

**Criminal Code of Turkmenistan dated June 12, 1997 No. 222-I**

*(with changes and additions as of 09.11.2013)*

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Turkmenistan dated June 12, 1997 No. 222-1*

**A COMMON PART**

**Section I. Criminal legislation of Turkmenistan**

**Chapter 1. Objectives and principles of criminal legislation**

**Article 1.** Criminal legislation of Turkmenistan (1) The criminal legislation of Turkmenistan is based on the Constitution of Turkmenistan, generally recognized principles and norms of international law and consists of this Code.

Certain laws establishing criminal liability are subject to inclusion in this Code.

**Article 2.** Objectives of criminal legislation (1) The criminal legislation of Turkmenistan has the task of protecting the individual, the rights and freedoms of citizens, the interests of society and the state, property, public order, independence, the constitutional order and neutral status of Turkmenistan, the peace and security of mankind from criminal attacks, and also crime prevention. (2) To carry out these tasks, the criminal legislation of Turkmenistan establishes the grounds and principles of criminal liability, determines which socially dangerous acts are crimes and establishes penalties and other criminal law measures for their commission.

**Article 3.** Principles of criminal legislation (1) The criminal legislation of Turkmenistan is based on the principles of legality, equality of citizens before the law, criminal responsibility, justice and humanism.

(2) Criminality of the act, its punishability and other criminal law consequences are determined by criminal law.

(3) A person is subject to criminal liability only for those actions (inactions) resulting in harmful consequences for which his guilt has been established. (4) No one can be found guilty of committing a crime and subjected to criminal punishment except by a court verdict and in

in accordance with the law.

(5) Persons who have committed crimes are equal before the law and are subject to criminal liability regardless of gender, race, nationality, property and official status, attitude to religion, beliefs, or membership in public associations.

(6) Punishment and other criminal law measures to be applied to a person who has committed a crime must be fair and strictly correspond to the gravity of the crime, the circumstances of its commission and the identity of the perpetrator. (7) Punishment and other criminal law measures applied to persons who have committed a crime cannot be aimed at causing physical suffering or humiliation of human dignity. No one can be criminally liable twice for the same crime.

**Article 4.** Grounds for criminal liability The basis for criminal liability is the commission of an act containing all the elements of a crime provided for by criminal law.

## **Chapter 2. Operation of criminal law in time and space**

**Article 5.** Effect of criminal law in time (1) Crime and punishability of an act are determined by law, in force at the time of the commission of this act.

The time of commission of a crime is the time of the onset of its consequences, and in cases where liability is established for the very fact of committing an action (inaction) provided for by criminal law, the time of commission of this action (inaction).

**Article 6.** Retroactive force of criminal law (1) A law that eliminates criminal liability, mitigates punishment or otherwise improves the situation of a person who committed a crime has retroactive force, that is, it applies to persons who committed the relevant act before the entry into force of such a law, including for persons serving a sentence or who have served a sentence but have a criminal record. A law establishing the criminality of an act and increasing punishment

or otherwise worsening the situation of a person, does not have retroactive effect.

If a new criminal law mitigates the punishability of an act for which a person is serving a sentence, the imposed punishment is subject to reduction in accordance with the limits provided for by the new law.

**Article 7.** Effect of the criminal law in relation to persons who have committed crimes on the territory of Turkmenistan (1) Persons who have committed crimes

on the territory of Turkmenistan,  
are subject to liability under the criminal law of Turkmenistan.

(2) Crimes committed within the territorial waters or airspace of Turkmenistan are recognized as committed on the territory of Turkmenistan. This Code also applies to crimes committed on the continental shelf and in the maritime economic zone of Turkmenistan. (3) A person who commits a crime on a ship registered to the port of Turkmenistan, located in water or air space outside the borders of Turkmenistan, is liable under the criminal law of Turkmenistan, unless

otherwise provided by an international treaty of Turkmenistan. (4) When a crime is committed on the territory of two or more states, liability arises under the criminal law of Turkmenistan if the crime is completed or suppressed on the territory of Turkmenistan.

The issue of criminal liability of diplomatic representatives of foreign states and other persons who enjoy immunity if these persons commit a crime on the territory of Turkmenistan is resolved on the basis of international law and international treaties of Turkmenistan.

**Article 8.** Effect of the criminal law in relation to persons who have committed crimes outside the borders of Turkmenistan (1) Citizens of Turkmenistan, as

well as stateless persons permanently residing in Turkmenistan, who have committed a crime provided for by the criminal law of Turkmenistan, outside the borders of Turkmenistan, are subject to liability under the criminal laws of Turkmenistan, if responsibility for the committed act is provided for by the criminal law of the state in whose territory it was committed, and if these persons were not convicted in a foreign state. In this case, a punishment cannot be imposed that exceeds the upper limit of punishment provided for by the law in force in the place where the crime was committed. Foreign citizens, as well as stateless persons who do not permanently reside in Turkmenistan, for a crime committed outside the borders of Turkmenistan are subject to liability under the criminal laws of Turkmenistan in cases where the crime is directed against Turkmenistan or its citizens, as well as in cases provided for by international treaties of

Turkmenistan, if they were not convicted in a foreign country and were brought to criminal liability on the territory of Turkmenistan.

**Article 9. Extradition of persons who have committed a crime** (1) Citizens of Turkmenistan who have committed a crime in the territory of a foreign state are not subject to extradition to that state.

(2) Foreign citizens and stateless persons who have committed a crime outside the borders and are on the territory of Turkmenistan may be extradited to a foreign state for prosecution or serving a sentence in accordance with international treaties of Turkmenistan, agreements, conventions and other international legal acts, which Turkmenistan joined.

## Section II. Crime

### Chapter 3. Concept of crime, categories and types of crimes

**Article 10. Concept of a crime** A crime is a socially dangerous act (action or inaction) committed culpably that causes damage or creates a threat of causing damage to objects protected by criminal law.

**Article 11. Categories of crimes** (1) Depending on the degree of severity and form of guilt, the acts provided for by this Code are divided into crimes of minor gravity, moderate gravity, grave and especially grave.

(2) Crimes of minor gravity are considered intentional and careless acts, for the commission of which the criminal law provides for a maximum penalty of imprisonment for a term of not more than two years.

(3) Crimes of medium gravity are considered intentional and careless acts, for the commission of which the criminal law

provides for a maximum penalty of imprisonment for a term of up to

eight years old.

Serious crimes are intentional and careless acts, for the commission of which the criminal law provides for a maximum penalty of imprisonment for a term of up to fifteen years. (5) Intentional crimes are recognized as especially serious, for the commission of which the criminal law provides for punishment in the form of imprisonment for a term of up to twenty-five years.

**Article 12. Completed and unfinished crime** (1) A crime is considered completed if the act committed by a person contains all the elements of a crime provided for by criminal law.

(2) Preparation for crime or attempted crime.

Responsibility for preparation for a crime or attempted crime comes under the same article of the criminal law as for a completed crime, with reference to Articles 13 and 14 of this Code.

**Article 13. Preparation for a crime (1) Preparation**

for a crime is the finding, production or adaptation of means or instruments, conspiracy to commit a crime or other deliberate creation of conditions for the commission of a crime, if the crime was not completed due to circumstances beyond the control of the person. .

Criminal liability arises only for preparation for a crime of medium gravity, a serious and especially serious crime.

**Article 14. Attempted crime An attempted**

crime is an intentional action or inaction directly aimed at committing a crime, if the crime was not completed due to circumstances beyond the control of the person.

**Article 15. Continuing crime (1) A continuing**

crime is an act, the characteristics of which are provided for in one article or part of an article of the criminal law, consisting in the implementation of this act for an indefinite period of time. A continuing crime is considered completed from the moment the commission of the act ceases or the moment an event occurs that prevents its continuation.

**Article 16. Continuing crime (1) A continuing**

crime is an act, the characteristics of which are provided for in one article or part of an article of the criminal law and consisting of two or more identical acts covered by a single intent and having a common goal.

A continuing crime is considered completed from the moment commission of the last criminal act.

**Article 17. Repetition of crimes (1)**

Repetition of crimes is the commission of two or more crimes provided for in one article or part of an article of the Special Part of this Code. The commission of two or more crimes provided for in various articles of the Criminal Code can be recognized as repetition only in cases specifically specified in the Special Part of the Criminal Code. A crime is not recognized as repeated if, for previously committed crimes, the person who committed them is released from criminal charges.

responsibility or punishment, or a criminal record for these crimes was expunged or removed in accordance with the procedure established by law.

**Article 18.** Aggregate of crimes (1) Aggregate of crimes is the commission of two or more acts provided for in various articles or parts of articles of the criminal law, for none of which the person has been convicted.

(2) Those cases when a person commits one act provided for by two or more articles of the criminal law are also recognized as a set of crimes.

(3) If a crime is provided for by a general or special norm, there is no totality, and liability arises according to the special norm. (4) In case of aggregation of crimes, a person is liable for each crime committed under the relevant article or part of an article of the criminal law.

**Article 19.** Recidivism of crimes Recidivism of crimes is the commission of an intentional crime by a person who has a criminal record for a previously committed intentional crime. Recidivism of crimes is considered dangerous:

a) when committing an intentional crime, if the person has previously been sentenced to imprisonment for an intentional crime;

b) when committing an intentional serious crime, if previously the person was convicted of an intentional grave or especially grave crime. (3) Recidivism of crimes is considered especially dangerous: a) when a person commits an intentional crime for which he is sentenced to imprisonment, if the person was previously sentenced to imprisonment three or more times for an intentional grave or moderate crime; b) when a person commits a particularly serious crime, if he was previously convicted of a particularly serious crime. Convictions for

crimes committed before the age of eighteen, as well as convictions expunged or expunged in the manner prescribed by Article 81 of this Code, are not taken into account when recognizing a recidivism.

#### **Chapter 4. Persons subject to criminal liability**

**Article 20.** General conditions of criminal liability A sane individual who has reached the age of age is subject to criminal liability. established by this Code.

**Article 21.** Age at which criminal liability begins (1) Persons who, before committing crime turned sixteen years old.

(2) Persons who committed crimes between the ages of fourteen and sixteen are subject to criminal liability for intentional murder (Article 101), intentional infliction of grievous bodily harm (Article 107), intentional infliction of moderate harm to health (Article 108), rape (Article 108), 134), theft (Article 227), robbery (Article 230), robbery (Article 231), extortion (Article 232), unlawful taking of another person's vehicle (Article 234), intentional destruction or damage to property (part two of Article 235), theft or extortion of weapons, ammunition, explosives and explosive devices (Article 291), illegal manufacture, processing, acquisition, storage, transportation, transfer of narcotic drugs or psychotropic substances for the purpose of sale (Article 292), theft or extortion of narcotic drugs or psychotropic substances (Article 294).

**Article 22. Sanity** A person who,

at the time of committing a crime, was aware of the nature and significance of his actions (inaction) and was in charge is recognized as sane.  
them.

**Article 23. Insanity (1)** A person who,

during the commission of an act provided for by criminal law, could not understand the nature and significance of his actions (inaction), their social danger, or control them due to mental illness, temporary painful mental disorder or dementia. (2) To a person who has committed an act provided for by criminal law in a state of insanity, the court may impose compulsory medical measures provided for by this Code.

**Article 24. Criminal liability of sane persons with a delay in**

mental development A person

who, at the time of committing a crime, was sane, but had difficulty understanding the nature and significance of his actions (inaction) or in managing them due to mental retardation or a painful mental state, is subject to criminal liability. These circumstances are taken into account when assigning the type and amount of punishment.

**Article 25. Criminal liability of persons who committed a crime in  
intoxicated**

(1) A person who commits a crime while intoxicated due to the use of alcohol, narcotic or other intoxicating substances is subject to criminal liability.

Causes of intoxication, degree of intoxication and its influence on the commission of crimes are taken into account when assigning punishment.

## Chapter 5. Guilt

### **Article 26.** Guilt and its forms (1) Guilt

is a person's conscious-volitional mental attitude towards the crime being committed, expressed in the form of intent or negligence. (2) Only a person who has committed a socially dangerous act intentionally or through negligence

can be found guilty of a crime. (3) An act committed through negligence is recognized as a crime

only in cases where this is expressly provided for by criminal law.

### **Article 27.** Crime committed intentionally (1) A crime committed

intentionally is recognized by the public

a dangerous act committed with direct or indirect intent.

(2) A crime is recognized as committed with direct intent if the person who committed it was aware of the socially dangerous nature of his action or inaction, foresaw its socially dangerous consequences, desired their occurrence, or foresaw the inevitability of the occurrence of these consequences. (3) A crime is recognized as committed with indirect intent if the person who committed it was aware of the socially dangerous nature of his action or inaction,

foresaw its socially dangerous consequences, did not want, but consciously allowed these consequences to occur, or was indifferent to them.

### **Article 28.** Crime committed through negligence (1) A crime committed through

negligence is recognized as a socially dangerous act committed out of arrogance or negligence, resulting in socially dangerous consequences.

(2) A crime is recognized as committed out of arrogance if the person who committed it was aware of the social danger of his action or inaction, foresaw the possibility of socially dangerous consequences, but thoughtlessly hoped to prevent them.

(3) A crime is recognized as committed through negligence if the person who committed it was not aware of the social danger of his action or inaction, did not foresee the possibility of socially dangerous consequences, although with the necessary care and forethought he should and could have foreseen them.

**Article 29.** Liability for a crime committed with a combination of intent and negligence (double form of guilt) (1) Double form of guilt is characterized by the intentional commission of a crime and negligence in relation to the consequences resulting from this crime. In general, such a crime is considered to be committed intentionally.

If, as a result of committing an intentional crime, consequences arise that the law associates with a more severe punishment, criminal liability for such consequences can occur only if the person did not foresee, but should have and could have foreseen the possibility of such consequences occurring, or if the person foresaw the possibility of their occurrence, but frivolously hoped to prevent them.

**Article 30.** Innocent causing of harm (case) (1) An act is recognized as committed innocently if the person was not aware of its social danger or did not foresee the possibility of socially dangerous consequences of his action (inaction) and, due to the circumstances of the case, should not or could not have foreseen them.

(2) An act is also considered committed innocently if the person who committed it, although he foresaw the possibility of socially dangerous consequences, could not prevent them as a result of the inconsistency of his psychophysiological qualities with extreme conditions or neuropsychological overload.

**Article 31.** Legal and factual error (1) If a person, while committing an act provided for by criminal law, was not aware and could not, due to the circumstances of the case, be aware of its illegality, he is not subject to criminal liability.

(2) If a person, while committing an act provided for by criminal law, made a mistake in good faith regarding the factual circumstances related to the composition of this crime, then he cannot be held responsible for the intentional commission of this act. If the law connects a more severe punishment with the presence of certain factual circumstances, but the person, when committing a crime, made a mistake in good faith regarding these circumstances, then he is not subject to more stringent liability.

## **Chapter 6. Complicity in a crime**

**Article 32.** The concept of complicity in a crime Complicity in a crime is recognized as intentional joint participation two or more persons committing an intentional crime.

**Article 33.** Types of accomplices (1) Along

with the perpetrator, the organizer, instigator and accomplice are recognized as accomplices of the crime. (2) A perpetrator is a person who directly

committed a crime or directly participated in its commission together with other persons (co-perpetrators), as well as who committed a crime through the use of other persons who, by virtue of the law, are not subject to criminal liability. (3) An organizer is a person who organized the commission of a crime or supervised its execution, as well as a person who created an organized group for committing a crime or a criminal community or supervised them.

(4) An instigator is a person who incites to commit crimes by persuasion, bribery, threat or other means.

(5) An accomplice is a person who assisted in the commission of a crime by advice, instructions, provision of information, tools or means of committing a crime or by removing obstacles, as well as a person who promised in advance to hide the criminal, weapons or other means of committing a crime, traces of a crime or objects obtained by criminal means, as well as a person who promised in advance to purchase or sell such items.

**Article 34.** Commitment of a crime by a group of persons by prior conspiracy, an organized group or a criminal community (1) A crime is recognized as committed by a group of persons by prior conspiracy if it involved two or more persons who agreed in advance to commit it jointly.

(2) A crime is recognized as committed by an organized group if it is committed by a stable group of persons who have united in advance to commit one or more crimes.

(3) A crime is recognized as committed by a criminal community if it is committed by persons who have previously organized themselves into a stable, cohesive, manageable organization created to commit grave and especially grave crimes.

(4) The person who organized or managed a criminal community is responsible for the organization and management of the criminal community, as well as for all crimes committed by the community if they were included in his intent. Other participants in the criminal community are held accountable for their participation in it and for the crimes in which they participated in the commission or preparation.

(5) The commission of a crime by a group of persons by prior conspiracy, an organized group or a criminal community entails a more severe punishment on the basis and within the limits established by this Code.

**Article 35. Liability of accomplices** (1) The liability of accomplices is determined by the extent and nature participation of each of them in the commission of a crime.

(2) Co-principals are liable under one article of the criminal law for the crime they committed together. (3) The responsibility of the organizer, instigator and accomplice arises under the same article of the Special Part of the Criminal Code as the perpetrator, with reference to Article 33 of this Code. (4) If the perpetrator does not complete the crime due to circumstances beyond his control, the remaining accomplices in the crime are held liable for complicity in preparation for the commission of a crime or in the attempt to commit a crime.

**Article 36. Excess of the perpetrator** Excess of the perpetrator is the commission by the perpetrator of a crime that is not covered by the intent of the other accomplices. For the excesses of the perpetrator, other accomplices are not criminally liable subject to

#### **Chapter 7. Circumstances excluding the criminality of the act**

**Article 37. Necessary defense** (1) The protection of the personality, rights and legitimate interests of the defender, another person, society and the state by causing any harm to the attacker is not a crime and is recognized as lawful, if the attack was committed with violence dangerous to the life of the defender or another person, or with an immediate threat of the use of such violence.

(2) Defense from an attack that is not associated with violence dangerous to the life of the defender or another person, or with the threat of such violence, is lawful if it does not exceed the limits of necessary defense, that is, deliberate actions that are clearly inconsistent with the nature and danger of encroachment.

(3) The right to necessary defense belongs to a person, regardless of the possibility of avoiding an attack or seeking help from other persons or authorities.

**Article 38. Causing harm during the detention of a person who has committed crime**

(1) It is not a crime to cause harm to a person who has committed a crime when he is detained to bring him to the authorities and to suppress the possibility of committing new crimes, if there was resistance to them and it was not possible to detain such a person by other means and at the same time the excess required for this was not allowed. measures

(2) Exceeding the measures necessary to detain a person who has committed a crime is recognized as their obvious discrepancy with the nature and danger of the act committed by the detainee and the circumstances of the detention, when the person is unnecessarily caused clearly excessive harm not caused by the situation. Such an excess entails liability only in cases of intentional harm.

**Article 39. Extreme necessity (1)** It is not a

crime to cause harm to legally protected interests in a state of extreme necessity, that is, to eliminate a danger that directly threatens the life, health, rights and legitimate interests of a given person or other persons, the interests of society or the state, if this danger under these circumstances could not be eliminated by other means and the limits of extreme necessity were not allowed to be exceeded.

(2) Exceeding the limits of extreme necessity is the infliction of harm that is clearly inconsistent with the nature and degree of the threatening danger and the situation in which the danger was eliminated, when harm to legally protected interests is caused that is clearly more significant than what is being prevented. Such an excess entails liability only in cases of intentional harm.

**Article 40. Physical and mental coercion (1)** The action (inaction) of a

person who caused harm to legally protected interests as a result of physical or mental coercion is not a crime if, as a result of such coercion, he could not control his actions.

(2) In other cases, the issue of liability for causing harm to legally protected interests as a result of physical or mental coercion is resolved taking into account the provisions of Article 39 of this Code.

**Article 41. Justified risk (1)** It is not a crime

to cause harm to legally protected interests with an objectively justified risk to achieve a socially useful goal. (2) The risk is considered justified if the set goal could not be achieved by actions not related to the risk and the

person who allowed the risk took the necessary measures to prevent harm to legally protected interests. (3) A risk is not considered justified if it was obviously associated with a threat to human health or life, an environmental disaster or a public disaster.

**Article 42.** Execution of an order (1) It is

not a crime to cause harm to legally protected interests by a person acting in pursuance of an order or other order that is binding on him. given in the prescribed manner and in compliance with the proper form.

(2) Causing harm to legally protected interests as a result of the execution of an illegal order or other instruction excludes liability if the person was not aware of its illegal nature. In this case, responsibility for an act committed in pursuance of an illegal order or instruction shall be borne by the person who gave such order or instruction. (3) Execution of a knowingly criminal order or other instruction entails criminal liability, but may be recognized as a circumstance mitigating the punishment. (4) Failure to comply with a knowingly illegal or criminal order or

any other order excludes criminal liability.

### **Section III. Punishment**

## **Chapter 8. Concept, goals and types of punishment**

**Article 43.** Concept and purposes of punishment

(1) Punishment is punishment for a crime committed. As a measure of state coercion, punishment imposed by a court verdict is applied to a person found guilty of committing a crime, and consists of the deprivation or restriction of the rights and freedoms of this person provided for by criminal law.

(2) Punishment is applied in order to restore social justice, as well as correct the convicted person and prevent the commission of new crimes.

**Article 44.** Types of punishment (1)

Types of punishment are: a) imposition of the obligation to make amends for the harm caused; b) fine; c) deprivation of the right to hold certain positions or engage in certain activities;

d) deprivation of state awards, military and other ranks; e) correctional work; a) imposition of the obligation to reside in a certain area; f) confiscation of property; g) restriction of freedom; h) imprisonment. (2) Penalties in the form of restrictions may be applied to military personnel

for military service and detention in a military correctional unit.

**Article 45.** Basic and additional punishments (1) Correctional work,

restrictions on military service, detention in a military correctional unit, imprisonment are applied only as basic punishments. (2) Imposing the obligation to make amends for the harm caused, a fine, deprivation of the right to hold certain positions or

engage in certain activities, imposing the obligation to live in a certain area, restriction of freedom are applied both as primary and additional punishments. (3) Deprivation of state awards, military and other ranks, confiscation of property is applied only as an additional

punishments.

**Article 46.** Imposition of the obligation to make amends for the harm caused (1) The

obligation to make amends for the harm caused consists of direct elimination of the harm caused, compensation for material and moral damage and a public apology to the victim. (2) Punishment in the form of imposing an obligation to make amends for the harm caused may be

imposed in the case where the court, taking into account the nature of the harm, the existence of a real opportunity to make amends for it and the identity of the perpetrator, recognizes that he is capable of eliminating the harm caused.

(3) If the convicted person evades the obligation to make amends for the harm caused, the court may replace this punishment with a fine or correctional labor within the limits established by the article of the Special Part of this Code under which the person was convicted. If the specified types of punishments are not provided for in the sanctions of the article, they are imposed in the minimum amount established by Articles 47 and 50 of this Code.

**Article 47.** Fine (1) A

fine is a monetary penalty imposed within the limits provided for by this Code, and in an amount corresponding to a certain number of average monthly wages established by the legislation of Turkmenistan at the time of appointment

punishments.

(2) The fine is set in the amount of five to two hundred average monthly wage rates.

(3) The amount of the fine is determined by the court taking into account the gravity of the crime committed and the property status of the convicted person. (4) A fine as an

additional punishment may be imposed only in cases where it is provided as an additional punishment directly in the norm establishing liability for the relevant crime.

(5) In case of deliberate evasion of payment of a fine imposed by the court as the main punishment, the fine may be replaced by the court

types of punishment specified in the relevant article or the relevant part of the article of the Special Part of this Code.

(6) A fine in the form of punishment does not apply to persons who do not have independent income, as well as to military personnel undergoing military service upon conscription.

**Article 48.** Deprivation of the right to hold a certain position or engage in certain activities (1) Deprivation of the right to occupy a certain position or engage in certain activities consists of a prohibition to hold positions in the civil service, in local government bodies, in enterprises of any form of ownership or in public associations or to engage in a certain professional or other

activities.

(2) Deprivation of the right to hold certain positions or engage in certain activities is established for a period of one to five years as the main punishment and for a period of one to three years as an additional punishment.

(3) Deprivation of the right to hold a certain position or engage in certain activities may be imposed as an additional punishment and in cases where it is not specified as a type of punishment for the relevant crime, if, taking into account the nature of the crime committed and information about the identity of the perpetrator, the court finds it impossible to preserve the they have the right to hold a certain position or engage in certain professional or other activities. (4) When this punishment is imposed as an addition to a fine and correctional labor, as well as in the case of a suspended sentence, its term is calculated from the moment the sentence enters into legal force. When this punishment is imposed as an additional punishment to imprisonment or transfer to a military correctional unit, its term is calculated from the moment the main sentence is served.

**Article 49.** Deprivation of state awards, military or other ranks

(1) If convicted of a grave or especially grave crime, a person who has a military, special or other rank may be deprived of this rank by a court verdict.

(2) When a person who has been awarded an order, medal of Turkmenistan or has an honorary title, or a military or other rank awarded by the President of Turkmenistan is convicted of committing a serious or especially serious crime, the court, when passing a sentence, taking into account information about the identity of the perpetrator, decides on the advisability of making a presentation To the President of Turkmenistan to deprive the convicted person of an order, medal, honorary title, military or other rank.

**Article 50.** Correctional labor (1) Correctional

labor is established for a period of two months to two years and is served on the basis of a court verdict at the place of work of the convicted person or in other places in the area of residence of the convicted person. From the earnings of a person sentenced to correctional labor, deduction is made to the state income in the amount established by a court verdict, ranging from five to twenty percent.

(2) Correctional labor does not apply to the disabled, to persons under sixteen years of age, to pregnant women and women on maternity leave, to persons who have reached retirement age, as well as to military personnel, students of higher educational institutions .

(3) In case of malicious evasion from serving correctional labor, the court may replace the unserved term of correctional labor with a sentence of imprisonment at the rate of one day of imprisonment for three days of correctional labor.

**Article 51.** Restriction on military service (1) Restriction on

military service applies to convicted military officers, as well as military personnel performing military service under contracts, for a period of two months to two years in cases provided for by this Code, as well as when the court , taking into account the circumstances of the case and the personality of the convicted person, will find it advisable, instead of imprisonment for a term of not more than two years, to apply a restriction on service for the same period.

(2) Imposition of the obligation to live in a certain area is established for a period of five to fifteen years as the main punishment and for a period of two to five years as an additional

punishments.

(4) In the case of malicious evasion from serving a sentence in the form of imposing the obligation to live in a certain area and leaving the obligatory place of residence for these purposes, the court, on the proposal of the body in charge of executing the sentence, has the right, by its ruling, to send such a person to serve a sentence of imprisonment in penal colony. In this case, the time spent in places of compulsory residence is counted towards the term of imprisonment at the rate of one day of compulsory residence in a certain area for one day of imprisonment. The time of leaving the place of compulsory residence in order to evade serving a sentence is not counted towards the period of compulsory residence in a certain area. (5) If a convicted person, who is required to live in a certain area, has committed a crime, the court imposes a punishment on him according to the rules of Article 64 of this Code.

**Article 51-1.** Imposing the obligation to live in a certain terrain

(1) The imposition of the obligation to live in a certain area consists of removing the convicted person from his place of residence with mandatory settlement in a certain area. (2) Imposition of the obligation to live in a certain area is established for a period of five to fifteen years as the main punishment and for a period of two to five years as an additional

punishments.

