

shall be punishable by deprivation of a liberty for a term up to five years.

### **Article 344. Violation of the Internal Service and Patrolling Regulations in a Garrison**

Violation of the internal service regulations by a person who is a member of the day detail of a unit (except for a guard or watch), and likewise violation of the patrolling regulations in a garrison by a person who is a member of a patrol detail, if these deeds have involved serious consequences,

shall be punishable by restriction in military service for a term of up to two years, or by arrest for a term of up to six months, or by custody in a disciplinary military unit for a term of up to two years.

### **Article 345. Abandonment of a Sinking Warship**

Abandonment of a sinking warship by its captain, who has not fulfilled his official duties to the end, and also by a person from the crew of the warship without a proper order from the captain,

shall be punishable by restriction in military service for a term of up to two years, or by custody in a disciplinary military unit for a term of up to two years, or by deprivation of liberty for a term of up to five years.

### **Article 346. Wilful Destruction or Damage of Military Equipment**

1. Wilful destruction or damage of weapons, ammunition, or military hardware, if this has involved serious consequences,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in amount of the wage or salary, or any other income of the convicted person for a period of up to six months, or by restriction in military service for a term of up to two years, or by arrest for

a term of up to three months, or by custody in a disciplinary military unit for a term of up to two years, or by deprivation of liberty for a term of up to two years.

2. The same acts, which have involved grave consequences,

shall be punishable by deprivation of liberty for a term of up to five years.

#### **Article 347. Destruction or Damage of Military Equipment by Negligence**

Destruction or damage of weapons, ammunition, or objects of war material, by negligence, that has entailed grave consequences,

shall be punishable by a fine of up to 200 thousand roubles or of the wages or any other income of the convicted person for a period of up to 18 months, or by restriction in military service for a period of up to two years, or by arrest for a period of up to six months, or by custody in a disciplinary military unit for a period of up to two years, or by deprivation of liberty for a period of up to two years.

#### **Article 348. Loss of Military Equipment**

Violation of the rules for preserving weapons, ammunition, and hardware entrusted for official use, if this has involved through negligence their loss,

shall be punishable by a fine in the amount up to 80 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to six months, or by restriction in military service for a term of up to two years, or by arrest for a term of up to six months, or by custody in a disciplinary military unit for a term of up to two years, or by deprivation of liberty for a term of up to two years.

#### **Article 349. Violation of the Rules for Handling Arms and Hazardous Materials**

Federal Law No. 73-FZ of July 21, 2004 amended the first part of Article 349 of the present Code

1. Violation of the rules for handling arms, ammunition, radioactive materials, explosives, or other substances and objects of increased hazard, if this has involved by negligence the infliction of grave injury to human health, the destruction of military hardware, or any other serious consequences,

shall be punishable by restriction in military service for a term of up to two years, or by custody in a disciplinary military unit for a term of up to two years.

2. The same act, which has involved by negligence the death of a person,

shall be punishable by deprivation of liberty for a term of up to five years.

3. An act envisaged by the first part of this Article, and entailing by negligence the death of two or more persons,

shall be punishable by deprivation of liberty for a term of up to ten years.

#### **Article 350. Violation of the Rules for Driving or Operating Cars or Lorries**

Federal Law No. 73-FZ of July 21, 2004 amended the first part of Article 350 of the present Code

1. Violation of the rules for driving or operating a combat, special, or honor transport vehicle, which has involved by negligence the infliction of grave injury to human health,

shall be punishable by arrest for a term of four to six months, or by custody in a disciplinary military unit for a term of up to two years, or by deprivation of liberty for a term of up to two years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

2. The same deed, which has involved by negligence the death of a person,

shall be punishable by deprivation of liberty for a term up to five years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years, or without such disqualification.

3. The deed provide for in the first part of this Article, and entailing by negligence the death of two or more persons,

shall be punishable by deprivation of liberty for a term up to seven years.

#### **Article 351. Violation of the Rules for Flights and Training for Them**

Violation of the rules for flights and training for them, or of any other rules of operating military aircraft, which has involved by negligence the death of a person, or any other serious consequences,

shall be punishable by deprivation of liberty for a term up to seven years.