(3) The imposition of the obligation to live in a certain area does not apply to persons who have not reached the age of eighteen before committing a crime, as well as to disabled people of the first and second groups, persons who have reached retirement age, pregnant women and women with children under the age of eight. (4) In the case of malicious evasion from serving a sentence in the form of imposing the obligation to live in a certain area and leaving the obligatory place of residence for these purposes, the

court, on the proposal of the body in charge of executing the sentence, has the right, by its ruling, to send such a person to serve a sentence of imprisonment in penal colony. In this case, the time spent in places of compulsory residence is counted towards the term of imprisonment at the rate of one day of compulsory residence in a certain area for one day of imprisonment. The time of leaving the place of compulsory residence in order to evade serving a sentence is not counted towards the period of compulsory residence in a certain area. (5) If a convicted person, who is required to live in a certain area, has committed a crime, the court imposes a punishment on him according to the rules of Article 64 of this Code.

**Article 52.** Confiscation of property (1) Confiscation

of property is the forced gratuitous seizure into state ownership of property that is the property of a convicted person and acquired in a manner prohibited by law.

(2) Confiscation of property is established for crimes of average gravity, grave and especially grave crimes committed for mercenary purposes, and can be imposed only in cases provided for by criminal law.

(3) Property necessary for the convicted person or his dependents, according to the list given in the Appendix to this Code, is not subject to confiscation.

**Article 52-1.** Restriction of freedom (1) Restriction

of freedom consists of the court imposing on a convicted person certain duties that limit his freedom, and is served at his place of residence under the supervision of the body executing the sentence for a period of

from one to five years without isolation from society. If another punishment is replaced by restriction of freedom, it may be imposed for a period of less than one year.

The court, when imposing a punishment in the form of restriction of freedom, imposes on the convicted person the following duties: not to change his permanent place of residence, work or study without notifying the body executing the punishment, not to visit certain places, in his free time from study and work, not to leave his permanent place of residence, not travel to other areas without permission from the body executing the punishment. The court may impose on a person sentenced to restriction of freedom the performance of other duties that contribute to his correction: undergo a course of treatment for alcoholism, drug addiction or dependence on psychoactive substances, sexually transmitted diseases, financial support

family.

(2) In the case of malicious evasion from serving a sentence by a person sentenced to restriction of freedom, the court may replace the unserved term of restriction of freedom with a sentence of imprisonment for the same term. In this case, the punishment is assigned based on the calculation - one day of imprisonment for one day of restriction of freedom. (3) Restriction of freedom cannot be applied to persons who have a criminal record for committing a grave or especially grave crime, to military

personnel, as well as to persons who do not have a permanent place of residence

residence.

(4) During the period of serving a sentence in the form of restriction of freedom, the court, on the proposal of the body supervising the behavior of the convicted person, may cancel in whole or in part the duties previously established for the convicted person.

**Article 53.** Deprivation of liberty (1)

Deprivation of liberty consists of isolating a convicted person by placing him in a correctional colony or prison.

(2) Imprisonment is established for a period of six months to

twenty years. In exceptional cases provided for by this Code, imprisonment is established for a term of up to twenty-five years.

(3) In the case of partial or complete addition of terms of imprisonment when imposing penalties for a set of crimes and a set of sentences, the maximum term of imprisonment cannot exceed twenty, and in exceptional cases provided for by this Code - twenty-five years.

**Article 54.** Confinement in a military correctional unit (1) Confinement in a military

correctional unit is assigned for a period of three months to two years to military personnel undergoing military service upon conscription, in cases provided for by criminal law, for committing a military crime, as well as in cases where the nature of the crime and

information about the identity of the perpetrator indicates the possibility of replacing imprisonment for a term of not more than two years by keeping the convicted person in a military correctional unit. (2) When kept in a military correctional unit in lieu of deprivation of freedom, the period of detention in this part will be determined on a day by day basis.

**Article 55.** Deleted.

## **Chapter 9. Assignment of the type and amount of punishment**

**Article 56.** General principles of sentencing (1) A person found guilty of committing a crime by a court is given a punishment determined within the limits established by the relevant article of the Special Part of this Code, taking into account the provisions of the General Part of this Code. (2) A more severe type of punishment than provided for by the relevant article of the Special Part of this Code for the crime committed may be assigned for the totality of crimes and the totality of sentences in accordance with Articles 63 and 64 of this Code.

The basis for imposing a punishment more lenient than that provided for by criminal law for a crime committed is determined by Article 59 of this Code. (3) When assigning the type and amount of punishment, the nature and severity of the crime, the chains and motives for its commission, consequences, circumstances mitigating and aggravating responsibility, the personality of the perpetrator, as well as the impact of the imposed punishment on the resocialization of the perpetrator and the living conditions of his family are taken into account.

(4) The person who committed the crime must be assigned fair punishment, necessary and sufficient for his correction.

**Article 57.** Circumstances mitigating liability (1) Circumstances mitigating liability are recognized as: a) committing a crime of minor gravity for the first time; b) the minority of the perpetrator; c) pregnancy; d) the presence of a large family or young children with the perpetrator; e) committing a crime due to a combination of difficult life circumstances; f) commission of a crime under the influence of blackmail, threat, coercion, or due to financial, official or other dependence, as well as in the case of execution of a criminal or illegal order or instruction; g) committing a crime under the influence of strong emotional disturbance caused by violence, grave insult or other unlawful actions of the victim:

h) commission of a crime in violation of the conditions of legality of necessary defense, detention of the person who committed the crime, in case of extreme necessity, reasonable risk; i) committing a crime under the influence of a painful mental state or mental retardation that does not preclude sanity; j) illegality or immorality of the victim's actions,

were the reason for committing a crime;

k) confession, active assistance in solving a crime, exposing other participants in the crime and searching for property acquired as a result of the crime; l) provision of medical and other assistance to the victim immediately after the commission of a crime, voluntary compensation or

elimination of material and moral damage caused by the crime, other actions aimed at making amends for the harm caused to the victim. If the circumstance specified in part one of this article is provided for by the relevant article of the criminal law on responsibility for the crime committed, it cannot be taken into account again as a circumstance mitigating punishment. When assigning a punishment, circumstances not specified in part one of this article may be taken into account as mitigating factors.

**Article 58.** Circumstances aggravating liability  
Circumstances aggravating liability  
are recognized as: a) repetition of crimes, relapse, commission

fishing crimes; b) the crime causes grave

consequences; c) the commission of a crime by two or more persons

without prior conspiracy, the commission of a crime as part of a group of persons by prior conspiracy, an organized group or a criminal community; d) a particularly active role in the commission of a crime; e) involvement in the commission of a crime of persons who are known to the perpetrator to suffer from painful mental disorders or are in a state

of intoxication, as well as persons who have not reached the age of criminal

responsibility; f) committing a crime motivated by national or religious hatred, revenge for the lawful actions of other persons, as well as with the aim of facilitating or concealing another crime; g) commission of a crime in relation to a woman who was known to the perpetrator to be pregnant, as well as in relation to a minor, another defenseless or helpless person who was

dependent on the perpetrator; h) committing a crime with particular cruelty, bullying or

torment for the victim or his relatives,

i) committing a crime using weapons or using physical or mental violence; j) committing a crime using the conditions of a state of emergency, natural or other public disaster, as well as during mass riots; k) committing a crime against a person performing

official or public duty; l) committing a crime in a generally dangerous manner; m) committing a crime for personal gain.

(2) If the circumstance specified in part one of this article is provided for by the corresponding article of this Code on responsibility for the crime committed, it cannot be taken into account again as an aggravating circumstance.

(3) When imposing a punishment, the court has the right, depending on the circumstances of the case, not to recognize the circumstances listed in part one of this article as aggravating.

**Article 59.** Imposition of a more lenient punishment than provided for this crime

(1) In the presence of exceptional circumstances related to the goals and motives of the act, the role of the perpetrator, his behavior during the commission or after the crime and other circumstances that significantly reduce the degree of public danger of the act, as well as with the active assistance of a participant in a group crime in solving crimes committed by the group : a) the punishment may be imposed below the lower limit provided for by the relevant article of the criminal law, or the court may impose a more lenient type of punishment

than provided for by this article; b) the court may not apply the additional punishment provided for in

as mandatory.

(2) Both individual mitigating circumstances and the totality of circumstances provided for in Article 57 of this Code can be recognized as exceptional.

**Article 60.** Imposition of punishment for an unfinished crime (1) When assigning punishment for an unfinished crime, the circumstances due to which the crime was not completed are taken into account.

(2) The punishment for preparation for a crime cannot exceed half the amount of the most severe type of punishment provided for by the relevant article of the criminal law for the completed crime.

(3) The punishment for an attempted crime cannot exceed three quarters of the amount of the most severe type of punishment provided for by the relevant article of the criminal law for the completed crime.

**Article 61.** Imposition of punishment for a crime committed in complicity

(1) When assigning punishment for a crime committed in complicity, the nature and extent of the person's actual participation in its commission, the significance of this participation in achieving the goal of the crime, its impact on the nature and extent of the caused or possible harm are taken into account.

(2) Mitigating or aggravating circumstances related to the act and personality of one of the accomplices are taken into account when assigning punishment only to this accomplice.

**Article 62.** Imposition of punishment in case of recidivism (1) When

assigning punishment in the case of relapse, dangerous recidivism and especially dangerous recidivism, the number, nature, severity and consequences of the crimes committed, the circumstances due to which the corrective effect of the previous punishment turned out to be insufficient, as well as the nature, are taken into account. severity and consequences of new crimes. (2) The punishment for recidivism cannot be less than half the amount of the corresponding type provided for by the criminal law for the crime committed; in the case of a dangerous recidivism - at least two-thirds, in the case of a

particularly dangerous recidivism - at least three-quarters of the maximum amount of the most severe punishment maximum provided for the crime committed.

(3) In the event of exceptional circumstances provided for in Article 59 of this Code, punishment for recidivism, dangerous recidivism, especially dangerous recidivism is imposed without taking into account the restrictions provided for in part two of this article.

**Article 63.** Imposition of punishment for aggregation of crimes (1) In the case of aggregation of

crimes, punishment is imposed separately for each crime. (2) If the set of crimes includes a crime of minor or medium gravity, then the final

punishment is imposed by absorbing a less severe punishment with a more severe one or by partially or completely adding up the punishments. In these cases, when added together, the final penalty cannot exceed the maximum penalty provided for the most serious crime committed.

(3) If the set of crimes includes a serious or especially serious crime, then the final punishment is imposed by partial or complete addition of punishments. In this case, the final punishment in the form of imprisonment may be higher than the maximum term of punishment for the most serious of the crimes committed, but not more than twenty, and in exceptional cases provided for by this Code - not

over twenty-five years.

(4) Additional penalties may be added to the main penalties. The final additional punishment in case of partial or complete addition cannot exceed the maximum term or amount established for this type of punishment by the General Part of this Code. (5) According to the same rules, punishment is imposed if, after the verdict in the case, it is established that the convicted person is also guilty of another crime committed

by him before the verdict in the first case. In this case, the sentence served under the first sentence is counted towards the final sentence.

**Article 64.** Imposition of punishment for a cumulative sentence 1) When imposing a punishment for a cumulative sentence, the punishment imposed under the last sentence is partially or fully added to the unserved part of the punishment for the previous sentence.

2) The final punishment for the totality of sentences, if it is no less severe than sending to a military correctional unit or imprisonment, cannot exceed the maximum term or amount of punishment established for these types of punishment by the General Part of this Code

3) The final punishment for a total of sentences in the form of imprisonment may be higher than the maximum term of punishment provided for by criminal law for a crime according to the last sentence, but not more than twenty, and in exceptional cases provided for by this Code - no more than twenty-five years.

4) The final punishment for the totality of sentences must be greater than both the punishment imposed for the newly committed crime and the unserved part of the punishment for the previous sentence.

5) Attachment of additional punishments when imposing punishment for a cumulative sentence is carried out according to the rules provided for in part four of Article 63 of this Code.

**Article 65.** The procedure for determining the terms of punishment when adding them (1) When adding sentences for a combination of crimes and of the totality of sentences, one day of imprisonment corresponds to: a) one day of detention in a military correctional unit; b) three days of correctional labor or restrictions on military service. (2) Punishment in the form of imposing the obligation to make amends for the harm caused, a fine, confiscation of property, deprivation of state awards, military or other ranks, imposition of the obligation to live in a certain area, as well as deprivation of the right to occupy certain positions or engage in certain activities when added to imprisonment, detention in a military correctional unit, restrictions on military service or correctional labor are carried out independently.

**Article 66.** Calculation of terms of punishment and offset of punishments (1)

Terms of deprivation of the right to hold certain positions or engage in certain activities of correctional labor, restrictions on military service, imposition of the obligation to live in a certain area, detention in a military correctional unit, imprisonment are calculated in months and years.

(2) When replacing or adding penalties specified in part one of this article, as well as when offsetting penalties, the terms may be calculated in days.

(3) Detention during the period of inquiry, preliminary investigation and trial is counted towards the sentence at the rate of one day of detention for two days of imprisonment or one day of detention for two days of detention in a military correctional unit. (4) Detention in custody until the verdict enters into legal force and serving a sentence of imprisonment imposed by a court verdict for a crime committed abroad is counted day by day.

(5) When imposing a penalty in the form of a fine, deprivation of the right to hold certain positions or engage in certain activities to a convicted person in custody, the court, taking into account the period of detention, mitigates the imposed punishment or releases it from serving it. (6) The time of detention of a person sentenced to correctional labor is counted towards the term of the punishment imposed by a court verdict at the rate of one day of detention for three days of correctional labor.

**Article 67.** Assignment to persons sentenced to imprisonment  
correctional institution (1) Those

convicted of intentional crimes shall serve their sentence in  
type of imprisonment is assigned:

a) men sentenced to imprisonment for the first time for intentional crimes of minor or moderate gravity, as well as women sentenced to imprisonment for the first time for intentional crimes or for crimes with a relapse, or with a dangerous relapse - in general regime correctional colonies;

b) men sentenced to imprisonment for the first time for intentional grave or especially grave crimes or for crimes committed during a relapse or dangerous recidivism, who have previously served a sentence of imprisonment for intentional crimes, as well as women sentenced to imprisonment for crimes committed in case of a particularly dangerous relapse - in high-security correctional colonies;

c) men sentenced to imprisonment for crimes committed during a particularly dangerous recidivism - in special regime correctional colonies.

(2) Persons who have reached the age of eighteen and who have been sentenced to a term of more than eight years for a particularly serious crime, as well as in the case of a particularly dangerous recidivism, may be assigned to serve part of the sentence, but not more than five years, in prison.

(3) Minors sentenced to imprisonment serve punishment in a correctional colony.

(4) Those convicted of crimes committed through negligence shall serve a sentence of imprisonment in a colony.

settlements.

(5) A change in the type of correctional institution appointed by a sentence is made by the court in accordance with the criminal executive legislation of Turkmenistan.

**Article 68.** Conditional sentence (1) If, having

imposed a sentence in the form of imprisonment or detention in a military correctional unit, the court comes to the conclusion that it is possible to correct the convicted person without serving the sentence, it decides to consider the imposed sentence conditional.

(2) When assigning a suspended sentence, the court takes into account the nature, severity and consequences of the crime committed, information about the identity of the perpetrator, mitigating and aggravating circumstances. Conditional sentences are not applied to persons who have committed a particularly serious crime. (3) When assigning a suspended sentence, the court establishes a probationary period during which the convicted person must prove his correction by his

behavior. In case of conviction to detention in a military correctional unit or imprisonment for a term of up to one year, the probationary period must be no less than six months and no more than three years, and in case of conviction to imprisonment for a term of more than one year - no less than nine months and no more than five years. (4) When assigning a suspended sentence,

additional punishments.

(5) The court, when imposing a suspended sentence, may impose certain obligations on the convicted person: to eliminate the harm caused, to return to work or study, not to change his permanent place of residence without the permission of the body monitoring the behavior of the suspended sentenced person, not to visit certain places, to stay after the onset of a certain time at the place of residence, undergo treatment for alcoholism, drug addiction, substance abuse or venereal disease, provide financial support to the family. The court may impose on the conditionally convicted person the performance of other duties that contribute to his correction.

(6) Control over the behavior of a conditionally convicted person is carried out by internal affairs bodies, and in relation to military personnel - by the command of military units and institutions.

(7) During the probationary period, the court, upon the proposal of the body exercising control over the behavior of the conditionally convicted person, may cancel in whole or in part or supplement the duties previously established for the convicted person.

**Article 69.** Cancellation of conditional sentence or extension of probation

deadline

(1) If, before the expiration of the probationary period, the conditionally convicted person has proven through his behavior that he has reformed, the court, upon the proposal of the body exercising control over the behavior of the conditionally convicted person, may decide to cancel the conditional sentence and expunge the convicted person's criminal record. (2) If a conditionally convicted person evades fulfilling the

duties assigned to him or commits a violation of public order for which an administrative penalty was imposed on him, the court, upon the proposal of the body specified in part one of this article, may extend the probationary period, but not more than one year. (3) In the event of a systematic or malicious failure by the convicted person to fulfill the duties assigned to him by the court during the probationary period, the court, upon the proposal of the body specified in part one of this article,

decides to cancel the suspended sentence and execute the punishment imposed by the sentence.

(4) If a conditionally convicted person commits a new careless crime during the probationary period, the issue of canceling or maintaining the conditional sentence is decided by the court.

(5) If a conditionally convicted person commits an intentional crime during the probationary period, the court imposes a punishment on him according to the rules provided for in Article 64 of this Code. According to the same rules, punishment is imposed if a new careless crime is committed if the court revokes the suspended sentence.

**Article 69-1.** Conditional sentence to imprisonment with involvement in

labor

(1) When assigning a punishment to an adult able-bodied person sentenced to imprisonment, the court, taking into account the nature, severity and consequences of the crime committed, information about the identity of the perpetrator, mitigating and aggravating circumstances, as well as the possibility of his correction without isolation from society on the terms of his execution supervision, may decide to conditionally sentence this person to imprisonment with his involvement in labor for the term of the imposed sentence in places determined by the body in charge of executing punishments, indicating in the verdict the reasons for such a decision.

(2) When assigning a suspended sentence to imprisonment with additional punishments may be imposed by engaging in labor.

(3) A suspended sentence to imprisonment with forced labor does not apply: a) to persons who have committed a particularly serious crime; b) to disabled people of the first, second and third groups; c) to pregnant women and women with children under the age of three years; d) to persons who have reached retirement age. (4) If a person, during the period of a suspended sentence to imprisonment with involvement in work, loses his ability to work or reaches retirement age, the court, upon the proposal of the body in charge of executing punishments, may, by its ruling, replace the suspended sentence with imprisonment with involvement in work with a conditional sentence. (5) In case of evasion of work by a conditionally sentenced person to imprisonment with labor or systematic or malicious violation of labor discipline, public order or rules of residence established for him, the court, upon the proposal of the body in charge of executing punishments, has the right to send him by its decision to serve a sentence of imprisonment in a correctional colony. In this case, the time of a suspended sentence to imprisonment with labor is counted towards the term of imprisonment at the rate of one day of suspended sentence to imprisonment with labor for one day of imprisonment. The time a convicted person leaves for the purpose of evading serving a sentence at a place determined by the body in charge of executing punishments is not counted toward the term of a suspended sentence of imprisonment for labor. (6) If a conditionally sentenced person to imprisonment with labor evades the execution of the sentence, the court, on the proposal of the body in charge of executing punishments, has the right, by its ruling, to send him in accordance with the sentence to serve a sentence of imprisonment in a correctional colony. (7) If a conditionally sentenced person to imprisonment with forced labor commits a crime during the sentence set by the court, the court imposes a punishment on him according to the rules of Article 64 of this Code.

#### **Section IV. Exemption from criminal liability and punishment**

##### **Chapter 10. Exemption from criminal liability**

**Article 70.** Exemption from criminal liability in connection with voluntary renunciation of a crime (1) A person is released from criminal liability for an unfinished crime if he voluntarily and finally refused to bring this unfinished crime to an end.

(2) A person who voluntarily refuses to complete an unfinished crime is subject to criminal liability only if the act actually committed by him contains elements of another crime. (3) The voluntary refusal of the organizer of a crime and the instigator of a crime is the basis for exemption from criminal liability if these persons, by

timely reporting to the authorities or other timely measures taken, prevented the perpetrator from bringing the crime to an end. An accomplice is exempt from criminal liability if his subsequent behavior indicates that he took all measures in his power to prevent the commission of a crime.

(4) If the actions of the organizer or instigator, specified in part three of this article, did not lead to the prevention of the crime by the perpetrator, then they are not exempt from criminal liability, but the measures they took may be recognized as mitigating circumstances when imposing punishment.

**Article 71.** Exemption from criminal liability in connection with active repentance (1) A person who has committed a minor crime for the first time may be released from criminal liability if, after committing the crime, he repented, voluntarily confessed, actively contributed to the detection of the crime, and compensated for the damage caused. or otherwise made amends for the harm caused by the crime.

A person who has committed a crime of another category, subject to the conditions provided for in part one of this article, may be released from criminal liability only in cases specifically provided for by criminal law.

**Article 72.** Exemption from criminal liability in connection with reconciliation with the victim

A person who has committed crimes for the first time under Articles 111, 115 and part one of Article 132 of this Code may be exempt from criminal liability if he has reconciled with the victim and made amends for the harm caused to the victim.

**Article 73.** Exemption from criminal liability due to a change in the situation A person who has committed a crime of minor or

medium gravity for the first time may be released from criminal liability if it is established that, due to a change in the situation, this person or the act he committed has ceased to be socially dangerous.

**Article 74.** Exemption from criminal liability in connection with the statute of limitations has expired

(1) A person is released from criminal liability if, from the date the following time limits have expired for committing the crime:

a) two years after committing a crime of minor gravity; b) eight years after committing a crime of average gravity; c) fifteen years after the commission of a grave or especially

grave crime. (2) The statute of limitations is calculated from the day the crime was committed until the sentence

enters into legal force. If a person commits a new crime, the statute of limitations for each crime runs

on one's own.

(3) The running of the limitation period is suspended if a person evades investigation or trial. In this case, the limitation period resumes from the moment the person is detained or surrenders.

(4) The issue of applying the statute of limitations to a person who has committed a special crime serious crime, resolved by the court. (5) To persons who have committed crimes against peace and security humanity, statutes of limitations do not apply.

## **Chapter 11. Release from punishment**

**Article 75.** Conditional early release from punishment (1) A person serving a sentence in the form of correctional labor, restrictions on military service, imprisonment or detention in a military correctional unit, as well as a person conditionally sentenced to imprisonment with labor or conditionally released from places of imprisonment with assignment to work, may be released from punishment on parole if the court recognizes that for his correction he does not need to fully serve the sentence imposed by the court. In this case, the person may be fully or partially released

from additional punishment.

(2) When applying conditional early release from a sentence, the court may impose on a person the duties provided for in paragraph five of Article 68 of this Code, which the person must fulfill during the remaining unserved part of the sentence.

(3) Conditional early release from punishment may be applied only after the convicted person has actually served his sentence:

a) at least half of the sentence imposed for the crime

light or moderate:

b) at least two-thirds of the sentence imposed for a grave crime: c) at least three-quarters of the sentence imposed

for a particularly grave crime

crime, as well as the punishment imposed on a person who was previously released on parole, if the parole

the release was canceled on the grounds provided for in part six of this article.

(4) The length of the sentence actually served by the person in the form of imprisonment cannot be less than six months.

(5) Conditional early release is applied by the court at the place where the sentence is served by the convicted person on the joint proposal of the body in charge of executing the sentence and the relevant supervisory commission at the khyakimlik.

(6) Control over the behavior of a person released on parole is carried out by internal affairs bodies, and in relation to military personnel, by the command of military units and institutions. (7) If, during the remaining unserved sentence: a) the convicted person commits a violation of

public order, for which an administrative penalty was imposed on him, or maliciously evades the fulfillment of the duties assigned to him by the court when applying parole, the court, upon submission the body specified in part five of this article decides to cancel parole and execute the remaining unserved part of the sentence; b) the convicted person will commit a new careless crime - the question of

the cancellation or maintenance of parole is decided by the court;

c) the convicted person commits an intentional crime - the court imposes punishment on him according to the rules provided for in Article 64 of this Code. According to the same rules, punishment is imposed in the case of a reckless crime, if the court revokes parole. (8) Conditional early release does not apply to a person: previously convicted of committing an especially serious crime and who has again committed a serious or especially serious crime;

who committed a crime with a particularly dangerous recidivism.

**Article 75-1.** Conditional release from prison with bringing a convicted person to work

(1) For able-bodied adults serving a sentence in places of deprivation of liberty, if further correction of such persons is possible without isolation from society, but under conditions of supervision over them, conditional release from places of deprivation of liberty with involvement in work in places may be applied. determined by the body in charge of executing punishments.

(2) Conditional release from places of deprivation of liberty with the involvement of a convicted person in labor may be applied to persons convicted of committing: a) crimes of minor or medium gravity, after the actual

they have served at least one third of the assigned sentence;

b) serious crimes, after they have actually served at least half of the sentence imposed; c) especially serious crimes, after they have actually served at least two-thirds of the assigned sentence. (3) Conditional release from places of deprivation of liberty with the involvement of the convicted person in labor is applied by the court at the place where the convicted person is serving his sentence on the proposal of the body in charge of executing punishments, if there is an obligation of the convicted person to prove his correction by exemplary behavior and an honest attitude to work.

(4) Conditional release from places of imprisonment with the involvement of a convicted person is not subject to labor:

a) to the persons listed in part eight of Article 75 of this Code; b) to persons who systematically or maliciously violate the requirements of the regime content; c) to persons who were previously released from places of imprisonment before the full completion of the sentence imposed by the court on parole or probation with involvement in labor and who again committed an intentional crime during the remaining unserved term of the sentence; d) to disabled people of the first, second and third groups; e) to pregnant women and women with children under the age of

three years;

f) to persons who have reached retirement age. 5) If a conditionally released from places of imprisonment with assignment to work during the period of serving the sentence loses the ability to work or reaches retirement age, the court, on the proposal of the body in charge of executing punishments, may, by its ruling, replace the conditional release from places of imprisonment with involvement in work with a conditional sentence .

(6) In case of evasion of work by a conditionally released person from places of deprivation of liberty with the involvement of labor, or systematic or malicious violation of labor discipline, public order or the rules of residence established for him, the court, upon the proposal of the body in charge of executing punishments, has the right to make a ruling send him to serve a sentence of imprisonment in a correctional facility

colony

In this case, the time of conditional release from places of imprisonment with involvement in labor is counted towards the term of imprisonment on a daily basis. The time a conditionally released person leaves for the purpose of evading serving a sentence at a place determined by the body in charge of executing sentences is not counted towards the term of serving the sentence.

(7) If a person conditionally released from places of deprivation of liberty with assignment to labor commits a crime during the sentence set by the court, the court imposes a punishment on him according to the rules of Article 64 of this Code.

**Article 76.** Replacement of the unserved part of the punishment with a more

lenient one (1) For a person serving a sentence of imprisonment for a crime of minor or medium gravity, the court, taking into account his behavior during the period of serving the sentence, may replace the remaining unserved part of the punishment with a more lenient one. In this case, the person may be fully or partially released from additional punishment. (2) Replacing the unserved part of the sentence with a more lenient one may be applied after the convicted person

has actually served at least one third of the sentence. (3) When replacing the unserved part of the sentence, the court may choose any milder measure in accordance with the types of punishment listed in Article 44 of this Code,

within the limits established for the corresponding type of punishment.

**Article 77.** Exemption from punishment due to serious illness 1) A person who, after

committing a crime, becomes ill with a mental disorder that deprives him of the ability to realize the actual significance of his actions or manage them, is released from punishment, and the person serving the sentence is exempt from further serving it. The court may impose compulsory medical measures on such a person. 2) A person who, after committing a crime, falls ill with another serious illness that prevents him from serving his sentence may be released by the court from serving his sentence.

3) Persons who have lost their ability to work or have reached retirement age after committing a crime may be released by the court from punishment in the form of correctional labor. 4) The persons specified in parts one and two of this article, in the event of their

recovery, may be subject to punishment if the statute of limitations provided for in Articles 74 and 79 of this Code have not expired.

**Article 78.** Deferment of serving sentences for pregnant women and women with young children (1)

Convicted pregnant women and women with children

under the age of eight years, except for those sentenced to imprisonment for a term of more than five years for grave or especially grave crimes against the person, the court may defer serving the sentence until the child reaches eight years of age.

(2) If the convicted woman, specified in paragraph one of this article, has abandoned the child or continues to evade raising the child after a warning announced by the body exercising control over the behavior of the convicted woman, in respect of whom the serving of the sentence has been suspended, the court may, on the recommendation of this body cancel,

deferment of serving the sentence and sending the convicted woman to serve the sentence in a place designated in accordance with the court verdict.

(3) When the child reaches the age of eight, the court releases the convicted person from serving the remaining part of the sentence or replaces the remaining part of the punishment with a milder type of punishment, or decides to return the convicted person to the appropriate institution to serve the remaining part of the sentence. (4) If during the period of deferment of serving the sentence the convicted woman commits a new crime, the court imposes a punishment on her according to the rules provided for in

Article 64 of this Code.

**Article 79.** Exemption from serving a sentence due to the expiration of the statute of limitations of a conviction

(1) A person convicted of a crime is released from serving a sentence if the conviction was not carried out within the following periods, counting from the day it entered into legal force:

a) two years if convicted for crimes of minor gravity; b) eight years if convicted of a crime of average gravity; c) fifteen years if convicted of a grave or especially grave crime. (2) The running of the limitation period is suspended if the convicted person evades serving the sentence. In this case, the limitation period

resumes from the moment the person is detained or surrenders. The statute of limitations that has expired by the time a person evades serving a sentence is subject to offset. (3) To persons convicted of crimes against peace and security

humanity, statutes of limitations do not apply.

## **Chapter 12. Amnesty, pardon, conviction**

**Article 80.** Amnesty and pardon (1) Based on the act of

amnesty, the person who committed the crime is released from criminal liability. A person convicted of a crime, in accordance with an amnesty act, can be completely released from punishment, the imposed punishment can be reduced or replaced with a more lenient one, such a person can be released from

additional punishment.

(2) On the basis of an act of pardon, a person convicted of a crime may be conditionally or unconditionally released from further serving the sentence; the punishment assigned to him may be reduced or replaced with a more lenient one. (3) If a person who has been pardoned conditionally commits a new intentional crime during the probationary period

assigned to him, the court imposes a punishment on him according to the rules provided for in Article 64 of this Code.

**Article 81.** Criminal record (1) A

person convicted of committing a crime is considered to have a criminal record from the day the conviction comes into force until the criminal record is expunged or removed. (2) A criminal record is expunged: a) in relation to conditionally convicted persons - upon

expiration of the probationary period;

b) in relation to persons sentenced to more lenient penalties than imprisonment - after serving the assigned main

and additional punishment; c) in relation to persons sentenced to imprisonment for crimes of minor or medium gravity - after two years after serving the main and additional punishment; d) in relation to persons sentenced to imprisonment

for serious crimes - after four years after serving the main and additional punishment; e) in relation to persons convicted of especially serious crimes - after six years after serving the main and additional punishment. (3) If a person, in accordance with the procedure established by

law, was early released from punishment or the unserved part of the punishment was replaced by a more lenient one, then the period for expunging the criminal record is calculated based on the actual served primary and additional punishment.

(4) If a person who has served his sentence commits a new crime before the expiration of the criminal record, he is considered to have been convicted of two crimes before the expiration of the criminal record for both crimes, which is calculated upon completion of the sentence (main and additional) for the last crime.

(5) If, after serving the sentence, the convicted person has shown impeccable behavior, then, at his request, the court may remove his criminal record before the expiration of the criminal record, but not earlier than half of this period.

## **Section V. Liability of minors**

### **Chapter 13. Features of criminal liability and punishment of minors**

**Article 82.** Criminal liability of minors Minors are persons who at the time of committing a crime were fourteen years old, but not eighteen years old. The moment of reaching the appropriate age is considered to be the beginning of the next day after the day on which the date of birth falls.

(2) The criminal liability of persons who committed crimes under the age of eighteen is determined by the articles of this section and the general provisions of this Code. (3) Minors who have committed crimes may be sentenced or compulsory educational measures may be applied to them.

**Article 83.** Imposition of punishment (1) When

assigning punishment to a minor, the conditions of his life and upbringing, degree of mental development, other personality characteristics, motives for the crime, as well as the influence of adults and other minors are taken into account.

(2) Minority as a circumstance mitigating liability is taken into account in conjunction with other circumstances mitigating and aggravating liability.

(3) A minor who has committed a crime is given a punishment, determined within the limits established by the relevant article of the Special Part of this Code, divided into stages for a period of up to six months, while when the court assigns a punishment for the next stage, upon the proposal of the body executing the punishment, it may be applied a previously imposed punishment or a lighter punishment or compulsory educational measures. (4) The court, taking into account the specific circumstances of the crime committed by a minor, his mental development, living and living conditions, state of health and level of education, as well as other circumstances determined by Article 59 of this Code, instead of assigning him the punishment provided for in the relevant article of this Code, may be limited to imposing a punishment in the form of restriction of freedom.

**Article 84.** Types of punishment Types of

punishment for minors are: a) fine; b) correctional work; c) restriction of freedom; d) imprisonment.

**Article 85.** Fine The fine is

applied only to minors who have independent income, and is imposed in the amount of two to fifty average monthly wages.

**Article 86.** Correctional labor (1) Correctional labor is

applied only to able-bodied minors who have reached the age of sixteen.

their place of work, and if the minor does not work or study, in other places in the area of residence of the convicted person - for a period of up to six months.

(2) In case of malicious evasion of a minor from serving correctional labor, the court may replace the unserved term of correctional labor with imprisonment, but for a period of no more than four months. Replacement of correctional labor with deprivation of liberty is carried out according to the rules provided for in part four of Article 50 of this Code.

**Article 86-1.** Restriction of freedom Restriction of freedom is imposed on minors for a period of one year to two years.

**Article 87.** Deprivation of liberty (1) Deprivation of liberty is imposed on minors for a period not exceeding ten years, and for especially serious crimes - no more than fifteen years.

(2) Punishment in the form of imprisonment is not imposed on minors who have committed minor crimes for the first time.  
gravity.

(3) A person who has not reached eighteen years of age at the time of sentencing shall serve a sentence of imprisonment in a correctional colony.

**Article 88.** Exemption from punishment of a minor who has committed a crime of minor or medium gravity for the first time, if, due to the nature of the committed act and its consequences, information about the person and other circumstances of the case, his correction is possible without the application of punishment, the court may release him from punishment and apply compulsory measures to him educational measures.

**Article 89.** Application of compulsory measures of educational influence (1) A minor who has committed a crime of minor gravity for the first time may be convicted of criminal liability if it is recognized that his correction can be achieved through the use of compulsory measures of educational influence.

(2) The following educational measures may be prescribed to a minor: a) warning; b) transfer under the supervision of parents, persons replacing them, or authorities internal affairs; c) imposition of an obligation to make amends for the harm caused; d) restricting leisure time and establishing special requirements for behavior. (3) A minor may be assigned concurrent exposure.  
several compulsory educational measures

The duration of the period for applying compulsory educational measures provided for in paragraphs "b" and "d" of part two of this article is established by the body appointing these measures.

(4) In the event of a systematic failure by a minor to comply with the requirements stipulated by the compulsory educational measure assigned to him, this measure, upon the proposal of the authorized state body, is canceled and the materials are sent to bring the minor to criminal responsibility.

**Article 90.** Contents of compulsory educational measures (1) The warning consists of explaining to the minor the harm caused by his act and the consequences of repeated commission of acts provided for by criminal law.

(2) Transfer to supervision consists of imposing on the persons specified in part two of Article 89 of this Code the responsibility for educational influence on a minor and monitoring his behavior.

(3) The obligation to make amends for the harm caused is assigned taking into account the minor's property status and whether he or she has appropriate work skills.

(4) Restrictions on leisure may include a ban on visiting certain places, using certain forms of leisure, in particular those related to driving a motor vehicle, limiting staying outside the home after a certain time of day, traveling to other areas without permission from internal affairs bodies. A minor may also be required to return to an educational institution, or find employment with the help of an authorized state body.

This list is not exhaustive.

**Article 91.** Conditional early release from punishment Conditional early release from punishment may be applied to minors sentenced to correctional labor or imprisonment after the actual service of:

- a) at least one quarter of the sentence imposed for crime of minor or moderate gravity;
- b) at least one third of the sentence imposed for a serious crime; c) at least two-thirds of the sentence imposed for a particularly serious crime.

**Article 92.** Limitation periods

Exemption of persons who committed a crime before reaching the age of 18 from criminal liability or from punishment due to expiration

limitation periods are carried out using periods three times shorter than those provided for in Articles 74 and 79 of this Code.

**Article 93.** Terms for expunging a criminal record For persons who have committed crimes before reaching the age of eighteen years, the terms for expunging a criminal record provided for in part two of Article 81 of this Code are reduced and are accordingly equal to: a) one year after serving imprisonment for the crime

mild or moderate severity;

b) three years after serving a sentence for a serious crime; c) five years after serving a sentence for a particularly serious crime.

## **Section VI. Grounds and procedure for applying compulsory medical measures**

### **Chapter 14. Compulsory medical measures**

**Article 94.** Grounds for applying compulsory medical measures character

(1) Compulsory medical measures may be imposed by a court on persons: a) who have committed acts provided for by

criminal law, in state of insanity;

b) who fell ill after committing a crime with mental disorders that make it impossible to assign or execute punishments.

(2) Medical measures may be prescribed by the court along with punishment in relation to persons who have committed crimes suffering from alcoholism, drug addiction or substance abuse, with the aim of treating and creating conditions conducive to achieving the goals of punishment.

(3) The procedure for the execution of compulsory medical measures is determined by the criminal executive legislation of Turkmenistan. (4) In relation to the persons listed in part one of this article who have committed crimes of minor gravity, as well as persons who do not pose a danger due to their mental state, the court may transfer the necessary materials to the health authorities to resolve the issue of their treatment or referral to a psychiatric institution in Turkmenistan, the procedure established for psychiatric care and guarantees of the rights of citizens during its provision.

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**Article 95.** Purposes of applying compulsory medical measures character

Compulsory medical measures are used to prevent the persons to whom they are applied from committing new acts provided for by criminal law, as well as to cure these persons

or such improvement in their mental condition as to eliminate their danger to themselves or others or the risk of other serious harm.

**Article 96.** Types of compulsory measures of a medical nature (1) The court may order the following types of compulsory measures of a medical nature: a) outpatient compulsory observation and treatment; b) forced treatment in a general psychiatric hospital; c) compulsory treatment in a psychiatric hospital

specialized type;

d) compulsory treatment in a psychiatric hospital specialized type with intensive supervision.

(2) For persons convicted of acts provided for by criminal law and committed in a state of sanity, but in need of treatment for alcoholism or drug addiction, "for alcoholism, drug addiction or substance abuse," the court, along with the punishment, may impose a compulsory measure of a medical nature in the form of outpatient compulsory observation and treatment.

## **Chapter 15. Appointment and termination of compulsory medical measures**

**Article 97.** Prescription of compulsory medical measures (1) Outpatient compulsory observation and treatment may be prescribed if there are grounds provided for in Article 94 of this Code, if the person, due to his mental state, does not require placement in a psychiatric hospital. (2) Compulsory treatment in a psychiatric hospital may be prescribed if there are grounds provided for in Article 94 of this Code, if the nature and severity of a person's mental disorder requires conditions of treatment, care, maintenance and observation that can only be carried out in a hospital setting. (3) Compulsory treatment in a general psychiatric hospital may be prescribed to a person whose mental state requires placement in a hospital, but does not require intensive supervision. (4) Compulsory treatment in a specialized psychiatric hospital may be prescribed to a person whose mental state requires constant monitoring. 5) Compulsory treatment in a specialized psychiatric hospital with intensive supervision may be prescribed to a person whose mental state poses a particular danger to himself or others and requires constant and intensive supervision.

**Article 98.** Extension, modification and termination of application

compulsory measures of a medical nature (1) The extension, modification and termination of compulsory measures of a medical nature are carried out by the court upon the proposal of the administration of an institution providing psychiatric care, based on the conclusion of a commission of psychiatrists. (2) A person who has been assigned a compulsory measure of a medical nature is subject to examination by the commission specified in part one of this article at least once every six months to decide whether there are grounds for making a submission to the court to terminate or change such a measure. If there are no grounds for terminating or changing a compulsory medical measure, the administration of the institution providing psychiatric care shall submit an opinion to the court to extend compulsory treatment. The first extension of compulsory treatment can be made after six months from the date of commencement of the execution of a compulsory medical measure. (3) The change or termination of a compulsory measure of a medical nature is carried out by the court in the event of such a change in the mental state of a person in which there is no need to apply a previously prescribed measure, or there is a need to prescribe another measure of a medical nature.

(4) When terminating compulsory treatment in a psychiatric hospital, the court may assign a person compulsory outpatient observation and treatment in accordance with the first part of Article 97 of this Code.

**Article 99.** Counting the time of application of compulsory measures of a medical nature The time during which compulsory

measures of a medical nature were applied to a person who fell ill with a mental disorder after committing a crime, in the event of his recovery and the imposition of punishment or the resumption of its execution, is counted as

term of punishment.

**Article 100.** Compulsory treatment combined with execution

punishments

(1) In the cases provided for in part two of Article 96 of this Code, compulsory measures of a medical nature are carried out at the place of serving the sentence of imprisonment, and in relation to those sentenced to other types of punishment - in health care institutions providing outpatient psychiatric care.

(2) Based on the conclusion of a commission of psychiatrists, the court may send such a person to a psychiatric hospital or other medical institution, if this is justified by the mental state of the convicted person and

interests of treatment. In this case, the inspection deadlines provided for in part two of Article 98 of this Code must be observed. (3) The time spent in these institutions is counted towards the term of serving the

sentence. If there is no longer a need for further treatment of the convicted person in the above-mentioned institutions, he, by a court decision, in the manner provided for in part four of this article, is sent to serve his sentence. (4) Termination of a compulsory medical measure combined with the execution of a sentence. carried out by the court on the proposal of the body executing the punishment, based on the conclusion of a

commission of psychiatrists.

## **SPECIAL PART**

### **Section VII. Crimes against the person**

#### **Chapter 16. Crimes against life and health**

##### **Article 101. Intentional murder (1) Intentional**

murder is punishable by imprisonment for a term of eight to fifteen years, with or without the imposition of the obligation to reside in a certain area for a period of two to five years. (2) Intentional murder of: a) two or more persons; b) a person or his relatives in connection with the implementation by this person

official or public duty;

c) a person who is known to the perpetrator to be in a helpless state, as well as associated with the kidnapping of a person or the taking of a hostage; d) a woman who is known to the perpetrator to be pregnant; e) involving rape

or violent acts

sexual in nature;

f) committed with particular cruelty; g) committed in a manner known to be dangerous to the lives of many people; h) committed by two or more persons without prior agreement or by a group of persons by prior agreement, by an organized group or by a criminal community; i) for mercenary reasons, as well as for hire; j) for hooligan reasons; k) in order to hide another crime or facilitate

its commission; m) on grounds of social, national, racial or religious

hatred or enmity; m) on the basis of blood feud;

o) committed repeatedly, with the exception of acts provided for in Articles 102 and 103 of this Code;

o) committed during a particularly dangerous recidivism, is punishable by imprisonment for a term of ten to twenty-five years, with or without the imposition of the obligation to reside in a certain area for a period of two to five years.

**Article 102.** Murder committed in a state of passion Murder committed in a state of sudden strong emotional excitement (affect) caused by violence, mockery or grave insult on the part of the victim or other illegal or immoral actions (inaction) of the victim, as well as a long-term psychologically traumatic situation, arising in connection with the systematic illegal or immoral behavior of the victim,

is punishable by imprisonment for a term of up to five years.

**Article 103.** Murder when exceeding the limits of necessary defense or when exceeding the measures necessary to apprehend the person who committed the crime

(1) Intentional murder committed when exceeding the limits of necessary defense is punishable by correctional labor for a term of up to two years or imprisonment for a term of up to three years. (2) Intentional murder of the person who committed the crime, when

exceeding the measures necessary to detain him,

shall be punished by correctional labor for a term of up to two years or imprisonment for a term of up to three years.

**Article 104.** Intentional murder by a mother of a newborn child. Intentional murder by a mother of her newborn child, committed during childbirth or immediately after childbirth, is punishable by imprisonment for a term of up to five years.

**Article 105.** Causing death by negligence (1) Causing death by negligence is punishable by imprisonment for up to three years. (2) Causing death by negligence of two or more persons is punishable by imprisonment for a term of up to five years.

**Article 106.** Inducement to suicide and inducement to suicide (1) Inducement to suicide, that is, inciting another person to commit suicide by persuasion, deception or other means, if the person has committed suicide or attempted it, is punishable by imprisonment for a term of up to three years.

(2) Driving a person to suicide or attempted suicide through threats, slander, cruel treatment or systematic humiliation  
personal dignity

is punishable by imprisonment for a term of up to five years. (3) The act provided for in paragraph two of this article, if it committed against a minor,  
is punishable by imprisonment for a term of up to eight years.

**Article 107.** Intentional infliction of grievous bodily harm (1) Intentional infliction of bodily injury, dangerous to life or resulting in loss of vision, speech, hearing or any organ, or loss of an organ's functions, or resulting in permanent disfigurement of the face, as well as causing other harm to health, dangerous to life or causing a disorder, associated with a persistent loss of general working capacity of at least one third or with a complete loss of professional working capacity, or resulting in termination of pregnancy, or mental illness,

is punishable by imprisonment for a term of three to eight years. (2) The same act, if it is committed: a) against a woman who is known to the perpetrator to be in state of pregnancy;

b) in relation to a person or his relatives in connection with the performance by this person of his official or public duty; c) two or more persons without prior agreement or a group

persons by prior conspiracy; d) in a manner that was in the nature of torment or torment; k) in a generally dangerous manner; f) for hooligan reasons; g) on social, national, racial or religious grounds

hatred or enmity; h) an organized group; i) in relation to two or more persons; j) repeatedly, punishable by imprisonment for a term of five to ten years.

(3) Acts provided for in parts one or two of this article, committed by a criminal community or resulting in the death of the victim through negligence, are punishable by imprisonment for a term of six to fifteen years.

**Article 108.** Intentional infliction of harm to health of moderate severity (1) Intentional infliction of bodily injury or other harm to health that is not life-threatening and did not entail the consequences provided for in Article 107 of this Code, but caused a long-term health disorder or a significant permanent loss of general working capacity of less than one third,

shall be punishable by a fine in the amount of twenty to forty average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to three years. (2) The same act, if it is committed: a) against a woman who is known to the perpetrator to be in

state of pregnancy; b) in relation

to two or more persons; c) in relation to a person

or his relatives in connection with the performance by this person of his official or public duty; d) two or more persons without prior agreement or a group

persons by prior conspiracy; e) in a manner

that was in the nature of torment or torment; f) for hooligan reasons; g) on grounds of social, national, racial or religious

hatred or enmity; h) repeatedly,

shall be punished

by a fine in the amount of twenty to fifty average monthly wages or imprisonment for up to

five years.

**Article 109.** Intentional infliction of grave or moderate gravity

harm to health in a state of passion

Intentional infliction of grievous or moderate bodily injury or other harm to health, committed in a state of sudden strong emotional excitement (affect) caused by violence, mockery or grave insult on the part of the victim or other illegal or immoral actions (inaction) of the victim, as well as prolonged psychological trauma a situation arising in connection with the systematic illegal or immoral behavior of the victim,

shall be punishable by a fine in the amount of twenty to thirty average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to two years.

**Article 110.** Intentional infliction of grievous or moderate harm to health when exceeding the limits of necessary defense or when detaining a person who has committed a crime

(1) Intentional infliction of grievous or moderate harm

health, committed when exceeding the limits of necessary defense,

shall be punishable by a fine in the amount of up to twenty average monthly wages, or correctional labor for a term of up to one year, or imprisonment for a term of up to one year. (2) Intentional infliction of grievous or moderate harm to the health of a person who

has committed a crime, in excess of the measures necessary for his detention,

shall be punished by a fine in the amount of twenty to thirty average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to two years.

**Article 111.** Intentional infliction of minor harm to health Intentional infliction of bodily injury or other harm to health, resulting in short-term health disorder or minor permanent loss of general ability to work, is punishable by a fine in the amount of ten to twenty average monthly wages or correctional labor for up to one year. or imprisonment for a term of six months.

**Article 112.** Deleted.

**Article 113.** Torture (1) Infliction

of physical or mental suffering through systematic beatings or other violent means, if this does not entail the consequences provided for in Articles 107 and 108 of this Code, is punishable by correctional labor for up to two years or imprisonment for up to two years. years. (2) The same acts, if they are committed: a) in relation to a woman, known to the perpetrator, who is in custody

state of pregnancy;

b) in relation to a person or his relatives in connection with the implementation of this a person of his official or public duty;

c) in relation to a minor or a person known to the perpetrator, who was in a helpless state or in financial or other dependence on the perpetrator, as well as a person kidnapped or taken as a hostage;

d) two or more persons without prior agreement or a group persons by prior conspiracy;

k) by torture; f) on grounds of social, national, racial or religious hatred or enmity

shall be punished by imprisonment for a term of three to seven years.

**Article 114.** Cruel treatment of a person in a dependent position or a helpless state (1) Cruel treatment of a person in a dependent position or in a helpless state due to illness, disability or old age is punishable by correctional labor for up to one year or imprisonment freedom for up to two years.

(2) The same act, if it caused the death of a person through negligence or other grave consequences, is punishable by imprisonment for a term of up to four years.

**Article 115.** Careless infliction of grievous bodily harm Reckless infliction of grievous bodily harm is punishable by a fine in the amount of twenty to fifty average monthly wages or correctional labor for up to two years or imprisonment for up to two years.

**Article 116.** Threat of murder or infliction of grievous bodily harm. Threat of murder or infliction of grievous bodily harm, if there were grounds to fear that this threat would be carried out, is punishable by correctional labor for up to two years or imprisonment for up to two years.

**Article 117.** Infection with a venereal disease (1)  
Infection of another person with a venereal disease by a person who knew that he had this disease is punishable by a fine in the amount of ten to twenty average monthly wages or correctional labor for a term of up to two years or imprisonment for a term of up to two years. (2) The same act committed against two or more persons or a minor is punishable by correctional labor for a term of up to two years or imprisonment for a term of up to five years.

**Article 118.** Deleted.

**Article 119.** Infection with AIDS (1) Knowingly putting another person at risk of infection  
AIDS disease is punishable by imprisonment for up to three years.  
Infection of another person with AIDS by a person who knew about the presence he has this disease, is punishable by imprisonment for a term of up to five years.  
The act provided for in part two of this article, committed in relation to two or more persons or a minor, is punishable by imprisonment for a term of up to eight years. Infecting another person with AIDS due to improper performance of their professional duties by a medical or pharmaceutical worker,

shall be punishable by imprisonment for a term of up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

**Article 120.** Illegal abortion (1) Producing an abortion by a person

who has a higher medical education of the appropriate profile, outside a hospital or other medical institution or in a medical institution, but without legal grounds, is punishable by a fine in the amount of ten to thirty average monthly wages or correctional works for a period of up to two years with or without deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years.

(2) Performing an abortion by a person who does not have a higher medical education in the relevant profile is punishable by a fine in the amount of ten to fifty average

monthly wages or correctional labor for a term of one to two years, or imprisonment for a term of up to two years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or without it.

(3) Acts provided for in parts one or two of this articles committed repeatedly,

shall be punishable by imprisonment for a term of up to three years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years. (4) Acts provided for in parts one, two or three of this article, if they negligently resulted in the death of the victim or the infliction of grave or moderate harm to her health,

shall be punishable by imprisonment for a term of up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

**Article 121.** Failure to provide assistance to a patient (1) Failure

to provide assistance to a patient without good reason by a person obliged to provide it in accordance with the law or a special rule, resulting in harm to health of moderate severity,

is punishable by a fine in the amount of twenty to fifty average monthly wages or correctional labor for up to two years with or without deprivation of the right to hold certain positions or engage in certain activities for up to three years.

such.

(2) The same act, if it negligently resulted in the death of a patient or the infliction of grievous harm to his health, is punishable by imprisonment for a term of up to two years

with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

**Article 122.** Improper performance of professional duties by a medical worker (1) Failure to perform or improper performance of professional duties by a medical worker due to careless or dishonest attitude towards them, causing harm to health of moderate severity,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years, or correctional labor for a term of up to two years.

(2) The same acts, if they caused serious harm to health or the death of the victim due to negligence, is punishable by imprisonment for a term of up to three years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

**Article 123.** Improper fulfillment of duties to protect life and health of minors Failure to fulfill or improper performance of professional duties to protect the life and health of minors by an employee of a child or adolescent institution who is assigned such duties in the service, careless or dishonest attitude towards them, if it negligently resulted in the death of a minor or causing serious harm to his health, is punishable imprisonment for a term of up to three years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

**Article 124.** Illegal medical practice (1) Practicing medical practice by a person who does not have a special permit or proper medical education, which through negligence resulted in harm to health of moderate severity,

shall be punishable by a fine in the amount of ten to fifty average monthly wages or correctional labor for up to two years. (2) The same act, if it caused death by negligence

victim or causing grievous harm to his health, is punishable by imprisonment for a term of up to three years.

**Article 125.** Leaving in danger Knowingly leaving without help a person who is in a dangerous situation life or health condition and deprived of the opportunity to take measures for self-preservation due to infancy, old age, illness or due to his helplessness, in cases where the culprit had the opportunity to help this person and was obliged to take care of him, or himself put him in a life-threatening condition ,

shall be punished by correctional labor for a term of up to two years or imprisonment for a term of up to two years.