#### **Article 352. Violation of the Rules of Navigation**

Violation of the rules for navigation or operation of warships, which has involved by negligence the death of a person, or any other serious consequences,

shall be punishable by deprivation of liberty for a term up to seven years.

### **Section XII. Crimes Against the Peace and Security of Mankind**



## **Chapter 34. Crimes Against the Peace and Security Mankind**

### **Article 353. Planning, Preparing, Unleashing, or Waging on Aggressive War**

1. Planning, preparing, or unleashing an aggressive war

shall be punishable by deprivation of liberty for a term of seven to fifteen years.

2. Waging an aggressive war

shall be punishable by deprivation of liberty for a term of 10 to 20 years.

### **Article 354. Public Appeals to Unleash an Aggressive War**

1. Public appeals to unleash an aggressive war

shall be punishable by a fine in the amount up to 300 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period up to two years, or by deprivation of liberty for a term of up to three years.

2. The same deeds, committed with the use of the mass media or by a person who holds a state post of the Russian Federation or a state post of a subject of the Russian Federation,

shall be punishable by a fine in the amount of 100 thousand to 500 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of one to three years, or by deprivation of liberty for a term up to five years, with disqualification to hold specified offices or to engage in specified activities for a term of up to three years.

### **Article 355. The Development, Manufacture, Stockpiling, Acquisition or Sale of Mass-Destruction Weapons**

The development, manufacture, stockpiling, acquisition or sale of the chemical, biological, toxic and other types of mass-destruction weapons banned by an international treaty of the Russian Federation,

shall be punishable by imprisonment for a term from five to ten years.

### **Article 356. Use of Banned Means and Methods of Warfare**

1. Cruel treatment of prisoners of war or civilians, deportation of civilian populations, plunder of national property in occupied territories, and use in a military conflict of means and methods of warfare, banned by an international treaty of the Russian Federation,

shall be punishable by deprivation of liberty for a term of up to 20 years.

2. Use of weapons of mass destruction, banned by an international treaty of the Russian Federation,

shall be punishable by deprivation of liberty for a term of 10 to 20 years.

Federal Law No. 73-FZ of July 21, 2004 amended Article 357 of the present Code

#### **Article 357. Genocide**

Actions aimed at the complete or partial extermination of a national, ethnic, racial or religious group as such by killing its members, inflicting grave injuries to their health, forcible prevention of childbirth, forcible transfer of children, forcible resettlement, or by any other method of creating living conditions meant for the physical destruction of the members of this group,

shall be punishable by deprivation of liberty for a term of 12 to 20 years, or by deprivation of liberty for life, or by capital punishment.

#### **Article 358. Ecocide**

Massive destruction of the animal or plant kingdoms, contamination of the atmosphere or water resources, and also commission of other actions capable of causing an ecological catastrophe,

shall be punishable by deprivation of liberty for a term of 12 to 20 years.

#### **Article 359. Mercenarism**

1. Recruitment, training, financing, or any other material provision of a mercenary, and also the use of him in an armed conflict or hostilities,

shall be punishable by deprivation of liberty for a term of four to eight years.

2. The same acts, committed by a person through his official position, or with relation to a minor,

shall be punishable by deprivation of liberty for a term of seven to fifteen years, with or without a fine in the amount of up to 500 thousand roubles or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three years.

3. Participation by a mercenary in an armed conflict or hostilities

shall be punishable by deprivation of liberty for a term of three to seven years.

Note: A mercenary shall be deemed to mean a person who acts for the purpose of getting a material reward, and who is not a citizen of the state in whose armed conflict or

hostilities he participates, who does not reside on a permanent basis on its territory, and also who is not a person fulfilling official duties.

**Article 360. Assaults on Persons or Institutions Enjoying International Protection**

1. Assault on a representative of a foreign state, or on a staff member of an international organization that enjoys international protection, as well as on official premises or living quarters, or transport vehicles of persons enjoying international protection -

shall be punishable by deprivation of liberty for a term of up to five years.

2. The same deed committed for the purpose of provoking a war or of complicating international relations -

shall be punishable by deprivation of liberty for a term of three to seven years.

President of the Russian Federation

Boris Yeltsin

Moscow, the Kremlin

No. 63-FZ

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