## **Chapter 17. Crimes against freedom, honor and dignity of the individual**

### **Article 126. Kidnapping (1) Kidnapping**

a person for the purpose of obtaining a ransom, performing or not performing any actions in the interests of the kidnapper or another person, in the absence of the signs provided for in Article 130 of this Code, is punishable by imprisonment for a term of two to five

years. . (2) The same act committed: a) against a woman, known to the perpetrator, who is in

state of pregnancy;

b) by a group of persons by prior conspiracy or an organized group; c) again; d) with the use of violence

dangerous to

life and health; e) using weapons or other objects used as weapons; f) in

relation to a minor; g) in relation to two or more persons. shall be punished by imprisonment for a term of five to ten

years. (3) Acts provided for in parts one or two of this

articles, if they: a) were

committed by a criminal community; b) through negligence

resulted in the death of the victim or the infliction of serious harm to his health or other serious consequences,

shall be punished by imprisonment for a term of eight to fifteen years.

### **Article 127. Kidnapping of a woman for the purpose of actually entering into marital relations**

Kidnapping a woman against her will in order to enter into a de facto marital relationship with her is

punishable by imprisonment for up to three years.

### **Article 128. Substitution of a**

child Deliberate substitution of a child is punishable by correctional labor for a term of up to two years or imprisonment for a term of up to two years.

### **Article 129. Illegal deprivation of liberty (1) Illegal deprivation**

of a person's liberty, not related to his abduction, is punishable by correctional labor for a term of up to two years or

imprisonment for a term of up to two years.

(2) The same act committed: a) by a group of persons by prior conspiracy or by an organized group; b) again; c) with the use of violence dangerous to life and health; d) using weapons or other objects used as weapons; e) in relation to a minor; f) in relation to two or more persons, is punishable by imprisonment for a term of three to five years. (3)

Acts

provided for in parts one or two of this article, if they negligently entailed the death of the victim or the infliction of serious harm to his health or other grave consequences, are punishable by imprisonment for a term of four to eight years.

**Article 130. Taking a hostage (1)**

Capturing or holding a person as a hostage, coupled with a threat of murder or causing bodily harm, committed for the purpose of forcing a state, international organization, legal entity or individual to commit or refrain from committing any action as a condition of release a hostage in the absence of signs of a crime provided for in Articles 232 (extortion) and 271 (terrorism) of this Code,

shall be punished by imprisonment for a term of five to ten years. (2) The same acts, if they were committed: a) by a group of persons by prior conspiracy or by an organized group; b) again; c) with the use of physical violence; d) using weapons or other objects used as weapons; e) in relation to a minor; f) in relation to two or more persons, shall be punished by imprisonment for a term of eight to fifteen years. (3)

Acts provided for in parts one or two of this article, if they are committed:

a) a criminal community; b) caused by negligence the death of the victim or caused serious harm to his health or other serious consequences,

shall be punished by imprisonment for a term of ten to twenty years. The person who actions do not voluntarily released the hostage, Note. is exempt from criminal liability if his contain elements of another crime.

**Article 131.** Compulsory treatment of a known healthy person (1) Placement in a psychiatric hospital or other closed medical institution of a person who obviously does not need such a form of treatment is punishable by imprisonment for a term of up to three years with deprivation of the right to hold certain positions or engage

in certain activities. for a period of up to three years or without it. (2) The same act, if it negligently resulted in the death of the victim or the infliction of serious harm to his health or other grave consequences,

shall be punishable by imprisonment for a term of three to seven years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

**Article 132.** Libel (1) Libel,

that is, the dissemination of knowingly false information that humiliates the honor and dignity of another person or undermines his reputation, if it is carried out in a public speech, a publicly displayed work or the media,

is punishable by a fine in the amount of ten to thirty average monthly wage rates.

(2) The acts provided for in part one of this article, if they entailed grave consequences or were carried out together with an accusation of committing a particularly serious crime,

shall be punishable by a fine in the amount of thirty to fifty average monthly wages or imprisonment for a term of up to three years.

**Article 133.** Deleted.

## **Chapter 18. Crimes in the field of sexual relations**

**Article 134.** Rape (1) Rape, that is,

sexual intercourse with the use of physical violence, the threat of its use, as well as taking advantage of the helpless state of the victim,

shall be punishable by imprisonment for a term of three to ten years, with or without the imposition of the obligation to reside in a certain area for a term of two to five years. (2) Rape: a) committed repeatedly; b) committed by two or more persons without prior agreement

or by a group of persons by prior conspiracy;

c) associated with torture of the victim; d) causing the victim to become infected with a venereal disease;

e) known to be a minor, shall be punished by imprisonment for a term of five to fifteen years, with or without the imposition of the obligation to reside in a certain area for a term of two to five years. (3) Rape: a) resulting through negligence in causing the death of the victim or causing serious harm to her health or contracting her the disease AIDS; b) the victim is known to have under fourteen years of age, shall be punished by imprisonment for a term of ten to twenty-five years, with or without the imposition of the obligation to reside in a certain area for a period of two to five years.

**Article 135. Sodomy (1) Sodomy,**

that is, sexual intercourse between a man and a man, is punishable by imprisonment for up to two years, with or without the obligation to reside in a certain area for a period of two to five years.

(2) Sodomy with the use of physical violence, the threat of its use, as well as taking advantage of the helpless state of the victim, is punishable by imprisonment for a term of three to six years with the imposition of the obligation to reside in a certain area for a period of two to five years or without it.

(3) The act provided for in paragraph two of this article, if they committed: a) repeatedly; b) two or more persons without prior agreement or a group persons by prior conspiracy; c) in relation to a known minor; d) causing the victim to become infected with a venereal disease, shall be punished by imprisonment for a term of five to ten years, with or without the imposition of the obligation to reside in a certain area for a period of two to five years.

(4) Acts provided for in parts two or three of this articles, if they: a) are committed in relation to a person who has obviously not achieved fourteen years of age; b) by negligence caused the death of the victim or causing serious harm to his health, or infection with AIDS, shall be punishable by imprisonment for a term of ten to twenty years, with or without the imposition of the obligation to reside in a certain area for a term of two to five years.

**Article 136.** Satisfaction of sexual needs in perverted ways  
forms

(1) Satisfaction of sexual need in perverted forms with the use of physical violence, the threat of its use, as well as taking advantage of the helpless state of the victim, is punishable by imprisonment for a term of two to six years. (2) The same act, if it: a) was committed repeatedly; b) committed by two or more persons without prior agreement or by a group of persons by prior agreement; c) entailed grave consequences, shall be punished by imprisonment for a term of three to eight years. (3) The acts provided for in parts one or two of this minor article, committed (by a minor),

V respect

shall be punished by imprisonment for a term of five to ten years.

**Article 137.** Forcing a person to have sexual intercourse Forcing a person to have sexual intercourse, sodomy or to commit other acts of a sexual nature by means of blackmail, threats of destruction of property or using material or other

addictions,

shall be punished by correctional labor for a term of up to two years or imprisonment for a term of up to two years.

**Article 138.** Engagement in prostitution

Engagement in prostitution, committed repeatedly within a year after the imposition of an administrative penalty, is punishable by a fine in the

amount of twenty to forty average monthly wages or correctional labor for up to two years or imprisonment for up to two years.

**Article 139.** Involvement in prostitution (1) Involvement in prostitution is punishable by correctional labor for up to two years or imprisonment for up to two years.

(2) The same act, if it is committed: a) repeatedly; b) by a group of persons by prior conspiracy; c) in relation to a minor; d) with the use of physical violence or the threat of its use; k) using blackmail or deception, is punishable by imprisonment for a term of three to eight years.

Note. In Articles 139,140,141 and 142, a repeated crime is recognized as a crime committed by a person who has previously committed any of the crimes provided for by these articles of this Code.

**Article 140.** Organization or maintenance of dens for debauchery or prostitution (1) Organization or maintenance of dens for debauchery or prostitution is punishable by imprisonment for a term of up to five years with or without confiscation of property and with the imposition of the obligation to live in a certain area for a period of from two to five years or without it. (2) The same acts, committed repeatedly, are punishable by imprisonment for a term of three to eight years with or without confiscation of property and with the imposition of the obligation to reside in a certain area for a term of two to five years or without

such.

**Article 141.** Procurement (1) Procurement for debauchery or prostitution is punishable by imprisonment for up to five years with or without confiscation of property. (2) The same act, committed repeatedly, is punishable by imprisonment for a term of three to eight years, with or without confiscation of property.

**Article 142.** Pimping Pimping, that is, the use of a person engaged in prostitution for the purpose of sexual exploitation, committed for mercenary reasons, is punishable by imprisonment for a term of two to six years with or without confiscation of property.

(2) The same act, committed repeatedly, is punishable by imprisonment for a term of three to eight years, with or without confiscation of property.

**Article 143.** Sexual intercourse with a person underage sixteen years of age Sexual intercourse with a person under sixteen years of age is punishable by imprisonment for up to three years.

**Article 144.** Depraved acts Committing depraved acts without the use of violence against a person known to be under sixteen years of age, is punishable by imprisonment for a term of up to three years.

## Chapter 19. Crime against the constitutional rights and freedoms of man and citizen

### **Article 145.** Violation of equal rights of citizens Direct or

indirect violation or restriction of human and civil rights and freedoms depending on nationality, race, gender, origin, property and official status, place of residence, language, attitude to religion, political beliefs, party affiliation or absence belonging to any party, if these acts entailed grave consequences, is punishable by correctional labor for a term of up to two years or imprisonment for a term of up to two years.

### **Article 146.** Violation of privacy (1) Illegal collection, storage, or dissemination of

information about the private life that constitutes a personal or family secret of another person, without his consent, if committed repeatedly within one year after the application of an administrative penalty for these offenses,

is punishable by a fine in the amount of five to ten average monthly wages or correctional labor for up to one

of the year.

(2) Dissemination of information specified in paragraph one of this article in a public speech, publicly displayed work or in the media is punishable by a fine in the amount of ten to twenty average monthly

wages or correctional labor for up to two years.

### **Article 147.** Violation of the confidentiality of correspondence, telephone conversations, postal, telegraph or other

messages. Deliberate violation of the confidentiality of correspondence, telephone conversations, postal, telegraphic or other messages from citizens, if it is made:

a) again within one year after the application of the administrative penalties for these offenses, b) using official

position, is punishable by a fine in the amount of five to ten average monthly wages or correctional labor for up to

one year.

### **Article 148.** Violation of the inviolability of the home Illegal entry into the

home or other violation of the inviolability of the home, committed against the will of the person living in it, if it is committed: a) repeatedly within one year after the application of administrative

penalties for these offenses;

b) with the use of physical violence or the threat of its use,

c) using official position, is punishable by a fine in the amount of twenty to thirty average monthly wages or correctional labor for up to two years or imprisonment for up to two years.

**Article 149.** Obstruction of the exercise by a citizen voting rights and the right to participate in a referendum

Obstructing the free exercise by a citizen of voting rights or the right to participate in a referendum through violence, deception, threats, forgery, as well as bribery of voters or participation in it, shall be punished by correctional labor for a term of up to two years or imprisonment for a term of up to two years.

**Article 150.** Violation of the electoral right of citizens and the rights of citizens participate in a referendum

Violation of the electoral rights of citizens and the rights of citizens to participate in a referendum by a member of an election commission by violating the secrecy of voting, forging election documents, drawing up and issuing knowingly false documents, knowingly incorrectly counting votes or knowingly incorrectly establishing voting results, knowingly incorrectly determining the results of elections, a referendum, is punishable by a fine in the amount of five to ten average monthly wages or correctional labor for a term of up to two years or imprisonment for a term of up to one year.

**Article 151.** Violation of labor protection rules (1) Violation of safety rules or other labor protection rules, committed by a person who was entrusted with the responsibility to comply with these rules, if this act resulted in harm to human health,

shall be punishable by a fine in the amount of twenty to thirty average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to two years.

(2) The act provided for in paragraph one of this article, if it caused the death of a person through negligence,

shall be punishable by imprisonment for a term of up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

**Article 152.** Unreasonable refusal to hire or unjustified dismissal of a pregnant woman

Unreasonable refusal to hire a woman on the grounds of her pregnancy, as well as unjustified dismissal of a woman from work for the same reasons, if these actions entailed grave consequences,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years, or correctional labor for a term of up to two years, or imprisonment for a term of up to two years.

**Article 153.** Violation of copyright and related rights, rights  
patent holders

Assignment of authorship, illegal use of objects of copyright or related rights, as well as inventions, utility models or industrial designs protected by a patent, if they are committed: a) repeatedly within one year after the application of administrative

penalties for these offenses; b) by a group of

persons by prior conspiracy, shall be punished by a fine in the amount of fifteen to thirty average monthly wages or correctional labor for up to two years.

**Article 154.** Obstruction of the legal activities of religious organizations Obstruction of the legitimate activities of

religious organizations or the performance of religious rituals, if they do not violate public order and are not associated with an infringement on the rights, freedoms and legitimate interests of citizens,

is punishable by a fine in the amount of five to ten average monthly wages or correctional labor for up to one year.

## **Chapter 20. Crimes against minors, family and morality**

**Article 155.** Involving a minor in committing  
crimes

(1) Involvement of a minor in the commission of a crime by a person who have reached the age of eighteen, is punishable by

imprisonment for a term of up to three years. (2) The same act committed

by a parent. a teacher or other person charged by law with the responsibility to care for a minor, is punishable by imprisonment for a term of up to five years with or without deprivation of the right to hold certain positions or engage

in certain activities for a term of up to three years. (3) Acts provided for in parts one or two of this article, committed with the use of physical violence or the threat of its use, are punishable by imprisonment for a term of four to eight years.

(4) Acts provided for in parts one, two or three of this article, related to the involvement of a minor in an organized criminal group or criminal community or in the commission of a particularly serious crime, are punishable by imprisonment for a term of five to ten years.

**Article 156.** Involvement of a minor in the commission of antisocial actions Involvement of a minor in the systematic consumption of

alcoholic beverages, illegal use of intoxicating substances, vagrancy or begging by a person who has reached the age of eighteen, if they are committed:

a) again within one year after the application of the administrative penalties for these offenses;

b) with the use of physical violence or the threat of its use, is punishable by imprisonment for a term of up to four years.

**Article 157.** Disclosure of the secret of adoption Disclosure of the secret of

adoption against the will of the adoptive parent, committed by a person to whom it became known in connection with the performance of his official duties, who is obliged to keep the fact of adoption secret,

shall be punishable by a fine in the amount of fifteen to thirty average monthly wages with deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years or without it, or correctional labor for a term of up to two years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years. up to three years or without

such.

**Article 158.** Abuse of guardianship rights Use of guardianship.

guardianship or patronage in mercenary chains to the detriment of the ward or patronized, as well as leaving the ward or patronized without supervision and necessary assistance,

is punishable by a fine in the amount of ten to twenty average monthly wages or correctional labor for up to two years.

**Article 159.** Malicious violation of the duty of education

of a minor Malicious violation

of the duty to care for the upbringing of a minor by parents or a person entrusted with this duty, as well as by a teacher or other employee of an educational or educational institution, if this act is associated with cruel treatment of a minor or entails causing significant harm to his health,

shall be punishable by imprisonment for a term of up to two years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

**Article 160.** Malicious evasion of payment of funds for child support  
or disabled parents

(1) Malicious evasion of parents from paying, by court decision, funds for the maintenance of minor children, as well as disabled children who have reached the age of eighteen, is punishable by a fine in the amount of fifteen to thirty average monthly wages or

correctional labor for up to two years. (2) Malicious evasion of adult able-bodied children from paying court-ordered funds for the maintenance of disabled parents is punishable by a fine in the amount of fifteen to thirty average

monthly wages or correctional labor for up to two years.

**Article 161.** Malicious violation of the rights of the person entrusted with  
education of a minor

Malicious violation of the rights of a parent or another person to whom a minor has been transferred by a court decision, committed with the use of violence or humiliation of the honor and dignity of the minor or the person entrusted with his upbringing, is punishable by a fine in the amount of ten to twenty average monthly

wages or correctional labor for up to two years.

**Article 162.** Forcing a woman to enter into marriage or preventing her from entering into marriage (1) Forcing  
a woman into entering into marriage or continuing marital

cohabitation, as well as preventing a woman from entering into marriage of her choice, combined with violence or the threat of violence, is punishable by a fine of in the amount of twenty to thirty average monthly wages or correctional labor for a term of up to two years or imprisonment for a term of up to two years.

(2) Forcing a person under marriageable age to enter into a marriage  
actual marital relations, is punishable by  
imprisonment for up to three years.

**Article 163.** Polygamy Polygyny, that

is, cohabitation with two or more women while jointly managing a common household,

shall be punishable by a fine in the amount of twenty to thirty average monthly wages or correctional labor for up to two years.

**Article 164. Production or distribution of pornographic items**

(1) Production for the purpose of demonstration or distribution, as well as display, trade or other distribution of pornographic printed publications and other items,

is punishable by a fine in the amount of twenty to forty average monthly wages or correctional labor for up to two years.

The same acts committed repeatedly by an organized group or criminal community

shall be punishable by imprisonment for a term of up to five years with or without confiscation of property.

**Article 165. Desecration of a grave** (1) Desecration of a grave is punishable by correctional labor for up to two years or imprisonment for up to two years. (2) Desecration of a grave, involving the theft of monuments or other objects located on or in a grave, or desecration of a corpse,

is punishable by imprisonment for a term of up to five years.

**Article 166. Deliberate destruction, destruction or damage historical and cultural monuments**

Deliberate destruction, destruction or damage to historical monuments and culture or natural objects taken under state protection,

shall be punished by a fine in the amount of twenty to forty average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to two years.

**Section VIII. Crimes against the peace and security of mankind**

**Chapter 21. Crimes against the peace and security of mankind**

**Article 167. Propaganda of war**

Propaganda of war, that is, dissemination, using the media or other means, of calls to wage an aggressive war, is punishable by correctional labor for up to two years or

imprisonment for up to five years.

**Article 168. Genocide**

Genocide, that is, deliberate actions committed with the aim of complete or partial destruction of any national, ethnic, racial or religious group of persons, expressed in the killing of members of such a group, causing them bodily harm, creating living conditions designed for complete or their partial physical destruction, forcible reduction of childbearing, or forcible transfer of children from one human group to another, as well as issuing an order to commit such actions, is punishable by imprisonment for a term of fifteen to twenty-five

years.

**Article 169. Mercenaries (1)**

Recruitment, training, financing or other material support of a mercenary, as well as his use in an armed conflict or other military actions,

shall be punished by imprisonment for a term of three to eight years. (2) Participation of a mercenary in an armed conflict or hostilities is punishable by imprisonment for a term of five to ten years.

Note. A mercenary is a person who acts for the purpose of receiving material compensation and is not a citizen of a state participating in an armed conflict or hostilities, does not reside permanently on its territory, and is not a person sent to perform official duties.

**Article 170. Attack on persons enjoying international protection (1)** Attack on a representative of a foreign state or an employee of an international organization enjoying international protection, as well as on office or residential premises or a vehicle of persons enjoying international protection, if these actions were committed for the purpose of provocation war or complications of international relations, is punishable by imprisonment for a term of five to ten years. (2) The same act, resulting in the death of a person or other grave consequences, is punishable by imprisonment from ten to twenty-five years.

**Section IX. Crimes against the state**

**Chapter 22. Crimes against the state**

**Article 171. Treason to the state** Treason to the state, that is, espionage, giving away state secrets or otherwise providing assistance to a foreign state in carrying out

hostile activity to the detriment of the independence, integrity, territorial integrity, state security, neutrality or defense capability of Turkmenistan, committed by a citizen of Turkmenistan, is punishable by imprisonment for a term of ten to twenty-five years.

**Article 172.** Espionage Transfer,

as well as collection, theft or storage for the purpose of transferring to a foreign state, foreign organization or their representatives information constituting a state secret, as well as transfer and collection on instructions from foreign intelligence of other information for use to the detriment of independence, state sovereignty, neutrality, territorial integrity, national security or defense capability of Turkmenistan, if these actions are committed by a foreigner or stateless person, are punishable by imprisonment for a term of ten to twenty-five years.

**Article 173.** Sabotage (1)

Sabotage, that is, actions aimed at killing people, harming their health, damaging or destroying property with the aim of destabilizing the activities of government bodies or the socio-political situation or undermining the economy or defense capability of Turkmenistan, is punishable by imprisonment for a term from eight to fifteen years. (2) The same act, resulting in the death of a person or other grave consequences, is punishable by imprisonment for a term of ten to twenty-five years.

**Article 174.** Conspiracy to seize power (1) Conspiracy to forcibly

seize power and (or) forcibly change the constitutional system is punishable by imprisonment for a term of eight to fifteen years.

(2) The same act, resulting in the death of a person or other grave consequences, is punishable by imprisonment for a term of ten to twenty-five years.

**Article 175.** Calls for a violent change of the constitutional building

(1) Public calls for a violent seizure of power and (or) a violent change in the constitutional system are punishable by correctional labor for up to two years or imprisonment for up to three years. (2) The same act committed repeatedly or by an organized group or

using the media,

is punishable by imprisonment for a term of up to five years.

**Article 176.** Encroachments on the President of Turkmenistan (1) Encroachment on the life and health of the President of Turkmenistan is punishable by imprisonment for a term of fifteen to twenty-five

years.

(2) Insulting or slandering the President of Turkmenistan is punishable by imprisonment for up to five years.

**Article 177.** Incitement to social, national or religious enmity

(1) Deliberate actions aimed at inciting social, national, ethnic, racial or religious hostility or discord, humiliating national dignity, as well as promoting the exclusivity or inferiority of citizens based on their attitude to religion, social, national, ethnic or racial affiliation, are punishable a fine in the amount of twenty to forty average monthly

wages or imprisonment for up to three years.

(2) The same acts committed using the media are punishable by a fine in the amount of twenty-five to fifty average

monthly wages or imprisonment for a term of two to four years.

(3) Acts provided for in parts one or two of this article, committed with the use of physical violence or the threat of its use, as well as committed by an organized group,

shall be punished by imprisonment for a term of three to eight years.

**Article 178.** Desecration of the symbols of the state Desecration of the State

Flag of Turkmenistan, the State Emblem of Turkmenistan or the State Anthem of Turkmenistan is punishable by a fine in the amount of ten to thirty average monthly wages or correctional labor for a term of up to two years or

imprisonment for a term of up to two years.

**Article 179.** Disclosure of state secrets (1) Disclosure of information

constituting a state secret by a person with access to state secrets, if this act caused harm to the interests of the state, in the absence of signs of treason,

shall be punishable by imprisonment for a term of up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

(2) The same act, if it entailed grave consequences,

shall be punishable by imprisonment for a term of three to eight years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

**Article 180.** Loss of documents containing state secrets (1) Loss of documents containing state secrets, as well as objects, information about which constitutes state secrets, by the person to whom they were entrusted, in connection with official or professional activities, if the loss was the result of a violation established rules for handling specified documents or objects,

shall be punishable by correctional labor for a term of up to two years or imprisonment for a term of up to two years, with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years. (2) The same act, if it entails grave consequences, is punishable by imprisonment for a term of up to five years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

## **Section X. Crimes against the order of functioning of public authorities and administration**

### **Chapter 23. Crimes against the interests of public service**

**Article 181.** Abuse of official powers (1) Abuse of official powers, that is, the use by an official of his official powers contrary to the interests of the service, if this act was committed out of selfish or other personal interest or entailed a significant violation of the rights and legitimate interests of citizens, organizations or the state, is punishable deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years or a fine in the amount of twenty to forty average monthly wages or correctional labor for a term of up to two years or imprisonment for a term of up to three years. (2) The same act, which entails grave consequences, is punishable by imprisonment for a term of up to eight years, with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or by imposing the obligation to reside in a certain area for a period of five to eight years. years with deprivation of the right to hold certain positions or engage in certain activities for up to three years or without

such.

Note. Officials in the articles of this chapter are persons who are permanently, temporarily or under special authority

performing the functions of government representatives, as well as performing organizational, administrative, economic or control and auditing functions in state bodies, local governments, state enterprises, institutions or organizations, as well as in the Armed Forces, other troops and military formations.

**Article 181-1.** Treason of the oath (1)

Treason of an officially taken oath by a person holding a public office through abuse of official powers, if this act was committed out of selfish or other personal interest and entailed a significant violation of the rights and freedoms of citizens, the legitimate interests of society and the state, is punishable by deprivation of the right to occupy certain positions. positions or engage in certain activities for a term of up to five years, or imprisonment for a term of up to five years with or

without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years. (2) The same act, which entails grave consequences, is punishable by imprisonment for a term of five to ten years, with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

**Article 181-2.** Illegal transfer of land (1) Transfer by an

official of land plots in violation of property rights, including the transfer for lease or use of land plots owned by the state, without registration in the prescribed manner, if these acts were committed out of selfish or other personal interest,

is punishable by a fine in the amount of twenty to one hundred average monthly wages with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or imprisonment for a term of up to one year with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years. . (2) The act provided for in part one of this article, if it is committed: a) repeatedly; b) by a group of persons by prior conspiracy, is punishable by a fine in the amount of

fifty to one hundred and fifty average monthly wages with deprivation of the right to hold certain positions or

engage in

certain activities for a term of up to three years, or imprisonment

for a term of up to three years with deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years.

**Article 182.** Excess of official powers (1) Excess of official powers, that

is, the commission by an official of actions that clearly go beyond the scope of his official powers and entailed significant violations of the rights and legitimate interests of citizens, organizations or legally protected interests of society or the state,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years, or a fine in the amount of twenty to forty average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to three years. (2) The same act, if it: a) was accompanied by actions that offend the personal dignity of the victim; b) committed with the use of physical

violence; c) committed with the use

of weapons or special means; d) entailed grave consequences, shall be punished by imprisonment for a term of

three to eight years with deprivation of the right to occupy certain

positions or engage in certain activities for a period of up to three years, or imposition of the obligation to reside in a certain area

for a term of five to eight years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years.

**Article 182-1.** Torture (1)

Torture, that is, the deliberate infliction by an official or other person acting in an official capacity, or with their knowledge or acquiescence, to any person of severe pain or physical or mental suffering for the purpose of obtaining from him or a third party information or recognizing, punishing him for an act committed by him or a third person, or of which he is suspected of having committed, as well as intimidating or coercing him or a third person, or for any reason based on discrimination of any nature,

shall be punishable by imprisonment for a term of three to eight years with deprivation of the right to hold a certain position or engage in certain activities for a term of up to three years.

(2) The acts provided for in part one of this article, if they are committed: a) in relation to women, minors or

persons with obvious signs of disability;

b) in relation to a person who, known to the perpetrator, was in a helpless state or taking advantage of a defenseless state

victim; h) in relation

to two or more persons;

- d) two or more persons without prior agreement or a group persons by prior conspiracy;
- e) in relation to a person or his relatives in connection with the performance by this person of his official or public duty;
- a) using weapons or special means (objects, devices, tools and others); f) in conditions of war or threat of war, internal political instability or any other state of emergency or martial law, shall be punished by imprisonment for a term of five to ten years with deprivation of the right to hold a certain position or engage in certain activities for a term of up to three years.

(3) Acts provided for in parts one and two of this article, if they negligently resulted in the death of the victim or other grave consequences,

shall be punishable by imprisonment for a term of eight to fifteen years with deprivation of the right to hold a certain position or engage in certain activities for a term of up to three years. Note A person is not subject to criminal liability for causing severe pain or physical and mental suffering as a result of lawful actions (necessary defense, etc.).

**Article 183.** Assignment of the powers of an official Assignment of the powers of an official to a civil servant who is not an official and the commission by him, using these powers, of actions that entailed a significant violation of the rights and legitimate interests of citizens, organizations or the state,

shall be punishable by a fine in the amount of ten to thirty average monthly wages or correctional labor for up to two years with or without deprivation of the right to hold certain positions or engage in certain activities for up to three years.

**Article 184.** Receiving a bribe (1) Receipt by an official personally or through an intermediary of a bribe in the form of money, securities, other property or property benefits for actions (inaction) in favor of the bribe-giver or persons represented by him if such actions (inaction) are part of official duties the authority of the official or he, by virtue of his official position, can contribute to such actions (inaction),

shall be punishable by imprisonment for a term of up to eight years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years with or without confiscation of property or imposition of the obligation to reside in a certain area for a period of five to eight years with deprivation of the right to occupy

certain positions or engage in certain activities for a period of up to three years with or without confiscation of property. (2) The same act, if it is committed: a) repeatedly; b) by a group of persons by prior conspiracy or an organized group; c) an official holding a responsible position; d) with extortion of a bribe; e) on a large scale, is punishable by imprisonment for a term of five to fifteen years with or without confiscation of property, or imposition of the obligation to reside in a certain area for a term of five to fifteen years with or without confiscation of property. (3) The act provided for in paragraph one of this article, if it

committed: a)

on an especially large scale; b) by a criminal community, is punishable by imprisonment for a term of ten to twenty-five years with or without confiscation of property.

Note. 1. A large amount of a bribe is recognized as a sum of money, the value of securities, other property or benefits of a property nature, exceeding one hundred average monthly wages, and an especially large amount of a bribe is recognized as a sum of money, the value of securities, other property or benefits of a property nature, exceeding two hundred average monthly wages. wage rates.

2. Articles 184, 185 and 186 of this Code recognize the commission of a crime as repeated if it was preceded by the commission of one or more crimes provided for in these articles.

**Article 185.** Giving a bribe (1)

Giving a bribe to an official personally or through an intermediary is punishable by imprisonment for up to five years. (2) The same act, committed repeatedly, is punishable by imprisonment for a term of five to ten years. Note. A person who gives a bribe is exempt from criminal liability if a bribe was extorted against him or her or if this person voluntarily informed the body or official who has the right to initiate a criminal case for giving a bribe.

**Article 186.** Mediation in bribery (1) Mediation in receiving or giving a bribe is punishable by imprisonment for up to five years. (2) The same act, committed repeatedly or by an official,

shall be punishable by imprisonment for a term of five to ten years with or without confiscation of property. Note. A person who performed the functions of an intermediary in receiving or giving a bribe is exempt from criminal liability if he voluntarily informed the body or official who has the right to initiate a criminal case about the mediation in bribery.

**Article 187. Official forgery** Official forgery,

that is, the introduction by an official, as well as a civil servant who is not an official, into official documents of knowingly false information, as well as the introduction of corrections into these documents that distort their actual content, if these acts were committed for personal gain. or other personal interest,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years, or a fine in the amount of ten to thirty average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to two years.

**Article 188. Negligence (1)**

Negligence, that is, failure or improper performance by an official of his duties due to dishonest or negligent attitude towards service, if this entailed a significant violation of the rights and legitimate interests of citizens, organizations or legally protected interests of society or the state, is punishable by deprivation of rights hold certain positions or engage in certain activities for a term of up to five years or a fine in the amount of ten to thirty average monthly wages or correctional labor for a term of up to two years.

(2) The same act, which through negligence resulted in the death of a person or other serious consequences,

shall be punishable by imprisonment for a term of up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

## **Chapter 24. Crimes against justice**

**Article 189. Obstruction of justice and preliminary investigation (1)** Interference in any form in the activities of the court in

for the purpose of obstructing the administration of justice, is punishable by a fine in the amount of ten to twenty average monthly wages or correctional labor for up to two years.

(2) Interference in any form in the activities of a prosecutor, investigator or person conducting an inquiry, in order to impede a comprehensive, complete and objective investigation of the case, is punishable by a fine in the amount of ten to twenty average monthly

wages or correctional labor for up to two years.

(3) Acts provided for in parts one or two of this article, committed by a person using his official position, are punishable by correctional labor for up to two years or imprisonment for up to two years with deprivation of the right to hold certain positions or engage in certain activities for up to three years or without it.

**Article 190.** Threat or violent actions against a person

administering justice or preliminary investigation (1) Threat of murder, harm to health, destruction or damage to property against a judge, people's assessor, prosecutor, investigator, person conducting the inquiry, defense attorney, expert, as well as their relatives in connection with the consideration of cases or materials in court or by conducting a preliminary investigation or inquiry,

shall be punished by correctional labor for a term of up to two years or imprisonment for a term of up to two years. (2) The use of violence not dangerous to life or health

against the persons specified in part one of this article in connection with the consideration of cases or materials in court or the conduct of a preliminary investigation

or inquiries.

is punishable by imprisonment for a term of up to five years. (3) The use of violence dangerous to life or health against persons specified in part one of this article in connection with the consideration of cases or materials in court or the conduct of a preliminary investigation or inquiry is punishable by imprisonment for a term of five to ten years.

**Article 191.** Contempt of the court (1) Contempt

of the court, expressed in insulting the participants in the trial, or in disobeying the order of the presiding judge, if this led to the disruption of the court hearing, is punishable by a fine in the amount of ten to twenty average monthly wages or correctional labor. for up to one

of the year.

(2) The same act, expressed in insulting a judge or people's assessor in connection with their activities in the administration of justice,

shall be punishable by a fine in the amount of fifteen to thirty average monthly wages or correctional labor for up to two years.

**Article 192.** Slander against a judge, people's assessor,  
prosecutor, investigator or person conducting the inquiry

(1) Defamation of a judge or people's assessor in connection with their activities in the administration of justice is punishable by a fine in the amount of twenty to forty monthly averages.  
wages or correctional labor for up to two years.

(2) The same act committed against a prosecutor, investigator or person conducting an inquiry in connection with a preliminary investigation or inquiry is punishable by a fine in the amount of fifteen to thirty average monthly wages or  
correctional labor for up to two years. (3) Acts provided for in parts one or two of this article, coupled with accusing a person of committing a grave or especially grave crime, are punishable by imprisonment for up to five years.

**Article 193.** Bringing a knowingly innocent person to criminal charges  
responsibility

(1) Bringing a knowingly innocent person to criminal liability is punishable by imprisonment for up to three years. (2) The same act combined with accusing a person of committing a serious crime  
or a particularly serious crime, is punishable  
by imprisonment for a term of three to ten years.

**Article 194.** Illegal release from criminal liability Illegal release from criminal liability of a person suspected or accused of committing a crime by a prosecutor, investigator or person conducting an inquiry,

is punishable by imprisonment for a term of up to five years.

**Article 195.** Illegal detention, detention or detention (1) Knowingly illegal detention is punishable by deprivation of the right to hold  
certain positions or engage in certain activities for  
up to five years, or correctional labor for up to two years, or imprisonment for up to one year. of the  
year.

(2) Knowingly illegal arrest or detention is punishable by imprisonment for up to three years.

(3) Acts provided for in parts one or two of this articles that entailed grave consequences, shall be punished by imprisonment for a term of three to eight years.

**Article 196.** Illegal release from custody or from places imprisonment

Knowingly illegal release from custody or from places of deprivation of liberty, as well as facilitating an escape from custody or from places of deprivation of liberty, is punishable by imprisonment for a term of up to five years.

**Article 197.** Compulsion to give testimony (1) Forcing a suspect, accused, victim, witness to give testimony or an expert to give an opinion by using threats, blackmail or other illegal actions on the part of the prosecutor, investigator or person conducting the inquiry, is punishable by imprisonment for up to three years. (2) The same act, combined with the use of violence or bullying of a person, is punishable by imprisonment for a term of three to eight years.

**Article 198.** Issuance of a knowingly unjust sentence, decision, definitions or rulings

(1) Issuance by a judge (judges) of a deliberately unjust sentence, decisions, determinations or regulations, is punishable by imprisonment for a term of up to five years. (2) The same act related to the imposition of an illegal court sentence to imprisonment or resulting in grave consequences, shall be punished by imprisonment for a term of three to ten years.

**Article 199.** Provocation of a bribe or commercial bribery Provocation of a bribe or commercial bribery, that is, an attempt to transfer to an official or a person performing managerial functions in commercial or other organizations, without his consent, money, securities, other property or to provide him with services of a property nature for the purpose of artificially creating evidence of a crime or blackmail is punishable by correctional labor for up to two years or imprisonment for up to three years.

**Article 200.** Knowingly false denunciation (1)

Knowingly false denunciation of the commission of a crime is punishable by correctional labor for up to two years or imprisonment for up to two years.

(2) The same act, combined with accusing a person of committing a grave or especially grave crime or with the artificial creation of evidence of the accusation, as well as committed for mercenary purposes, is punishable by imprisonment for a term of two to seven years.

**Article 201.** Knowingly false testimony, expert opinion or incorrect translation (1) Knowingly false testimony of a witness or victim

or a deliberately false expert opinion given during an inquiry, preliminary investigation or in court, as well as a deliberately incorrect translation made by a translator in the same cases, are punishable by correctional labor for a term of up to one year or imprisonment for a term of up to one year. (2) The same acts, combined with accusing a person of committing a grave or

especially grave crime, or with the artificial creation of evidence of the accusation, as well as those committed for mercenary purposes, are punishable by imprisonment for a term of two to five years.

**Article 202.** Refusal of a witness or victim to testify. Refusal of a witness or victim to testify is punishable by a fine in the amount of five to ten average monthly wages or correctional labor for up to one month.

of the year.

Note. A person is not subject to criminal liability for refusing testifying against oneself or one's close relatives.

**Article 203.** Bribery or coercion to give false testimony or a false conclusion or incorrect translation

(1) Bribery of a suspect, accused, witness, victim for the purpose of giving false testimony or an expert for the purpose of giving them a false conclusion or false testimony, as well as a translator for the purpose of making an incorrect translation is punishable by a fine in the amount of ten to twenty average monthly

wages or correctional labor for up to two years.

(2) Forcing a suspect, accused, witness, victim to give false testimony, an expert to give a false conclusion or a translator to carry out an incorrect translation, coupled with blackmail, threats of murder, causing harm to health, destruction or damage to the property of these persons or their relatives, is punishable correctional labor for a term of up to two years or imprisonment for a term of up to two years.

(3) The act provided for in part two of this article, committed with the use of

violence that is not dangerous to the life or health of these persons, is punishable by imprisonment for a term of up to five years.

(4) The act provided for in part two of this article, committed with the use of violence dangerous to the life or health of these persons, is punishable by imprisonment for a term of three to eight years.

**Article 204.** Disclosure of preliminary investigation data or inquiries

(1) Disclosure of data from a preliminary investigation or inquiry by a person who has been warned in accordance with the established procedure about the inadmissibility of their disclosure, if it is committed without the consent of the prosecutor, investigator or person conducting the inquiry,

is punishable by a fine in the amount of ten to thirty average monthly wages or correctional labor for up to two years.

(2) The same act, which entails grave consequences, is punishable by imprisonment for a term of up to five years.

**Article 205.** Disclosure of official secrets (1) Disclosure by an employee of the prosecutor's office, internal affairs, national security or by the person conducting the inquiry, information constituting an official secret or other information that was entrusted or became known to these persons in their service or work in connection with the discovery, suppression or investigation of crimes,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years or a fine in the amount of twenty to forty average monthly wages.

(2) The same act, if it was committed for mercenary or other personal reasons interest,

is punishable by imprisonment for a term of up to five years. (3) Acts provided for in parts one or two of this Articles that entail grave consequences are punishable by imprisonment for a term of two to seven years.

**Article 206.** Illegal actions in relation to property subject to inventory or seizure or subject to confiscation (1) Embezzlement, alienation, concealment or illegal transfer of property" subject to inventory or seizure, committed by the person to whom this property is entrusted, as well as the performance by an employee of a credit institution of banking operations with funds (deposits) that have been seized,

shall be punished by a fine in the amount of twenty to forty average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to two years. (2) Concealment or appropriation of property subject to confiscation by a court

verdict, as well as other evasion from the execution of a court verdict that has entered into legal force ordering confiscation of property,

shall be punishable by a fine in the amount of twenty-five to fifty average monthly wages or correctional labor for a term of up to two years, or imprisonment for a term of up to two years.

**Article 207.** Escape from places of imprisonment or from custody (1) Escape from places of imprisonment or from custody, committed by a person serving a sentence or in pre-trial detention, is punishable by imprisonment for a term of up to three years. 2) The same act committed: a) repeatedly; b) by a group of persons  
by prior conspiracy or an organized group; c) with the use of violence  
dangerous to life or health; d) with the use  
of weapons or  
objects used as weapons, is punishable by imprisonment for a term of three to six years.

**Article 207-1.** Malicious evasion of serving a sentence in the form of imposing the obligation to live in a certain area Malicious evasion of serving a sentence in the form of imposing the obligation to live in a certain area is punishable by a fine in the amount of twenty-five to fifty average monthly wages or imprisonment for up to three years. Note. Malicious evasion from serving a sentence in the form of imposing the obligation to live in a certain area within the meaning of this article means evasion from serving the specified type of punishment committed by a person to whom administrative penalties  
were applied twice within one year for the same violation.

**Article 208.** Evasion from serving a sentence of imprisonment Evasion from serving a sentence of a person sentenced to imprisonment, who is allowed a short-term exit from places of imprisonment, is punishable by imprisonment for a term of up to one year.

**Article 209.** Non-execution of a court decision Failure by a representative of the government, a civil servant, as well as an employee of a commercial or other organization of a court sentence, decision, resolution or ruling that has entered into legal force, as well as obstruction of their execution,

shall be punished by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years or a fine of

in the amount of ten to thirty average monthly wages or correctional labor for up to two years.

**Article 210.** Failure to report a crime or its concealment (1) Failure to report a reliably known grave or especially grave crime being prepared or committed is punishable by correctional labor for a term of up to two years or imprisonment for a term of up to three years. (2) Concealment of grave or especially grave crimes not promised in advance is punishable by correctional labor for up to two years or imprisonment for up to five years.

## **Chapter 25. Crimes against the order of government**

**Article 211.** Threat of murder or use of violence against a law enforcement officer or military personnel (1) Threat of murder or use of violence not dangerous to life or health against a law enforcement officer, military personnel or their relatives in connection with the performance of their duties to protect law and order,

shall be punished by correctional labor for a term of up to two years or imprisonment for a term of up to two years. (2) The use of violence dangerous to the life or health of persons specified in paragraph one of this article,

is punishable by imprisonment for a term of three to eight years.

**Article 212.** Insulting a representative of the authorities Public insult of a representative of the authorities during the performance of his official duties or in connection with their performance is punishable by a fine in the amount of five to ten average monthly wages or correctional labor for up to two years.

Note. A government representative is a person representing a public authority, permanently or temporarily performing certain functions and, within the limits of his competence, enjoying the right to perform actions or give orders that are binding on most or all citizens or officials.

**Article 213.** Disorganization of the normal activities of institutions that ensure isolation from society. Use of violence against an employee of a prison or place of detention by a person serving a sentence of imprisonment or in custody, as well as the use of violence by such a person against a convicted person in order to prevent his correction or out of revenge for his performance of a public duty,

shall be punished by imprisonment for a term of three to eight years. (2) The same acts, committed repeatedly, by a group of persons by prior conspiracy or by an organized group, or with the use of violence dangerous to life or health,

shall be punished by imprisonment for a term of ten to twenty years.

**Article 214.** Illegal crossing of the state border of Turkmenistan (1) Crossing the protected state border of Turkmenistan without established documents and proper permission, shall be punished by correctional labor for a term of up to two years or imprisonment for a term of up to two years. (2) Illegal crossing of the protected State Border of Turkmenistan, committed repeatedly or by a group of persons by prior conspiracy or by an organized group with the use of violence or the threat of its use,

is punishable by imprisonment for a term of up to five years. Note. This article does not apply to cases of foreign citizens and stateless persons arriving in Turkmenistan in violation of the rules for crossing the State Border of Turkmenistan to exercise the right of political asylum in accordance with the Constitution of Turkmenistan, unless the actions of these persons contain another crime.

**Article 215.** Illegal change in the State Border of Turkmenistan (1) Confiscation, movement or destruction of border markers for the purpose of illegal change of the State border of Turkmenistan, shall be punished by correctional labor for a term of up to two years or imprisonment for a term of up to two years. (2) The same acts committed repeatedly or resulting in serious consequences, shall be punishable by imprisonment for a term of up to four years.

**Article 216.** Illegal actions in relation to official documents or state awards Purchase, sale, exchange or other paid transfer of official documents granting rights or exempting from obligations, as well as state awards of Turkmenistan, the USSR or the Turkmen SSR, is punishable by a fine in the amount of ten to twenty average monthly wages or correctional labor for up to two years.

**Article 217.** Theft or damage to documents, stamps, seals or forms (1) Theft, destruction, damage or concealment

of official documents, stamps, seals or forms, committed for mercenary or other personal interest,

shall be punished by a fine in the amount of fifteen to thirty average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to one year.

(2) The same acts committed in relation to documents, stamps, seals, forms of special importance or causing grave consequences, are punishable by imprisonment for up to two years. (3) Theft of a citizen's passport or other important personal

document, is

punishable by a fine in the amount of ten to twenty average monthly wages or correctional labor for up to two years or imprisonment for up to one year.

**Article 218.** Forgery, production, sale of counterfeit documents, stamps, seals, forms or use of a forged document

(1) Forgery of a certificate or other official document granting rights or exempting from obligations in the chains of its use or the sale of such a document, as well as the production for the same purposes or the sale of counterfeit stamps, seals, forms,

shall be punished by correctional labor for a term of up to two years or imprisonment for a term of up to two years.

(2) The same acts committed repeatedly are punishable by imprisonment for a term of up to four years. (3) Using a knowingly forged document is punishable by a fine in the amount of ten to twenty average monthly wages or correctional labor for up to one year or imprisonment for up to one year.

**Article 219.** Evasion of conscription for military service (1) Evasion of conscription for military service in the absence of legal grounds for exemption from this service is punishable by correctional labor for a term of up to two years

or imprisonment for a term of up to two years. (2) The same act, committed by causing bodily harm to oneself or by feigning illness, by forgery of

documents or in any other fraudulent way, is punishable by imprisonment for a term of one to four years. (3) Evasion of conscription for military service due to mobilization or

wartime, is

punishable by imprisonment for a term of three to ten years.

**Article 220.** Unauthorized assignment of the rank or power of an official  
faces

Unauthorized appropriation of the rank or power of an official, associated with the commission of any socially dangerous actions on this basis, is punishable by correctional labor for up to two years or imprisonment for up to two years.

**Article 221.** Arbitrariness Arbitrariness,

that is, the unauthorized exercise, in violation of the procedure established by law or other regulatory legal act, of one's actual or perceived right, which has caused significant harm to a citizen or organization,

is punishable by a fine in the amount of ten to twenty average monthly wages or correctional labor for up to two years.

**Article 222.** Malicious violation of the rules of administrative supervision (1) Malicious violation of the rules of administrative supervision with the aim of evading such supervision is punishable by correctional labor for up to two years or imprisonment for up to one year. (2) Unauthorized abandonment of the place of residence by a person under supervision for the purpose of evading administrative supervision, as well as failure to arrive without good reason within a certain period of time to the chosen place of residence of a person in respect of whom administrative supervision has been established upon release from places of imprisonment, is punishable by imprisonment for a term of at least one month. years to three years. Note. A malicious violation of the rules of administrative supervision within the meaning of part one of this article is understood as a violation of these rules committed by a person to whom administrative penalties were applied twice within one year for the same violations.

**Article 223.** Violation of the procedure for organizing and holding meetings, rallies, street processions and demonstrations Violation of the procedure established

by law for organizing or holding meetings, rallies. street processions and demonstrations committed by the organizer of a meeting, rally, street procession or demonstration after the application of administrative penalties for the same actions,

shall be punishable by a fine in the amount of five to ten average monthly wages or correctional labor for up to one year or imprisonment for a term of six months.

**Article 224.** Illegal raising of the State Flag of Turkmenistan  
on a merchant ship

Raising the State Flag of Turkmenistan on a merchant ship without the right to fly this flag is punishable by a fine in the amount of twenty-five to fifty average monthly wages or imprisonment for up to one year.

**Article 225.** Illegal use of the signs of the Red Cross and Red Crescent  
Illegal use of the signs of the Red Cross and Red

Crescent, as well as the name of the Red Cross and Red Crescent, is punishable by a fine in the amount of ten to twenty average monthly wages or correctional labor for up to one month.

of the year.

**Article 226.** Deleted.

## **Section XI. Economic crimes**

### **Chapter 26. Crimes against property**

**Article 227.** Theft (1)

Theft, that is, the secret theft of someone else's property, is punishable by correctional labor for up to two years or imprisonment for up to two years. (2) Theft committed: a) by a group of persons by prior conspiracy; 6) repeatedly; c) with penetration into a home, other premises or storage; d) causing significant damage to a citizen, is punishable by imprisonment for a term of three to eight years with or without confiscation of property. (3) Theft committed: a) causing damage on a large scale; 6) by an organized group, is punishable by imprisonment for a term of six to twelve years with or without confiscation of property. (4) Theft committed: a) causing damage on an especially large scale; b) a criminal community; shall be punishable by imprisonment for a term of eight to fifteen years with or without confiscation of property.

Notes. 1. Theft in the articles of this Code is understood as the illegal, gratuitous seizure and (or) conversion of someone else's property in favor of the culprit or other persons, committed for mercenary purposes, causing damage to the owner or other holder of this property. 2. In the articles of this chapter, a large amount is recognized as the value of property exceeding one hundred average monthly wages; especially large

- two hundred average monthly wages.

When calculating the amount of damage caused, the average monthly wage is understood to be the average level of wages established by the legislation of Turkmenistan at the time of the commission of a crime, and for continuing and continuing crimes, respectively, at the time of the end of the criminal act or at the time of the commission of the last crime.

3. In Articles 227-233 of this Code, the commission of a crime is recognized as repeated if it was preceded by the commission of one or more crimes provided for by these articles, as well as articles of this Code providing for liability for banditry, theft or extortion of radioactive materials, theft or extortion of weapons and ammunition, explosives or explosive devices, theft or extortion of narcotic drugs or psychotropic substances.

**Article 228.** Fraud (1) Fraud, that is,

the theft of someone else's property or the acquisition of rights to someone else's property by deception or abuse of trust, is punishable by a fine in the amount of thirty to sixty average monthly wages or correctional

labor for up to two years or imprisonment for up to two years. (2) Fraud committed: a) by a group of persons by prior conspiracy; b) again; c) causing significant damage to a citizen, is punishable by correctional labor for a term of one to two years or imprisonment for a term of up

to five years with or without confiscation of

property. 3) Fraud committed:

a) causing damage on a large scale; b) by an organized group, is punishable by imprisonment

for a term of five to ten years with or without confiscation of property. (4) Fraud committed with causing damage on an especially large scale

size,

shall be punishable by imprisonment for a term of eight to fifteen years with or without confiscation of property.

**Article 229. Misappropriation or embezzlement (1)**

Misappropriation or embezzlement, that is, theft of someone else's property, entrusted to the perpetrator or under his control,

shall be punishable by a fine in the amount of thirty to sixty average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to two years, with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years. (2) The same acts committed: a) by a group of persons by prior conspiracy; b) again; c) using official powers; d) causing damage to a citizen in a significant amount,

shall be punished by imposing the obligation to reside in a certain area for a period of five to seven years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years with or without confiscation of property or imprisonment for a term up to five years with deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years with or without confiscation of property. (3) Acts provided for in parts one or two of this

articles committed causing damage on a large scale,

shall be punishable by a fine in the amount of one hundred to one hundred and fifty average monthly wages with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years, with or without confiscation of property, or imposition of an obligation to reside in a certain area for a period of five to eight years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, with or without confiscation of property, or imprisonment for a term of three to eight years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years, with confiscation of property or without it. (4) Acts provided for in parts one, two or three

of this article, committed: a) causing damage

on an especially large scale; b) by an organized group or criminal community, shall be punished by imposing the obligation to reside in a certain area for a period of six to twelve years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years with or without confiscation of property or imprisonment for a term of six to six years. up to twelve years with deprivation of the right to occupy

certain positions or engage in certain activities for a period of up to three years with or without confiscation of property.

Note A person

who has committed crimes for the first time, provided for in parts one and two of this article, is released from punishment in the form of imprisonment if he contributed to the detection of the crime and fully compensated for the damage caused.

**Article 230. Robbery (1)**

Robbery, that is, the open theft of someone else's property, is punishable by correctional labor for a period of one to two years.

years or imprisonment for up to three years. (2) Robbery

committed: a) by a group of

persons by prior conspiracy; b) again; c) with penetration into

a home, other

premises or storage; d) using violence that is not dangerous to the life or health of the

victim, or the threat of using such violence;

e) causing significant damage to a citizen, is punishable by imprisonment for a term

of three to eight years with or without confiscation of property. (3) Robbery committed: a) on a large

scale; b) by an organized group, is punishable by

imprisonment for a term of six to

twelve years with or without

confiscation of property. (4) Robbery

committed: a) causing damage on an especially large scale; b) by a criminal community, is punishable

by imprisonment for a term of eight to fifteen years with

or without confiscation of property.

**Article 231. Robbery (1)**

Robbery, that is, an attack for the purpose of stealing someone else's property, committed with the use of violence dangerous to life or health, or with the threat of such violence, is punishable by imprisonment for a term of three to eight years with

confiscation of property or without one. (2) Robbery committed: a) by a group of persons by prior

conspiracy; b) with penetration into a home, other

premises or storage; c) with the

use of weapons or other objects used as

weapons;

d) again;

e) causing significant damage to a citizen, is punishable by imprisonment for a term of five to ten years with or without confiscation of property. (3) Robbery committed: a) causing damage on a large scale; b) by an organized group, is punishable by imprisonment for a term of six to twelve years no, with or without confiscation of property. (4) Robbery committed: a) causing damage on an especially large scale; b) a criminal community; c) causing grievous harm to the health of the victim, is punishable by imprisonment for a term of eight to fifteen years with or without confiscation of property.

**Article 232.** Extortion (1) Extortion,

that is, the demand for the transfer of someone else's property or the right to property or the commission of any other actions of a property nature under the threat of violence against the victim or his relatives or destruction or damage to someone else's property, as well as under the threat of proliferation information disgracing the victim or his relatives is punishable by correctional labor for a term of up to two years or imprisonment for a term of up to four years with or without confiscation of property. (2) The same act committed: a)

by a group of persons by prior conspiracy; b) again; c) with the use of violence; shall be punishable by imprisonment for a term of three to eight years with or without confiscation of property. (3) Extortion committed: a)

by an organized group or criminal community; b) causing serious harm to the health of the victim; c) for the purpose of obtaining property in large quantities, is punishable by imprisonment for a term of five to twelve years with or without confiscation of property.

**Article 233.** Theft of objects of special value (1) Theft of objects or documents of special historical, scientific, artistic or cultural value, regardless of the method

theft,

shall be punishable by imprisonment for a term of five to ten years with or without confiscation of property. (2) The same act committed:

a) again; b) by  
an organized group or criminal community, is punishable by imprisonment for  
a term of eight to fifteen years with or without confiscation of property.

**Article 234.** Wrongful taking of another person's vehicle (1) Wrongful taking of another person's  
vehicle without the purpose of stealing it (hijacking) is punishable by a fine in the amount of ten to  
thirty average monthly

wages or correctional labor for a term of up to two years, or imprisonment for a term of up to three  
years. (2) The same act committed: a) repeatedly; b) by a group of persons by prior conspiracy; c) using  
violence that does not endanger the life or health of the

victim or the threat of using such violence;

d) causing

damage on a large scale; e) with penetration into a storage

facility, is punishable by imprisonment for a term of two to five years. (3) Acts provided for in parts  
one or two of this article, committed with the use of violence dangerous to  
the life or health of the victim or the threat of such violence,

shall be punished by imprisonment for a term of five to ten years.

**Article 235.** Intentional destruction or damage to property (1) Intentional destruction or  
damage to someone else's property,  
caused significant damage,

shall be punished by a fine in the amount of five to twenty-five average monthly wages, or correctional labor  
for a term of up to two years, or imprisonment for a term of up to two years. (2) The same acts: a) committed by  
arson, explosion or other generally dangerous method; b) resulting through negligence

in the death of a person

or other grave consequences, shall be punished by imprisonment for a term of three to eight years.

**Article 236.** Destruction or damage to property due to negligence (1) Destruction or damage to  
someone else's  
property on a large scale,  
committed through negligence,

shall be punishable by imposition of an obligation to make amends for the harm caused, or a fine in  
the amount of five to fifteen average monthly wages, or correctional labor for up to two years.

(2) The same acts committed by careless handling of fire or other source of increased danger or resulting in serious consequences are punishable by correctional labor for up to two years or imprisonment for up to two years.

**Article 237. Acquisition or sale of property known to have been obtained criminally**

(1) Purchase or storage of property not promised in advance, knowingly obtained by criminal means, is punishable by a fine in the amount of ten to twenty average monthly wages or correctional labor for up to one of the year.

(2) The same acts committed on a large scale are punishable by correctional labor for a term of up to two years or imprisonment for a term of up to two years. (3) Sale of property known to have been obtained that was not promised in criminally

shall be punished by correctional labor for a term of up to two years or imprisonment for a term of up to three years. (4) The act provided for in part three of this

article, committed: a) repeatedly; b) in large quantities; c) by a group of persons by prior conspiracy or by an organized group, shall be punished by imprisonment for a term of up to five years.

Note This article

applies in cases where the value of property obtained through obviously criminal means exceeds the average monthly wage.

**Chapter 27. Crime against the procedure for carrying out economic activities**

**Article 238. Obstruction of legitimate business activities**

(1) Unlawful refusal to register a business entity or evasion of its registration, unlawful refusal to issue a special permit (license) to carry out a certain activity or evasion of its issuance, unlawful restriction of the rights of an individual entrepreneur or commercial organization, as well as unlawful interference in their activity if these

actions were committed by an official using his official position,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years, or a fine in the amount of five to twenty average monthly wages, or correctional labor for a term of up to two years.

**Article 239.** Illegal business activity Carrying out business activity without registration and without special permission (license) in cases where such permission (license) is mandatory, or in violation of licensing conditions, if this

act:

a) committed by a group of persons by prior conspiracy;

b) is associated with the extraction of income on an especially large scale, shall be punished by a fine in the amount of fifty to one hundred average monthly wages or correctional labor for up to two years.

Note In this

article, income in an especially large amount is recognized as income received within one year, the amount of which exceeds five hundred average monthly wages.

**Article 240.** Illegal banking activities (1) Carrying out banking activities (banking operations) without registration or without special permission (license) in cases where such permission (license) is mandatory, if this act caused major damage to citizens, organizations or the state or is associated with deriving income on a large scale, is punishable by a fine in the amount of fifty to one hundred average monthly wages or correctional labor for up to two years or imprisonment for up to one year. (2) The same act: a) committed by a group of persons by prior conspiracy or

organized group; b) associated

with the extraction of income on an especially large scale, is punishable by a fine in the amount of one hundred to two hundred average monthly wages or imprisonment for up to three years with or without confiscation of property.

Note In this

article, large-scale income is income the amount of which exceeds one hundred average monthly wages, and especially large-scale income is income the amount of which exceeds two hundred average monthly wages.

**Article 241. False entrepreneurship False**

entrepreneurship, that is, the creation of a commercial organization without the intention of carrying out business or banking activities, with the purpose of obtaining loans, tax exemption, deriving other property benefits or covering up prohibited activities, causing major damage to citizens, organizations or the state,

shall be punished by a fine in the amount of twenty-five to seventy-five average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to one year.

**Article 242. Legalization of funds or other property,  
acquired illegally**

(1) Carrying out financial transactions or other transactions with funds or other property acquired knowingly illegally, as well as the use of these funds or property to carry out business or other economic activities, as well as concealing or concealing the illegal origin of these funds or property with for the purpose of giving legal character to the possession, use and disposal of them, or deriving profit or other benefit from these actions, is punishable by a fine in the amount of fifty to one hundred average monthly wages or correctional labor for a term of up to two years, or imprisonment for a term of up to two years.

(2) The same acts, if they are committed: a) repeatedly; b) by a group of persons by prior conspiracy or an organized group; c) by a person using his official position,

shall be punished by imprisonment for a term of two to five years with or without confiscation of property. (3) The acts specified in parts one and two of this article, in relation to funds and other property obtained by criminal means, or on a large scale, are punishable by imprisonment from 3 to 8 years with confiscation

or without confiscation of property.

Note: A large amount of money and other property obtained by criminal means, specified in this article, is considered to be property whose value exceeds one hundred average monthly wages.

**Article 243. Illegal receipt of a loan (1) Illegal receipt of a**

loan, that is, receipt by an individual entrepreneur or the head of an organization of a loan or preferential lending conditions by providing it to a bank or other creditor

Knowingly false information about the economic situation or financial condition of an individual entrepreneur or organization, if these actions caused damage to the creditor on a large scale, is punishable by a fine in the amount of fifty to one hundred average monthly

wages or correctional labor for a term of up to two years or imprisonment for a term of up to two years. (2) Illegal receipt of a state targeted loan, as well as the use of a lawfully received state targeted loan for other than its intended purpose, if these acts

caused large-scale damage to citizens, organizations or the state,

is punishable by a fine in the amount of one hundred to two hundred average monthly wages or imprisonment for a term of two to five years.

**Article 244.** Malicious evasion of repayment of creditor debt

Malicious evasion by the head of an organization, an individual entrepreneur or a citizen from repaying accounts payable on a large scale or from paying for securities after the entry into force of the relevant court decision,

is punishable by a fine in the amount of twenty-five to seventy-five average monthly wages or correctional labor for up to two years. Note. Large amounts of accounts payable are recognized as the debt of an individual

entrepreneur or citizen in an amount exceeding one hundred average monthly wages, and of an organization in an amount exceeding two hundred average monthly wages.

**Article 245.** Monopolistic actions and restriction of competition Establishment and maintenance of monopolistically high or monopolistically low prices, as well as restriction of competition through collusion or concerted actions aimed at dividing the market, restricting access to the market, eliminating other economic entities from it, establishing or maintaining common prices, if they are made: a) repeatedly within one year after the application of the administrative

penalties for these offenses; b) with the use of

violence or the threat of its use; c) using official position; d) by a group of persons by prior conspiracy or by an organized group, shall

be punished by a fine in the amount of twenty-five to seventy-five average monthly wages or imprisonment

for a term of up to three years.

**Article 245-1.** Manipulation of the securities market (1) Manipulation of the securities market, that is, the dissemination of information, through public telecommunications information that influences mass networks, in any other way, false or misleading or is capable of influencing demand and supply, the price of securities or the volume of trading, as well as the execution of transactions with securities at a price that has a significant deviation from the price in force for the same securities at auctions organized on the same day, provided that the transactions were made on behalf of or at the expense of persons or their employees between whom there was a preliminary agreement on such, if these actions were committed out of selfish or other personal interest causing damage to other participants in the securities market,

is punishable by a fine in the amount of twenty to forty average monthly wages or correctional labor for up to two years. (2) The same acts committed: a) repeatedly; b) using official position; h) by a group of persons by prior conspiracy or by an organized group, shall be punished by a fine in the amount of twenty-five to seventy-five average monthly wages or correctional labor for up to two years or imprisonment for up to three years with or without confiscation of property.

**Article 246.** Compulsion to complete a transaction or to refuse to complete it (1) Compulsion to complete a transaction or to refuse to complete it under the threat of violence, destruction or damage to someone else's property, as well as the dissemination of information that can cause significant harm to the rights and legal interests of the victim or his relatives, in the absence of signs of extortion, is punishable by a fine in the amount of twenty-five to seventy-five average monthly wages or correctional labor for up to two years or imprisonment for up to two years.

(2) The same acts committed: a) repeatedly; b) with the use of violence; c) by a group of persons by prior conspiracy or by an organized group, shall be punished by a fine in the amount of fifty to one hundred and fifty average monthly wages or imprisonment for a term of up to five years.

**Article 247.** Illegal use of a trademark Illegal use of someone else's trademark, service mark, registered trade name, appellation of origin of goods or labeling of goods, if these actions caused damage on a large scale,

shall be punishable by a fine in the amount of twenty-five to fifty average monthly wages or correctional labor for up to two years.

**Article 248.** Violation of the rules of manufacture and use state hallmarks

(1) Illegal production, sale or use of a state hallmark, as well as its counterfeit, committed for mercenary or other personal interest,

shall be punished by a fine in the amount of twenty-five to seventy-five average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to two years. (2) The same acts, committed repeatedly or by a group of persons by prior conspiracy or by an organized group, are punishable by imprisonment for a term of up to five years.

**Article 249.** Knowingly false advertising The use in advertising of knowingly false information regarding goods, works or services, as well as their manufacturers (performers, sellers), committed out of selfish interest, is punishable by a fine in the amount of twenty-five to fifty average monthly wages or correctional labor. for a period of up to two years.

**Article 250.** Illegal receipt and disclosure of information constituting a commercial or banking secret (1) Collection of information constituting a commercial or banking secret by stealing documents, bribery or threats against persons holding commercial or banking secrets or their relatives, interception of communications , as well as in any other way for the purpose of disclosure or illegal use of this information,

shall be punishable by a fine in the amount of twenty-five to fifty average monthly wages or correctional labor for up to two years. (2) Illegal disclosure or use of information constituting a commercial or bank secret, without

the consent of its owner, committed for mercenary or other personal interest and causing damage on a large scale, is punishable by a fine in the amount of fifty to one hundred average monthly wages.

wages or correctional labor for up to two years.

**Article 250-1.** Insider transactions on the securities market (1)

Carrying out insider transactions on the securities market, that is, carrying out transactions or operations using insider information without the consent of the issuer, if these actions were carried out out of selfish or other personal interest,

shall be punishable by a fine in the amount of fifty to one hundred average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to one year. (2) The same acts: a) committed

by a group of persons by prior conspiracy or organized group; b)

associated with the extraction of income on an especially large scale, shall be punished by imprisonment for up to three years with or without confiscation of property. Note: Insider

information means information that is not publicly available, including during a certain period of time, as well as about the issuer or securities issued by it, if this information identifies persons who have it due to their official position, labor duties or concluded contracts, in an advantageous position compared to other participants in the securities market.

**Article 251.** Abuse in the issuance of securities (emission) Inclusion of

knowingly unreliable information in a securities prospectus, as well as approval of an emission prospectus containing obviously unreliable information, or approval of deliberately unreliable results of an issue, if these actions entailed causing damage to the investor on a large scale,

shall be punished by a fine in the amount of twenty-five to fifty average monthly wages or correctional labor for up to two years.

**Article 252.** Production for the purpose of sale or sale of counterfeit money or valuable papers

(1) Production for the purpose of sale or sale of counterfeit bank notes of the Central Bank of Turkmenistan, metal coins, government securities or other securities in the national currency of Turkmenistan, or foreign currency or securities in foreign currency, is punishable by imprisonment for a term of three to ten years with or without confiscation of property.

(2) The same acts committed: a) repeatedly; b) on a large scale; c) an organized group,

shall be punished by imprisonment for a term of eight to fifteen years with or without confiscation of property.

Note If the

amount of manufactured or sold counterfeit bank notes, metal coins, government securities, other securities in the national currency of Turkmenistan, foreign currency, securities in foreign currency specified in this article exceeds one hundred average monthly wages, then it is recognized as perfect on a large scale.

**Article 253. Manufacturing for the purpose of selling or selling counterfeit**

credit or payment cards and other payment documents (1) Production for the purpose of sale or sale of counterfeit credit or payment cards, as well as other payment documents that are not securities, is punishable by imprisonment for a term of up to five years. (2) The same acts, committed repeatedly or by a group of persons by prior conspiracy or by an organized group, are punishable by imprisonment for a term of four to seven years with or without confiscation of property.

**Article 254. Smuggling (1)**

Smuggling, that is, the movement on a large scale across the customs border of Turkmenistan of goods or other items for which special rules for movement across the customs border of Turkmenistan are established, with the exception of goods and items specified in part two of this article, specified in part three of this article, committed in addition to or with concealment from customs control or with the fraudulent use of documents or means of customs identification, or associated with non-declaration or false declaration,

shall be punishable by a fine in the amount of twenty-five to fifty average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to three years, with or without confiscation of property. (2) The act provided for in part one of this article, committed: a) repeatedly; b) by a group of persons by prior conspiracy or an organized group; c) by an official using his official position or a person exempt from customs control;

d) with the use of violence against a person exercising customs control, is punishable by imprisonment for a term of two to five years with or without confiscation of property. (3) Movement across the customs border of Turkmenistan of narcotic drugs, psychotropic

substances and their precursors, tools used in the manufacture of narcotic drugs or psychotropic substances, potent, poisonous, radioactive or explosive substances, weapons, explosive devices, firearms or ammunition, nuclear, chemical, biological and other types of weapons of mass destruction, materials and equipment that can be used in the creation of weapons of mass destruction and in respect of which special rules have been established for the movement across the customs border of Turkmenistan, strategically important raw materials, cultural values in respect of which special rules have been established rules for moving across the customs border of Turkmenistan, if this act was committed in addition to or with concealment from customs control or with the fraudulent use of documents or means of customs identification, or is associated with non-declaration or false declaration,

shall be punishable by imprisonment for a term of three to eight years with or without confiscation of property. (4) The act provided for in part three of this

article, committed: a) repeatedly; b) by a group of persons by prior conspiracy or an organized group; c) by an official using his official position or a person exempt from customs control; d) with the use of violence against the person performing customs

control is

punishable by imprisonment for a term of five to ten years with or without confiscation of property.

Note. The act provided for in the first part of this article is

recognized as committed on a large scale if the cost of the transported goods exceeds thirty average monthly wages.

**Article 255. Illegal trafficking in precious metals, natural precious stones or pearls**

(1) Conducting a transaction related to precious metals, natural precious stones or pearls, in violation of the rules established by the legislation of Turkmenistan, as well as their illegal transportation or shipment in any form, condition, with the exception of jewelry and household products and scrap of such products,

shall be punishable by a fine in the amount of fifty to one hundred average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to two years. (2) The same acts committed: a) repeatedly; b) on a large scale; c)

by a group of persons by prior conspiracy

or by an

organized group, shall be

punished by imprisonment for a term of two to five years with or without confiscation of property.

Note. The

acts provided for in this article are recognized as committed on a large scale if the value of precious metals, natural precious stones or pearls in respect of

which illegal trafficking was committed exceeds one hundred average monthly wages.

**Article 256.** Violation of the rules for the delivery of precious metals and precious stones to the state.

Evasion from the mandatory

delivery to the state of precious metals and precious stones extracted from the subsoil, obtained from secondary raw materials, as well as understood and found, committed on a large scale, is punishable by a fine in the amount of twenty-five to seventy-five average monthly wages or correctional labor for up to two years,

or imprisonment for up to one year.

Note. Violation of the rules for the delivery of precious metals and precious stones to the state is recognized as committed on a large scale if the cost of the items specified in this article that were not handed over to the state exceeds fifty average monthly wages.

**Article 257.** Unlawful actions in bankruptcy (1) Concealment of property or

property obligations, information about property, its size, location or other information about property, transfer of property to other possession, alienation or destruction of property, as well as concealment, destruction, falsification of accounting records and other accounting documents reflecting economic activity, if these actions were committed by the head or owner of the debtor organization or by an individual entrepreneur during bankruptcy or in anticipation of bankruptcy and caused damage on a large scale,

is punishable by a fine in the amount of fifty to one hundred average monthly wages or correctional labor for up to two years.

(2) Unlawful satisfaction of property claims of individual creditors by the head or owner of the organization -

a debtor or an individual entrepreneur who is aware of his actual insolvency (bankruptcy), knowingly to the detriment of other creditors, as well as the acceptance of such satisfaction by a creditor who is aware of the preference given to him by the insolvent debtor to the detriment of other creditors, if these actions caused damage on a large scale,

shall be punished by a fine in the amount of twenty-five to seventy-five average monthly wages or correctional labor for up to two years.

**Article 258.** Intentional bankruptcy Intentional bankruptcy, that is, the deliberate creation or increase of insolvency, committed by the head or owner of a commercial organization, as well as an individual entrepreneur in the personal interests or interests of other persons, causing damage on a large scale or other grave consequences,

is punishable by a fine in the amount of fifty to one hundred average monthly wages or imprisonment for up to two years.

**Article 259.** Fictitious bankruptcy Fictitious bankruptcy, that is, a deliberately false announcement by the head or owner of a commercial organization, as well as an individual entrepreneur, of his insolvency for the purpose of misleading creditors in order to obtain a deferment or installment plan for payments due to creditors or a discount on debts, as well as for non-payment of debts causing damage on a large scale is punishable by a fine in the amount of fifty to one hundred average monthly

wages or imprisonment for up to two years.

**Article 260.** Failure to return funds in foreign currency from abroad. Failure to return large amounts from abroad by the head of an organization of funds in foreign currency, subject, in accordance with the legislation of Turkmenistan, to mandatory transfer to accounts in an authorized bank of Turkmenistan,

is punishable by a fine in the amount of one hundred to two hundred average monthly wages or correctional labor for up to two years.

Note. The act provided for in this article is recognized as committed on a large scale if the amount of unreturned funds in foreign currency exceeds three thousand average monthly wages.

**Article 261.** Evasion from paying customs duties Evasion from paying customs duties on a large scale is punishable by a fine in the amount of twenty-five to fifty average monthly wages or correctional labor for up to two years.

Note. Evasion from paying customs duties is recognized as committed on a large scale if the cost of unpaid customs duties exceeds fifty average monthly wages.

**Article 262.** Evasion of payment by an individual entrepreneur  
taxes

Failure by an individual entrepreneur to submit documents on income, as well as the inclusion in such documents of deliberately distorted data on income and expenses, resulting in large-scale tax evasion, is punishable by a fine in the amount of ten to thirty average monthly wages or correctional labor for up to one month.

of the year.

Note. Tax evasion by an individual entrepreneur is recognized as committed on a large scale if the amount of unpaid tax exceeds thirty average monthly wages.

**Article 263.** Evasion of taxes from organizations Evasion of taxes from organizations by including in accounting documents deliberately distorted data on income or expenses, or by concealing other objects of taxation, committed on a large scale,

shall be punishable by a fine in the amount of twenty to forty average monthly wages with deprivation of the right to occupy certain positions or engage in certain activities for up to six years, or correctional labor for up to two years.

Note. Tax evasion from organizations is recognized as committed on a large scale if the amount of unpaid tax exceeds two hundred average monthly wages.

**Article 264.** Deception of consumers

Measuring, weighing, calculating, misleading regarding consumer properties, quality of goods (work, services) or deceiving consumers in any other way by persons selling goods, performing work and providing services, if they are committed:

a) again within one year after the application of the administrative penalties for these offenses; b) by a group of persons by prior conspiracy; c) on a large scale, shall be punished by a fine in the amount of twenty to seventy average monthly wages with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years and with or without confiscation of property or imprisonment for a term of up to two years with disqualification

hold certain positions or engage in certain activities for a period of up to three years or without it, with or without confiscation of property.

Note Large-scale

deception of consumers is deception that causes damage to consumers in an amount exceeding twelve average monthly wages.

**Article 265.** Violation of trade rules (1) Sale of goods

from warehouses, bases, shops and utility rooms of enterprises (organizations) of state trade (public catering) in violation of established rules, as well as concealment of goods from buyers, if it is committed:

a) again within one year after the application of the administrative penalties for these offenses; b) by a group of persons by prior conspiracy; c) on a large scale, is punished by a fine in the amount of twenty to forty average monthly wages with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or imprisonment for a term of two to five years with or without confiscation of property. (2) The acts provided for in paragraph one of this article, if they

committed: a)

by an organized group; b) in an especially large amount, shall be punished by a fine in the amount of fifty to one hundred and fifty average monthly wages with or without confiscation of property, or imprisonment for a term of three to eight years with or without confiscation of property. Note 1. A large sale or concealment of goods is the sale or concealment of food products in the amount of at least twenty average monthly wages, other goods - at least fifty average monthly wages.

2. A particularly large sale or concealment of goods is recognized as the sale or concealment of food products in the amount of at least fifty average monthly wages, other goods - at least one hundred average monthly wages.

**Article 266.** Forgery of postal payment marks and travel documents Production for the purpose of sale or sale of knowingly counterfeit postal payment marks, international response coupons, impressions of marking machines or stamps, as well as tickets and other

documents for the passage of passengers or the transportation of goods by rail, water, air or road transport, is punishable by a fine in the amount of ten to thirty average

monthly wages or correctional labor for a term of up to two years or imprisonment for a term of up to two years.

## **Chapter 28. Crimes against the interests of service in commercial and other organizations**

**Article 267.** Abuse of powers (1) Abuse of powers, that is,

the use by a person performing managerial functions in a commercial or other organization of his powers contrary to the legitimate interests of that organization and with the aim of obtaining benefits and advantages for himself or other persons or causing harm to other persons, if this act entailed causing significant harm to the rights and legitimate interests of citizens, organizations or the state, is punishable by a fine in the amount of twenty to forty average monthly wages or correctional labor for up to two years or imprisonment for up to two years.

(2) The same act, which entailed grave consequences, is punishable by a fine in the amount of fifty to one hundred average monthly wages or imprisonment for up to four years.

Notes. 1. Performing managerial functions in a commercial or other organization in the articles of this chapter is recognized as a person who permanently, temporarily or by special authority performs organizational, administrative or administrative duties in a commercial organization, regardless of the form of ownership, as well as in a non-profit organization that is not a state body, local government, government agency.

2. If the act provided for by this article or other articles of this chapter has caused harm to the interests of an exclusively commercial organization that is not a state enterprise, criminal prosecution is carried out at the request of this organization

or with her written consent.

3. If the act provided for by this article or other articles of this chapter has caused harm to the rights and legitimate interests of citizens, other organizations or the state, criminal prosecution is carried out on a general basis.

**Article 268.** Bribery (1)

Bribery, that is, the illegal transfer of money, securities, other property to a person performing managerial functions in a commercial or other organization, as well as the illegal provision of services to him

of a property nature for the performance or non-performance in the interests of the giver of a certain action that the specified person should or could have performed using his official position,

shall be punished by a fine in the amount of twenty-five to seventy-five average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to one year.

(2) The same act committed: a) repeatedly;

b) by a group of

persons by prior conspiracy; is punishable by a fine in the amount of fifty to one hundred average monthly

wages or imprisonment for up to three years.

Note. A person guilty of committing a crime under this article is released from criminal liability if extortion took place against him or if this person voluntarily declared bribery to an authority that had the right to initiate a criminal case.

**Article 269.** Receipt of illegal remuneration (1) Illegal receipt by a person performing managerial functions in a commercial or other organization of money, securities, other property, as well as illegal use of services of a property nature for the performance or non-performance in the interests of the giver of a certain action that the specified person should have or could have committed using his official position, is punishable by a fine in the amount of one hundred to two hundred average monthly wages with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years or correctional labor for a term of up to two years or imprisonment for a term of up to three years with or without confiscation of property.

(2) The same acts committed repeatedly or by a group of persons prior conspiracy or associated with extortion,

shall be punishable by imprisonment for a term of up to five years with or without confiscation of property.

**Article 270.** Abuse of powers by an auditor, arbitrator or lawyer Use of the powers they have by an auditor, arbitrator or lawyer contrary to the objectives of their activities in order to obtain benefits and advantages for themselves or other persons or to cause harm to other persons, if this act caused significant harm to the rights or legitimate interests of citizens, organizations or the state,

is punishable by a fine in the amount of fifty to one hundred and fifty average monthly wages with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of up to two years, or

imprisonment for a term of up to three years with or without confiscation of property.

## **Section XII. Crimes against public safety and health**

population

### **Chapter 29. Crimes against public safety and public order**

#### **Article 271. Terrorism (1)**

Terrorism, that is, committing an explosion, arson or other actions that create a danger of death, causing significant property damage or causing other socially dangerous consequences, if these actions are committed in the context of violating public safety, intimidating the population or exerting influence to make decisions by authorities, as well as the threat of committing these actions for the same purposes, is punishable by imprisonment for a term of five to ten years. (2) The same act committed: a) repeatedly; b) using firearms; c) by a group of persons by prior conspiracy, punishable by imprisonment for a term of eight to fifteen years (3) Acts provided for in parts one or two of this article, resulting in the death of a person or committed by an organized group or criminal community, are punishable by imprisonment for a term of ten to fifteen years. twenty five years old. Note. A person who participated in the preparation of an act of terrorism is exempt from criminal liability if he, by timely warning the authorities or in another way, contributed to the prevention of an act of terrorism and if the actions of this person do not contain another crime.

#### **Article 272. Knowingly false report about an act of terrorism Knowingly false report**

about an impending explosion, arson or other actions that create a danger of death of people, causing significant property damage or other socially dangerous consequences, is punishable by correctional labor for up to two years or imprisonment for a term up to two years.

#### **Article 273. Organization of an illegal armed group or participation in it**

(1) The creation of an armed formation not provided for by the legislation of Turkmenistan, as well as the leadership of such a formation,

shall be punished by imprisonment for a term of three to eight years. (2) Participation in an illegal armed group is punishable by imprisonment for up to five years. Note. A person who voluntarily ceases participation in an illegal armed group and surrenders weapons is exempt from criminal liability unless his actions contain another crime.

**Article 274. Banditry (1)**

Creation of a stable organized armed group (gang) for the purpose of attacking citizens or organizations, leadership of such a group (gang), as well as participation in attacks committed by the gang,

shall be punished by imprisonment from ten to twenty-five years with or without confiscation of property.

(2) Participation in an armed group (gang) is punishable by imprisonment for a term of five to fifteen years with or without confiscation of property.

**Article 275. Organization of a criminal community or participation in a criminal community (1)**

Creation of a criminal community to commit serious or especially serious crimes serious crimes, as well as leadership of a criminal community, shall be punished by imprisonment from eight to fifteen years with or without confiscation of property.

(2) Participation in a criminal community is punishable by imprisonment for a term of three to ten years with or without confiscation of property.

**Article 276. Mass riots (1) Organization of**

mass riots, accompanied by violence, pogroms, arson, destruction of property, the use of firearms, explosives or explosive devices, as well as armed resistance to a government official,

shall be punishable by imprisonment for a term of five to fifteen years. (2) Participation in mass riots provided for in part one of this article is punishable by imprisonment for a term of three to eight years.

**Article 277. Hijacking or seizure of an aircraft, water vessel or railway rolling stock (1) The hijacking of an aircraft, water vessel or railway rolling stock, as**

well as the seizure of such a vessel or train for the purpose of hijacking, is punishable by imprisonment for a term of three to eight years. (2) The same acts committed: a) by a group of persons by prior conspiracy;

b) again; c)  
with the use of violence dangerous to life or health, or with  
the threat of such violence; d) with the use of  
weapons, is punishable by  
imprisonment for a term of five to ten years. (3) Acts provided for in parts one or two of  
this article, if they were committed by an organized group or caused by negligence the death of a  
person or other grave consequences,

shall be punished by imprisonment for a term of eight to fifteen.

**Article 277-1. Illegal seizure of a platform (1)**

Illegal seizure of a floating or stationary platform for the purpose of exercising  
control over it, as well as installation or placement on it of explosive or other devices  
that pose a threat to its safe navigation, entailing damage or destruction of the  
platform, as well as action (inaction) to achieve these goals,

shall be punishable by imprisonment for a term of three to eight years with or  
without confiscation of property. (2) The same  
acts committed: a) by a group of  
persons by prior conspiracy; b) repeatedly; c)  
with the use  
of violence dangerous to life or health, or with the threat of using such violence,  
is punishable by imprisonment for a term of five to ten years with or without  
confiscation of property.

(3) The acts specified in parts one and two of this article, if they were committed by an organized  
group or caused by negligence the death of a person or other grave consequences,

shall be punished by imprisonment for a term of eight to fifteen years with  
confiscation of property.

**Article 278. Blocking of transport communications (1)** Deliberate blocking of  
railway, water, air or road transport communications, as well as main pipeline transport by creating  
obstacles or in any other way, resulting in interruption of traffic or other disruption of transport activities, is  
punishable by a fine in the amount of twenty-five up to fifty average monthly wages or correctional labor  
for up to two years. (2) The same act, if it was committed with a threat to life and

health of people or by a group of persons by prior conspiracy,  
shall be punished by correctional labor for a term of up to two years or  
imprisonment for a term of up to three years.

(3) Acts provided for in parts one, two or three of this article, if they caused accidents to people or other grave consequences, are punishable by imprisonment for a term of five to ten years.

**Article 279. Hooliganism (1)**

Hooliganism, that is, a gross violation of public order, expressing clear disrespect for society, accompanied by the use of violence against citizens or the threat of its use, as well as destruction or damage to other people's property, is punishable by a fine in the amount of ten to thirty average monthly amounts. wages or correctional labor for a term of up to one year or imprisonment for a term of up to one year.

(2) The same act, if it: a) was committed

by two or more persons without prior agreement or by a group of persons by prior agreement; b) is associated with resistance to a government official or other person

performing duties to protect public order or suppress a violation of public order; c) committed repeatedly, is punishable by a fine in the amount of twenty to fifty average monthly wages or correctional labor for a term of up to two years or imprisonment for a term of up to five years. (3) Hooliganism

committed with the use of weapons  
or objects,

used as weapons, is punishable by imprisonment  
for a term of two to seven years.

**Article 280. Violation of safety rules when conducting mining, construction or other work (1)** Violation of  
safety rules when conducting mining,  
construction or other work, if this resulted in negligence causing serious harm to human health,

shall be punishable by a fine in the amount of ten to twenty average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to one year, with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

(2) The same act, if it caused the death of a person through negligence  
or other grave consequences, is punishable

by imprisonment for a term of two to seven years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

**Article 281.** Violation of safety rules at explosive objects (1) Violation of rules ensuring safety at explosive objects or in explosive workshops, if this violation could lead to the death of a person or other serious consequences,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years, or a fine in the amount of ten to thirty average monthly wages, or correctional labor for a term of up to two years.

(2) The same act, if it caused the death of a person through negligence or other grave consequences, is punishable

by imprisonment for a term of two to seven years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

**Article 282.** Violation of fire safety rules (1) Violation of fire safety rules committed by a person who was responsible for their observance, if this negligently resulted in the infliction of grave or moderate harm to human health,

shall be punishable by correctional labor for a term of up to two years or imprisonment for a term of up to two years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

(2) The same act, if it caused the death of a person through negligence or other serious consequences.

shall be punishable by imprisonment for a term of up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

**Article 283.** Illegal handling of radioactive materials or nuclear materials (1) Illegal acquisition, storage, use, transfer, destruction, industrial enrichment, modification, destruction or dispersal of radioactive or nuclear materials,

shall be punishable by imprisonment for a term of up to two years. (2) The same acts, if they negligently caused the death of a person or other grave consequences, are punishable

by imprisonment for up to five years with or without confiscation of property.

**Article 284.** Violation of rules for handling radioactive materials or nuclear materials Violation of the rules for storage, transfer, use, accounting, transportation of radioactive or nuclear materials and other rules for their handling,

if these actions led to the destruction of the physical protection of radioactive or nuclear materials or resulted in other serious consequences,

shall be punishable by imprisonment for a term of two to seven years with or without confiscation of property.

**Article 285.** Theft or extortion of radioactive materials or nuclear materials (1) Theft or extortion of radioactive or nuclear materials

is punishable by imprisonment for a term of two to seven years with or without confiscation of property. (2)

The same acts committed: a) repeatedly; b) by a group of persons by prior conspiracy; c) using official position; d) with the use of violence not dangerous to life or health, or with

the threat of such violence,

shall be punishable by imprisonment for a term of three to ten years with or without confiscation of property. (3) Theft or extortion of radioactive or nuclear

materials, committed with the use of violence dangerous to life or health, or with the threat of such violence, or by an organized group or criminal community, is punishable by imprisonment for a term of six to fifteen years with

confiscation of property.

Note: In this article, as well as in Articles 291 and 294 of this Code, the commission of a crime is recognized as repeated if it was preceded by the commission of one or more crimes provided for in these articles, as well as Articles 227-233 and 271-274 of this Code.

**Article 286.** Violation of rules for handling explosives, flammable substances or pyrotechnics

products

Violation of the rules for storage, accounting, use and transportation of explosives, flammable substances or pyrotechnic products, as well as illegal shipment of these substances and products by mail or luggage, if these actions negligently entailed grave consequences, is punishable by imprisonment for a term of two to seven years.

**Article 287.** Illegal acquisition, sale, storage, transportation, forwarding or carrying of weapons,

ammunition, explosives or explosive devices (1) Illegal acquisition, sale, storage, transportation, forwarding or

carrying of firearms, ammunition (except

smoothbore hunting rifle and ammunition), explosives or explosive devices, are punishable by imprisonment for up to five years. (2) The same acts, committed by a group of persons by prior conspiracy or repeatedly, are punishable by imprisonment for a term of two to seven years. (3) Acts provided for in parts one or two of this article, committed by an organized group or criminal community, are punishable by imprisonment for a term of five to ten years. (4) Illegal sale or carrying of daggers, Finnish knives or other bladed weapons, including throwing weapons, as well as illegal sale of gas pistols, canisters or other gas weapons,

shall be punishable by a fine in the amount of twenty-five to fifty average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to two years.

Note. A person who voluntarily surrenders the items specified in this article is exempt from criminal liability unless his actions contain another crime.

**Article 288.** Illegal manufacture of weapons (1) Illegal manufacture or repair of firearms, their components, as well as illegal manufacture of ammunition, explosives or explosive devices, is punishable by imprisonment for a term of up to three years. (2) The same acts, committed by a group of persons by prior conspiracy or repeatedly, are punishable by imprisonment for a term of two to five years. (3) Illegal production of gas weapons, daggers, Finnish knives

or other bladed weapons, including throwing weapons, shall be punished by correctional labor for a term of up to two years or imprisonment for a term of up to three years. Note. A person who voluntarily surrenders the items specified in this article is exempt from criminal liability unless his actions contain another crime.

**Article 289.** Negligent storage of firearms Negligent storage of firearms that created conditions for its use by another person, if this entails serious consequences, shall be punished by correctional labor for a term of up to one year or imprisonment for a term of up to one year.

**Article 290.** Improper performance of duties for the protection of weapons, ammunition, explosives and explosive devices Improper performance of duties by a person entrusted with the protection of firearms, ammunition, explosives

or explosive devices, if this entailed their theft or destruction or the onset of other grave consequences, is punishable by correctional labor for up to two years or imprisonment for up to two years.

**Article 291.** Theft or extortion of weapons, ammunition, explosives and explosive devices (1) Theft or extortion of firearms, their components, ammunition, explosives or explosive devices is punishable by imprisonment for a term of three to eight years. (2) The same acts, if they were committed: a) by a person to whom weapons, ammunition, explosives or explosive devices were entrusted in connection with his official position or under protection; b) again; c) by a group of persons by prior conspiracy; d) with the use of violence not dangerous to life or health, is punishable by imprisonment for a term of five to ten years. (3) Acts provided for in parts one or two of this article, if they were committed with the use of violence dangerous to life or health, by an organized group or criminal community,

shall be punished by imprisonment for a term of eight to fifteen years.

### **Chapter 30. Crimes against public health**

**Article 292.** Illegal production, processing, acquisition, storage, transportation, transfer of narcotic drugs or psychotropic substances for the purpose of sale

(1) Illegal production, processing, acquisition, storage, transportation or shipment for the purpose of sale, as well as illegal sale of narcotic drugs or psychotropic substances,

shall be punishable by imprisonment for a term of three to ten years with or without confiscation of property and with the imposition of the obligation to reside in a certain area for a term of two to five years or without such.

(2) The same acts, committed repeatedly or by a group of persons by prior conspiracy, or if the subject of these actions were narcotic drugs or psychotropic substances in large quantities,

shall be punishable by imprisonment for a term of six to fifteen years with or without confiscation of property and with the imposition of the obligation to reside in a certain area for a term of two to five years or without such.

(3) The acts provided for in parts one or two of this article, committed by a person in possession of narcotic drugs or

psychotropic substances were entrusted in connection with his official position or under protection, or by an organized group or criminal community, as well as if the subject of these actions were narcotic drugs or psychotropic substances in a particularly large amount,

shall be punishable by imprisonment for a term of twelve to twenty-five years with or without confiscation of property and with the imposition of the obligation to reside in a certain area for a term of two to five years or without such.

Note. 1. A person who voluntarily surrendered narcotic drugs or psychotropic substances and actively contributed to the disclosure or suppression of crimes related to the illicit trafficking of narcotic drugs or psychotropic substances, the exposure of those who committed them, the discovery of property obtained by criminal means, shall be exempt from criminal liability for the acts provided for parts one or two of this article.

2. Articles 292, 294, 295, 296, 297 of this Code recognize a repeated crime committed by a person who has previously committed any of the crimes provided for in these articles.

3. Large and especially large sizes in the case of illegal handling of narcotic drugs or psychotropic substances are determined by the conclusion of the relevant state body.

**Article 293.** Illegal production, processing, acquisition, storage, transportation or transfer of narcotic drugs or psychotropic substances without the purpose of sale

(1) Illegal production, processing, acquisition, storage, transportation or shipment without the purpose of selling narcotic drugs or psychotropic substances is punishable by imprisonment for a term of up to five years. (2) The same acts committed repeatedly or by a group of persons

prior agreement

shall be punished by imprisonment for a term of three to ten years. Notes. 1. A person who voluntarily surrendered narcotic drugs or psychotropic substances and actively contributed to the disclosure or suppression of crimes related to the illicit trafficking of narcotic drugs or psychotropic substances, the exposure of those who committed them, and the discovery of property obtained by criminal means is exempt from criminal liability for this crime. 2. In this article, a repeated crime is recognized as a crime committed by a person who has previously committed any of the crimes provided for in Articles 292, 293, 294, 295, 296, 297.

**Article 294.** Theft or extortion of narcotic drugs or  
psychotropic substances (1)

Theft or extortion of narcotic drugs or  
psychotropic substances,

shall be punishable by imprisonment for a term of five to ten years with or without confiscation of  
property and with the imposition of the obligation to reside in a certain area for a term of two to five years  
or without  
such.

(2) The same acts, if they are  
committed:

a) repeatedly; b) by a group of persons by  
prior conspiracy; c) a person who uses narcotic drugs or psychotropic substances  
were entrusted in connection with his official position or under  
protection; d) with the use of violence that is not dangerous to  
life or health, is punishable by imprisonment for a term of six to twelve  
years with or without confiscation of property and with the imposition of the  
obligation to reside in a certain area for a term of two to five years or without  
such.

(3) The acts provided for in parts one or two of this article, committed by an organized group, as well  
as with the use of violence dangerous to life or health, or if the subject of these actions were narcotic  
drugs or psychotropic substances in a large amount, are punishable by imprisonment for a term of from  
eight to fifteen years with or without confiscation of property and with or without the imposition of the  
obligation to reside in a

certain area for a period of two to five years

such.

(4) Acts provided for in parts one, two or three of this article, committed by a criminal community, or  
if the subject of these actions were narcotic drugs or psychotropic substances in especially large quantities,

shall be punishable by imprisonment for a term of twelve to twenty-five  
years with or without confiscation of property and with the imposition of the  
obligation to reside in a certain area for a term of two to five years or without  
such.

**Article 295.** Illegal cultivation of plants containing narcotic substances prohibited for cultivation (1)

Sowing or growing poppy, hemp or other plants containing  
narcotic substances prohibited for cultivation, as well as cultivating varieties of these plants, is  
punishable by correctional labor for up to two years with a penalty obligations to reside in a certain area  
for a period of two to five years or without it or  
imprisonment for a term of up to three years

with or without the obligation to reside in a certain area for a period of two to five years.

(2) The same acts, if they are committed: a)

repeatedly; b)

by a group of persons by prior conspiracy; c) on a large scale,

shall be punished by

imprisonment for a term of three to eight years, with or without the imposition of the obligation to reside in a certain area for a term of two to five years.

**Article 296.** Inducement to use drugs or

psychotropic substances (1)

Inducement to use narcotic drugs or psychotropic substances  
substances,

is punishable by imprisonment for a term of up to five years with the imposition of the obligation to reside in a certain area for a period of two to five years or without it.

(2) The same act, if it is committed: a) repeatedly:

b) in relation to

a minor or two or more persons; c) with the use of physical violence or the threat of its

use, is punishable by imprisonment for a term of three to ten years, with or without the

imposition of the obligation to reside in a certain area for a period of two to five years.

(3) Acts provided for in parts one or two of this article, if they negligently caused the death of the victim or caused serious harm to his health,

shall be punishable by imprisonment for a term of six to twelve years, with or without the imposition of the obligation to reside in a certain area for a term of two to five years.

**Article 297.** Organization or maintenance of dens for consumption

narcotic drugs or psychotropic substances (1) Organizing or

maintaining dens for consumption

narcotic drugs or psychotropic substances,

shall be punishable by imprisonment for a term of three to eight years, with or without the imposition of the obligation to reside in a certain area for a term of two to five years. (2) The same acts, committed repeatedly, are punishable by imprisonment

for a term of five to ten years with or without confiscation

of property and with the imposition of the obligation to reside in a certain area for a term of two to five years or without

such.

(3) Provision of premises for the consumption of narcotic drugs or psychotropic substances,

shall be punishable by imprisonment for a term of up to three years, with or without the imposition of the obligation to reside in a certain area for a period of two to five years.

**Article 298.** Illegal acquisition or storage of narcotic drugs or psychotropic substances in small quantities without the purpose of sale

Illegal acquisition or possession in small quantities of narcotic drugs or psychotropic substances without the purpose of sale, committed repeatedly within a year after the imposition of an administrative penalty for the same violations,

shall be punishable by a fine in the amount of twenty-five to fifty average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to two years.

Note. A person who voluntarily surrendered narcotic drugs or psychotropic substances in his possession in small quantities, which he acquired and stored without the purpose of selling, is exempt from criminal liability for this crime.

**Article 299.** Violation of the rules of production, acquisition, storage, accounting, release, transportation or transfer of narcotic drugs or psychotropic substances

Violation of the rules for the production, acquisition, storage, accounting, release, transportation or transfer of narcotic drugs, psychotropic substances and their precursors, tools used in the manufacture of narcotic drugs or psychotropic substances, if this act was committed by a person whose duties include compliance with these rules,

shall be punishable by correctional labor for a term of up to two years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years or without it, or imprisonment for a term of up to three years.

**Article 300.** Illegal issuance or forgery of prescriptions or other documents giving the right to receive narcotic drugs or psychotropic substances

Illegal issuance or falsification of prescriptions or other documents giving the right to receive narcotic drugs or psychotropic substances is punishable by correctional labor for up to two years or imprisonment for up to two years with

deprivation of the right to hold certain positions or engage in certain activities for up to three years. or without it.

**Article 301.** Organization of the consumption of narcotic drugs or psychotropic substances during mass events Organization of the consumption of narcotic drugs or psychotropic substances during family celebrations, celebrations, celebrations or other public events.

is punishable by a fine in the amount of one hundred to two hundred average monthly wages with the imposition of the obligation to live in a certain area for a period of two to five years or without it, or imprisonment for a term of up to five years with the imposition of the obligation to live in a certain area for a period of two to five years or no

such.

**Article 302.** Illegal trafficking in potent and toxic substances (1) Illegal production, processing, acquisition, storage, transportation or forwarding for the purpose of sale, as well as illegal sale of potent and toxic substances that are not narcotic drugs or psychotropic substances, is punishable by correctional labor for a term up to two years or imprisonment for up to three years.

(2) The same acts, if they are committed:  
a) repeatedly;  
b) by a group of persons by prior conspiracy,  
shall be punished by imprisonment for a term of two to five years.

**Article 303.** Violation of the rules for handling potent or toxic substances

Violation of the rules for the production, acquisition, storage, accounting, release, transportation or shipment of potent or toxic substances that are not narcotic drugs or psychotropic substances, if this resulted in their theft or causing significant harm,

shall be punishable by a fine in the amount of twenty-five to seventy-five average monthly wages or correctional labor for a term of up to two years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years or without it, or imprisonment for a term of up to two years.

**Article 304.** Illegal production and sale of home-made strong alcoholic drinks (1) Illegal production or storage for the purpose of sale of home-made strong alcoholic drinks, or production or storage for the purpose of sale of devices for their production, as well as the sale of the specified alcoholic drinks or devices,

shall be punishable by a fine in the amount of fifty to one hundred and fifty average monthly wages or imprisonment for a term of up to two years with or without confiscation of property.

(2) The same acts committed repeatedly or by a group of persons prior agreement

shall be punished by imprisonment for a term of two to five years with or without confiscation of property.

**Article 305.** Organization or maintenance of drinking dens alcoholic drinks

Organizing or maintaining dens for drinking alcoholic beverages, as well as systematically providing premises for these purposes, if they are committed repeatedly within one year after the application of an administrative penalty for these offenses, is punishable by a fine in the amount of five to ten average monthly wages or correctional labor for for a term of up to two years or imprisonment for a term of up to two years.

**Article 306.** Illegal extraction, acquisition, sale of snake venom

Illegal extraction, acquisition or sale of snake venom is punishable by a fine in the amount of forty to eighty average monthly wages or correctional labor for up to two years or imprisonment for up to two years with or without confiscation of property.

**Article 306-1.** Manufacturing, purchasing, storage, transportation, shipment to NASA for sales purposes

Production, acquisition, storage, transportation or shipment of NASA on a large scale for the purpose of sale, as well as sale of NASA, committed by a person to whom administrative penalties were applied twice within one year for the production, acquisition, storage, transportation, shipment, sale or consumption NASA,

shall be punished by a fine in the amount of fifty to one hundred average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to one year. Note 1: The large NASA size shown in this article is

is established by regulatory legal acts of Turkmenistan.

2. A person who voluntarily surrenders his possessions is exempt from criminal liability for this crime.

**Article 307.** Illegal engagement in private medical practice or private pharmaceutical activity (1)

Engagement in private medical practice or private pharmaceutical activity by a person who does not have a license for the chosen type of activity, if as a result of such activity slight harm to human health was caused by negligence,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years, or a fine in the amount of ten to thirty average monthly wages, or correctional labor for a term of up to two years.

(2) The same act that caused grave or moderate harm human health,  
is punishable by imprisonment for a term of up to three years. (3) Acts provided for in parts one or two of this articles that caused the death of the victim by negligence,  
is punishable by imprisonment for a term of up to five years.

**Article 308.** Violation of sanitary and epidemiological rules (1) Violation of sanitary and epidemiological rules, resulting in negligence mass disease or poisoning of people,  
shall be punished by correctional labor for a term of up to two years or imprisonment for a term of up to two years.

(2) The same act, which has caused the death of a person through negligence, is punishable by imprisonment for a term of up to five years.

**Article 309.** Concealment of information about circumstances that create a danger to the life or health of people (1) Concealment or distortion of information about accidents with harmful environmental consequences, about levels of environmental pollution, as well as about other events, facts or phenomena that create a danger to life or human health, committed by a person obliged to provide the population with such information,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years, or a fine in the amount of ten to twenty average monthly wages, or correctional labor for a term of up to two years.

(2) The same acts that caused harm to people's health or resulted in other serious consequences,  
shall be punishable by a fine in the amount of fifty to one hundred average monthly wages or imprisonment for a term of up to three years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

**Article 310.** Release or sale of goods, provision of services that do not meet safety requirements (1) Release or sale of goods, performance of work or provision of services that do not meet safety requirements for the life or health of consumers, as well as unlawful issuance or use of an official document certifying compliance specified goods, works or services to safety requirements, if these actions through negligence resulted in harm to human health,

shall be punishable by a fine in the amount of twenty-five to seventy-five average monthly wages with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or imprisonment for a term of up to two years.

(2) The same acts, if they caused the death of a person through negligence, or negligently caused harm to the health of two or more persons, shall be punished by imprisonment for a term of up to five years.

### **Chapter 31. Environmental crimes**

**Article 311.** Violation of environmental safety rules when  
production of work

Violation of environmental protection rules during the design, siting, construction, commissioning of industrial, agricultural, scientific and other facilities by persons responsible for their compliance, if this act resulted in a significant change in the radioactive background, harm to human health, mass death of animals or other serious consequences, is punishable by imprisonment for a term of up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

**Article 312.** Violation of the rules of transportation, storage, burial  
and disposal of environmentally hazardous substances and waste

(1) Transportation, storage, burial or disposal in violation of established rules of substances and waste that are dangerous to life or harmful to human health, creating a threat of causing significant harm to human health or the environment,

is punishable by a fine in the amount of ten to thirty average monthly wages or correctional labor for up to two years.

(2) The same acts that resulted in pollution, poisoning or contamination of the environment, mass death of animals or caused harm to human health,

shall be punishable by imprisonment for a term of up to three years. (3) The acts provided for in the first part of this article, which through negligence resulted in a mass illness of people or the death of a person,

shall be punished by imprisonment for a term of three to eight years.

**Article 313.** Water pollution (1)

Pollution, clogging, depletion of surface or underground waters, sources of drinking water supply, or other changes in their natural properties, if these actions entailed causing significant harm to the animal or plant world, fish stocks, forestry or agriculture,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years, or a fine in the amount of ten to thirty average monthly wages, or correctional labor for a term of up to two years.

(2) The same acts that, through negligence, resulted in harm to human health or mass death of animals, as well as those committed on the territory of a reserve or wildlife sanctuary or in a zone of environmental emergency,

shall be punishable by a fine in the amount of twenty-five to seventy-five average monthly wages with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years or without it, or imprisonment for a term of up to three years. (3) Acts provided for in parts one or two of this

Articles that caused the death of a person through negligence,  
shall be punished by imprisonment for a term of two to five years.

**Article 314.** Atmospheric pollution (1) Pollution

or other change in the natural properties of air in excess of established standards due to violation of the rules of operation of installations, structures or other objects, if these actions entailed causing significant harm to the environment,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years, or a fine in the amount of ten to thirty average monthly wages, or correctional labor for a term of up to two years.

(2) The same acts that caused harm to health through negligence  
person,

shall be punishable by a fine in the amount of twenty-five to seventy-five average monthly wages with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years or without it, or imprisonment for a term of up to three years. (3) Acts provided for in parts one or two of this

Articles that caused the death of a person through negligence,  
shall be punished by imprisonment for a term of two to five years.

**Article 315.** Pollution of the marine environment (1)

Pollution of the internal sea or territorial waters of Turkmenistan, as well as the waters of the open sea from land-based sources or due to violation of the rules of burial or discharge from vehicles or artificial structures erected into the sea of substances, waste and materials that are harmful for human health and living marine resources,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years or a fine of

in the amount of ten to thirty average monthly wages or correctional labor for up to two years.

(2) The same act, which caused significant harm to human health, flora or fauna, fish stocks, the environment, recreation areas or other interests protected by law, is punishable by a fine in the amount of twenty-five to seventy-five average monthly wages or imprisonment for up to three years. (3) Acts provided for in parts one or two of this

Articles that caused the death of a person through negligence,  
shall be punished by imprisonment for a term of two to five years.

**Article 316.** Violation of legislation on the continental shelf (1) Illegal construction of structures and other installations on the continental shelf of Turkmenistan, illegal creation of security zones around them or in the exclusive economic zone of Turkmenistan, as well as violation of the rules for the construction, operation, protection and liquidation of such structures, installations and means of ensuring the safety of maritime navigation,

is punishable by a fine and in the amount of ten to thirty average monthly wages or correctional labor for up to two years.

(2) Research, exploration, development of natural resources of the continental shelf of Turkmenistan or the exclusive economic zone of Turkmenistan. carried out without appropriate permission, is punishable by a fine in the amount of twenty to forty average monthly wages with deprivation of the right to hold certain positions

or engage in certain activities for a term of up to three years or without it, or correctional labor for a term of up to two years.

**Article 317.** Damage to land (1)

Poisoning, contamination or other damage to land by harmful products of economic or other activities due to violation of the rules for handling pesticides, fertilizers, plant growth stimulants and other dangerous chemical or biological substances during their storage, use and transportation, causing damage harm to the environment or agriculture,

is punishable by a fine in the amount of ten to thirty average monthly wages or correctional labor for up to two years.

(2) The same acts, which through negligence entailed harm to human health, as well as those committed in an environmental disaster zone or in an environmental emergency zone, are punishable by a fine in the amount of twenty-five to seventy-five average monthly wages with deprivation of the right to occupy

certain positions or engage in certain activities for a term of up to three years or imprisonment for a term of up to three years. (3) Acts provided for in parts one or two of this

Articles that caused the death of a person through negligence,  
shall be punished by imprisonment for a term of two to five years.

**Article 317-1.** Unauthorized seizure of land Unauthorized

seizure, plowing and sowing of land used by peasants and other public associations, as well as state enterprises, institutions, organizations, is punishable by a fine in the amount of twenty to fifty average monthly wages with confiscation of the harvest or imprisonment for up to three years.

**Article 318.** Illegal harvesting of aquatic animals and plants (1) Harvesting of fish,

sea animals and other aquatic animals or commercial marine plants, committed in violation of established rules, if these acts were committed by a group of persons by prior conspiracy or using their official position, as well as causing damage on a large scale is punishable by a fine in the amount of fifteen to thirty average monthly wages or correctional labor for up to two years or imprisonment for up to one year.

(2) The same act, committed in spawning areas or on mass migration routes to them, or with the use of self-propelled floating vehicles, explosives and chemicals, electric current or other methods of mass extermination, is punishable by a fine in the amount of ten to thirty average monthly wages. or correctional labor for a term of up to two years or imprisonment

for a term of up to two years. (3) Acts provided for in part two of this article, committed by a group of persons by prior conspiracy or using their official position, as well as causing damage on a large scale, are punishable by a fine in the amount of twenty-five to

seventy-five average monthly wages or correctional labor for a term up to two years or imprisonment for up to three years.

**Article 319.** Violation of the rules for the protection and use of subsoil Violation of

the rules for the protection and use of subsoil during the design, placement, construction, commissioning and operation of mining enterprises or underground structures not related to the extraction of mineral resources, as well as unauthorized development of mineral resource areas, if these actions caused significant damage,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years, or a fine in the amount of ten to thirty average monthly wages, or correctional labor for a term of up to two years.

**Article 320.** Violation of the rules for the protection of fish stocks Construction of bridges, dams, blasting and other works, as well as the operation of water intake structures and pumping mechanisms in violation of the rules for the protection of fish stocks, if these actions resulted in the mass death of fish or other aquatic animals, destruction on a significant scale feed supplies or other serious consequences,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years, or a fine in the amount of twenty-five to seventy-five average monthly wages, or correctional labor for a term of up to two years.

**Article 321.** Illegal hunting Hunting for animals and birds, committed in violation of established hunting rules, if this act is committed: a) causing major damage; b) using mechanical vehicles, explosive

substances, gases and other methods of mass extermination of animals and birds; c) on the territory of a nature reserve or wildlife sanctuary; d) in relation to wild animals and birds, the hunting of which is entirely prohibited; e) using official position; a) by a group of persons by prior conspiracy, is punishable by a fine in the amount of twenty-five to seventy-five average monthly wages or correctional labor for up to two years or imprisonment for up to two years.

**Article 322.** Illegal felling of trees and shrubs (1) Illegal felling, as well as damage to the point of stopping the growth of trees and shrubs in forests of the first group or in specially protected areas of forests of all groups, as well as trees and shrubs not included in the state forest fund or prohibited from logging, if these actions entailed causing significant damage, are punishable by a fine in the amount of ten to twenty average monthly

wages or correctional labor for up to two years.

(2) Illegal felling, as well as damage to the point of stopping the growth of trees and shrubs in forests of all groups, as well as plantings not included in the state forest fund, if these actions are committed:

a) again; b) by a person using his official position; c) on a large scale,

shall be punished by a fine in the amount of twenty-five to fifty average monthly wages or correctional labor for up to two years. Note. In this article, a significant amount is recognized as damage calculated at established rates that is five times higher

than the average monthly wage established by the legislation of Turkmenistan at the time of the commission of a crime, and a large amount - twenty-five times.

**Article 323.** Destruction or damage to forest areas (1) Deliberate destruction or damage to forest areas or

other natural objects by arson or other generally dangerous method, is punishable by imprisonment for a term of two to five years. (2) Destruction or damage to forests as a result of careless handling

of fire or other source of increased danger is punishable by a fine in the amount of twenty-five to seventy-five average monthly wages or correctional labor for up to two years.

**Article 324.** Violation of the regime of specially protected natural resources territories and natural objects

Violation of the regime of nature reserves, wildlife sanctuaries, national parks, natural monuments and other specially protected state natural areas, resulting in significant damage, is punishable by deprivation of the right to hold certain positions or engage in certain activities for up to five years or a fine in the amount of twenty to forty average monthly wages. labor or correctional labor for up to two years.

## **Chapter 32. Crimes against traffic safety and transport operation**

**Article 325.** Violation of traffic or operating safety rules  
rail, water or air transport

(1) Violation of traffic safety rules and operation of railway, air, sea or river transport by a person obliged by virtue of the work performed or position held to comply with these rules, which through negligence resulted in the infliction of damage on a large scale,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years, or a fine in the amount of twenty-five to fifty average monthly wages, or correctional labor for a term of up to two years with deprivation of the right

hold certain positions or engage in certain activities for a period of up to three years or without it. (2) The same act, which by negligence resulted in the infliction of a serious or

moderate harm to the health of the victim,

shall be punishable by correctional labor for a term of up to two years or imprisonment for a term of up to three, with or without deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years.

(3) The act provided for in part one of this article, which through negligence resulted in the death of a person, is punishable by imprisonment for a term of up to

five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years. (4) The act provided for in part one of this article, which through negligence resulted in the death of two or more persons, is punishable

by imprisonment for a term of six to ten years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Note. In this article, large-scale damage is recognized as damage caused in an amount exceeding one hundred average monthly wages.

**Article 326.** Violation of traffic and operation rules

vehicles (1) Violation by a

person driving a car, motorcycle or other mechanical vehicle of the rules of the road or the operation of vehicles, resulting through negligence in causing damage on a large scale, is punishable by a fine in the amount of twenty-five to fifty average monthly wages or correctional works for a period of up to two years with or without deprivation of the right to hold

certain positions or engage in certain activities for a period of up to three years

such.

Note. 1. In this article, large-scale damage is recognized as damage caused in an amount exceeding seventy-five average monthly wages. 2. A person who voluntarily compensates for the damage caused in full is released from criminal liability provided for in part one of this article.

(2) The same act, which through negligence entailed the infliction of grave or moderate harm to a person's health, is punishable by correctional labor for a

term of up to two years or imprisonment for a term of up to five years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years. or without it.

(3) The act provided for in paragraph one of this article, which entailed death of a person due to negligence,

shall be punishable by imprisonment for a term of up to seven years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

The act provided for in the first part of this article, which through negligence resulted in the death of two or more persons, is punishable by imprisonment for a term of five to ten years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Note. If the person who committed the act provided for in parts two, three or four of this article took all possible measures to assist the victim, the punishment cannot exceed half the maximum amount provided for in the sanction of the corresponding part of this article.

**Article 327.** Poor-quality repairs of vehicles and their release into service with technical faults (1) Poor-quality repairs of vehicles, communication lines, signaling or communication means or other transport equipment, as well as the release into service of technically faulty vehicles by the person responsible for the technical condition vehicles, if these actions negligently caused damage on a large scale, are punishable by a fine and an amount of twenty-five to fifty average monthly wages or correctional labor for up to two years with deprivation of the right to hold certain positions or engage in certain activities for up to three years. years or no

such.

The same acts, which through negligence entailed the infliction of grave or moderate harm to human health, are punishable by execution for a term of up to two years or

imprisonment for a term of up to two years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years. .

(3) The acts provided for in paragraph one of this article, causing the death of a person through negligence,

shall be punishable by imprisonment for a term of up to five years. 4) Acts provided for in the first part of this article, which through negligence resulted in the death of two or more persons, are punishable by imprisonment for a term of three to eight years.

**Article 328.** Rendering of transport vehicles or means of communication unusable  
(1)

Destruction, damage or otherwise rendering unusable a vehicle, means of communication, signaling or communication means or other transport equipment, if these actions entailed damage on a large scale ,

shall be punishable by a fine in the amount of twenty-five to fifty average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to two years. (2) The same actions that caused by negligence

the infliction of a serious crime or average severity of harm to human health, is punishable by correctional labor for a term of up to two years or imprisonment for a term of up to four years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

(3) The acts provided for in paragraph one of this article, causing the death of a person through negligence,

shall be punished by imprisonment for a term of two to seven years.

(4) Acts provided for in the first part of this article, resulting in the death of two or more persons through negligence,

shall be punished by imprisonment for a term of four to eight years.

**Article 329.** Violation of rules ensuring safe work  
transport (1)

Violation by a passenger, pedestrian or other traffic participant (except for persons specified in Articles 325 and 326 of this Code) of traffic safety rules or operation of vehicles, if this action negligently resulted in the infliction of grave or moderate harm to human health,

is punishable by a fine in the amount of twenty to forty average monthly wages or correctional labor for up to two years. (2) The same act, which caused the death of a person through negligence, is punishable by correctional labor for a term of up to two years or imprisonment for a term of up to three years. (3)

The act provided for in paragraph one of

this article, which entailed by negligence the death of two or more persons is punishable by imprisonment for a term of three to six years.

**Article 330.** Violation of safety rules during construction,  
operation or repair of main pipelines

(1) Violation of safety rules during the construction, operation or repair of main pipelines, if this act caused damage on a large scale, is punishable by a fine in the amount of twenty to forty average monthly wages or correctional

labor for up to two years with

deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years or without it.

(2) The same act that, through negligence, resulted in the infliction of grave or moderate harm to human health. shall be punishable by correctional labor

for a term of up to two years or imprisonment for a term of up to three years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

(3) The act provided for in paragraph one of this article, which entailed death of a person due to negligence,

is punishable by imprisonment for a term of up to five years. (4) The act provided for in paragraph one of this article, which entailed by negligence the death of two or more persons is punishable by imprisonment for a term of three to eight years.

**Article 331.** Failure by the captain of a ship to provide assistance to those in distress. Failure by the captain of a ship to provide assistance to people in distress at sea or on another waterway, if this assistance could have been provided without serious danger to his ship, its crew and passengers, is punishable by a fine of at least twenty-five. up to seventy-five average

monthly wages or correctional labor for a term of up to two years or imprisonment for a term of up to two years.

**Article 332.** Violation of the rules of international flights Failure to comply with the routes, landing sites, air gates, flight altitudes specified in the permit, or other violation of the rules of international flights,

shall be punishable by a fine in the amount of twenty-five to seventy-five average monthly wages with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years or without it, or correctional labor for a term of up to two years, or imprisonment for a term of up to two years.

### **Section XIII. Computer crimes**

#### **Chapter 33. Crimes in the field of computer information**

**Article 333.** Deleted.

**Article 334.** Unlawful access to computer information Unlawful access to computer information protected by the legislation of Turkmenistan, that is, information accumulated on electronic media, in electronic computers, their system or network, by a person using his official position, by a person with access to electronic media , electronic computing

machines, their systems or networks or their conductors or those engaged in this work in the form of a trade or having another interest, as well as a group of persons by prior conspiracy, if this act entailed the destruction, blocking, copying of information or influence on information in another form or disruption of electronic carriers, electronic computers, their systems or networks or their conductors, is punishable by a fine in the amount of twenty-five to seventy-five average monthly wages or correctional labor for up to two years.

**Article 335. Creation, use and distribution of malicious computer programs**

(1) Creating computer programs or making changes to existing programs, knowingly leading to unauthorized destruction, blocking and modification or copying of information, disruption of the operation of a computer, computer system or their network, as well as the use or distribution of such programs or computer media with such programs ,

shall be punished by a fine in the amount of twenty-five to seventy-five average monthly wages, or correctional labor for a term of up to two years, or imprisonment for a term of up to one year.

(2) The same acts, which through negligence entailed grave consequences, are punishable by correctional labor for a term of up to two years or imprisonment for a term of up to two years.

**Section XIV. Military crimes**

**Chapter 34. Military crimes**

**Article 336.** The concept of military crimes (1) Military crimes are the crimes provided for in this chapter against the established procedure for military service, committed by military personnel serving in the Armed Forces, border troops, internal troops of the Ministry of Internal Affairs, troops and national security agencies, and other troops. ministries and departments in which the law provides for military service, as well as citizens in the reserve during their military training.

(2) Criminal liability for crimes against military service committed in wartime is determined by the wartime legislation of Turkmenistan.

**Article 337.** Failure to execute an order (1) Failure

by a subordinate to comply with an order from a superior given in the prescribed manner, which caused significant harm to the interests of the service, is punishable by restriction in military service for a term of up to two years

or detention in a military correctional unit for a term of up to two years or imprisonment for a term of up to two years. up to three years. (2) The same act committed by a group of persons with preliminary

conspiracy, as well as causing grave consequences,

is punishable by imprisonment for a term of three to eight years. (3) Acts provided for in parts one or two of this article, committed in a combat situation, are punishable by imprisonment for a term of five to fifteen years. (4) Failure to comply with an order due

to careless or dishonest attitude towards service, resulting in grave consequences, is punishable by restriction in military service for a term of up to two years, or detention in a military correctional unit for a term of up to two years, or imprisonment for a term of up to two years. The act provided for in part four of this article,

committed in a combat situation is punishable by imprisonment for a term of three to eight years.

**Article 338.** Resistance to a superior or forcing him to violate the duties of military service (1) Resistance to a superior, as well as another person performing the duties of

military service assigned to him, or forcing him to violate these duties, associated with violence or the threat of its use, is punishable by restriction in military service for a term of up to two years, or by detention in a military correctional unit for a term of up to two years, or by imprisonment for a term of up to five years. (2) The same acts: a) committed

by a group of persons by prior conspiracy; b) committed with the use of weapons; c) causing serious or moderate harm to health or

entailing other grave consequences, are punishable

by imprisonment for a term of three to eight years. (3) Acts provided for in parts one or two of this article, committed in a combat situation, are punishable by imprisonment for a term of five to fifteen years.

**Article 339.** Violent actions against a superior (1) Battering or the use of other violence

against a superior, committed during the performance of his military service duties or in connection with the performance of these duties,

shall be punishable by restriction in military service for a term of up to two years, or detention in a military correctional unit for a term of up to two years, or imprisonment for a term of up to five years. (2) The same acts: a) committed by a group of persons by prior conspiracy; b) committed with the use of weapons; c) causing serious or moderate harm to health or

entailing other grave consequences, are punishable

by imprisonment for a term of three to eight years. (3) Acts provided for in parts one or two of this article, committed in a combat situation, are punishable by imprisonment for a term of five to fifteen years.

**Article 340.** Violation of the statutory rules of relations between military personnel in the absence of relations between them subordination

(1) Violation of the statutory rules of relations between military personnel in the absence of a relationship of subordination between them, associated with bullying of the victim or causing harm to health of moderate severity,

is punishable by detention in a military correctional unit for a term of up to two years or imprisonment for a term of up to three years. (2) The same act committed: a) repeatedly; b) in relation to two or more persons; c) by a group of persons by prior conspiracy; d) expelled, punishable by imprisonment for up to five years. (3) Acts provided for in parts one or two of this article, committed with the use of weapons or causing grave consequences, are punishable by imprisonment for a term of three to ten years.

**Article 341.** Insult of a military serviceman (1) Insult by one military serviceman of another during the performance or in connection with the performance of military service duties, committed after the imposition of a disciplinary sanction for the same act,

punishable by restriction on military service for up to one year or detention in a military correctional unit for a period of up to one year.

(2) Insult by a subordinate of a superior, as well as by a superior of a subordinate during the performance or in connection with the performance of military service duties, committed after the imposition of a disciplinary sanction for the same act.

is punishable by restriction on military service for a term of up to two years or detention in a military correctional unit for up to two years.

**Article 342.** Unauthorized abandonment of a unit or place of service (1) Unauthorized abandonment of a unit or place of service, as well as failure to appear for service on time without good reason upon dismissal from a unit, upon appointment, transfer, from a business trip, vacation or medical institution lasting more than three days, but not more than ten days, committed by a military serviceman undergoing military service on conscription,

shall be punished by detention in a military correctional unit for up to two years.

(2) The same acts committed by a military serviceman serving a sentence in a military correctional unit, are punishable

by imprisonment for up to two years. (3) Unauthorized abandonment of a military unit or place of service, as well as failure to appear on time without good reason for service for a duration of more than ten days, but not more than one month, committed by a military serviceman undergoing military service by conscription or under a contract, is punishable by a restriction on military service for a term of up to two years or detention in a military correctional unit for a term of up to two years or

imprisonment for a term of up to three years. (4) The acts provided for in part three of this article, if

unauthorized absence lasting more than one month is punishable by imprisonment for up to five years. (5) The acts provided for in this article, committed in combat

situation, if the unauthorized absence lasted more than one day, is punishable by imprisonment for a term of three to eight years. Note. A serviceman who has committed the acts provided for in the first part of this article for the first time may be released from criminal liability if his unauthorized abandonment of his unit or place of service was the result of a combination of difficult circumstances.

**Article 343.** Desertion (1) Desertion,

that is, unauthorized abandonment of a unit or place of service in order to evade military service, as well as failure to appear for service for the same purposes, is punishable by imprisonment for a term of two to seven years. (2) Desertion

with weapons entrusted to the service, as well as desertion,

committed by a group of persons by prior conspiracy,

shall be punished by imprisonment for a term of five to ten years. (3) Desertion

committed in a combat situation is punishable by imprisonment for a

term of eight to twenty years. Note. A serviceman who has committed desertion for the first time, as provided

for in part one of this article, may be released from criminal charges.

liability if desertion was a consequence of a combination of difficult circumstances.

**Article 344.** Evasion of military service duties by feigning illness or other means (1) Evasion of a military serviceman from performing military service duties by feigning illness or causing any damage to himself (self-mutilation) or forgery of documents, or other deception, as well as refusal performing military service duties,

is punishable by restriction on military service for up to two years or detention in a military correctional unit for up to two years.

(2) The same acts committed for the purpose of complete exemption from military service duties are punishable by imprisonment for a term of up to seven years. (3) The acts provided for in this article, committed in a combat situation, are punishable by imprisonment for a term of five to fifteen years.

**Article 345.** Violation of the rules of combat duty (1) Violation of the rules of combat duty (combat service) to timely detect and repel a surprise attack on Turkmenistan or to ensure its security, if this act entailed or could entail harm to the security interests of the state, is punishable by restriction military service for a term of up to two years, or detention in a military correctional unit for a term of up to two years, or imprisonment for a term of up to five years. (2) The same act, which entails grave

consequences, is punishable by imprisonment for a term of three to ten years. (3) Acts provided for in parts one or two of this article, committed in a combat situation, are punishable by imprisonment for a term of five to fifteen years. (4) Violation of the rules of combat duty (combat service) due to careless or dishonest attitude towards them, resulting in

grave consequences.

shall be punishable by restriction in military service for a term of up to two years, or detention in a military correctional unit for a term of up to two years, or imprisonment for a term of up to three years. (5) The act provided for in paragraph four of this article,

committed in a combat situation is punishable by imprisonment for a term of three to eight years.

**Article 346.** Violation of the rules for performing border service (1) Violation of the rules for performing border service by a person who is part of a border patrol or performing other duties

border service, if this act entailed or could entail harm to the interests of the security of the state, is punishable by restriction in military service for a term of up to two years, or detention in a military

correctional unit for a term of up to two years, or imprisonment for a term of up to three years. (2) The same act, which entails grave consequences, is punishable by imprisonment for a term of three to eight years. (3)

Violation of the rules for performing border service due

to a careless or dishonest attitude towards them, resulting in grave consequences, is punishable by restriction in military service for a term of up to two years, or detention in a military correctional unit for a term of up to two years, or imprisonment for a term of up to two years. .

**Article 347.** Violation of the statutory rules of the guard service (1) Violation of the statutory rules of the guard (watch) service by a person who is part of the guard (watch), if this act resulted in damage to the objects protected by the guard (watch),

shall be punishable by restriction in military service for a term of up to two years, or detention in a military correctional unit for a term of up to two years, or imprisonment for a term of up to two years. (2) The same act, which entails grave consequences, is punishable by

imprisonment for a term of three to eight years. (3) Acts provided for in parts one or two of this article, committed in a combat situation, are punishable by imprisonment for a term of five to fifteen years. (4) Violation of the statutory rules of guard (watch) service due to careless or dishonest attitude towards them, resulting in grave consequences,

shall be punishable by restriction in military service for a term of up to two years, or detention in a military correctional unit for a term of up to two years, or imprisonment for a term of up to two years. (5) The act provided for in paragraph four of this article,

committed in a combat situation is punishable by imprisonment for a term of three to eight years.

**Article 348.** Violation of the rules of service for the protection of public order and ensuring public safety

(1) Violation of the rules of service by a person. being part of a military detachment for the protection of public order and ensuring public safety, if this act caused harm to the rights and legitimate interests of citizens,

shall be punishable by restriction in military service for a term of up to two years, or detention in a military correctional unit for a term of up to two years, or imprisonment for a term of up to two years. (2) The same act, which entails grave consequences, is punishable by imprisonment for a term of two to five years.

**Article 349.** Violation of the statutory rules for performing internal service and patrolling in the garrison

(1) Violation of the statutory rules of internal service by a person included in the daily duty of a unit (except for guards and watches), as well as violation of the statutory rules of patrolling in a garrison by a person who is part of a patrol detachment, if these acts entailed grave consequences, is punishable by restrictions on military service for a term of up to two years or detention in a military correctional unit for a term of up to two years or imprisonment for a term of up to two years. (2) The same acts committed in a combat situation are punishable by imprisonment from one to five years.

**Article 350.** Abandonment of a sinking warship (1) Abandonment of a sinking warship by a commander who has not fully fulfilled his official duties, as well as by a person from the ship's crew without a proper order from the commander, is punishable by imprisonment for a term of three to eight years. (2) The same act committed in a combat situation is punishable by imprisonment for a term of five to fifteen years.

**Article 351.** Deliberate destruction or damage to military property

(1) Deliberate destruction or damage to weapons, ammunition or items of military equipment is punishable by restriction in military service for a term of up to two years, or detention in a military correctional unit for a term of up to two years, or imprisonment for a term of up to five years. (2) The same acts that entail grave consequences are punishable by imprisonment for a term of three to eight years. (3) Acts provided for in parts one or two of this article, committed in a combat situation, are punishable by imprisonment for a term of five to fifteen years.

**Article 352.** Destruction or damage to military property due to negligence (1) Destruction or damage due to negligence of weapons, ammunition or items of military equipment, resulting in grave consequences,

shall be punishable by restriction in military service for a term of up to two years, or maintenance in a military correctional unit for a term of up to two years, or imprisonment for a term of up to two years. (2) The same acts committed in a combat situation are punishable by imprisonment for a term of up to five years.

**Article 353.** Negligent attitude towards military property (1) Violation of the rules for storing weapons, ammunition or military equipment entrusted for official use, if this resulted in their loss,

shall be punishable by restriction in military service for a term of up to two years, or detention in a military correctional unit for a term of up to two years, or imprisonment for a term of up to two years. (2) The same act committed in a combat situation is punishable by imprisonment for a term of two to seven years. (3) The sale, pledge or transfer for use of items of uniform or equipment issued to him for personal use to a military serviceman undergoing military service upon conscription is punishable by detention in a military correctional unit for a period of up to one year. (4) The act provided for in paragraph three of this article,

committed in a combat situation is punishable by imprisonment for a term of up to five years.

**Article 354.** Violation of the rules for handling weapons and objects that pose an increased danger to others (1) Violation of the rules for handling weapons, ammunition, explosives or other substances and objects that pose an increased danger to others, if this resulted in the infliction of serious or moderate harm by negligence harm to human health, destruction of military equipment or other grave consequences,

shall be punishable by detention in a military correctional unit for a term of up to two years or imprisonment for a term of up to three years. (2) The same act, which has caused the death of a person through negligence, is punishable by imprisonment for a term of up to five years. (3) The act provided for in paragraph one of this article, which entailed death by negligence of two or more persons, shall be punishable by imprisonment for a term of three to fifteen years.

**Article 355.** Violation of rules for driving or operating vehicles (1) Violation of rules for driving or operating a combat, special or other vehicle, if it negligently resulted in the infliction of grave or moderate harm to human health,

is punishable by detention in a military correctional unit for a term of up to two years or imprisonment for a term of up to three years.

(2) The same act, which has caused the death of a person through negligence, is punishable by imprisonment for a term of two to five years. (3) The act provided for in paragraph one of this article, which entailed death by negligence of two or more persons, shall be punished by imprisonment for a term of four to ten years.

**Article 356.** Violation of flight rules or preparation for them Violation of flight rules or preparation for them or other rules for the operation of military aircraft, which through negligence resulted in the death of a person or other grave consequences. shall be punished by imprisonment for a term of three to ten years.

**Article 357.** Violation of the rules of navigation Violation of the rules of driving or operating warships, which through negligence resulted in the death of a person or other grave consequences, is punishable by imprisonment for a term of three to ten years.

**Article 358.** Abuse of power or official authority (1) Abuse of power or official authority by a boss or other official, excess of power or official authority, inaction of authority, if these acts were committed for selfish reasons or other personal interest or caused significant harm to the interests of the service, rights and the legitimate interests of military personnel and other citizens,

shall be punishable by restriction in military service for a term of up to two years, or detention in a military correctional unit for a term of up to two years, or imprisonment for a term of up to three years.

(2) The same acts involving violence are punishable by imprisonment for up to five years. (3) Acts provided for in parts one or two of this Articles that lead to the death of a person or other grave consequences are punishable by imprisonment for a term of three to ten years. (4) Acts provided for in parts one, two or three of this article, committed in a combat situation, are punishable by imprisonment for a term of five to fifteen years.

**Article 359.** Negligent attitude towards service (1) Failure or improper performance by a superior or other official of his official duties due to a careless or dishonest attitude towards service, resulting in significant harm to the interests of the service, the rights and legitimate interests of military personnel and other citizens,

is punishable by restriction on military service for up to two years or detention in a military correctional unit for up to two years.

(2) The same acts that resulted in the death of a person or other serious consequences,

shall be punished by imprisonment for a term of two to five years. (3)

The acts provided for in this article, committed in a combat situation, are punishable by imprisonment

for a term of three to ten years.

**SCROLL**

**property not subject to confiscation by court verdict**

The following types of property and items that are necessary for the convicted person and his dependents, which belong to him by right of private ownership or are his share in common property, are not subject to confiscation: 1. A residential building, apartment or individual parts thereof, if the convicted person and his

the family lives there permanently.

2. Persons whose main occupation is agriculture have outbuildings and livestock in the amount necessary to meet the needs of their family, as well as feed for livestock.

3. Seeds necessary for the next sowing of agricultural crops. 4. Household furnishings, utensils, clothing: a)

clothing, shoes, linen, bedding, kitchen and dining utensils that were in use. Items made from precious materials or those of artistic value may be confiscated;

b) furniture minimally necessary for the convicted person and his family members; c) felts, two carpets, two rugs; d) all children's accessories. 5. Food products in the

quantity necessary for the convicted person and his family until the new harvest, if the main occupation of the convicted person is agriculture, and in other cases - food products and money for a total amount of up to five average monthly wages.

6. Fuels for cooking and heating living space.

7. Equipment (including manuals and books) necessary for the continuation of the professional activities of the convicted person or his members families.

8. Vehicles specially designed for movement of disabled people.